

THE MAGAZINE OF THE



ISSUE 3/01 - May 2001

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CHAIRMAN'S REPORT

I now have news about the events that we will attend as part of our 10th Birthday celebrations.

We have been invited to attend the Birmingham NIA Inland Waterways exhibition on 29th June-1st July. We are having the "NABO" bar where members and non-members will be welcome to come and drink, meet friends and talk. It seems a good way of recruiting. If they won't join sober, try a little alcohol! We are also looking after mooring Section One, so if you put NABO on your application form hopefully we will all be together. This has put one of our council members in a quandary – to go with the working boats or stay with NABO? I will be with NABO as it is going to be the friendliest place to be.

The other event we will attend is the National Waterways Festival at Milton Keynes 24th-27th August. The afore said working boat hopefully will be entered into the illuminated boat parade. One suggestion was to put a Bofors gun on the front and 'gun down the opposition'. The boat owner vetoed this: pacifism raised its head.

By the time you read this we will have been to Little Venice to wave the flag and meet up with friends old and new. I know several of you come to help at shows unfortunately I haven't a list so please make yourselves known, preferably by phoning, writing or e-mailing me beforehand, or just turning up and offering to help. We do need help, as four days on a stall is very tiring.

Council members will be attending other events and handing out joining forms.



**Toast 10
years of
NABO at
the NIA**



Trevor will be at Crick and Peter Foster at Newark that I know of.

Our AGM is to be held in Birmingham on the 10th November and we invite all our members to attend and raise a glass to the last ten years. Put the date in your diary and we will confirm the venue in the next "News".

A member has asked us in what way The Waterways Trust is connected to British Waterways. B.W. tell us that the two are completely separate organisations. The fact is that "The Trust" is a British Waterways invention. On the surface, it appears that it is being funded, at present, with British Waterways money. The address is the same as British Waterways Watford. Work carried out on their behalf is

being contracted to British Waterways although we are told that it doesn't have to be. If it does what it has set out to do, *"to raise money for inland waterway restoration"*, then it has to be a good thing and I am all in favour. Its stated aim is to manage & conserve "our" inland waterways. I thought managing was British Waterway's job, and IWA has always done a good job with the conservation side. We have all received the Trust's booklet of gifts and artifacts, with items such as a milepost for £120. My concern is that it is pricing itself out of the range of the average boater.

We have now received an invitation to join the Trust's 'James Brindley

Society' which states its aim is "to bring together everyone who cares about our inland waterways". This comes with a Northwich address. Does this mean another office? Is this the membership scheme that we all threw out? The cost is £240 per year (you can pay £20 per month if you prefer). For this, you and a guest get invitations to the Society Annual Dinner and to the Waterway Trust Annual Meeting, amongst a package of goodies. (BW has an 'Annual Meeting'; the EA has an 'AGM'). Surely the people who live, work and holiday on our canals and rivers are the ones who already care about "our" inland waterways, in spite of all the apparent efforts to price us off. We are seeing hard earned funds being sunk into offices, administrative support and glossy advertising. This may have helped to impress its royal patron, but who is spending more of its money on restoration, the IWA or The Trust? Maybe it is still early days and I am expecting too much. We would welcome your views.

Our previous Chairman has quite correctly taken me to task for my lack of mention of the Environment Agency. British Waterways, being the more troublesome Authority, takes up a good proportion of our time, but the Environment Agency is alive and kicking and we attend both their local and national meetings. The Environment Agency is looking to maximise its income and bring in a "Harmonised Licencing Scheme" for which it needs a Transport & Works Order. There are three contentious clauses: -

a) The order will extend the scope of inland navigation authorities insofar as registration and licencing of vessels is concerned to waters connected to and enjoying the maintained water levels of the

statutory or private navigation as defined by its own legislation. (This proposal would bring into the scope of the legislation marinas, tributaries, wet docks etc.).

b) The order will require all vessels kept, used, maintained, navigated moored etc. within the scope mentioned above to be registered and/or licensed in accordance with the "scheme of the day".

c) The order will create criminal offences for non-compliance.

The last order we will fight as we fought when it was tried in the British Waterways 1995 act. There is no way non-payment should make you a criminal.

The other two we would like your opinions on, especially as the Environment Agency won't confirm that registration will be a nominal fee.

Also, should boats be charged on width as well as length?

Please let us know your thoughts and whether you mainly use British Waterways or the Environment Agency navigations.

Happy cruising

Sue Burchett

PS – Don't forget, raise a glass to ten years of NABO at the



BW's PROPOSED RULES FOR OVERSTAYING MOORINGS

NABO has taken legal advice over British Waterway's proposals for a ruling requiring boats to move 6 miles every 14 days. We objected about this and the reply was to make it more onerous by stating that after another 14 days you now have to move another 6 miles in the SAME direction. We are against 'shuffling' but this is plainly ridiculous. More news on our web site & in our next "News"

Sue Burchett

NABO's response to the Boat Safety Scheme review

Following receipt of the BSS Review Teams' Final report, NABO must express its disappointment regarding the content of the review. To receive a document where a significant proportion of the content simply re-iterates the origins of the BSS, its implementation, management and the role of the vested parties, is at variance with our understanding of a **'comprehensive top-down review'** of the scheme. We must also convey to you our frustration upon reading the Review Team statement that they have **"not attempted to provide detailed and prescriptive answers to resolve the many issues raised"** thereby ignoring the issue of fundamental concern to the boating fraternity – the **CORE** of the scheme and its application. This issue will be addressed by us in a detailed response to the Final Report in due course.

As the review is now complete, we now look to BW and EA for a swift and positive indication of their intentions for implementation of the Review Team's recommendations. We will not agree to any 'fine-tuning' of the Technical Manual through the simplistic medium of reducing some elements to an 'advisory' status. Accordingly, we will not respond to the 'Time Limited Exemptions' in isolation.

Whilst we find the Report's implementation timetable confusing, we intend to use the indicated consultation period to independently analyse the content of the Technical Manual seeking advice (where necessary) from Regulatory Bodies and representatives from the marine construction and insurance industries. However, to ensure a fair and equitable outcome to this process that truly represents the interests of the boating community, we are prepared to offer our assistance to re-structure the scheme to achieve this aim.

Please be advised that this letter has been copied to Lord Whitty to ensure that he is fully informed regarding the gravity of our concerns.

Prepared by the NABO Technical Committee.

Endorsed by:

Sue Burchett - Chairman

CRIME ON THE WATERWAYS

through the eyes of a lady who boats on her own –
Jenny Maxwell

It happens, and we all know it. Crimes on the waterways range from young children demanding rides on the boats to serious criminals boarding them, and holding up their occupants with knives or guns while other members of the gang ransack their belongings. And there is vandalism, major and minor, children spitting on boats and boaters from bridges, or urinating on them, and sometimes fairly large gangs, usually of children, attacking with bricks, stones, bottles, and even iron bars. Boats can be boarded from bridge holes, narrows on the canals, or locks.

Give up! Sell the boat, stay well away from the inland waterways, and lock yourselves into your solid, safe, bricks and mortar residences. . .

Or accept that it can happen, take reasonable precautions, and remind yourself that the safest pursuits are the duller ones.

Gangs of children ask for rides on boats because they want a ride on a boat. They are bored, and they like boats. It is possible that they mean mischief. If you are worried, please try first making an acceptable excuse. 'I'm sorry, my insurance is really strict about this.' 'If it was my boat I wouldn't mind, but it isn't.' For

my part, I risk it. I let them onto the front deck (I never travel without locking the cabin doors) and tell them they can ride to the next lock. I now have several gangs of young hellions in various neighbourhoods who run to greet me when they see my boat coming, and who are now quite competent when it comes to working the locks. This is helpful! The worst that has ever happened to me is that I 'lost' a fender tie. And I came back from shopping once to find one of my gangs in a high state of indignation and excitement, having surprised two men trying to break into the boat. Thank you, Dale, Glen, Roger I, Roger II, and the other two lads whose names I don't know.

I boat alone, and I am a middle aged woman. Easy victim, however, I am not. I have good locks on my cabin doors, and, when I am in a 'bad area', a big steel bar runs between two solid brackets across those cabin doors, and is held in place by the sort of padlock that makes you whistle when you see the price tag. The doors and slide of the engine room are constructed in such a way that I can step down into the engine room, close the doors, close the slide, and bolt it into place in about four seconds. I practised

until it became quite a slick routine. I have never needed to do this, but I feel more confident knowing I can. Close to hand is a camera (a simple one – I am a techno-illiterate) and a mobile ‘phone. Also my small rack of tiller pins, which make quite intimidating weapons, if you need one. Please try not to.

Vandalism, smashed windows, I was sorry to read that. Paint sprayed onto carefully brushed enamel, or poured over the boat. It’s enough to make you weep. A fairly thick coat of polish on paintwork before the boat is left can help, as can sheets of plywood hung over windows and portholes. Nothing will actually stop somebody who is determined to turn your lovely boat into an ugly mess; all you can do is choose your moorings as carefully as possible, protect your boat to the best of your ability, and hope.

If vandals are caught, and it has been known to happen, albeit rarely, a magistrate is permitted to administer a verbal slap on the wrist. However, I cannot see any good reason why the victim of a vandal should not sue, once the criminal has been identified. What about NABO starting up a fighting fund to this end? I’d be more than happy to contribute a fiver a year. How about you? And, NABO, what do you think of the idea?

Being spat on, or worse, leaves you angry, upset, and dirty. Have a shower, warn other boaters, and get on with your life. If this is the

worst that has ever happened to you, I suggest you have been over-protective of yourself. Bricks, bottles and iron bars are another matter, and I wish I had an easy answer. I am hopeless at ‘describing my assailants’. Yes, I will telephone the police, I will do my utmost to convince the young woman, who answered my call by identifying herself as ‘Intelligence’, that there really is a canal in her part of the country, and that I cannot tell her the name of the road nearest to me because I cannot see it, let alone its name plate. No, the boys are not still here. They left, uttering the braying sounds intended to convey amusement and triumph, denoting instead a single figure IQ. One of them was, um, fair haired and quite tall. Um. The other two ... Hell, I’ve forgotten again.

It won’t stop me, but it will deter holiday makers, for example, the nice Swedish family coming down the Stourbridge Arm to visit the Bonded Warehouse. The Local Intelligentsia dropped a bottle onto the head of the man at the tiller, cutting it open. I saw it happen. I was as useful as ever in ‘describing the assailants’, and a bit better than that with my First Aid kit and tea and sympathy. They were so nice, those three Swedish guests on our waterways, on their first, and last, visit. They weren’t angry so much as bewildered. Those thugs cost a hire company several hundred pounds in future business, as well as injuring a harmless stranger.

The police doubtless do their best in impossible circumstances When, please, do you dial 999? Yes, when you're being attacked, when there are intruders on your boat, when you can see a crime being committed, we all know that. When you are approaching a bridge, and there is a gang on it, bricks at the ready and facile smirks plastered across otherwise vacant faces? Does this merit an emergency call? If I knew that the police weren't doing anything particularly urgent, I would indeed call for immediate help, but they may have several serious problems backing up behind Intelligence on the switchboard. Stop the boat, back away, take out the camera. Wait and see. Stand-off. Messrs

Einstein, Shakespeare and da Vinci sneer, and wander away. How far have they wandered? Wait, and watch, and within a maximum of sixty seconds one of those faces will appear around the corner, and duck back out of sight again.

Hell and damnation, please bring back the rack, the cat o' nine tails and boiling oil, I am sick to the back teeth of these cretins, and I think we should put our heads together and devise a plan of action. This is, if not a call to arms, a request for a calculated and intelligent response to a problem that is becoming worse with every passing narrow boat. Ideas needed!

Jenny Maxwell

ASK NABO

Roger Davis

Our latest Web initiative in providing opportunity for rapid communication between Council and members (and potential members) reported in last issue seems to be increasingly appreciated. Apart from fairly routine enquiries about boat ownership, moorings and residency we have had an important offer to raise our profile in Scotland where at the moment we are very thin on the ground.

We also appear to have a significant international following although sadly, despite receiving an excellent CV from an Italian Navy engineering officer with Certificates for Survival and Rescue, Oil Tanker, Safety, Radar, Hydrographics, Cablelaying, Oil Platforms and Containerisation, Andrew our Treasurer said we didn't have enough in the kitty to employ him!

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The Human Rights Act 1998, and the Boater

In the April issue (2/01) we printed the first part of an Article explaining how the Human Rights Act will affect boaters in general, written by one Michelle Harris, a practising Barrister-at-Law. In this she explained the background, then expanded on the topics of:-

- Discrimination
- The right to vote
- Strict Liability offences

Michelle has given permission for her article to be reproduced in NABO News.

However no approach should be made to a Barrister directly. Convention dictates that the services of a solicitor should be sought first. If necessary and if the solicitor wishes to seek the opinion of Counsel, please tell the solicitor that Michelle is an authority on how the Act will affect the boater and to seek her opinion. Please advise your solicitor to contact the NABO Legal Advisor, Derek Hackett, who will supply them with necessary details to contact Michelle.

Boat Dwellers and Human Rights - Part 2

By MICHELLE HARRIS, Barrister - Temple, London EC4

Background (Recap)

In the UK around 22,000 people reside on boats and although most of the population moved onto vessels during adult life they largely consider themselves to be a strong and distinct community and identify themselves as a separate group from society. Boat dwellers, and to some extent boat owners, face some peculiar problems that did not seem to benefit from legal redress before the introduction of the Human Rights Act 1998 that came into force on 2nd October 2000 and incorporated the European Convention on Human Rights into domestic law. Previously, any human rights issues only had to be addressed by the European Court after all domestic legal action had been exhausted. All UK Courts now have to consider any human rights issue raised and in doing so they must take into account any previous decision made by the European Court or Commission. The Convention Rights referred to in this paper are:

- Article 5 - The right to liberty and security
- Article 6 - The right to a fair trial including the presumption of innocence
- Article 8 - The right to respect for private and family life
- Article 14 - The prohibition of discrimination
- Article 1 of the First Protocol - The protection of property
- Article 3 of the First Protocol - The right to free elections

The issues covered here that have affected boat dwellers and give rise to concern are

- Use of Section 8 notice
- Social security rules that exclude the licence cost of vessels from housing benefit criteria;
- The restrictions on receiving mail;
- Bail both by police and in the courts.

Section 8 notice

Another sanction deployed by British Waterways when the owner of a craft has not purchased a licence or paid for mooring fees is to issue a section 8 notice. This basically puts the boater on notice that his boat and/or home may be removed, impounded and sold to pay for any outstanding debts, including expenses incurred by British Waterways in the removal, storage or destruction of the craft. This draconian measure may breach Article 8 and read in conjunction with Article 1 of the First Protocol may make its continued use unlawful. In order to legitimately deprive the owner of his property a sanction must be in the public interest, subject to conditions provided by domestic law and international law principles and there must be a fair balance between the general interests of the community and the protection of the individual. It would seem doubtful that the deprivation of one's home without judicial sanction could be thought appropriate in this respect. Therefore, where enforcement seems likely Judicial Review ought to be considered.

Social Security Benefits

As well as mooring charges the boat owner is also subject to a licence charge. Licence costs and calculations vary depending on Navigation Authorities but generally are calculated on a per foot basis and a typical sum may be around £500 per annum. The licence is not an assessment of skill but purely an income generating tax. The exclusion of the licence fee from housing benefits can result in section 8 notices and strict liability offences outlined above. Invariably boat dwellers own their craft and thus this charge could be seen to be similar to the charge a leaseholder pays as ground rent per annum. Although there is no right to welfare benefits they can fall within the remit of Article 1 of the First Protocol. As the licence may affect the home and have an impact on the applicant's right to family life, entitlement to welfare benefits may also spring from Article 8. It may be arguable that as the licence is a necessary housing cost, benefits should be paid, so as to put the boat dweller on an equal footing with the leaseholder or tenant. I would argue that without this measure a disparity exists that is neither reasonable nor objectively justifiable.

Restrictions on receiving mail

On first glance this may seem a spurious concern, as already stated boat life can be transient and the lack of a postal address is a natural consequence of the choice of life. However, its effect can be wide reaching, amongst other things; job opportunities become harder to achieve; doctors (GPs) may be unwilling to register a

patient; Social Security benefits become harder to access; library membership is virtually unheard of; the police treat people with greater suspicion: Council grants cannot be applied for and as detailed earlier there is no entitlement to vote.

The Human Rights Act provides protection from public authorities or organisations that have a public nature. Although for some purposes the Post Office would not be considered to be a public authority, it does carry out a public service for which it has a monopoly namely the delivery of private mail. Further it carries symbols of the State such as the picture of the Queen's head on stamps. It is clear that the European Court has taken a wide interpretation of the notion of state and will not allow organisations to escape the Convention by claiming to be a private organisation or the State to sidestep its duties by delegating them. Therefore, it is arguable that the Post Office falls within the ambit of a public authority for the purposes of the Act. It may also be arguable that not being able to receive mail is an infringement of Article 8 rights. A solution to the problem could be found. At present a visitor who is travelling around the UK whether from England or abroad is entitled to have their post sent 'post restante' to the nearest post office for collection. This mail facility is only available for three months which may not provide a solution if someone is living on long term non-residential moorings and even when travelling extensively throughout the system many would prefer to keep the address constant and collect the post whenever possible. Perhaps an answer could be to provide long-term post box facilities from which mail could be collected or to waive the three month restriction.

Bail

Like any other members of community boat dwellers can be subject to arrest. However, anecdotal evidence suggests that when arrested the chances of bail are slim. It perhaps goes without saying that the impact of this on an individual can be immense.

On the face of it the Bail Act could be considered to offer equal protection as that provided by the incorporation of Article 5 into the Human Rights Act. In most cases the Bail Act gives a general right to bail except where there are substantial grounds to believe the defendant would fail to surrender, commit an offence whilst on bail or interfere with witnesses or otherwise obstruct the course of justice. These reasons appear to mirror the grounds for bail identified by the European Court and Commission which are fear of absconding, interference with the course of justice, prevention of crime and the preservation of public order. However, the Bail Act specifies factors that give rise to substantial grounds that a defendant would fail to surrender and these include the lack of community ties of the accused. The Magistrates Court use Stones' Justices Manual extensively and this suggests that community ties should be interpreted with regard to, amongst other things residence, type of accommodation and recent address with length of stay. Clearly, this could have a negative impact on individuals who do not live in conventional housing. Amongst this group are boat dwellers and the extent to which this factor is held against them will vary depending on the permanence of their mooring status.

However, in my view, following the incorporation of the Human Rights Act, the Court will have to consider if there is evidence to support the notion that the type of accommodation or length of duration at the locality of the particular defendant will have an adverse impact on the likelihood that he will abscond and each case must be assessed according to its particular circumstances. Before bail is refused in such a case the Court will need to be satisfied that there are specific indications of a genuine requirement of public interest that, notwithstanding the presumption of innocence, outweighs the respect for the individual's liberty.

I would consider that the type of home a defendant chooses to live in has little or no bearing on his likelihood to abscond. Cruising the inland waterways system that for the most part has a speed restriction of 4 knots can hardly be considered to amount to a fast getaway choice. Additionally, however restored our waterways have become they do not equate to the extensive road network. Most boat dwellers would have to cruise for hours before a choice of direction became possible. The towpath telegraph ensures that most boats are easy to trace by simple word of mouth and if that were to fail the Navigation Authorities are usually aware of the location of vessels under their registration and licence control. The large majority of boats owned by boat dwellers are not suitable to navigate the tidal or coastal waters, but even if that were physically possible the craft would then fall under the scrutiny of Customs, the port authorities, river Police and the Coastguard. The chance of absconding with the boat then is relatively slim, and with a substantial investment as well as chosen way of life at stake most would not contemplate leaving without the boat.

The court has a duty when refusing the general right to bail to give its reasons and if living aboard a boat is a major factor this should become apparent and consideration should be given to appeal. If bail is refused for reasons that are subsequently found to contravene Article 5, then the victim can claim redress, or in the event of a police station refusal of bail for these reasons could bring a civil claim for false imprisonment. Such action could create a precedent and protect the rights of those who face the same predicament in the future and provide compensation for the individual concerned.

Michelle Harris

[We are very pleased to welcome Michelle as a new NABO Member]

MOORINGS SURVEY – Log Keepers Unite !!

How about getting together all our knowledge of good overnight moorings this summer?. BW can't even tell us where their Visitor Moorings are, and there are plenty more. Did you know there are rings on a stretch just south of Loughborough?

All contributions to me - there could be a NABO guide in it. Tell us location, capacity, depth, rings/bollards, piling, nearby facilities, disturbance, security etc.

Thanks - Stuart Sampson

SCOTTISH MILLENNIUM LINK TO OPEN

The first stage of the exciting project to restore the Lowland Canals of Scotland will soon reach fruition with the opening in the late Spring of the Forth & Clyde Canal linking the east and west coasts.

The waterway was formally closed in the early 1960s, leaving isolated sections which continued in restricted use by small craft. The big leap forward came when plans to restore the canal link between Glasgow and Edinburgh received massive support and investment from The Millennium Commission, the EU, local councils and British Waterways, in partnership with private enterprise and property developers.

When it is eventually completed, the project will create a through route from the Clyde to the Forth estuary with a branch leading into the city centre of Edinburgh. The latter connection will entail restoring the Union Canal between Falkirk (where it joins the Forth & Clyde Canal) and the Scottish capital. The junction of the two waterways is where the much publicised “Falkirk Wheel” rotating boatlift will be constructed, lifting boats up to the Union Canal a total height of 35 metres in place of 11 previously abandoned locks - with magnificent scenic views to boot.

The opening of the Forth & Clyde Canal has prompted BW Scotland to publish a very informative Skipper’s Guide which contains explicit pilotage notes to assist vessels entering from the sea at each end. The western entrance is via the still-functioning Bowling Basin on the Clyde, whereas the eastern link to the sea has been made possible by building a canal diversion into the adjacent River Carron to by-pass the lost final section which used to pass through Grangemouth Docks.

The waterway is a total of 56 km long (about 31 nautical miles) with 39 locks to negotiate - 36 of the original locks, 2 new locks on the Carron link and a unique new “drop lock” which lowers boats under the main Dumbarton Road at Dalmuir, across to the other side and then raises them back up to continue on their passage.

The canal was originally constructed as a ship canal and was extensively used by commercial traffic, Clyde “puffers” and fishing boats, as well as yachts. The restoration has maintained the original lock dimensions and craft of the following maximum size can navigate the canal:

Length 20.88m (68ft 6 in)

Beam 6m (19ft 8in)

Draft 1.83m (6ft)

Headroom 3m (9ft 10in)

Use of the canal will not be cheap. A Transit Licence for a one-way passage including 3 overnight stops will cost £15.65 per metre with reduced terms for a return passage.

Canal licences are also available at the rate of £86.75 per metre for 12 months with a 50% reduction for 2001 only. Short term visitor and Scottish Wanderer licences are also available.

Bowling Basin offers “marina” facilities for £2.25 per metre overnight and annual mooring fees of £86.75 per metre.

Should this canal be called the “Millionaire Link” we ask ourselves??

Apart from local pleasure trips the major traffic is expected to be sea-going pleasure craft and yachts wishing to travel to new cruising grounds without having to traverse the equally expensive Highland Canals (the Caledonian and Crinan Canals) or make the lengthy and dangerous journey around the northern tip of Scotland.

Further details and confirmation of opening date should be obtained from British Waterways. Lowland Canal Office, 1 Applecross Street, Glasgow G4 9SP
Tel 0141 332 6936 or try their website at www.scottishcanals.co.uk.

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ENVIRONMENT, TRANSPORT & REGIONAL AFFAIRS COMMITTEE REPORT

The ETR Affairs Committee has issued its report following the series of hearings which took place in the House in late 2000.

The inquiry and report resulted from the publication by the Government of the paper "Waterways for Tomorrow" in June 2000 as a daughter document to its Integrated Transport White Paper. NABO submitted written evidence to the Committee and our views and comments appear to have been heeded in a number of cases where specific reference is made in footnotes to our submission.

The Committee took account of our views regarding the absurdity of new gravel extraction taking place alongside the River Severn but all materials being transported away by road. They also took heed of our scathing comments about inappropriate waterside development - we had cited the previous intention of BW to site a Chinese "junk" in Gas Street Basin in the centre of Birmingham!

A number of witnesses, including RYA, supported our concerns about boating becoming too expensive and elitist, and the need for new and younger boat owners to be encouraged on to the waterways.

The main recommendations of the Committee included fiscal and other measures to encourage more freight on to the waterways; the need for local authorities to safeguard and promote public access to the waterfront in new developments; a call for BW to be more flexible in their financial appraisals and expected rates of return

for heritage projects for the public good; a recognition that it is not feasible to increase the contribution from boaters; the establishment of a joint board (BW, EA and Broads Authority) to co-ordinate management of the waterways - the aim being to harmonise rather than standardise; and the need to introduce a new Waterways Bill to revise and consolidate the outdated BW Acts.

Perhaps, the most important feature of the report is the recommendation that the navigation responsibilities of BW and EA should remain as at present and that the arrangement should stand for some years to come in order to give stability to EA in particular. NABO had been a lone voice in asserting that **if** the Government was minded to change the status quo, we would have opted for BW to have control of all canals whilst EA should take control of the rivers. We saw no merit in BW taking over EA rivers. It now appears that our own view has been vindicated by the Committee.

The entire 300 page report and appendices is available on the internet but for those of you who do not have access or the time we have extracted the following interesting snippets:-

NABO was not in favour of BW taking over the navigational responsibilities of EA (the River Thames, etc.). We also stressed our regret that there is no longer a Right of Navigation on canals following the Transport Act 1968 (although the Common Law Public Rights of Navigation *do still persist on many rivers - and long may this be the case!*)

The **Trades Unions** had misgivings about the role of the Waterways Trust. They feared that BW would hand over to the Trust restoration projects which would then be carried out by sub-contractors rather than the BW workforce.

The **Fens Tourism Group** questioned the apparent disparity in Government funding of BW and EA for navigation functions. The EA have a spend of only £3400 per km of waterways compared with BW's £22,500 per km.

Dr Merv Rowlinson of **London Guildhall University** highlighted the decline of the River Weaver - which he described as being in a parlous state. The infrastructure has been wasted and neglected by BW and lack of dredging has led to withdrawal of regular trading vessels. BW were questioned about this by the Committee - George Stevenson MP pursued this point vigorously, repeatedly asking Dr David Fletcher (Chief Executive of BW) whether the assertion made by Dr Rowlinson was correct. Dr Fletcher stated that although he thought the comment had been well intentioned it was quite wrong. "Absolutely wrong" he stressed when asked again. He denied that the Weaver was silted up to such a degree that coastal vessels could no longer use it. George Stevenson MP was giving him a hard time, so Stewart Sim (BW Operations Director) chipped in and said that the Weaver still has traffic up to the ICI Works at Barton and the river IS navigable. "There is no problem. The river IS navigable".

All the witnesses with **EA** connections were adamant that the EA should continue to hold its current responsibilities for navigation in its Thames, Southern and Anglian regions.

The **Inland Waterways Association** favoured one navigation organisation (BW?) having responsibility for all of Britain's waterways. In its supplementary memorandum IWA was strongly in favour of the BW Acts being brought up to date, re-classification of the canals and the role of IWAAC being extended.

[At its January 2001 Council meeting IWA subsequently resolved that BW should take over all the navigation functions of the Environment Agency]

The **Royal Yachting Association**, whose Inland Waters Panel "represents and protects the interests of cruising boat owners on all inland waters" was concerned about the ever increasing costs of boating, citing the Boat Safety Scheme as an example. Fortunately, "the RYA, working closely with other national user groups, has now persuaded the owners of the scheme to carry out a root and branch review". (So that's what they expected!)

English Nature stressed the need to protect SSSI's on rivers and canals and suggested that 40+ sections of waterways should have nature conservation as their principal use. This could mean that on some canals boating would have to be restricted - perhaps concentrating on operating craft to allow visitors to view the wildlife under controlled conditions (they term this "interpretation").

They made the suggestion that boat numbers should be controlled by a quota system with permits from lock-keepers. On selected stretches, visitors could board an interpretative boat. In the countryside they suggest that management options could include widening canals, chaining off sections of canals, allowing traffic one-boat-width only but not restricting total

boat numbers. (that's very nice of them!).

The **Association of Waterways Cruising Clubs** memorandum to the Committee were in favour of an overarching body (rather aptly printed as "overaching" due to a typographical error!) to act as a strategic navigation authority. They favoured IWAAC taking on this role initially. AWCC did not think that the EA would be able to exist as a navigation authority against competition from BW.

IWAAC itself put forward the proposition that it should have its remit extended and that BW and EA should be integrated into one national navigation body.

The **Environment Agency** submitted a paper and was questioned by the Committee. Not surprisingly, it wished to retain control of its present river navigations and in its evidence stressed how competent it was at managing rivers. Most of the cross-examination, however, concentrated on increasing freight traffic on the EA rivers. (not one of their strongest points).

The **RBOA** did not wish to get embroiled in the argument about BW versus EA but did call for a regulator for the waterways.

The **Waterways Trust** (son of BW) tended to favour BW becoming the national navigation authority, leaving the EA as a regulator, without a navigation function.

Dr Mark Warner, the Chairman of the **Association of Thames Yacht Clubs** stated that ATYC was strongly in favour of seeing the transfer of navigational responsibility on the River Thames from the Environment Agency to British Waterways.

This view was echoed by the **Trent Boating Association** (TBA) who considered that on past performance BW were very much ahead of the EA and should assume responsibility for the whole of the UK's inland waterway navigations.

Mr Fred Taggart, the director of **Regeneration Through Heritage** was scathing in his submission about the alleged failings of BW in respect of waterside regeneration projects at Wakefield Waterfront and Sowerby Bridge. So much so that the ETR Committee travelled to Yorkshire to view the sites and to take more evidence. BW were given a very rough ride by the Committee in cross-examination. Time and time again they were asked about the scheme at Wakefield and the Committee were amazed that the BW witnesses (Dr Fletcher, Dr Greener and Mr Sim) did not know very much about the project, how long BW had owned the Grade II* listed warehouse, why it had remained empty for some 25 years, or even who initiated the present project!

Altogether not a very auspicious session for BW.

S.P.

www.nabo.org.uk

We, on behalf of our site hosts, would like to apologise for the 'outage' of the NABO website a few weeks back and the longer time the feedback forms were defunct. We have been promised it won't happen again.

All is working now and we would like to hear from you, particularly regarding crime incidents.

webmaster@nabo.org.uk & public.rel@nabo.org.uk

EDITORIAL

Foot & Mouth allowing, the Editorial office (m.v. Sulaskar) should be afloat for the next two issues somewhere between Bradford (Yorks) and Bradford (-on-Avon). So I ask you to post your articles and letters to the **General Secretary**, who can pass them on to me at the council meeting on the **9th June** (see notice board).

E-mails to news.editor@nabo.org.uk will reach me direct, but my mobile connection is slow so please send your copy in the body of the message as plain text if possible.

Of course you can hand them to me on the towpath, or just air your views. Look out for a 'Persian Yellow' topped narrow beam Dutch Barge by the name of m.v. Sulaskar and an assortment of Border Collie type dogs.

You may remember in my last editorial I mentioned my dispute with 'a well known navigation authority' regarding short-notice de-watering of our moorings. In it I said "In spite of being instructed not give us advanced warning by his office, so he claims, it was down to the decency of our local lock-keeper to phone us . . ."

After flatly denying the allegation, the Waterway Manager has now written to me, too late I fear, asking me to remove the words "so he claims" from this statement, because he has discovered the claim to be perfectly valid! He acknowledges we should have been warned in writing and he apologises for any inconvenience caused by their failure to do so.

One can forgive an administrative cock-up assuming no one has suffered. What cannot be so easily forgiven is a high-handed official denial before a matter is properly investigated. This is the sort of case where mention of the initials N.A.B.O. can still help; BW's "unpaid sensory nervous system" is capable of registering pain!

Stuart Sampson

NOTICES

BE ON YOUR GUARD !

BW could start charging for towpath mooring at Llangollen.

New Harmonised Licence proposals could make non-compliance with conditions a **CRIMINAL OFFENCE**.

BW may remove pontoon mooring at Farndon (R.Trent).

Boats could be charged road duty for diesel in 2007.

Breathalysers could be used on canals if Shipping Minister Keith Hill's plans go through.

Please - EA !
Don't price boats off the Thames, boost your income by encouraging more boats to come.

Just a quick note to advise you that the RSPCA 24-hour national cruelty and advice line telephone number changed recently. The number quoted in the 'Cut Crime on the Cut' supplement is the old one. The telephone number now in use is

0870 55 55 999.
Lynne Laniosh



PLEASE NOTE - EDITOR AFLOAT
Please send contributions on paper or disc for Issue 4/01 to Gen Sec to arrive by **9th June**, address:-
Graham Freeman, 15 Harcourt Way, Hunsbury, Northampton, NN4 8JR
E-mail (news.editor@nabo.org.uk) copy date is 16th June

BEWARE !

The British Waterways patrol boat on the River Severn is named "*Virago*".
In the Latin vernacular this word means "*Cantankerous Old Cow*"!!

HOW MANY PEOPLE DOES IT TAKE TO PUT UP A FOOT & MOUTH SIGN? THREE, ONE TO HOLD THE POST, ONE TO HOLD THE HAMMER & ONE TO READ THE INSTRUCTIONS. AS SEEN BY ME - *Sue.B.*

Expert Opinion
Jelly won't set in boats
Clement Freud

Meetings

Council will meet on the following dates in 2001:

June 9th;
July 28th;
Sept 29th;
Nov 24th

AGM will be on
Nov.10th

WATERWAYS OMBUDSMAN FINDS IN FAVOUR OF NABO MEMBER

In June 1997 the local Waterways Manager requested me, together with other moorers at the southern end of the Staffs & Worcs Canal, to sign a legal 'Residential Moorings Agreement' which contained several clauses I considered to be contradictory to the then recently issued 'Boat Licence & Permit Conditions' (the contract for the issue of cruising licences I mooring permits to all boaters).

Representation to the Waterways Manager produced a singularly unhelpful 'common sense would prevail in the event of any dispute (just imagine!) type of response which was initially confirmed by the Regional Manager. He later had second thoughts and in October 1997 conceded that I was correct by confirming that the Agreement would be revised, following consultation with User Groups.

Over the next couple of years I continually 'chased' the (lack of) progress of this Agreement - involving some 13 letters to 5 different BW Managers of varying seniority. Some went unanswered, others gave promises which were not fulfilled whilst hardly any were responded to within the terms of BW's own 'Customer Charter' as detailed in its 'Caring for Britain's Waterways' booklet which states:

'If you write to us, you can expect to hear from us within 7 days of when we receive your letter. Where possible, it will be a full reply rather than an acknowledgement, but we will send out a full reply within 27 days. Some issues may of course take more than 21 days to resolve. Where this is the case we will keep you up to date on progress

After suggesting and agreeing several deadlines with BW which were ignored,

I eventually invoked the internal complaints procedure in February 2000 which resulted in the Agreement being available two months later. However, I requested Stephen Edell, Waterways Ombudsman, to investigate the inordinate length of time taken for the Agreement to be prepared and also the numerous breaches of the 'Customer Charter'

Following nearly twelve months of correspondence between Mr Edell, BW and myself, BW's Chief Executive eventually conceded that:

'the failure to produce the Agreement within a reasonable time scale constituted maladministration

whilst Mr Edell came to the conclusion that:

'the delays in dealing with the correspondence constituted maladministration'

In my report to Mr Edell I had suggested that a possible remedy to satisfy the complaint (apart from apologies which BW freely hand out hoping problems will go away) would be for 'BW to review its administrative procedures with particular reference to its Customer Charter commitment. This certainly touched a raw nerve within BW and it is worth quoting the response from its Corporate Services Director (who was trying to persuade Mr Edell to exercise his discretion not to investigate the complaint): 'The remedy sought by Mr Smith is vague and imprecise and trespasses on BW'S own responsibilities for administering its affairs efficiently. This is a continual process which needs no external stimulus' I considered that statement arrogant and replied, through Mr Edell, expressing surprise that BW considered its administrative capabilities above criticism.

BW's Chief Executive subsequently appeared to agree with me when he eventually informed Mr Edell that:

(a) He had addressed the problems of delay (in responding to correspondence) by writing to all BW's first-line managers to remind them of their Charter commitments and of the importance in a steady state situation of giving them priority.

However, he additionally stated that:

(b) A review of the Charter would be put in hand early in 2001. He thought that it might be considered appropriate in a revised edition (of the 'Caring for Britain's Waterways' booklet) to give further information to customers about the standards of service they may expect from BW offices, and the circumstances or reasons why on occasions those standards may have to vary from the norm.

Rather than a review of administrative procedures, I consider b) to be a change of principles under which those procedures operate - something quite different.

Mr Edell considered the remedy implemented (i.e. a) and b) above) to be adequate but as BW had initiated it during the investigation he made no recommendation.

I am pleased that my complaint has been upheld by Mr Edell but are the BW remedies going to make any difference to boaters and other customers of BW?

The Chief Executive's letter as outlined in a) above appears to have had little effect judging by the fact that it took BW's Corporate Services Director **two months** to reply 'no comment' to Mr Edell's letter enclosing his final draft decision - and then only after a

reminder! (I assume of course, that the Chief Executive actually sent out the aforementioned letter and that the Corporate Services Director is a first-line manager?) time will tell whether other 'first-line' managers (who are they anyway?) are going to take any notice but the message to BW is very clear - abide by the Charter or risk being found guilty of maladministration - again. (This is the second time Mr Edell has upheld a similar complaint - the previous one being in 1998 when BW assured a User Group that the problem would not be allowed to recur.)

The review of the terms of the Charter (b) above) can only mean a dilution of the commitment and I think all User Groups will have to be very vigilant when they are consulted about the revision of the 'Caring for Britain's Waterways' booklet. I have reason to think that the 'towpath vegetation' commitment will also be reviewed.

Finally - an interesting aside was gleaned from correspondence between BW and Mr Edell which concerns his terms of reference. Previously, on completion of an investigation the Ombudsman would send the final draft of his decision to the party to be found against to provide an opportunity for any overlooked relevant facts to be made available. Only after this would the successful party receive a copy of the draft prior to the decision being formally issued. It would appear that it has now been agreed that the Ombudsman will send a copy of his draft decision to both parties simultaneously.

Incidentally, his annual report is recommended reading - available free of charge from BW Customer Services on 01923 201120.

Denis R Smith



RIVERS



BW or EA ? – that is the question

The House of Commons Environment, Transport and Environmental Affairs Committee has published its report (see article elsewhere in NABO News) and one of its main recommendations is that the Environment Agency should be permitted to retain its navigation authority function on the rivers that it currently controls. The Committee recognised that continuing debate about the future role of the EA had led to uncertainty and low staff morale, and that a period of stability was now desirable.

A number of national and local organisations submitted evidence to the committee calling for the EA to relinquish its operational role as a navigation authority in its Thames, Southern and Anglian Regions. Many witnesses have called for British Waterways to take over EA river navigations. The Association of Thames Yacht Clubs, Trent Boating Association and the IWA were amongst their number.

NABO, in its written evidence, did not support such a change. We considered that, on balance, the present responsibilities of BW and EA should remain unchanged, and if the status quo were not to prevail then it would have been logical for the EA to manage navigation on all rivers, leaving BW to concentrate on its canals and property portfolio.

Why did NABO Council adopt this stance?

For one reason, the management of rivers requires an integrated approach - navigation is but one small part of a larger jig-saw including land drainage, flood relief and wider conservation issues which fall within the remit of the Agency.

Another factor was that we considered that a stronger monopoly position with BW controlling an overwhelming majority of navigation infrastructure would not be desirable. Competition in its widest sense can be a healthy situation, keeping the participants on their toes and encouraging innovation and efficiencies. We took this view in the light of recent acquisitions by BW, such as purchases of privately owned marinas and taking over responsibility for the River Tees and the London Docklands, despite BW's vow to work in partnership with the private sectors and others. Recent massive increases in BW licence fees, well above the rate of inflation, also influence boat owners' views.

We also took into consideration our members' experiences of using rivers controlled by BW - notably the Severn, Trent, Weaver and Ouse. Whilst

many users may not express a view on the facilities and standards on these rivers, a significant number would take the view that `BW could do better'. The River Severn has been sadly neglected over many years and urgently requires investment, whereas the Trent is clearly maintained to a higher standard but still attracts its critics within the boating population. Users of the Weaver report on a poor service to boaters, with some locks not being open at weekends, for instance.

Lower standards of dredging are of concern to all river and canal users and yet not long ago BW proposed to reduce the navigable depth on certain sections of the South Yorkshire commercial waterways.

Against this background, NABO contrasted the way in which the EA runs its river navigations and consults with user groups. The Thames is very much the “jewel in the crown” and despite a decline in numbers of boats, it is still a major boating artery. It is true that promised investment in lock improvements failed to materialise but the EA has promised to rectify its failings. Operational standards on the Thames are first class - the EA issues annual Levels of Service statistics with lock availability, unplanned closures etc. And what other navigation authority actually cleans its locks before daily use?

On the East Anglian waterways the EA has constructed new locks and extended the navigation - the opening of the flood relief channel into Kings Lynn being the latest addition to the cruising map. But all is not well on the River Nene and, again, the EA has recognised its own shortcomings.

Evaluation and comparison of the merits of BW and EA can never be an exact science, but would a take-over by BW be beneficial? Should BW also take control of the Broads?; the Bridgewater Canal?; or Lake Windermere? etc.

The arguments will undoubtedly continue. And we must wait to see what decision, if any, the Government makes in the wake of the ETR Committee report.

BW's BEST KEPT SECRET?

In 1997 the London Docklands Development Corporation handed over responsibility for the London Docklands water space to British Waterways - a total area of 110 acres of docks on the Isle of Dogs (opposite the Millennium Dome).

Why then do we hear so little about this jewel in the BW crown? Because despite their nationwide remit, BW does NOT encourage pleasure boats to visit and enjoy the Docklands.

(Continued over)

A glossy brochure with a map of the docks details the many up-market attractions on offer - dining afloat, restaurants, bars, cafes, hotels, arts and outdoor events and well-known landmark buildings with excellent public transport links, etc. but boating is not a top priority. True, there is Poplar Dock Marina "London's newest marina providing boaters with the best views of London". The marina accommodates 77 boats (or is it 85 as stated in the brochure?) but we are told that it is fully booked and there are no vacancies.

Really keen boaters may be able to visit the docks, and visitor moorings are sometimes available at £20 per night inclusive of electricity and locking in and out. Bookings must be made in advance Monday to Friday and they do not guarantee being able to squeeze you in. Contact may be made with the West India Dock entrance lock on VHF Channel 13 Callsign "Marine Control". The lock is available for one hour before to one hour after high water.

We are told that occasional berths are available in the docks for larger gatherings of boats but the facilities are sparse and you may feel rather isolated.

If you would like to attempt a cruise into the Docklands lock enquiries and bookings can be made to Tel 020 7987 7260.

General enquiries are handled by BW staff on 020 7517 5550.

Let us know how you get on.

THE NABO PLAIN ENGLISH GUIDE TO RIVER SEVERN AND GLOUCESTER & SHARPNESS CANAL OPENING TIMES

British Waterways, Gloucester office has introduced the revised opening time arrangements previously reported to members, based on Week Numbers rather than specific dates.

To avoid confusion the dates and times (Local Time) for the remainder of this year are as follows:

30 March -	12 July 2001	0800 - 1830 hrs
13 July -	6 September 2001	0800 - 2000 hrs
7 September -	25 October 2001	0800 - 1730 hrs
26 October 2001 -	March 2002	0800 - 1600 hrs

Please note that locks and bridges on the River Severn and the G&S Canal will no longer close for meal breaks and the new manning arrangements mean that, for the first time, the operating hours on both waterways will be harmonised.

More navigational information to go with your 'Safety on Rivers' booklet:-

In the company of Pan, Tug and Tippler -

The Aire and Calder Navigation between Leeds and Goole uses stretches of the Aire interspersed with sections of canal. Because the navigation has been modernised for commercial traffic, it is less likely to be closed by high rainfall than smaller rivers used for pleasure craft only, but it can still flood. It is the big barges that present both hazard and interest along this waterway. Give way to them, they are bigger than you, but their crews are always friendly.

River Lock in Leeds is the point where the Aire meets the Leeds & Liverpool Canal. It can be difficult here if there is "fresh" on the river, as the current sweeps round the bend and eddies into the lock entrance. Combined with water draining from the lock this can make putting off or collecting crew at the short landing stage quite tricky.

No commercial traffic uses the river through Leeds, keep to the centre as the bridges arches go right down to water level at the sides. Going downstream keep a look out for the cut to Clarence Dock and Leeds Lock hiding just beyond a bridge. Leeds Lock is not manned but is now mechanised for the short chamber, large vessels can pen through using a third set of gates. Don't miss the taps and facilities at the floating pontoons on the reach just downstream of the lock landing.

Knostrop flood gates form part of a 'crossroads' and could be missed if you ignore the signs. To the left the main river runs off to a weir, the right turn is a dead end. Development may be taking over the gravel wharf here but this marks the furthest upstream that big barges can turn. If loaded, they can be very difficult to spot until you meet them emerging from the cut.

From Knostrop Fall Lock to Lemonroyd the locks are user operated but 'mobile' BW lock-keepers rush round by road to pen through any barges. This may change if proposals to load coal at Stourton increase the traffic along this stretch.

A short mooring just below Knostrop Fall Lock gives access to Thwaite Mills Industrial Museum, powered by the River Aire.

Just above Lemonroyd Lock is a revamped oil terminal used by tankers such as "Humber Energy". The lock itself is very deep and rejoins a newly tamed reach of the Aire which takes you past the St Aidens staithe where triple-pan tows load coal for Ferrybridge C power station. A conveyer bridge crosses the river just upstream of the staithe. Beyond it watch out for pans, tugs and their

or unloading so, however interested you are in what they are doing, watch where you are going!

Having passed St Aidens you are now in coal pan country and all locks are manned, and communicate on VHF Ch 74. Call signs 'Castleford', 'Bulholme' and 'Ferrybridge' are the locks. 'Station C' is the power station, '101' thru '109' etc are the coal pan tugs, "Energy" is one of the tanker barges and the likes of 'Renown', 'Brockadale', 'Seagull' and 'Gladys Lillian' are sand barges. You might also hear 'Knostrop Mobile' and 'Pollington' or 'Whitley Mobile' referring to the vans servicing the user-operated locks for commercial barges. Once you are used to the local accent you can learn a lot from traffic on Ch 74, not just about barge movements!

At Castleford there is another 'crossroads', this time controlled by traffic lights from the control tower overlooking Castleford Flood Lock. Coming from Leeds whatever you do DO NOT GO STRAIGHT ON, or you will find yourself heading at increasing speed towards a weir. Turning right, when allowed so to do, takes you up the Calder to Wakefield. Turning left takes you through the flood lock, which has a bend in it, but at normal levels has all gates open,

The same rules apply on the Wakefield branch as for the stretch to Leeds, and you may encounter sand barges once the Lafarge Aggregates staites are built.

Beyond Castleford are facilities, tucked round to the right, and the cut leads on to Bulholme Lock where you join a sinuous stretch of the Aire eventually passing the power station. Just beyond the old Ferrybridge itself is the flood lock, be on the look out for its traffic lights before negotiating the bridge.

Passage to Kellingey is winding and narrow, keep a keen look out for barges. A branch and a manual lock leads back onto the Aire for Selby, and at Kellingey there is a coal staithe where pans are loaded. From here to the New Junction Canal and Goole there is no coal traffic and the cut is straight-forward, with the emphasis on straight.

SS



This freshly loaded 'sand boat' on the Trent could be bound for Leeds

Advertisement

a bird's view from council



Well my dears what a crowd there was at the last council meeting. There was hardly room at the table. Still there was lots of discussion about all of council getting 'on line'. Seems a very birdy thing to do.

Some are on it and nesting; some are just on it; some don't want to be on it, or seem reluctant. 'Have a go', I say there is always that interNET to catch you should you 'drop off'.

Are you rich? You need to be to attend some of the conferences that are being run on Waterways topics. It seems that the Waterways Trust too is pricing itself out of the reach of the average person. What about the things in that catalogue of theirs? Fancy pointing out to folk that canal signs and bollards are worth that much! Will it encourage wholesale pilfering I wonder?

What are the Environment Agency up to with their new plans for registration and licensing? All craft to have a current licence wherever they are, or if they are being used or not. They try to tell us that it is to get them in line with other authorities to pave the way for joint licensing. Seems more like a plan to get money to me.

EA are losing money because fewer boats are using their waters but they would do better to look at the reasons for boats leaving-

- the expense of the BSS
- loss of trade on the water
- marinas closing down as the land is sold for development
- fewer hire boats
- bureaucracy

Even worse they are trying to turn us into criminals by wanting to introduce legislation to make not having a current licence a CRIMINAL offence (we've all had occasions when our licence has never arrived on time).

This has been tried before and thrown out by the House of Commons, it must be thrown out again. And another thing, boaters pay for navigation not flood control, that is funded from elsewhere. Who will pay if the campaign to dredge the Trent to 8ft to aid flood control is implemented?

Will BW remove the popular pontoon mooring at Farndon on the Trent because the locals won't finance it? There are too few public mooring places in the area as it is, and it will cost them to take it out!

On the subject of popular moorings BW are planning to CHARGE for mooring in Llangollen, not just the new moorings but the on-line ones too. Not, as in Birmingham centre, 48hrs free then a charge. They want to charge from the first minute you moor. Their

excuse is that it is to regulate the use of the moorings.

Oh come on we aren't that stupid! It's to make money, and a move towards 'boating for the rich'.

Another new 'scam' BW may be up to is to make access to facilities by means of a 'swipe' card, for which you will have to pay of course. Council is keeping its beady eyes open, what happened to consultation on these plans?

To leave you with some cheering thoughts -

- The Kennet and Avon canal has been declared 'full', no spaces for new moorers, there is a waiting list.
- 200 new Canaltime (some people leave the C off) boats are being built ready for this year for booking via the internet to some folk who think they are getting a country cottage!

Well I must fly, going to spend a few more hours in the library trying to track down the address in Brussels and Email for my MEP (mine is hard to locate, well he's got the job now, probable doesn't want constituents bothering him!) in order to write to him about tax on red diesel and the lack of understanding about emissions and old engines in canal boats.



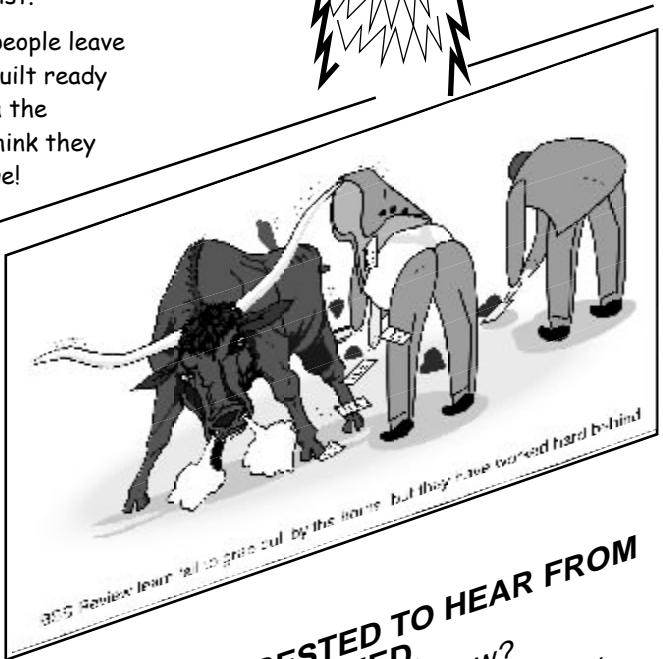
WHAT DO YOU THINK OF THE BSS REVIEW?

Do you see it as our cartoonist does?

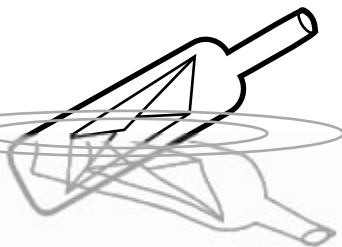
Do you agree with the Technical Committee (Page 5)?

Or are you one of the 55% who were happy with the scope of the standards, as would be indicated by their telephone survey?.

WE WOULD BE EVEN MORE INTERESTED TO HEAR FROM SOMEONE WHO WAS TELEPHONED,
What questions were asked and how?
Please contact your General Secretary,
Graham Freeman or anyone on the Technical Committee



LETTERS



Recreational Craft Directive

Referring to Stephen Peters' article last issue concerning "Engine noise and emissions", I feel that there is a serious misconception amongst boat owners as to which engines will be most affected. Oddly, it will not affect Russell Newbury, Lister etc. engines at as much as all other engines.

Over the past few years boater after boater has given up boating because of the high costs of compliance with the Boat Safety Scheme. Compliance with this section of the recreational craft directive on the other hand, will be far worse than the "last straw". It threatens approximately 90% of engines currently on the waterways.

Diesel engines employ a slow burning fuel that requires time to combust before the engine proceeds to the next firing cycle. Heavy slow running diesel engines such as Russell Newbury, Lister Etc. offer this facility by design. During this combustion cycle the piston must offer higher resistance to the

pressure of the burning fuel. Again a facility offered by the slow engines by virtue of their low running speed, high torque design, and more often than not, a larger coarse pitch propeller. In general diesel engines run quieter and cleaner if they run slower and work hard.

Four cylinder engines such as BMC, Vetus, Thornycroft etc do not meet the ideal running criteria for a marine diesel engine. They run at around 3,000 r. p. m., three times faster than their heavy forerunners, and turn small propellers. In consequence to this they are running too fast and not working. The result is carbon deposits occur around the injector nozzle and valve seatings. What is more this carbonisation will be present within about 300 engine hours. After about 1,000 engine hours it will be sufficient to cause emission problems. That it is only 125 eight hour cruising days.

The upshot of all this is that the directive will strike at any faster revving engine over three to four years old and only badly maintained

Note – Views expressed in readers' letters are not to be taken as those of NABO as a whole

slower engines. Clearly these proposals must be fought by every boating member in this country, with a vigour that to date has not been seen on our waterways. With their "head in the sand" attitude RYA members with auxiliary or main engines will be affected to the same extent as us, if not more. Someone should tell them.

Dons Stuart-Smith (nb Turk's Head)

Licensing In Private Moorings

Stephen Peters is wrong to propose that craft moored off-line in private moorings should not have to be licensed. Two reasons -

1. The moorings are there only because the navigation, be it canal or river, is there. Is Mr Peters suggesting that craft on such moorings should not be licensed other than, say, for a two week annual cruise? This cannot be right. If they are laid up afloat for the winter the same applies - if they don't want to pay for a licence they should lay up ashore - the cramage charges would probably be more than the licence fee!

2. All navigations are very substantially subsidised by the taxpayer. For example the 1998 accounts for B.W. (which I have beside me) show the total income from leisure activities, including

leisure rents, at 12% of expenditure. After taking into account all other income, the taxpayer subsidises B.W. to the tune of £50m - 50% of expenditure. NABO should not suggest that boat owners try to wriggle out of paying their contribution to the costs of maintaining the navigation when taxpayers are forced to pay their share whether they like it or not.

In this case IWA are right. NABO is wrong.

G. H. Baker, London W12

Stephen Peters Replies

Mr Baker asserts that boat owners are evading paying licensing or registration charges when their boats are on PRIVATE waters and that they have some moral obligation to pay up. I do not agree with him; and I doubt whether the owners and operators of private marinas on the Rivers Trent and Severn, for example, would agree either.

There is nothing wrong with seeking to minimise the cost of boating and the fact that licences are not required in these locations is simply a way of avoiding an unnecessary financial burden.

We ALL contribute to paying for the drainage and associated functions of rivers as taxpayers. The navigation authorities do NOT own the rivers, so why should any boat owner be forced to pay for NOT navigating? I make no apologies for defending the rights of boat owners not to be fleeced.

Interestingly, the Environment, Transport and Regional Affairs

Note – Views expressed in readers' letters are not to be taken as those of NABO as a whole

Committee recently concluded that "it is not feasible to substantially increase the contribution from boaters" and NABO agrees.

Maybe Mr Baker will next be suggesting that boats on trailers parked in front gardens should also be licensed!

Stephen Peters -
River users' Co-ordinator

Hard V Soft Edges

Thank you for your excellent, (but perhaps occasionally unnecessarily confrontational?) magazine.

There is a demand for 'softer" edges to make a waterway to look more "natural". But canals are not natural. They are man-made, and this is the fundamental of their heritage value. Unfortunately newcomers, and vociferous "conservationists" not interested in canals as such, often have no understanding of the heritage of the canal which we (I hope) are trying to conserve. New-comers often learn to value the heritage of canals, others do not want to understand.

Canals were built for boats, and the last thing boaters want, when coming in to the side, is to find their boats grinding along jagged rocks in wire baskets (gabions); or grounding yards from the bank on reed beds planted to replace piling, because these are said to be more eco-friendly. They want to find an even

hard edge with adequate depth of water right to that edge.

I would suggest that a reasonable compromise would be to have the edge that boaters need on the nearside, and a softer, eco-friendly or whatever form of bank protection on the offside. Both sides might then feel that they have had more than half their aspirations met. Boaters should feel that they have the edge they need where they need it and, because nearside piling can only be seen from the towpath by contortionists anyway, the greens will have their desired form of bank where they can see it best, and where the flora is much less likely to be damaged by boats or the fauna harmed by vandals. I have no objection to vole-holes or visible escape ramps for small mammals on the nearside.

Ron Bingham, Welling, Kent.

Dear Editor,

Stratford Basin

In the April 2001 edition of NABO News the 'Bird's View from Council' suggested that the proposal to provide additional moorings in Bancroft Basin at Stratford might prevent winding in the basin. I have been involved with the consultation on the proposals. Attempts are being made to satisfy all interests

so there is no risk that winding will be prevented. [Source: Lapworth Waterway meeting 9 April 2001.]

The current plans put forward are for a number of 'finger' mooring (approximately 9), providing about 13 additional visitor moorings. The fingers will be set at an angle to the edge to facilitate access. A lock landing will be incorporated as the natural landing is reserved for the broad restaurant boat. Mooring will be restricted at the entrance to the basin, from the canal end, because of the difficulty of access. A number of commercial craft are to be permitted permanent moorings in the basin. The rents from these will make the visitor mooring scheme self financing - so there are no plans to charge for visitor mooring. The one additional commercial boat seems to be a small price to pay for additional visitor moorings in this honey pot site. Maximum mooring duration will be limited to about 2 days, although this will be relaxed when the basin is not busy.

The current position is that BW has applied for planning permission for the commercial craft. In the application they have documented the finger moorings for completeness although these do not need planning permission. BW are waiting for planning permission before taking the project any further.

I have asked the Waterway manager

(Jonathon Green) to investigate the possibility of a reciprocal licence arrangement which would let BW registered craft use the top reach of the navigable Avon without requiring a UANT licence. This is an active issue on his desk, which still needs to get off the starting blocks. If negotiations are successful this would offer BW licensed craft access to the additional mooring opportunities on the Avon and also to the sanitary station, whilst providing river craft a haven in high water.

Chris Boxall

Historic Boat needs New Owner

For the last 27 years, former Severn & C. C. Co Ltd craft MV No6 ("Don") has been home to Ninian Hyslop. She was built in 1911 and had her fore end rebuilt by Tooley brothers in 1979. She is powered by a Russell Newbury D2 built in 1936 which is now being overhauled by the RN Diesel Engine Co so should be good for another 40 years! She is moored at WFB at Stockton. Ninian has now come ashore and has reluctantly concluded that Don must pass to a new and appreciative owner. Is there another NABO member out there who would like the privilege of running and maintaining this genuine piece of our waterways heritage? If so contact Ninian direct on 01386 41576

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