

**INLAND NAVIGATION ISSUES, NEWS, AND VIEWS**



- **Save Our Waterways Campaign latest**
- **Government DEFRA/BW Inquiry**
- **AGM Reactions** • **Seasonal Puzzle**



**Issue 7    December 2006**

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## 2007 CALENDAR

<b>Council meeting</b>	<b>NN Copy date</b>
<b>3rd Feb</b>	<b>10th Feb</b>
<b>10th Mar</b>	<b>17th Mar</b>
<b>21st April</b>	<b>28th Apr</b>
<b>2nd June</b>	<b>9th June</b>
<b>21st July</b>	<b>28th July</b>
<b>15th Sept</b>	<b>6th Oct</b>
<b>AGM 17th Nov</b>	
<b>24th Nov</b>	<b>1st Dec</b>

## Advertising Rates 2006/7

Issues	1/4 page	1/2 page	full page
1	£15	£30	£50
4	£60	£100	£175
6*	£90	£150	£250

Payment must be made in advance, made out to N.A.B.O.

*\*minimum repeats in one calendar year, more if space.*

Contact the Editor

# IT'S NOT OVER YET!



**Boats out everywhere to show the world we care**, raising the profile of canals and rivers throughout the country.

Where was NABO? You were there. A big **THANK-YOU** to everyone who took part on the 25/26th of November. A good case of NABO being the sum of its members, not just its Council.

## **What else have we done? Answer – Spread the word to Westminster**

We have written to our Members of Parliament. Your Chairman has received copies of some of your correspondence and he thanks you very much for them. Most MPs have been very supportive, but time and time again they could only pass back the same inane platitudes from DEFRA.

We have also kept other organisations in the picture, distributing leaflets and addressing local User Group meetings, explaining the threat to anglers, walkers, heritage enthusiasts and more.

NABO has been able to keep its online members right up to date using its email bulletin system.

## **The overall result?**

- Early Day Motion 90 (Inland Waterways) has topped the chart for signatures throughout the 2006/7 session of Parliament, beating its nearest rival out of a total of 397 EDMs by 12 ‘points’!
- Will Chapman’s e-petition on the Number 10 website is ranking alongside calls to withdraw from Iraq.
- An Adjournment Debate on BW funding cuts was tabled for December the 6th, just after this magazine went to press.
- Waterway Minister due to address the Parliamentary Waterways Group on 12th December. He wouldn’t unless he something constructive to say.
- An inquiry into BW funding by the EFRA Committee, a Select Committee of MPs looking into DEFRA affairs (see page 12).
- BW senior management in talks with DEFRA, knowing the whole waterways community is behind it.

## Where do we go from here?

We must **keep the pressure up on the Government**. DEFRA is well aware now it won't be able to hide, but will it survive as a department after Tony Blair goes? This all begs a number of questions which are worth discussing with your MP, maybe face to face at a surgery:-

- If DEFRA remains, will BW get its grant level restored?
- If not, but assuming DEFRA does remain in its present form, should a different department sponsor BW? Some possible candidates being Transport, Culture, or even Community and Local Government. All have their merits, Transport because BW used to be under them, Culture because of tourism and heritage, or the DCLG because they deal with planning and regeneration.
- Should the navigation function of EA be transferred to BW or become a independent authority?
- If new departments are created by a new Prime Minister and DEFRA broken up, isn't it an ideal opportunity to move waterways to the one most suited to their needs?
- Is there an alternative to unreliable government Grant-in-Aid hand-outs? Should BW be given a property dowry and told to get on with making its money from that? Can BW be put into the driving seat and set a charge on the national or local public purse for the services it renders to the casual visitor?

Get your MP to approach Number 11 - it might pay double dividends, it holds the purse strings and maybe the new PM?

## Contact your Councillor

Local councils can also be very influential and put pressure on central Government. Point out to them the value of their waterway as an amenity and focus for regeneration.

## Public awareness

Various demonstrations are still planned and members on the email bulletin list will be kept up to date with developments, see also [www.saveourwaterways.org.uk](http://www.saveourwaterways.org.uk).

Talks are under way with BMF to plan a campaign stall at the London Boat Show. Volunteers may be needed.

If you can make any sort of commitment towards joining the London flotilla past the Houses of Parliament on the 16th of January please let Louis Jankel or your chairman know **now**. The organiser, Roger Squires, needs some re-assurance that, if his efforts are wasted, it will be through weather conditions rather than through apathy.

Presentation of a written petition to Westminster by road is also planned, so SOW petition forms need to be signed and returned.

Leaflets, banners, posters and stickers can keep the public aware, particularly walkers and cyclists. See the pull-out in this issue.

# **THE FAT LADY HAS YET TO SING!**

# CHAIRMAN'S COLUMN



**Happy Christmas** everyone and a prosperous New Year, or at least one with as few price hikes as possible! Rest assured, we are working on that.

Staying with strictly NABO business for now—

## AGM

Another year as NABO Chairman gone, another year to come, because nobody had the sense to vote me off. In fact, apart from Gordon Reece, it's the same old crew back again on Council. Gordon is finding it difficult to get to Council meetings but will still be your contact in the Northwest for the time being. I thank him very much for the many contributions he has made.

Annual thanks must also go to everybody who committed themselves to the NABO cause. I did single out a few people at the AGM, I daren't have done otherwise – they were there! However everybody deserves our thanks when they put in time to make things better for boaters.

I really didn't know how many of you would come. We hoped more would: to hear our new Ombudsman; to hear how to keep their boats from catching fire; and/or to be involved with how NABO is run and what we should be doing. As it was, it was mainly the stalwarts again, but I do understand those who thought that saving themselves for the Campaign was a higher priority.

However it's a shame they had to miss a good meeting, the official stuff took less than an hour, the buffet was good and not a yawn to be seen. Next year we might stage the event a bit nearer to the more populated south, maybe Oxfordshire somewhere.

## Consultation

In my report (now you come to mention it, maybe there was the odd yawn!) I did say how difficult it was three years ago to get BW to listen to boaters at all. I had to lay into BW at a PWG meeting, and NABO was petitioning for an independent waterways regulator. Readers of this column over those years will know that, in spite of the odd step back, a lot of progress has been made since. Up until a month or two ago, that is.

It seems that the Grant-in-Aid cuts have knocked the stuffing out of BW, especially regarding consultation. In addition Eugene Baston's External Relations Department, which should be given the lion's share of credit for the progress, has also lost two very able assistants and everybody is on tenterhooks regarding their own futures. I don't think the debacle of the Oxford boatyard helped either, but I don't know the whole story so I won't take sides – probably both parties should share the blame.

However things are definitely slipping back and I have started a dialogue with Robin Evans about it.

## A dormant volcano?

What has been clear in the latter half of 2006 is that EA, BW and their paymasters, DEFRA, have all seriously underestimated the strength of feeling in the waterway community – at their peril! They may dismiss NABO as a bunch of hotheads, but at the time we were just the most conspicuous fumarole overlying a bed of magma that is now erupting in all directions.

Much of the blast is heading DEFRA's way, but some of it is backfiring at BW itself, for instance the reaction to the G&S/River Severn winter manning issue. The resulting meeting was held in far too small a room for the 360 odd objectors and proceedings had to be relayed to boaters outside!

Another vent about to erupt concerns the hike in pump-out prices. Unfortunately this is following an all-too-familiar pattern, with market forces arguments being brought to the fore and next to no research done to ascertain what effect doubling the fees might have on the customers. "You can always take your trade elsewhere", they say, but that means moving a boat, not choosing an adjacent brand of jam on a supermarket shelf.

The EA has been suffering tremors for some time regarding its registration charge hike and it must count itself fortunate that the release of pressure towards DEFRA has delayed a full scale eruption under its feet.

However, like a volcano, once roused, boater passion is unpredictable. It could explode anywhere at any time.

## **The Campaign**

Before launching off into further analysis I would like to thank you, as members of NABO, for doing what we were advised you should do, namely writing to your MPs. I have received many copies of your letters and must thank you very much for them.

As expected, the DEFRA reply has been a bog-standard statement and the challenge is to get something different out of them, but at least they will hopefully be saying, "Oh! Not another". We need a hacker to go in and corrupt the master copy of their reply (only joking!)

At first I was sceptical when Will Chapman arrived in the foyer at the BW Annual meeting dressed in ordinary boating gear to introduce the 'Save Our Waterways' movement. Then, as it gained extraordinary momentum considering its lack of resources and, dare I say it, a somewhat irrelevant logo, I began to fear that existing waterway membership organisations were being shown up as extinct monsters!

All power to SOW, but in the afterglow of a great weekend of rallies and public spectacle we mustn't lose sight of the fact that the real campaign needs to be won in Westminster and that we must all keep our MPs on the ball. There are two sides to this, one is to discredit DEFRA, but perhaps more important now, is to get Government, and in particular a new Prime Minister, to be thinking about how to secure funding for waterways in the future.

Who knows – we might find ourselves kicking an open door. DEFRA might be split asunder with Miliband and his eco-warriors abandoning the farming and rural affairs side to compost quietly in another department. Would the EA go with him? Would EA Navigation go too? And what of BW?

## **Inevitable**

What is certain is that Christmas is coming (or may have gone when you get this). Time to recharge your batteries for some more battery. I doubt if the campaign will be over this year – more letters will need writing as the next year's budgets are set.

Keep at it, there is no point owning a boat if there is nowhere to cruise in it.

Seasons Greetings to you all

*Stuart*

## NABO NEWS ONLINE?

A suggestion was made at the AGM that NABO could save money by sending out NABO News to those who want it electronically, i. e by using the internet.

A number of options are possible and it might be the subject of (yet another!) online survey because there are some choices:-

- Screen or print? Would you prefer to read it off your computer monitor or print it out first?
- Email or Website? Would you prefer it sent straight to you in an email or would you like to download it from the NABO website at your convenience using a link sent to you by email when it comes out?
- Plain or Fancy? Would you like the files small and lose some of the layout and illustrations, or receive it in its full glory?

Not only can this save NABO money, but some people living aboard have problems with snail mail and would find it easier. Also there is the possibility of getting it 'fresher'.

Expect an email bulletin on the matter soon after you get this issue, so if you are interested but not on the bulletin list please email:

**[webmaster@nabo.org.uk](mailto:webmaster@nabo.org.uk)**

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## FAREWELL!

I have lost count of how many years I have been editing this magazine, but it is time to hand it over and treat you to a fresh approach. Tony Haynes would like give it a go so this issue will be my last.

He promises not to change things too radically at first but that is up to him. I will still write for it and help him through the transition. I feel it should benefit from an extra pair of eyes and someone to keep me in line editorially!

So, in future, please send letters etc. to Tony at *Flat C4, Cranmore Court, 37 Cranmore Road, Mytchett, Camberley, GU16 6EP.*

We will ensure emails sent to **[news.editor@nabo.org.uk](mailto:news.editor@nabo.org.uk)** go to him.

I have taken great pleasure in editing the magazine and greatly appreciated the kind words said about it. I enjoy the more creative aspects and hopefully can retain some of this satisfaction working on other NABO publications. However I won't miss having deadlines, which inevitably fall when there are other pressures, nor will I miss the interruptions to our cruising and squinting at a laptop screen in the confines of the cabin. However I still expect it to be a bit of a wrench.

*Stuart*

# THE WATERWAYS OMBUDSMAN SPEAKS TO THE NABO AGM

If you have a problem with ferry bookings, your household plumbing and water supply, or a shrunken jumper from your washing machine, who do you turn to? Well, it isn't Hilary Bainbridge, the Waterways Ombudsman. Yet these are some of the complaints she has received. She tries to point these misguided folk in the right direction. If you have a complaint about the way you are being treated by British Waterways, however, then she is your man. 'Ombudsman' is a genderless word, she declares. She is quite happy with it.

She has held the position since July 2005, having been appointed for three years by the Waterways Ombudsman Committee, for whom she works. She is paid, part-time by BW, but BW cannot sack her. Only the committee can do that. With eight members, just two are BW staff.

She can deal with issues of maladministration, injustice and unfairness from individuals and the organisations that represent them. She has powers to recommend that BW pay out up to £100,000 in compensation should a complaint warrant it.

She cannot regulate or punish BW, or act in any case where BW is not involved. Complaints against the EA, for example must be dealt with by the Parliamentary Ombudsman, through a local MP.

She cannot deal with a complaint unless it has first been made to and

dealt with by the BW Internal Complaints Procedure. She does not always rule in favour of the complainant. Every decision upsets somebody! Sometimes it will upset both sides! But, she believes in her work, and considers it to be a job useful to society. Her background of ombudsmanship in Local Government and National Health, and her easy going friendly yet firm manner leave you with the impression that she is the ideal person for the job.

She will speak to complainants individually, and will interview BW staff where necessary to help her come to a fair decision.

Occasionally she will even visit sites to gain information. Although she isn't a waterways expert she has had holidays on hire boats, and is not afraid to ask about what she doesn't know. She declares herself a quick learner. She will not tolerate cover-ups, and she seeks to improve good practice.

She works alone and has no staff. There were 27 complaints last year, 17 of which were upheld. So far this year she has dealt with 25. She is a busy, yet very approachable person.

How do we contact her?

Hilary Bainbridge  
The Waterways Ombudsman  
PO Box 35  
York  
YO60 6WW  
Tel: 01347 879075  
[enquiries@waterways-ombudsman.org](mailto:enquiries@waterways-ombudsman.org)





Hilary will soon have her own waterways ombudsman website, but for now try:  
[www.britishwaterways.co.uk/  
accountability/waterways\\_ombudsman/  
waterways\\_ombudsman.html](http://www.britishwaterways.co.uk/accountability/waterways_ombudsman/waterways_ombudsman.html)

Her report for 2005/6 can be found there. It gives good advice on correct complaint procedures. It makes most interesting, and sometimes amusing reading. It is comforting to know that our Waterways Ombudsman is well in touch with her feminine side, and has a good sense of justice and humour.

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## NABO CRUISE 2007 - RIVER MEDWAY

**Departure date options:** 7th - 9th June, or 22nd - 24th June, leaving Bow Locks at 0500 approximately.

These are the only dates where there is a suitable window for completing the trip to Maidstone in daylight hours. The date chosen will depend on the weather, i.e. wind force 3 or less. We will be stemming the tide for the first hour, and please note that if the weather deteriorates by the time we reach Tilbury, it is advised that we turn back rather than go on. Also, passage downstream on the Thames will be timed at various points in order to reach the Medway estuary at the turn of the tide, which will avoid having to drop anchor and wait. You should have a suitable engine to keep pace with the convoy, which also has a degree of umph in case we have 'to make a run for it!'

Return date approximately two weeks later, but still subject to good weather conditions.

**Requirements:** Since September, it is now a requirement of the Port of London Authority that all vessels over 45' in length must be equipped with VHF radio. Once the operators course and exam have been completed, there is no annual fee. Course details will be sent out with the first mailing if you request them.

**Cost:** EA licence (see article about Gold Licences elsewhere in this magazine - short-term licences can be purchased at Allington Lock on the Medway), NABO administration fee (£10 which includes The Bash), insurance cover including coastal waters, charts and/or GPS, plus marine band radio and operator course if appropriate.

If you are interested in joining this cruise, then please contact gen sec for full details: you will not be committing yourself until you return the application form.

*Carole*

## **FOR YOUR SAFETY ...**

### **Fire Brigade Divisional Officer addresses NABO AGM**

Sue Burchett comments:-

*The first speaker was Nigel Grant from the Warwickshire Fire & Rescue Service. This talk would have been more interesting if he had tailored it to the time allowed rather than the time he wanted as it had to be stopped whilst we had lunch and then again when he ran out of time. This left us with half a presentation and no time for questions.*

*The ubiquitous slide presentation was started with pictures of a horrific boat fire complete with the panicked phone call of the girl left on the boat whilst her parents were out. This illustrated amongst other things, the difficulty the emergency services have in locating boats. Many boaters don't know the name of the nearest road. I remember, when I first joined council, NABO starting a campaign to raise awareness of this issue eight years ago. BW took this over and it has still not been resolved. Mr Grant has proposed using post codes for the canal bridges on the maps that they use, but there seems to be no plan to put these on the bridges. A bit more joined up thinking is needed as boaters don't always know the name of the nearest bridge.*

*Another thing to come out of this fire was that it was started by a solid fuel stove. This is the latest hazard to come to the notice of the BSS & Fire Services. Are the stoves installed on boats suitable for the purpose? Are they fitted correctly by qualified people? Are they too dangerous to be installed on boats at all? Warwickshire Fire Services have offered to inspect all the boats in Warwickshire and fit carbon monoxide and smoke detectors. Whilst doing this they will offer advice. They will also be gathering information which could be used to ban stoves. On one hand a noble service on the other more rules banning your way of life. They have no right of entry so you can choose.*

*Mr Grant remarked that the people running the BSS hadn't consulted with a fire department when drawing up the regulations. Is this why there are still as many incidents on boats? Or is it because you can't legislate against stupidity? One thing that has happened with the BSS is that some forms of danger have become less whilst others have grown. Gas causing fires have decreased whilst carbon monoxide poisoning has increased.*

*Marinas are also a problem area according to Mr Grant. More than one boat on a finger jetty is a danger. You shouldn't have to go past a burning boat to get to safety. Legislation should be brought in to regulate this. This doesn't take into account the number of marina fires, which I suspect are very few if any.*

*It seems Mr Grant is on a mission, he says he wants his views to cover England and legislation to back him up. He has been doing this job for 15 months now and knew nothing about boats previously. I admire his enthusiasm and cannot fault his wish to make boats safer. I am concerned that in doing so we will have even more regulation, more expense and his aim will not be achieved. Boaters delight in getting round regulations as has already been seen with the BSS. Portable gas appliances being removed before the examination and the borrowing of fire extinguishers being two examples.*

*Boating is THE most regulated pastime. Camper vans have nothing like the testing that boats do and when did you have someone in to check your house was safe? My views are based on the truncated presentation and therefore may have changed if he had left adequate time for questions.*

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## **PICTURE REQUEST**

We are slowly accumulating pictures like this to illustrate the need for funding maintenance of the waterways to the Government, maybe for the EFRA Committee inquiry - details overleaf. Members have very kindly sent us good shots mainly of poor towpaths on the Kennet & Avon and in the Marple area.

**More urgently from elsewhere please...**



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## **BW MIDLANDS RE-ORGANISATION**

BW's office at Quay Place, Birmingham will close on Friday 8 December 2006 and the main office for West Midlands Waterways will be based at Peel's Wharf, Fazeley. The Cambrian Wharf customer information point in Birmingham will stay open. The Quay Place switchboard telephone number remains active with diverts in place.

All correspondence should be addressed to:

West Midlands Waterways, Peel's Wharf, Lichfield Street  
Tamworth, Staffordshire B78 3QZ

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## **GOLD LICENCE - VALUE FOR MONEY?**

Ron Elder has given us the following table comparing a Gold Licence for a 57 foot narrowboat with the price of a standard 2007/8 BW Canals and Rivers licence plus various EA visitor licences:-

Gold	£778-00
BW only	£567-52
BW + 31 day Thames licence	£685-02
BW + 15 day Thames licence	£656-02
BW + 31 day Anglian licence*	£716-42
BW + 7 day Anglian licence	£627-05
BW + 31 days Thames + 31 days Anglian*	£833-92
BW + 15 days Thames + 31 days Anglian*	£804-92

\*could be extended to 62 days if attending IWA National Rally

The 31 day Medway visitor licence for any boat over 11m up to 31/3/07 is £52.6

# SELECT COMMITTEE INQUIRY

NABO will make a submission in response to the following invitation. If any member wishes to make an individual submission and would like any guidance please don't hesitate to contact a member of Council.



## Environment, Food and Rural Affairs Committee



Committee Office, 7 Millbank, London SW1P 3JA

020 7219 5774 (tel) 020 7219 2094 (fax) efracom@parliament.uk

### PRESS NOTICE

Number 08

Session 2006–07

1 December 2006

#### **New inquiry announced:**

#### **British Waterways**

The Environment, Food and Rural Affairs Committee will inquire into the work of British Waterways, a Defra-sponsored public corporation.

The Committee will examine how British Waterways is working towards its ambition of creating “an expanded, vibrant, largely self-sufficient waterway network”, in the context of the policies set out by the Government in *Waterways for Tomorrow* (published in 2000), the most recent policy review of British Waterways (carried out in 2004–05), and recent changes in Defra's budget.

The Committee will consider in particular:

- current users of the waterway network and their relationships with British Waterways
- the financial framework of British Waterways and the impact of changes in Defra's budget
- recent developments in the stewardship work and commercial activities of British Waterways, including its property portfolio
- potential for growth in leisure and freight use of the waterways network
- relationships between British Waterways and central Government departments, Regional Development Agencies and local authorities.

The Committee invites all interested parties to address these matters in writing by Monday 15th January 2007

## NOTES FOR SUBMITTERS

Submissions should be in Word or rich text format and sent by e-mail to [mcculloughj@parliament.uk](mailto:mcculloughj@parliament.uk).

The body of the e-mail must include a contact name, telephone number and postal address. The e-mail should also make clear who the submission is from. Submissions must address the terms of reference. They should be as brief as possible, and certainly no more than 3,000 words. Paragraphs should be numbered for ease of reference, and the document must include an executive summary, ideally no more than one page long.

Committees make public much of the evidence they receive during inquiries. If you do not wish your submission to be published, you must clearly say so. If you wish to include private or confidential information in your submission to the Committee, please contact the Clerk of the Committee to discuss this. Please bear in mind that Committees are not able to investigate individual cases. Personal information, such as address and contact details, should be provided separately from the body of your submission.

You should be aware that there may be circumstances in which the House of Commons will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2000.

Submissions should be original work, not previously published or circulated elsewhere. Once submitted, no public use should be made of the submission unless you have first obtained permission from the Committee. For further details about this inquiry, please contact Jenny McCullough, Second Clerk, on 020 7219 2735.

Information about the Committee can be found at: [www.parliament.uk/efracom](http://www.parliament.uk/efracom)

### **EA FEE 'HARMONISATION' and TWAO**

#### **Fees:**

It now appears that there is no requirement laid down in Statute for charges on the Thames to be based on area (length x beam) but a length factor is required. This gives the EA much more freedom to choose a consistent charging regime.

It is currently running computer simulations to see how using the regime for each region would work in the others, along with some other methods including length **plus** beam.

#### **TWAO:**

Its fate is supposed to be determined by 6th Jan 07, sooner if it weren't for the retirement of one of the DEFRA lawyers checking the latest draft's legal status. Only the British Canoe Union and the IWA have objections which might require a Public Inquiry rather than a Hearing.

*RCR ADVERT*

## **PULL-OUT SURVEY AND POSTERS**

**Please:-**

- 1. Pull this sheet out of the magazine**
- 2. Read the introduction below**
- 3. Tick the boxes overleaf**
- 4. Cut this sheet in half down the fold**
- 5. Return this half to NABO, Freepost BM8367,  
Birmingham B31 2BR**
- 6. Use the other half as window slogans in your boat,  
house or car.**

# **SURVEY**

## **WHAT DO YOU WANT TO HAPPEN TO EA RIVERS?**

This is what the Environment Agency want us to answer, so there is a form overleaf for you to mark up - seriously please – and post back to the NABO Freepost address.

This survey doesn't put a price on the different standards, but it might help EA know which rivers they should concentrate on and which they should perhaps abandon altogether, so, if you are a river boater or visit EA waters from the canals, please fill this in rather than let some unpopular decisions get through. It will also help NABO to show that it does care about EA's rivers and that our members are often in a better position to make comparisons than boaters confined to their own regions.

It is fairly self explanatory although it still has some of the jargon from EA's original. All we have done is to arrange it on the page.

Perhaps this came out of a comment your chairman made, at one of EA's National Navigation Users Forums, when EA was making all sorts of grand proposals. He asked if EA had considered if users wanted all these facilities or were happy with less at a cheaper rate.





*WAS RIGHT HAND HALF OF 2- PAGE SPREAD,  
NOW ALL ON PAGE 16 TO FIT A5 PDF FORMAT*

**WATERWAYS FOR ALL**



**FUND THEM FAIRLY**

**WATERWAYS FOR ALL**



**FUND THEM FAIRLY**

## NOTICES

Text your  
waterway  
reports to:

07930 419 981  
07961 001814  
07989 441674

### POST FOR NABO NEWS

For issue 1/07 you have a **new editor**, Tony Haynes, Flat C4, Cranmore Court, 37 Cranmore Road, Mytchett, Camberley, GU16 6EP.

For e-mail contributions you can still use: [news.editor@nabo.org.uk](mailto:news.editor@nabo.org.uk)

**GROVEL  
GROVEL**

Would the lady who moors her boat at St Ives, and who phoned Carole about helping at next year's IWA rally, please get in touch again: Gen. sec. pressed the wrong button on the phone.

st can't get the staff!

### FIRST MATE GUIDE

to **Birmingham & surrounding waterways**  
now out. £10 - contact Carole

### Membership Numbers

NABO does not issue membership cards so members should make a note of their membership number for future reference. It can be found on your subscription renewal reminder and also on the address label when you receive NABO News.

The number can be useful when taking up special offers with RCR and the insurance discount offered by Mardon.

If you are in any doubt you should contact our Administrator, Melanie, at [admin@nabo.org.uk](mailto:admin@nabo.org.uk)

I'm afraid the cost of good living has gone up again.

FloGas, the supplier to the DBA bottled propane scheme, has notified me that rises in global energy prices have forced it to increase its prices to members of the scheme by 3p/litre for bottles of 9 kg and larger, and by 50p/cylinder for smaller sizes, as of 2006 August 1.

Adrian

### £5 off your sub

Money back for you when a new member joins up having put **your** name in the 'introduced by' box on his or her application form (up to a maximum of 3)

**Life membership** for £150 + £50 for each 'family member'



# RIVERS



## **BW ANNOUNCES MAJOR CHANGES ON G&S AND SEVERN**

British Waterways announced a drastic cost-saving reorganisation of operations on the Gloucester & Sharpness Canal and River Severn in August 2006. The plans involve 18 redundancies amongst operational staff (lock and bridge keepers) and a different operating regime during the 5 winter months, involving pre-booked assisted passage through structures.

The first inkling that NABO received was when members started to ask had we heard what was being planned and what did we think of it? On further investigation it appeared that although local media and some users had been informed, it was not considered to be anything more than a local issue, so national bodies had not been consulted. The initial media release had failed to mention that the River Severn would be affected in similar fashion to the G&S Canal and no precise details were forthcoming initially. Given the massive proposed changes and their impact on the ability to cruise freely, we begged to differ and insisted on receiving full information for our consideration.

The detailed consultation document indicated that BW wished to make annual savings of £387,000 by dismissing permanent lock and bridge staff and replacing them with mobile operatives who would open the structures in response to advance bookings during the 5 winter months. Statistical information indicates heavy seasonal usage in the summer months, and temporary staff would be deployed each year to man all locks and bridges as at present.

We were very concerned to learn that BW has been considering a number of proposals in various parts of the country to reduce hours of manning and these were only being discussed locally. So your Chairman raised the matter at the highest level within BW after a Council discussion.

Other user groups had expressed their disquiet at the proposals and they organised an open boaters meeting at the National Waterways Museum in Gloucester in October. So many people attended that it was "standing room only" in the small meeting room, with overspill into the courtyard and wharf-side areas. Thankfully the weather was fine and a good sound system ensured that proceedings could be heard. Many questions were raised and the overwhelming reaction, particularly from owners based on the G&S Canal was that the pre-booking system would be unworkable.

The views of customers accorded with those of NABO to a large extent. We consider that the need to pre-book days in advance of a cruise that might not happen would simply deter boaters and lead to a further decline in traffic, such as the River Trent witnessed after lock keepers were removed. Boating is about leisure and the desire to cruise freely without having to meet deadlines or being penalised for non-arrival. Even simple jobs like moving to a water point or pump-

out could become a nightmare requiring days of planning, and with no certainty of being able to return to base by the end of a cruise. We have detailed our misgivings about the proposals in our response to BW and have recommended that an alternative option be considered. The public meeting favoured a suggestion that the locks and bridges be manned on a 5-day per week basis, including weekends during the winter. This would give boaters certainty of passage at times of their choosing without restrictions being imposed on their freedom to cruise at times to suit them. This option would not deliver the same financial saving to BW, but they have to realise that their original proposals were totally unacceptable and unworkable.

We remain hopeful that common sense will prevail before a new system of operation is implemented in January 2007 and we have stressed that any reorganisation must be monitored and reviewed in the light of experience.

The plans for the G&S and Severn waterways have come at a time of great financial constraint for BW, with the grant aid from DEFRA being slashed in the current year from £62m to £53m, and with the threat of a further cut to £50m in future years. BW has announced 180 redundancies within its administration, in addition to the 18 redundancies envisaged in the above proposals. These are likely to be the thin end of very wide wedge, with cuts in service and increases in charges already announced by the Environment Agency which has been similarly affected by funding problems within DEFRA.

Please keep Council informed about any service alterations that you hear about affecting your ability to cruise freely around the inland waterway system.

## **STOP PRESS - DECISION REACHED**

From the beginning of February BW plans for the winter months:-

- **5 days per week** operation – Thursday to Monday inclusive.
- The waterway will be **closed** to non-commercial traffic on **Tuesdays and Wednesdays**
- **Full time** manning of **Gloucester Lock** on a 5 day per week basis (Thursday to Monday)
- Parkend, Junction, Sandfield and Fretherne Bridges to be **user operated** from March 2007.
- **Other locks and bridges** to share keepers and operate to a **timed schedule**. This will be announced by signage, on [www.waterscape.com](http://www.waterscape.com) or alternatively this information can be obtained by telephoning the office (01452 318000) after 8 January 2007. A leaflet will also be available at the locks from this date.

## VAT TRIBUNAL DECIDES ON RIVER REGISTRATIONS

It has long been a matter of contention amongst riverboat owners that they ought not to be paying VAT on their British Waterways river registrations and that they should be treated the same way as users of the rivers Thames and Medway, where the Environment Agency does not levy VAT (but they do charge it on the Anglian waterways, we are told!). The matter has now been decided by the VAT Tribunal following an appeal by a private boat owner with a motor cruiser based on the river Severn.

The appeal sought a ruling from the tribunal on whether BW is acting correctly when charging VAT on its river registration certificates, with the contention that the fee charged was merely for the act of registration (i.e. an entry in a public register) and that no services were provided by BW and hence, the transaction was not a business activity.

Prior to 1989 BW did not charge VAT on any of its river registrations or canal licences but all that changed when it elected to waive the exemption granted by the VAT taxation laws which gave them the power to tax interests in, rights over, and licences to occupy land. This meant that it could charge VAT on tolls and dues, craft licences (other than unpowered houseboats with a mooring certificate), sailing rights on reservoirs, surface water discharges, licences to cut into a canal, cycling permits and rights over and under the towpath except for access to residential property. Certain land and buildings were excluded from the election to waive exemption - including Ardrishaig dock, Ellesmere Port docks, Gloucester docks, Sharpness Docks and Weston Point Docks; and other dockland and land not forming part of the BW navigation portfolio. In 1993, properties at Hyde and Uxbridge were added to the land excluded from the taxation.

The appeal was initially made against HM Revenue and Customs as respondent but they were soon joined by BW as intervener because of its involvement in the issue. After a period of 18 months, the appeal was finally heard and a decision was published some 6 weeks later.

The outcome of the case was that the appeal was dismissed and the grounds for the decision raised some interesting legal points. Four main issues were raised in the appeal and the tribunal addressed each one in clearly argued legal terms. Firstly, whether a public right of navigation exists on BW river waterways. Secondly, whether BW provides services in relation to the rivers. Thirdly, whether BW is entitled to charge for its services; and fourthly whether BW in making a charge for registration is supplying those services for a consideration.

It was agreed that a common law public right of navigation does exist on all tidal waters, because the soil is vested in the Crown. Whether or not such a right exists on non-tidal waters has kept lawyers in work for many centuries. It was agreed that a public right of navigation could arise as a result of immemorial usage, by Act of Parliament or by express grant or dedication by the landowner. In addition, if a river has been made navigable and maintained at public expense and used freely by the public for a long time, then a right of navigation will exist. BW and

HMRC conceded that public rights of navigation may exist on certain rivers under the management of BW, and the rivers Trent and Severn were cited as such examples. This was therefore not considered to be an issue in the appeal.

The tribunal found that BW does provide services in relation to its river navigations and the Transport Act 1962 empowers it to provide and make charges for services.

The tribunal examined the British Waterways Act 1971 in great detail. This is the Act that introduced registration on BW rivers. Two elements of the Act were stressed. The first is that it is unlawful to keep or use any pleasure boat on a BW river unless the vessel has a pleasure boat certificate or a canal & river licence. The second is that the Act provides for BW to charge for the registration of a pleasure boat. The tribunal decided that although the Act supports the appellant's contention that the fee charged is only for the registration, the Act must be read as a whole and it is unlawful to exercise any public right of navigation without registration because the Act expressly states it.

The analogy of the requirement for cars to be registered and to obtain a road fund licence without paying VAT was not accepted by the tribunal because it considered that the BW Act 1971 renders unlawful the exercise of a right of navigation whereas road traffic law only makes unlawful the failure to register a vehicle and display a tax disc and not the exercise of a right of way - a very subtle difference but an important one in the eyes of the tribunal.

In summary, the tribunal ruled that the charge levied by BW is for the purposes stated in the long title to the 1971 Act, which makes provision for BW to charge for the use of the waterways and not merely for the act of registration. The facilities provided by BW were adequate consideration for the imposition of the charge and therefore VAT was properly applied.

It is thought that the appellant will not appeal the decision.

*Stephen Peters*

## **Captions please -**

Seen near Anderton

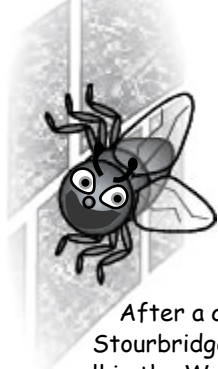
For the interest of those with challenged colour vision, the flowers are orange!







# FLY ON THE WALL



After a quick flight to Stourbridge I was back on that wall in the West Midlands and looking at, thanks to you, the same faces on Council as before the AGM. That event was deemed a success and they hoped you thought so too. They all seemed happy to be able to continue their work for you. Your busy Chairman was pleased to know that Tony now has more time and opportunity to help Council and is prepared to take over editorship of the Newsletter. Tony will continue with Health and Safety issues and Stuart with Publications editorship. Most other responsibilities stayed the same barring a few twitches with the regional secretaries, some jobs were up for grabs but as not all Council members could be at the meeting, assignment was postponed. However NABO does need a marketing person...perhaps you can help? Watch out for a job description.

It was agreed that members of the shared ownership group of boatowners could be co-opted to Council to represent those boaters, specifically Howard Anguish.

A lively discussion followed on NABO contributing to the movement supporting funding for waterways. Council decided it would rather provide window stickers and banners to enable members to show

their support on their cars and boats. The timing would depend on the rather fluid situation.

Another fluid situation brought forth a flood of opinions. BW has proposed to double pump-out charges to match the rate at the higher end of the scale of private operators. This appears unfair AND bad publicity. It's not as if you can shop around when you're out cruising! Watch that space!

Another new topic of concern was that of local councils now applying for planning permission on land owned by BW adjoining offside moorings. This could affect all BW offside moorings. It was pointed out that any structure needed planning permission, even landing stages, but if a structure had been in use for more than 10 years it could be exempt with a certificate of establishment. Your moorings man Simon will investigate!

And more concern, this time by the BSS, that its funding will be cut in line with BW and EA cuts. Your Council felt that BW should be reminded that health and safety issues should not be compromised. One suggestion to save it becoming a commercial venture with the attendant increased costs to boat owners was that the scheme be scrapped and replaced by a self-accreditation scheme. If this came about most members would feel the scheme would be beyond them to apply to their boats so Council thought NABO guidelines would help. This will be discussed with other bodies.

It was agreed that the increase in the Gold Licence fees needed to be studied to determine whether it could now be cheaper to buy short term licences instead. Look elsewhere in the Newsletter for information on this and

about EA priorities in funding its waterways.

Also watch out for news on your Chairman's attempt to get more boating representation on the seemingly anti-boat panel of the Waterway Framework Directive for the Thames River Basin. There's also talk of NABO contributing to the 'Towpath Talk' publication. Watch that space too!

Wishing you great Christmas and New Year cruising and of course campaigning.

Byeeee



Would this *meat* your requirements?  
(Leicester Mercury Tues 31st October)



Is this the first boat to be fitted with a device to prevent use when drunk or is it just not suitable for vegetarians?

*Richard Lightowler*

# LETTERS



## Endowment for BW

I perused Adrian Stott's interesting concept "The Waterways need an endowment, not grants". It was worthy of further investigation so I asked an associate, close to Gordon Brown - I do have powerful friends - to comment. He actually consulted and came back with an answer.

To find a dowry of any type from government assets would be hard as every ministry has been charged with disposing of unwanted assets since 1997. There are now few left that are not being used by the relevant departments.

To give a prime example. Currently the Environment Agency (EA) have been

tasked with selling a section of the Sunbury maintenance yard. 20% of the proceeds will go to the Thames Navigation and the remainder will go the Flood control. They both have plans to spend their share five times over. The property will be sold to a developer.

In Adrian's plan this land would be transferred out of the EA into the endowment without compensation.

To give a dowry of £1.5bn would be very difficult - actually harder than managing £1.5bn cash to set up an endowment and that would have to come out of the annual taxation spend. If DEFRA are demanding some £12m back from BW

from this years Grant-in-Aid, I doubt much credence would be given to a request for £1.5bn.

This idea is a non-starter anyway until there is a change of political persuasion in the treasury but even then I doubt such an idea, however ingenious, would ever gain acceptance.

Louis Jankel

### **More...**

Further to the proposal of Adrian Stott that "The Waterways Need An Endowment" I find that I agree with him entirely.

However the source of that endowment will not come from government in the form of property as Crown Buildings are now few and far between. Most government office space is rented and departments that occupy Crown Buildings will not want to pay rent to another government edifice notably BW. BW has a property portfolio was valued at £538 million according to their last report and they own 15 marinas which may be included in this figure. BW also pay tax on income. BW could sell the property, marinas and visitor attractions, become a "National Trust for the Waterways" with a significant endowment. As BW would no longer be, primarily, a property company with a marina business, they could concentrate on maintaining the heritage waterways as a priority.

Office staffing would be reduced, volunteer labour more often employed and income gained from Gift Aid. As a charity no tax would be due whilst business rates are greatly reduced. Government grant would still be necessary in the short term.

This idea will be opposed by BW as they are building an empire, a Corporate Business, prime for future privatisation. The view that commercial income to BW would sometime obviate the need for Grant in Aid was naive. The waterways are a national asset, need an administration and funding regime to reflect their unique place in the environment. Not to be viewed as linear theme park ripe for complete commercialisation.

Richard Willis

### **A nation of sluts?**

I am writing in support of the piece by Stephen Peters concerning removal of litter from our canals and towpaths. Litter is a problem nationwide as we are a nation of sluts.

Its presence in the cut and on the towpath is quite disgusting. Where it all comes from is anyone's guess. Much probably blows in from roads. Other stuff is left by fishermen and general walkers. Disappointingly, the remains of polythene bags collected around propellers and then dumped on the towpath, have been left by boaters - who should know better and who would soon have cruised past a skip.

I regularly litter pick the towpath where I walk. The problem is so serious that even in a rural area I can fill a supermarket carrier bag on a weekly basis. I do not extract stuff from the canal - there is just too much rubbish for one chap to make any impression.

Whether enough folks will go for Stephen's suggestion is uncertain, although we know that many boat clubs regularly run litter picks? There will need to be some significant commitment to get the project off the ground.

I like the idea of a suitable plastic container - with drainage holes. If this were specially made, labelled and coloured, it could become a kind of flag, advertising litter picking. It should be mountable on the rear rail of many craft with a suitable strap. Some form of pick devices would be needed and presumably a net. Picking stuff up by naked hand is not advisable (needles; body products; white powder). It also seems an excellent idea to get youngsters involved. The BW safety police will need to get in on the act.

One cannot legislate (effectively) about reducing litter. It is a cultural thing and it will only be reduced by changing our culture. Perhaps this idea will be part of that process.

Chris Boxall

## Wrong address

The following letter was misdirected to NABO headquarters. Ed:

Dear Robin Evans,

Whilst taking an evening seasonal stroll by Bingley Five Rise, two gnomes cycled up the towpath, brandishing luminous windlasses festooned with holly. As they wound up paddles and pushed open gates, whistling while they worked, a dancing red light approached rapidly. It turned out to be the bright red nose of a reindeer leading a team that was towing a boat covered in fairy lights. In the hold were piles of colourfully wrapped parcels. The boat was steered by a rotund gentlemen sporting a bushy white beard, and wearing bright red waterproofs.

I wish to report that the boat, named 'Jingle Bells', was exceeding the 4mph speed limit, creating excessive wash, using the incorrect navigation lights and had no current BW licence. The steerer also appeared to be drinking mulled wine at the tiller and was decidedly merry.

I complained to him, but he laughed at me in a 'Ho ho' sort of manner and claimed he was exempt from all BW rules and regulations under a 'having fun' Claus. Is this so?

Disgusted  
NB Humbug

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

10. Shropshire Union	5. Butty	1. Hire boat	QUIZ ANSWERS
11. Limehouse Basin	6. East Anglia	2. Captain	
12 Canal Cruiser	7. River Wey	3. Sapperton	
	8. Shardlow	4. Croppedy	
	9. Wednesday	5. Butty	
"HAPPY NEW YEAR"			

# COUNTERPOINTS



*Views from the  
tiller 'dahn sarf'  
by Canaldrifter*

I am very impressed by the huge success of the Save Our Waterways campaign demonstrations of November 25th. I am delighted that NABO is wholeheartedly behind these protests. I cannot recall any other issue that has united all the waterway stakeholder organisations, and the navigational bodies in one outraged voice. The total injustice of DEFRA's waterway funding cuts has appalled nearly everybody, especially as the cuts are being imposed to fund DEFRA's incompetence in other unrelated areas.

An avalanche of letters of complaint have been written by NABO members to local MP's. What is DEFRA's response? The best they can come up with is a standard reply that states 'This cut must be put in context. BW has received considerable resources over the past seven years'.

Well, that's sorta true, but then civil servants and MPs have received considerable wage-rises in the same period, so by that reasoning they would have no argument against receiving a 50% cut in income, now, that could be put towards paying for DEFRA's mistakes!

DEFRA just isn't listening, is it? I think I'll rename it DEAFRA. In fact, because I am so confident that as a department it won't survive it's

almighty own goal for long, I will dub it DEATHRA.... it must be in its death throes.

I'm sure ardent fans of this column will be gutted to hear that this is the last one. Yes, I am moving on to higher things... namely editorship of NABO NEWS! So, for 'Counterpoints', in future, read 'Editorial'. I am in effect moving from the stern to the bow of our boating journal. Stuart will still be contributing as the major crew member with the big pole, and hopefully you will also want to stick your oar in now and again. You will be most welcome. Tie up alongside.

That means I'm going to mention the canal that I'm not allowed to mention, as I can't be sacked. At going to press there is no sign of the Basingstoke reopening. The bank slip in Deepcut Cutting is still there and Deepcut Flight is still partially dewatered. I would love to join the January 16th SOW protest on the Thames outside the Houses of Parliament in Dreamcatcher No1, and then cruise throughout the system. But I may decide to stay and fight. The situation on the Basingstoke just ain't good enough. So, if anyone fancies a weekend on the isolated upper Basy on a borrowed boat, give me a call. It might be the only way you will explore it again. I hope I'm wrong.

