



NABO News

The Magazine of the National Association of Boat Owners
Issue 4 July 2014

ENFORCEMENT

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A PROBLEM MOORING ON THE CANALS, REALLY?



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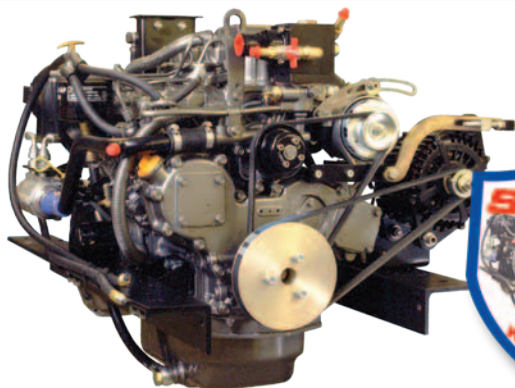
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NABO News

The magazine of the National Association of Boat Owners

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Contributions

Articles, letters, cartoons and photos are most welcome. Images and photos in JPEG format please.

Contributions to nabonews@nabo.org.uk

Next NABO News Copy Date

Please email or post your contributions by
13th September 2014

Front Cover Photo

Thanks to editor Peter Fellows for this month's cover photo. No prizes for this mystery object but you could win a year's free membership if you have your photo selected for the front cover of NABO News.



Please email photos as JPEG attachments, ideally portrait format with a file size of 2MB or larger.

NABO Calendar 2014

Dates for Council Meetings in 2014: 6th September, 18th October, 15th November (AGM), 22nd November.

Council meetings are held at boat clubs in the Midlands area. The venue for the September meeting is to be confirmed—see the website for details. Remember that members are welcome to attend meetings—just let the Secretary or Chairman know in advance (contact details p4).

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Killing the Goose?

Peter Fellows on moorings, selfishness and regulations

The London Assembly report on moorings in London, included in the news section, shows a substantial increase the numbers of residential boaters with an extra 1,000 boats now mooring on London's canals. This is attributed to rapidly rising housing costs in the city. In other areas, such as the western end of the K&A, the Ashby, Grand Union and Oxford canals, people who have waterway-based lifestyles congregate in smaller groups. CRT believes that nationally there are something like 700-1000 boats without a home mooring that have not moved more than 5 km in a 12-month period, a small percentage of the 35,000 boats registered with the Trust—although the vast majority of these remain tucked up in marinas and online long-term moorings for most of the year.

CRT has introduced a trial on the K&A identifying neighbourhoods through which boats must move, with no-return rules and overstaying charges at visitor moorings. But the results of a survey of NABO members by Mark Tizard, reported in this issue, show that 78% of respondents felt there was no problem of people overstaying on visitor moorings outside the well-recognised congestion hotspots on the K&A and parts of London.

Non-movement and overstaying raise the question of enforcement—an extract from a CRT briefing paper in this issue describes the enforcement processes used for licence evasion, unidentifiable boats and overstaying. Geoffrey Rogerson concludes that even if boaters want more visible policing of non-movement and overstaying they are not

going to get it. The calls for greater enforcement by boaters are understandable but it is expensive and I would prefer to see CRT funds used maintain the navigation infrastructure. I agree wholeheartedly with the sentiments of one member in Mark's survey: *"I don't want CRT to get too heavy-handed on this as the lack of regulations is one of the attractions of the waterways. It is more about changing the hearts and minds of boaters so that overstaying [...] is widely perceived as the selfishness that it is."*

It seems to me that CRT risks killing the proverbial 'goose that laid the golden egg' and many boaters who seek the freedom to cruise minimally regulated waterways may find alternative ways to spend their leisure time. As boaters we should be taking responsibility to point this out in a quiet non-confrontational way if we find any overstaying miscreants. This would help change the perception of overstaying in much the same way as public attitudes to smoking and wearing seat belts were changed.

The London Assembly report calls for local solutions to mooring issues and I am pleased that CRT is endorsing this approach. Robert Neff has written an interesting article on marina-based residential moorings and the difficulties marina operators and liveaboard boaters can face with local authorities over planning permission and council tax. It is a bit of an eye-opener to see how complicated all this can be.

Finally as a bit of a departure David Fletcher reports on a journey from London to Manchester, viewing the waterways at 80 mph.



Some thanks...

My thanks to Graham Reid for his offer to become a proof-reader for NABO News.

...and an ask

We are always on the lookout for interesting images for the front cover, please send us your photos—if it's published we'll give you a free year's membership.



Lock Gate Heresy

Chairman **Mike Rodd** airs his views before venturing off onto the 'loveliest canal in the country'.

As you will all know, your Council took the brave step in the June issue of NABO News of publishing the legal advice we have received from our solicitors over the past eight years relating to moorings etc. We did this very deliberately as for some time we have been concerned over some of the ways in which BW (now CRT) interprets the Acts of Parliament that govern the canal system. Our concern is expressed not only on behalf of our thousands of private boater members, but for the sake of all canal users—given the vast sums of money that have been incurred by BW in expensive court cases, many of which have simply heightened our concerns. Having obtained this legal advice, we made BW aware of our opinion that it had exceeded its powers—but to little effect. However, we have now brought these concerns to the attention of CRT's CEO, Richard Parry, and further dialogue is ongoing.

Although it is clear that areas of disagreement remain, the discussions continue to be very constructive. We intend to remain a 'critical friend' of CRT and to be proactive in our dialogue. In this spirit we also publish this month the response from CRT's Jackie Lewis to the issues raised in May by our legal-beaver, Geoffrey Rogerson. Of serious importance is the unequivocal statement that if you have a home mooring then you are NOT subject to any continuous cruising requirements. This, incidentally, blows a hole in the present interim trial arrangements on the K&A, where boaters

with home moorings on this canal have been asked (told?) to comply with the trial proposals relating to continuous cruisers. Sorry, but this request is simply wrong.

Revealing Responses

The work by my colleague, Mark Tizard, in seeking to capture your experiences with issues relating to visitor moorings and CRT enforcement has proved to be a real eye-opener. The high level of immediate and passionate responses was remarkable in itself, but the overall outcome was even more revealing. 80% of those responding say that they have encountered no problems with overstaying on visitor moorings, but 90% feel that there are insufficient CRT patrol officers physically on the ground!

The other very strong feeling, which I would personally echo from my present experience on the eastern end of the K&A, is that the focus of enforcement should be on boats that don't move at all, rather than on those that don't move far enough. I currently spend far too much time (according to my over-worked crew and my wife) skippering the KACT's Rose of Hungerford and Jubilee trip boats along that section; many of the boats that we pass have not moved since last year and some have been there for even longer.

Lock Gate Heresy

On a different tack, let's talk about lock gates—something we all know and love/hate. My good friend from the K&A, Bill Fisher, (one of the heroes in getting that wonderful water-

way re-opened) has always banged on about the lock gates on the canals and rivers in France, where many of the gates are the original ones, installed some 200 years ago. But of course they were made, not of oak, but of metal—I guess originally cast iron.

Most gates in Britain are oak, with a life of only about 25 years. Conveniently ignoring the many steel gates on the K&A, the River Wey and other waterways, BW always set its face against any alternatives to oak—often, but not always, because the gates were part of listed structures.

Now, Bill and I have been working on alternatives, along with the prime driving force behind the restoration on the lower sections of the Mon & Brec, ex-BW Waterway Manager, Richard Dommatt. Involving both his local Canal Trust and the K&A Canal Trust, we engaged with my ex-colleagues at Swansea University (world leaders in finite element modelling and its use in the design and analysis of various structures) to design steel gates with sacrificial and easy-to-replace components at points where major wear would take place.

These designs were fully analysed and their performance was shown both to be superior to wooden gates and to have a life of at least 50 years. Also, they would be significantly cheaper than oak, both to manufacture and to install. Then one of CRT's engineers suggested that it would be great if the gates could come as a sort of IKEA-type 'flat pack' to be assembled on-site, with adjustments possible to their size, etc.

The first one has just been installed on the lower end of the Mon & Brec on the section not owned by CRT. The gate sections were taken a mile down the towpath on a small trailer behind a Land Rover and the

gate was installed and adjusted in half a day using a readily-available lightweight crane. So:

- no access problems
- no huge crane or large transport vehicle required
- a predicted life of 50+ years
- initial cost significantly less than oak
- a tailor-made solution, but quickly assembled from stock components
- no five or six oak trees needing to be felled and seasoned!

Seems a great idea, sustainable and a massive saving in cost and time? Sadly, the project is now on hold as the prime funders, the Heritage Lottery Fund, want CRT's approval before they will allow us to build more—don't ask me why, as it is not a CRT canal. But CRT doesn't approve.

Please don't ask me why either. 'Heritage', I believe. But if the canals were built now, what material would be used? Certainly not a rapidly decreasing, slow-growing natural resource like oak trees. I can understand that if the structure is listed there is naturally an issue. But hey, what about all those metal gates on the K&A?

And Finally...

Huge congratulations to Mark Tizard: CRT has adopted his proposal to appoint a Welfare Officer to their staff!

I hope you are all having a great summer on the water. By the time you read this we should have joined you, so if you're on the Mon & Brec, please shout to the strange-looking short man with the beaten-up school cadet hat, as Faraday II passes by. And if you have never been down that way, try it—there are some super hire-boat operators and you will never forget your week on the loveliest canal in the country!

Fly on the Wall

Observes proceedings at the last Council meeting.



I am a very southerly fly this time, positively tropical, being south of the Thames in Byfleet. No one could remember a NABO meeting not held in the Midlands, not to say it has never happened before! The Byfleet Boat club made us very welcome in the clubhouse and one of the Council team brought doughnuts. What a gent ...

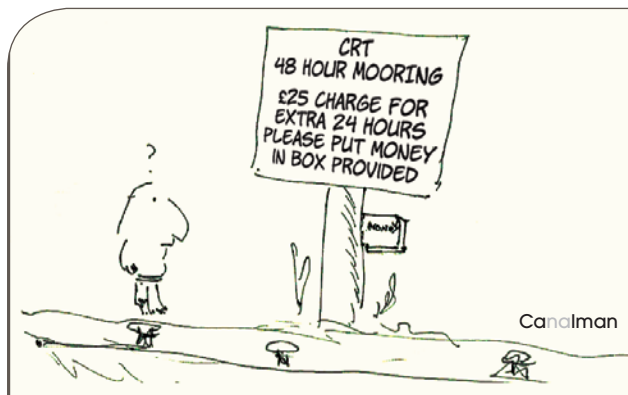
The meeting began with a long debate about the tiresome legal and practical issues around greater clarity on bona fide navigation and voluntary codes of conduct. Talk about a continuous buzzing sound! Whoever though it was a good idea to run a waterway through laws of the land? It must have been a hungry lawyer, and a confused one at that. But the meeting made some progress and I settled on a jam doughnut and nobody noticed, too busy arguing me thinks. Perhaps we should try a new tack? The team are eager to know who will be CRT's next Head of Boating. New staff, new ideas,

new opportunities, oops, just one problem, same old law, same old buzzing sound. We can be sure that flies and lawyers will do well.

This meeting we were honoured with the presence of the Thames team, but their tale was not a happy one. Budget cutbacks, staff changes and poor morale in the EA navigation team leave us somewhat concerned for the future. My mosquito friends on the Somerset Levels had a high old time over the winter. The buzz from there is that the flooding was the inevitable consequence of unchallenged budget cuts in DEFRA and EA. Don't we have 'professionals' in this country who earn that name because they are prepared to stand up to the bureaucrats and point out what really, simply has to be done? Apparently not; perhaps the professionalism been beaten out of them by the powers that be. Not the first time in history; I have been on a few other walls in the past and the outcome has not been nice. At least the canals used to be free of this political nonsense.

It is reported that members are making free with the social media, reporting their views on towpath congestion on their patch. A picture emerges and the team will be sharing this in the canal newspaper known to you all—and that is where you may see it first. There is a buzz about this bit of work and we want to use it to raise the profile of the Association and keep our name on the towpath; something you can help with too! We know what we do is needed but many others need help to part with hard earned cash.

Back north next time, much too hot down here. Byeeee.



Winter Mooring Permits

CRT reports that sales of winter mooring permits were approximately 20% higher than for winter 2012/13. Introduction of the new general towpath permit proved popular with boaters, approximately 75% of all permit sales. Feedback from boaters has been generally supportive of the changes and CRT is currently reviewing proposals for winter 2014/15 taking this into account. It will publish an update later in the summer.

	Permits
General towpath permit (£5/metre/month for 5 months)	522
London towpath permit (£10/metre/month for 5 months)	78
Selected visitor moorings	97
Total	697

Update on Boaters' Views and Feedback...

CRT's efforts to enhance two-way communications with boaters and boating organisations to get their feedback on both national and local issues has continued over the last two months as part of the Towpath Mooring Management Project, running from April 2013 to April 2016. Richard Parry hosted three open meetings at Anderton, London and Devizes, bringing the number of meetings this year to ten.

The meetings are proving popular with local boaters and around 700 people have attended so

far. Notes from the meetings are published on the Trust's website under the relevant meeting: www.canalrivertrust.org.uk/meetings (keyword search: 'open').

If you have any comments on the project please contact: fran.read@canalrivertrust.org.uk.

Richard Parry will also be taking part in a series of Twitter Q&A sessions over the summer from 6-8pm. To get involved visit: twitter.com/canalrivertrust between these times to follow the conversation or tweet your questions.

... and the Boat Owner Attitude Tracker

In June, CRT started a new survey of boaters, the Boat Owner Attitude Tracker (BOAT), to keep up-to-date with boaters' views between existing biannual surveys. Three surveys per year in which the views of around 1,000 randomly selected boaters will be gathered by independent research agency BDRG Continental. The survey will be sent to different boaters each time and over the next two years all boaters who have registered their email address with the boat licensing office will have been invited to take part. Richard Parry commented that it is important for CRT to hear what boaters are saying about the Trust, and their experience of using the canals and rivers in order to build a better understanding of their priorities and broaden CRT's thinking about how to make the best of the waterways. It will also help plan the works programme and

to address any areas where CRT may be falling short. He urged all boaters who receive an invitation to take part in the survey. CRT will publish a short report on key attitudes after each survey. A report will also be published this summer on results of the biannual survey of Boat Owners' Views, which was completed by 1,260 boaters.

237 miles, 181 locks, 7 navigations, 3 hours

David Fletcher travels from London to Manchester

I recently took a trip from London to Manchester, courtesy of Virgin Trains, returning from a BSS meeting. Having spent many hours on the canals watching the red trains roar by I felt it was time to do the reverse. So here is a log of the trip:

11.22 Out of Euston, crossing the Regents Canal. I know it is there but only a quick glance at the Pirate Castle and it's gone.

11.25 Though Kensal Green, the canal is to the left but it cannot be seen until crossing the North Circular with the familiar boxy aqueduct is in the distance to the south.



CRT Open days

- London Impounding Station (a pumping station built in 1929, used to regulate water levels between the West India and Millwall Docks), 12th July, 10.00 am—4.00 pm.
- Sutton Weaver Swing Bridge, 8th August, 10.00 am—4.00 pm.
- Newark Dry Dock, 31st August, 10.00 am—4.00 pm.

Details at canalrivertrust.org.uk/news-and-views/features/summer-open-days-2014

Membership

All the membership team have been busy with phone calls to members and we have had some lovely conversations! It is nice to catch up and hear some of the goings-on. We continue to chase members for back-subs, so please follow up if you have been contacted. In spite of the difficult money times, members are often very generous with donations and we would like to thank you all.

Over the years, legal advice has been key to our knowledge base and we need to maintain our funds at a level where we can do what is necessary. Helen Hutt has joined the team to carry out the financial book-keeping.

In the photo, Helen and David Fletcher are sitting on the river bank at Ely.... tough stuff this administration work!



Recycling with Biffa

In various recent meetings with CRT, the national waste contract with Biffa, which has been in place since 2013, has been mentioned. One of the planned requirements in the contract is to reduce the amount of waste going to landfill, both for cost and environmental reasons.

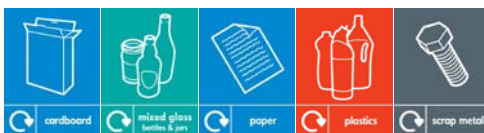
Biffa currently sort all the red bin contents, but because of contamination and sorting issues, the success rate is only an average of 65%. Some sites do very well and others do very badly. The plan is to significantly improve the average and tackle the black spots.

Apparently a likely option is the introduction of dry mixed recycling (DMR) bins at the waste sites, something we all welcome. Provided the dry waste is not contaminated by other waste, especially food, it can be converted into reusable commodities at a materials recycling facility.

What do we need to do?

Follow the instructions at the site you are using. These may vary, particularly when new facilities are being rolled out.

- Bag up non-recyclables separately. Then Biffa can identify them readily and separate them.
- Don't bag up DMR items in black bags. Anything in black bags is not sortable and will inevitably go to landfill. If there is no DMR bin, it is better to put the items loose in the bin.
- Empty and wash out all cans and other food containers. A small amount of food results in a large amount of recycling being downgraded to landfill.
- Old batteries, engine oil, fridges, mattresses, furniture, carpets and the like are your problem, not CRT's! Don't leave them at waste points.



Moor or Less: Moorings on London's Waterways

A report by the Environment Committee of the London Assembly undertaken under the rapporteurship of Baroness Jenny Jones AM.

London has 100 miles of canals and 42 miles of the River Thames, with an estimated 10,000 people now living on them. The 2014 CRT national boat check indicates that since 2007 an extra 1,000 boats are now on the canals in London, a 50% increase in 7 years.



Record house prices and rents are leading many people to live on a boat, seen as a more affordable option. However, the numbers of moorings and facilities, such as water supply and waste disposal, have not increased in line with demand. CRT expressed concern that this level of growth places significant pressure on waterway infrastructure and may result in conflicts with other waterways users and canal-side neighbours. Vacancies in London are scarce, especially for residential use, with only four vacancies at the 578 long-term moorings that the Trust operates, all outside the Central London area. The report highlights overcrowding on some popular temporary moorings that can contribute to local environmental and nuisance issues, such as air and noise pollution from generators, stoves and engines, as well as navigational challenges for those trying to use the waterways. It emphasises a need for local solutions from all the people involved, including boaters, land residents, navigation authorities, boroughs and other official bodies. Recommendations include:

- CRT should look to increase moorings on London's canals.
- Planning authorities should ensure that waterside developments do not detract from waterway usage, including provision of residential moorings.

New London Residential Moorings

Over the last 18 months CRT has been researching locations for possible new mooring sites in London. Three small developments with a total of 19 berths are scheduled to be completed during 2014 at Acton's Lock on the Regents Canal, Atlip Road on the Grand Union Paddington Branch at Alperton and Matchmakers Wharf, Homerton, on the lower River Lee. During the course of this work, it has identified 30 possible offside sites that are not large enough to be commercially viable but, subject to further research, might be of interest to a social enterprise.

- Future amendments to the London Plan should include a policy to increase moorings.
- CRT should trial community moorings which would be run by a non-profit organisation.
- CRT should review provision of facilities and lighting at existing sites to ensure they are sufficient to cope with demand.
- CRT should review the way moorings are auctioned to make them fairer.
- All relevant authorities should work to engage boating and waterside communities and the different groups should work together to find local solutions to pollution issues.

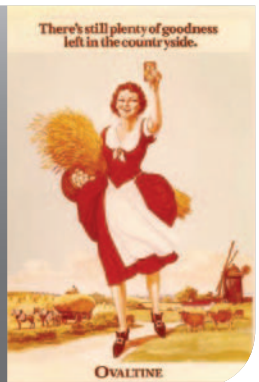
Download from: london.gov.uk/mayor-assembly/london-assembly/publications/moor-or-less-moorings-on-london-s-waterways and the CRT response at: canalrivertrust.org.uk/media/library/6538.pdf

11.37 Past Walford, old home of BW, train at full speed now, through the tunnels and under the M25 with the GU on the left. A quick wave to the Ovaltine factory at Kings Langley, resplendent in white.

11.40 Tracking the GU now, a short view of Boxmoor and Berk, moorings are clear of course.

11.41 Over the summit at Tring and down Marsworth.

11.43 Across the viaduct at Cooks Wharf (we had the boat blocked here a few years back under the thunder of the trains). The swing bridge is closed.



Support for vulnerable boaters

Mark Tizard reports that CRT has agreed to a Welfare Liaison Officer as suggested by NABO

CRT, 'customer' surveys indicate around 7,000 boats are the main residence, 40% of residential boaters with household incomes of less than £15,000 (£13,920 or less can be defined as being in poverty) and although CRT has no means of knowing how many boaters are suffering distress and need support, it estimates enforcement officers encounter 40-50 boaters a year who they think might have physical, psychological or financial problems.



Jenny Dibsdall, centre, the Waterways Chaplaincy provide support to boat-dwellers

Photo: Salvation Army, www.salvationarmy.org.uk

After some recent high profile court cases, NABO has been pushing CRT since January this year to appoint a welfare officer/manager. We are not saying that the individual cases should not have been brought; more whether making a boater homeless in the cold weather just before Christmas was an 'own goal' for a charity that was seeking to encourage non-boaters to become 'friends'. It is clear that the Waterways Chaplaincy does not have the funding or the spread of expertise across the country to provide a viable solution. We fully accept that CRT is not a housing association but the fact remains that a boater with a problem is a problem for the Trust.

Data from the recent CRT briefing which leads to this decision. Two driving forces that point to a growth in vulnerable boaters are the national housing shortage and the demographic trends of boaters. Canals are increasingly seen as cheap housing by people who are unfamiliar with the practicalities of living afloat—East London has seen an 85% increase in people moving onto a boat in the last year. A third of all boat licence holders are over 65, as they age, this group will increasingly be at higher risk of frailty. CRT's charitable objects do not include providing homes for people and licensing processes do not include enquiring into the reasons for boat ownership, so it has no reliable figures on the number of people living on the canals.

The Trust is developing a strategy to provide a reactive service for boaters in distress by training staff in the basics of dealing with peo-

ple with special needs, maintaining contact information for relevant local agencies and liaison with the Dept. of Work and Pensions to ensure clarity in rules relating to boaters (e.g. guidance to local authorities on housing benefit for boaters with no fixed address). It has decided to recruit a Welfare Liaison Officer, initially on a 12-month contract, to take responsibility for completing and implementing this strategy.

Waterways chaplains provide practical care, advice and advocacy with referrals to relevant professional agencies. The largest is Workplace Matters (WM). CRT has concluded a memorandum of understanding to help them with funding applications. It has agreed to make £16,000 available to WM to support the waterways chaplaincy pending development of a long-term strategy (£10,500 for management and administration, £3,000 for expenses, £1500 for office and meeting costs and £1000 for training). A task for the Welfare Liaison Officer will be to develop a complementary network with secular support organisations.

The boating community is known for its friendliness and care for fellow boaters and many boaters in distress already receive unrecorded care and support in this way.

CRT is inviting boating organisations to consider what they might do to encourage this, working with the Welfare Liaison Officer. NABO looks forward to supporting this initiative. We would like to thank CRT for listening and taking this action which we believe will pay dividends both in regard to better boater support and better PR for the charity.

HS2 Update

In May, IWA and CRT submitted petitions to the House of Commons against the High Speed Rail Bill. The IWA petition lists the following issues that need to be addressed:

- Noise reduction measures where the route crosses or approaches canals.
- Good design, rather than lowest cost design, used on canal crossings at locations such as Curdworth and Colne Valley.
- Clearances for boats and towpath users around permanent and temporary works.
- Attention given to the under-bridge over the Grand Union Canal at Saltley Viaduct, to ensure a positive space is created.
- Careful design of the Curzon Street Station deck, which arches over Digbeth Branch & Ashted Lock.

The petition seeks assurance that appropriate steps will be taken to maintain the character and environment of waterways and structures where HS2 crosses and runs close to navigations.

The CRT petition also calls for consideration of design quality of waterway crossings, the protection of heritage assets and mitigation of the effects of noise pollution on waterways. CRT is particularly concerned about the effect of HS2 on waterways in the Scrubs Lane area of the Paddington Arm, where a retaining wall supports the canal, and the Curzon Street area of Birmingham to optimise wider regeneration opportunities through the creation of a new canal quarter in Eastside and Digbeth. Both CRT and IWA request a redesign so that the railway avoids the T&M at Fradley Junction and in close proximity to the listed Woodend Lock and lock cottage. The proposed line crosses in four places and at different levels, which would have a dramatically adverse impact upon a particularly tranquil length



Woodend Lock and cottage.
Photo: Chris JonesCanalPlanAC

of a rural canal. The two organisations commissioned the Hyder Report, which proposes an alternative route that would avoid the crossings with potential cost savings of at least £50M.

The next step is for HS2 Ltd. to respond to petitioners with counter proposals. Petitioners may then withdraw if their concerns have been addressed, or continue with their petition. Eventually the Select Committee will determine what it thinks should be done on the issues raised, before the Bill becomes law. See publications.parliament.uk/pa/cmhs2/petitions

11.50 The GU is on the right, through Cheddington (Great Train Robbery), and then Grove Lock is there. Mine's a pint.

11.52 Through Leighton Buzzard and past the wiggles above the Three and the little square church tower; moored here a few times.

11.53 I can just see the pub at the Three, nicely whitened, too far away to see boats.

11.56 Milton Keynes. The GU is way off to the east over the hill. Wave to the CRT offices that overlook the railway station. Train is flying now, hard to keep up with the log.

11.58 Concrete cows are to the right, all in a circle like a circus, and through Wolverton, home of the wall painting.



Enforcement

An extract from a CRT briefing paper for national boating organisations, by Denise Yelland, CRT's Head of Enforcement, June 2014.



In 2009 the national Enforcement Team was established in the Marketing Directorate, with Paul Griffin being the Enforcement Operations Manager. The five enforcement areas are London, South East, South West, Central and North. Each area has a supervisor and a number of enforcement officers and data collectors depending on the geographic size and caseload of the area, totalling 47 people including 21 enforcement officers and 20 data collectors. The data collectors aim to cover a complete linear length on foot, bicycle or by water every 14 days.

Figure 1: Monthly summary of number of boats identified as moving the least distance.

CC enf—enforcement action already underway for non-compliance.
Other enf—enforcement action already underway for another matter eg unlicensed

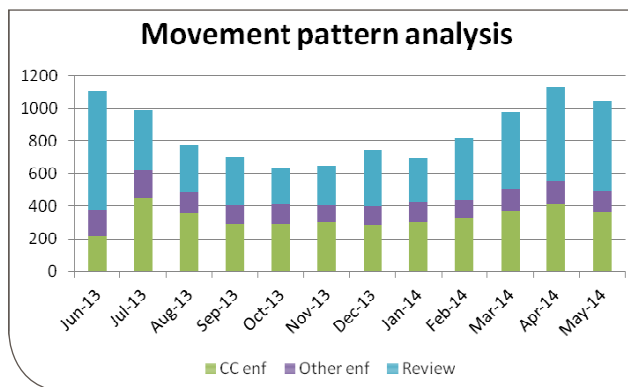
Less frequent checks are made at long-term mooring sites, less populated canals (e.g. BCN mainline) and offline marinas. Occasionally more frequent checks are made at 'hot spots' (e.g. locations where data indicates above average overstaying and popular visitor moorings). On average an enforcement officer handles a caseload of 75–100 cases. Tasks

include checking licensing records, making customer contact, preparing boat removal and court files for review, and reviewing sightings and photos of unidentified boats. The enforcement supervisors are responsible for managing the boat removals for their area under the Section 8 procedure. In the last four years CRT has seized 285 boats.

The national Boating Support Team is headed by Jane Lee, who is also the Boating Analyst, and includes six boating coordinators, responsible for sightings analysis and initial customer contact. They check licensing records and contact owners to try to resolve issues without recourse to legal processes. They process payments for licences over the phone and have direct access to the boat safety database to ascertain the status of BSS certification.

Enforcement Processes

The aim is to quickly establish contact with an owner to resolve an issue. Options may include arranging payment plans outside our usual credit terms, signposting external agencies that could help an owner facing personal difficulties and/or suggesting alternative options to resolve an issue.



Licence Evasion

The licence evasion rate has remained below 5% for the last five years. The rate is calculated following the national boat count in March each year. For ongoing monitoring an indicative rate is calculated each month, using data from the annual count and the active number of cases for each month.

Unlicensed Boats

An unlicensed boat sighting is recorded by the data collector and the boating coordinator contacts the owner to try and resolve the issue before the late payment charge becomes due. If the matter is not resolved, the case is passed to the enforcement officer, who checks whether the boat is being used as a primary residence, in which case the liveaboard process involving a county court hearing is followed. If it is not, the simpler Section 8 removal process is followed.

Unidentified Boats

Boats without an index number are photographed by data collectors and checked to establish if the index number is known or an existing case is open. If unidentifiable, the enforcement officer arranges for a patrol notice to be placed on the boat requesting contact. If not resolved the Section 8 or liveaboard process is followed.

Direct Debit Default

Where a boat owner has defaulted on a direct debit payment the Credit Control Department requests the payment. If this fails the case is transferred to the enforcement team. The boating coordinator attempts to contact the owner by letter and a

copy is sent to the local team to place on the boat. If unresolved the licence is terminated and the case passed to the enforcement officer to issue a removal notice under the Section 8 or liveaboard process.

Each area has a supervisor and a number of enforcement officers, totalling 47 people.

Overstaying by Continuous Cruisers

A monthly analysis of all continuous cruiser boat movements, based on sightings, identifies those who appear to have moved the least in the previous six months.

The enforcement officer reviews the list and any customer complaints regarding a particular boat or area to see if there are known reasons why the boat has not travelled far (e.g. approved extended stays, winter moorings etc.). If not, initial contact is made by letter.

If no contact is established then the legal process is instigated. On average about 800 boats are identified each month, of which about 400 are not in any existing enforcement process.

12.02 The GU is now on the left, out of sight until Bilsworth and the Walnut Tree; many boaters' meetings here. Now tracking the canal up through Weedon to Buckby. On two tracks on this bit so a better view. A quick glimpse of Bugbrooke Marina, full.

12.07 Whilton Marina nestles under the embankment, and the start of the locks. It's goodbye to the GU. Up the Leicester Arm.

12.10 Over the Arm and a quick glance back to see the staircase at Walford. Boats are moving in the sunshine.

12.15 Flash past Rose Narrowboats, saw Tornado steam through last time I was here at the chandlery.



Enforcement figures

Each area has a supervisor and a number of enforcement officers, totalling 47 people.

On average an enforcement officer handles a caseload of 75–100 cases.

In the last four years CRT has seized 285 boats.

New Continuous Cruiser Customers

In January 2014 CRT started issuing a letter to new boaters who have taken their first licence without a home mooring.

From the fourth month of the licence their movement pattern is reviewed to see if it raises any concerns. If it is felt that their movement is not be in line with bona fide navigation an advisory letter is sent. If they are flagged in the analysis the standard process is followed, with the expectation that the licence will not be renewed if the movement does not increase.

charge. Where necessary an invoice is raised for the extended stay charge by the Shared Services Department in Leeds.

K&A and London

The special interim plan started on 1st May and reminders are sent if sightings show a boat has remained in the same place/neighbourhood for more than 14 days. Plans are in place to appoint an additional enforcement officer, which will allow weekly data collecting. In London there will be a 14-day reminder process similar to the K&A.

There will also be closer integration of enforcement and boater liaison teams, improved communications and cooperation with London boaters to promote understanding and respect for fair rules, and support for initiatives including the London Boating Bulletin, Better Relationships Group and volunteer caretaker boaters at visitor mooring sites.

One of the objectives of the Towpath Mooring Management Project is to provide clearer guidance on what CRT expects boaters to do to meet the licence requirements, particularly those who do not have a home mooring. To support this CRT is planning to publish supplementary guidance and neighbourhood maps to inform boaters where it expects them to move to after each 14-day period.

Enforcement Website

CRT is working on improvements to its website to highlight the work and processes of the enforcement team.

It will include contact details and maps to show the areas each enforcement officer covers, provide monthly updates on caseloads and have links to other external organisations that may be of use to boat owners.

A monthly analysis of continuous cruiser boat movements, based on sightings, identifies those who appear to have moved the least in the previous six months.

Approved Extended Stay

If a boater contacts CRT with a request to extend their stay by up to 14 days, the enforcement officer is authorised to give consent and issues a special permit. If the extension is for more than 14 days, or is an extension to an original request, the matter is referred to the enforcement supervisor for consideration.

Popular Time-limited Moorings

At a number of sites more frequent sightings are being collected electronically, predominantly by volunteers, and fed automatically into the national sightings database. This flags up those who appear to have overstayed the time limit. The boating coordinator reviews sightings and makes initial contact by phone or email.

On some sites a notice is also left on the boat to remind the boater to move or face an extended stay

Reflections on Enforcement

Geoffrey Rogerson offers his views after a meeting with CRT on 9th June.

Denise Yelland, CRT's Head of Enforcement, spent the first hour dealing with licence evasion, which has gone down from 5% to 4% and really CRT has done a good job in this respect. The 4% represents about £1,000,000 of licence revenue outstanding. Obviously it gets more difficult to keep on reducing the numbers without a licence but certainly lost revenue of one million would seem worth a lot of effort. The other aspect that was dealt with at length was the enforcement process, which is both lengthy, time consuming and costly if it goes to court. There is a conflict between boaters who quite clearly want to see 'patrol officers on the beat' and CRT staff who are really geared up to reporting through hand-held computers and relaying information to head office. This information is then processed and passed to the patrol officers, who apparently spend three days each week in the office assessing the information.

The new plan for the K&A was discussed at length and NABO is quite happy with the concept of 'neighbourhoods', having introduced the idea at the original K&A Mooring Strategy Group. It has no legal standing but at least it shows that moving a boat length, bridge-hopping or moving a boat 100 yards is not moving to a different place. With the passage of time, neighbourhoods could become accepted as a convention, like the 14-day rule and then become accepted by the courts as 'custom and practice'. The K&A plan was originally voluntary guidance in order to encourage movement. However CRT now

claims that boats which do not move through six neighbourhoods in three months or twelve neighbourhoods in a year would be subject to enforcement. The neighbourhoods in question cover a distance of 28 lock-miles and whether or not this may seem a reasonable distance is irrelevant as NABO does not accept that CRT can define the distance required for bona fide navigation. NABO is trying to be positive, focussed and helpful to CRT in what

Those present:

Richard Parry, Simon Salem, Sally Ash, Denise Yelland and Paul Griffin from CRT. Mark Tizard and Geoffrey Rogerson from NABO and representatives from IWA, AWCC, ACC, RBOA and NAG*.

Other boating groups seem to have no knowledge of, or regard for, statute law and the restrictions and difficulties it imposes upon CRT.

seems to be an impossible situation. For instance, apparently 1000 boats move only 5 km in a year—CRT cannot take them all to court.

At NABO, we have accepted the licence terms and conditions and

12.17 Over the Ashby Arm, I can see bridge 4, properly numbered, and through Nuneaton, with another change of navigation, tracking the Coventry Canal on the left, but too far to see anything much until Atherstone.

12.20 Down Atherstone locks over the low iron bridge. No motorcycles here today and space on the moorings of course. A good spot.

12.22 Down to the bottom of the locks to Bradley Green. (Lost a cat here some years ago—give her a wavel)

12.23 Polesworth. An unlovely place where we were frozen in 2008, and a quick flash of Alvecot Marina on the left as we enter Tamworth. The canal is way to the south out of sight at Fazeley.



we have suggested and endorsed the concepts of neighbourhoods. However I feel that the other boating groups contribute nothing other than merely crying out for more visible enforcement. They seem to have no knowledge of, or regard for, statute law and the restrictions and difficulties it imposes upon CRT. Let us be quite clear, boaters want visible policing of the canal—and they are not going to get it. CRT is geared up to computer-generated information and, whether it is effective or not, boaters are not going to be aware of what is going on. This is particularly the case when boats that are overstaying are still present even though they may be already subject to the lengthy enforcement process.

Also let us not confuse overstaying with congestion. During the peak season throughout

the summer and especially the school holidays, congestion on the K&A is caused by the sudden influx of hire-boats. For instance, it is really not possible for 21 hire-boats to expect to moor on the visitor moorings on a Friday in Bath. All visitor moorings on the K&A between Bath and Devizes are now 48-hours and should a boat stay for an extra 24 hours then it can expect to get an invoice in due course for £25—that's if it has been noted! At the moment only four of the visitor moorings are being monitored daily and the 14-day moorings are monitored fortnightly. It remains to be seen after four or five months whether the K&A plan will be successful, in which case it will be introduced throughout the whole country, or if not it will collapse in a heap and be quietly forgotten.

Guidance for Boaters with a Mooring

Geoffrey Rogerson receives a reply from CRT's Jackie Lewis.

Following the questions posed in the June issue of NABO News to clarify CRT's position, Geoffrey has received the following replies from Jackie Lewis:

1. Are sections 17 iii (c) i and ii mutually exclusive (either/or)?

Yes, sections 17(3)(c)(i) and 17(3)(c)(ii) are mutually exclusive. In other words, a boat either has, or does not have, a home mooring.

2. Under section 17iii(c)ii does the boat have to continuously cruise throughout the entirety of the period of the licence?

Yes that is our interpretation of the wording of section 17(3)(c)(ii) which states that the boat should be used "bona fide for navigation throughout the period [our emphasis] for which the consent is valid". The consent in this context is the boat licence.

3. When a boat leaves its marina mooring and enters the canal does it become a continuous cruiser?

No. If the boater in question has a home mooring in the marina, they do not (indeed cannot by definition) become a boat without a home mooring when they leave the marina. As stated under point 1 above, sections 17(3)(c)(i) and 17(3)(c)(ii) are mutually exclusive.

4. A boat leaves a marina mooring on a Friday, travels a few miles or locks, and returns on a Sunday, and does this every weekend. How is this affected by the no return rule and the maximum days per month in a neighbourhood?

Only certain visitor moorings are subject to 'no return' rules or a maximum number of days per month limitations. These rules and limitations are designed to alleviate con-

gestion at the Trust's most popular visitor destinations and ensure that these areas are not monopolised by the same boaters at the exclusion of others. If the boater in your scenario does not stop at any visitor mooring subject to these restrictions then they will be unaffected. However, if the boater does, he or she will need to abide by the same rules as everyone else. However, please note that our preferred format for 'no return rules' is maximum days per month (not 'no return within x days') and therefore the boater in your scenario is unlikely to find his or her movements restricted in any way. We appreciate that the Trust and NABO do not agree on the legal basis for no return rules.

5. A boat leaves a marina in April to spend the next two or three months cruising. Is it subject to the bona fide navigation requirement (e.g. from A to B and thence to C)?

As in question 3 above, if the boater in question has a home mooring in the marina, they will not be subject to the bona fide navigation requirement under section 17(3)(c)(ii). However, they will be subject to the Trust's licence terms and conditions and will be required to cruise and only moor for short periods of up to 14 days in one place whilst cruising away from their home mooring.

6. What is meant by a ghost mooring?

A 'ghost mooring' is a term used to describe a mooring that cannot legitimately be a 'home mooring' as required by section 17(3)(c)(i) but attempts are made to use it as such. In other words, it is a type of sham arrangement to avoid the need to obtain a genuine home mooring. Examples include a single mooring that is let to a number of boaters who couldn't all possibly use the same



mooring, or a fabricated mooring address that doesn't exist in reality. A mooring that is nowhere near the area in which the boater is cruising so that it is never used would also constitute a 'ghost' mooring.

12.25 Still on the Coventry as we head up towards Whittington, home of the old style computer canal planner. Over the Lichfield Arm junction and the chaos that will be HS2.

12.30 We cut the corner off at Fradley and join the Trent and Mersey at Armitage, the home of bathrooms. An old factory with so many broken windows. HS2 phase 1 will join the West Coast Main Line near here having carved up Wood End Lock.

12.33 We track the faithful T & M, and the upper part of the River Trent through Rugeley, and its power station and up to Colwich—nice moorings if you can get them. Today you'd be lucky, only a couple of smoky boats. Cannock Chase looms to the south.



Let's Liveaboard!

General Manager of Mercia Marina, **Robert Neff**, explains how to live legally as a residential boater.



Mercia Marina can be contacted at Findern Lane, Willington, Derbys DE65 6DW, Tel: 01283 703332 robert@merciamarina.co.uk, www.merciamarina.co.uk/

Working boaters lived aboard their vessels because their delivery schedule demanded it and wages were too low for housing. They saw themselves (or was it society?) as a breed apart. Now, 100 years later, how much has changed? People take to the canals in all manner of vessels, but the same attitude to boats persists. Society has, until very recently, taken a very dim view of boaters; “water gypsies”, “travelers” and other terms they believe

ern incarnation of the old boating families must be the liveaboarders, of which there has been an explosion in numbers in recent years. Because of their love of the water, the canal-side pubs and, most importantly, they love their boat. Few dream of living outside of society, rather they simply enjoyed their holidays afloat or retirement has come early and they now prefer to sit beside a floating fire. Others have also taken to living on board because of the promises of being outside society, a cheaper way of living, a welcoming non-judgemental community. To a great extent, those promises are realised—wonderful!



Mercia Marina

we take offence to. Indeed, boaters themselves revel in creating their own divisions through comments about shiny boats, “joshers” washers or rubbish on the roof. In the past, it would have been how well-polished were the chimney chains, how respectably dressed were the women and did the kids have shoes? Now this diversity is between those who choose to only use their boat for leisure a few times a year, and those that live on board.

There are now very few cargo-carrying narrowboats, the mod-

Floating homes

Many mooring providers, be they BW/CRT, private marinas or the EA, have turned a blind eye to people living on board and once started, is hard to stop. BW attempted purges but then appeared to adopt the attitude that it was the local authorities' problem and not its own. The local authorities generally did not want to know because it was so far outside their area of comfort and might cost money. So, over the years, more and more people came to live aboard their boat, until the current position where it is thought that maybe 15,000 people nationwide are liveaboarders.

The CRT licence is the same for leisure and residential boats but BSS requirements are different. Anyone living on their boat who has gas onboard should either have a Gas Safe registered BSS inspector do the test or fit a bubble tester in the gas

compartment, in which case any examiner can do the safety certificate. They should also check that their insurance covers them for residential use of the boat. VAT is payable on leisure moorings and also on residential moorings, unless they are occupied by a 'houseboat', which is a static boat not capable of being readily adapted for self-propulsion.

The role of local councils

Local councils are, as a rule, against people living on board. Not so much that the boats may be unsuitable but the danger of development in areas where no permission exists—similar to unlicensed house extensions, putting caravans on spare land, or houses being built in the open countryside. The strange situation that boats are viewed as a natural part of the canalscape and, as moving objects, are not considered to be intrusive development. So councils were willing to turn a blind eye. However, some people poked the councils in the eye, not so much with housing benefit claims, or children needing to go to school, or registering with doctors, but rather claiming residential rights and producing mounds of 'rubbish' along the never-pristine towpaths.

Like most things, when it is only a few, people do not pay attention. But when a few people do something, there are always some who take it to the next stage by demanding more or raising their profile. So local councils fought back by issuing enforcement notices and becoming much stricter in giving planning approvals. Still the numbers came. The small number of residential berths that were allowed was vastly outweighed by unapproved liveaboards.

The Government asked themselves, is this a problem or a potential solution? In 2011, Grant Shapps, then the coalition's Housing

A boat is a residence if any of the following apply:

- it is the sole or main place of residence
- an alternative residence is not immediately available or is left out
- the bulk of the boater's possessions are in the boat
- it is where the boater(s) spend most of their time.

Minister, made his now famous statement about councils being more amenable to allowing residential berths. A few years before, BW's marina subsidiary, BWML, got into hot water with the Waterways Ombudsman for providing what were considered to be residential berths and charging a premium for them without having any planning permission. Since BWML was successful in obtaining residential planning permission, it made it much easier for other marinas to follow suit as planners in one area refer to the acts of planners in another.

Costs and benefits

Many marinas have not pursued the opportunity to create residential berths, as the benefit to them is very limited. The financial cost to marinas, consisting of legal and consultancy fees as well as a S106 contribution to the local council, typically amounts to £750 per berth. This cost

Long-term moorings do not necessarily have planning permission for residential use.

Photo: Peter Fellows





The bottom line is that unless you are on a residential berth that has planning permission, it is against the law for you to live there.

is increased by the heavy administrative burden imposed by the councils who may want to know, on a daily basis, the location of residential and non-residential boats, the dates of arrival and departure and the term spent on a particular berth. Furthermore, a marina which is content to accept liveaboards may worry about additional rights residential boaters will assume. The control of seemingly minor things such as laundry hanging out, dogs on leads, noise and parking, all take on a different dimension when boaters become residential. It is thought that the marina's rules and regulations will trump residential rights, but not many marinas are keen to put that to the test.

Similarly, what is in it for the liveaboard boater? The costs of residential permission, with a differential between leisure and residential users to reflect their greater use of facilities, means they have to pay more. How much more will depend to a great extent on how council tax is handled. Most people agree that local services need to be paid for. Most also agree that it does not matter whether you live in a house, flat or boat; if it is your residence you should be making a contribution just like occupiers of other residences do.

Many boaters argue that their contribution to council tax is covered by business rates but that is only true under certain circumstances. It is not true of berths where no residential planning permission exists, which covers the vast majority of liveaboard boaters. It is true when residential planning permission exists and the marina chooses to follow a composite tax arrangement. Under this, the residential use of berths is recognised and charged via business rates thus keeping the costs down to about £50 a year. In contrast, where the berth operator is not demonstrably in tantamount occupation of the berth, the local authority may charge full Band A council tax, about £1000 a year, a large addition to mooring fees. Most marinas charge extra for residential/liveaboard customers due to the increased costs incurred. These additional charges are normally £400 to £1000 on top of the mooring fees or the boat owner will be paying full Band A council tax directly to the local authority.

It seems to be only the long-term liveaboard boaters who remember the difficulties surrounding living on board: attempting to get post, register with a doctor, find a place to moor, satisfy your bank and credit card companies, obtain benefits, register your kids in school etc. Boaters new to living on board need to be aware that authorities are not keen on square pegs. How difficult the bureaucrats make it varies according to what you are trying to achieve, where you are located and over time.

The bottom line is that, unless you are on a residential berth that has planning permission and not simply one that the mooring operator says can be used residentially, it is against the law for you to live there. Without such permission, councils can insist that such use ceases.

Changes at Mercia Marina

Mercia Marina has obtained permission for 180 residential berths to ensure that boaters who want to live on a boat in the marina can do so secure in the knowledge that they are doing so legitimately. This will affect everyone who wants to live onboard their boat while it is in the marina unless they are short-term visitors staying less than six months in a year—it will not affect those long-term moorers who do not live on their boat. Priority is to existing moorers, but as demand has exceeded 180 berths we have two waiting lists, one for existing moorers and one for potential moorers. People are added on a first-come-first-served basis. If boaters agree to move regularly as we stipulate and comply with our terms and conditions, they will be considered to be residential. We will introduce this in September 2014 to allow us to liaise with the local council and the valuation office to clarify the guidelines and create a clear set of rules. The valuation office makes a distinction between a permanent berth where you have exclusive use and a boat that changes location and so does not have that benefit. Initial discussions with the valuation office indicates that moving every ten months to a different berth will be sufficient to qualify for the reduced tax rate. We expect it to be acceptable to simply move to a nearby berth or even the adjoining one. Widebeams cannot simply move to the adjoining jetty as the boat will still be occupying the same water space. The valuation office produces guidance rather than strict rules and enforcement is by the local authority. Some relevant case law indicates that the idea of moving boats regularly is excessive and a Band A charge may be unenforceable. We will pursue this with the local authority as it appears to be

common practice that local councils do not require boats to move regularly, but until we have a definitive answer, we assume that it will. The residential berths are not specifically identified berths. Residential boaters may be given the choice of either moving regularly within the marina or paying full council tax (currently £1016.97 a year) in addition to the mooring fees and the marina residential charge of about £100. By moving regularly the local council and valuation office will see that you are only in temporary occupation of the berth and the charge will be on a composite basis (council tax of £35—£50 per year) in addition to the same mooring fees and residential charge. If you move regularly as we stipulate, we therefore expect the annual additional cost to be £150. This additional charge is to cover our payment of £91,000 to get the planning permission as well as administration and costs for handling boaters' post. Residential boaters can use the marina as a residential address, making it much easier to deal with banks, insurance companies, DVLA, bus passes, pensions etc. Residential boaters will also be secure in the knowledge that councils will not take enforcement action.

12.38 Here the railway and the canal split, and we follow the T & M north. The main railway line follows the Staffs and Worcester towards Stafford but we are for the north to Great Haywood, and a glance through the bridge to the hire-boat yard.

12.42 The canal is close by the railway and there are lots of moorings. There is a quick view of the marina below Stone before we disappear into the town.

12.47 Out of the town and we are back together, plenty of moorings, and smashing through Wedgewood, climbing the few locks until we see the rubbish burner at Stoke and civilisation again.



No room at the VM

Is there really a problem with mooring on the canals?

Mark Tizard runs through the recent history of the moorings debate

“ The Trust is admirably trying to provide a position where visitor moorings are available for all boaters and are not blocked by boats that overstay and abuse the rules. However their proposals, many believe, are impractical and discriminatory and their approach is not consistent. NABO knows that there are boat owners who abuse the rules and it does not condone them. However it does be-

lieve that the stated problem lacks supporting evidence and that better enforcement of existing rules will go a long way to solve the problems. Boaters should also expect consistency across the country.” Thus read the NABO Press release in February 2013 in response to CRT’s consultation on proposed changes to visitor mooring provision in the south-east.

Background

Having consulted its members NABO submitted a comprehensive submission to the consultation and attended the CRT workshops. At the consultation CRT staff admitted that they had no data to support the proposed changes and that the response from the consultation showed boaters were slightly in favour of change (providing you counted the responses from NABO and other organisations as one response and ignored the online petition against the changes) and went ahead with changes at three sites (Thrupp, Stoke Bruerne and Foxton) with reduced stay times and the introduction of penalty charges and no-return rules.

Subsequently in September 2013, NABO held a meeting with CRT during which Denise Yelland (Head of Enforcement) confirmed that there wasn’t really an overstaying problem now on visitor moorings as the word had got out among boaters that overstaying would lead to an immediate focus of the enforcement team. However at that time it was noted that in the period March—August 2013 some 700 boats which had been sighted at least four times had moved less than 5 km. It was



stated then than it was CRT's intention to start refusing to relicence boats that had not moved sufficiently over a rolling six-month period unless the boater could demonstrate that they had found and paid for a home mooring.

In November 2013 CRT held a workshop to review the effect of the changes. Several of the attendees again made the point that perhaps CRT was confusing overstaying issues with visitor mooring demand (seen as two problems) and it was reacting to a perception that it had a problem rather than a reality—which was that it hadn't. A survey of 450 boaters spread over the three sites showed that there was roughly 50:50 split between those that felt there had been a benefit from the changes and those who thought there wasn't or didn't care. To be fair this survey did not capture any hire-boats that may have stopped nor the boaters that had decided to no longer stop there.

On 31 March 2014 CRT convened a meeting with the national boating associations to discuss visitor moorings. NABO, IWA, ACC, RBOA and AWCC held a pre-meeting and all agreed on the following five key points as a starting point for discussions at the meeting with CRT:

- Enforcement is essential—it should be pragmatic, targeted and visible.
- Evidence is required (and should be made available to associations) before any decisions are made. There is a role for the associations, their members and other boaters to provide evidence of congestion, good moorings etc. via an email/text reporting system to supplement CRT's evidence. It should enable limited resources to be targeted and improvements/increased capacity

or perhaps restrictions at affected moorings where evidence exists.

- Localism—decisions can only be made locally, via the Navigation Advisory Group (NAG) process rather than the partnerships. CRT needs consistent national framework above this.
- Education is important—there is evidence that this has worked in some locations (e.g. Honey Street and Skipton). CRT needs to encourage boaters to breast up, move and reinforce the courtesies of boating.
- Maintenance of non-visitor (casual) moorings is essential to enable other options to visitor moorings.

Word had got out among boaters that overstaying would lead to an immediate focus of the enforcement team

Followed by a robust discussion, out of which the following action points were agreed:

- No further changes to visitor moorings to be made until a data-gathering exercise is launched to be co-ordinated by CRT but promoted by all associations.
- CRT to review governance and how local boater support can best be structured, perhaps as a subset of the NAG.
- CRT to review the establishment of more casual moorings and how these could be promoted.
- CRT to call a further meeting of the boating associations to discuss the enforcement process and the scale and scope of the current issues.
- CRT to review how breasting up of boats (common in London) could be encouraged at visitor moorings identified as being congested.

Survey Summary

78% thought there was no real problem of overstaying on visitor moorings.

69% thought there was no real problem of overstaying on the general towpath.

91% thought there were insufficient CRT patrol officers out on the towpaths.

Enforcement options

35% thought CRT should just focus on boats that don't move.

26% thought CRT should employ more patrol staff to talk to boaters.

20% thought CRT should move boats if they obstruct water points, lock landings and visitor moorings.

Just 6% thought CRT should introduce more flexibility in schemes like the K&A pilot.

The survey questions were reported in NABO News June 2014

“What are mooring restrictions trying to achieve? At present they seem to be there solely for the sake of having rules. I can't see what they are achieving. No mooring restriction should be for less than 48 hours. It is not feasible to visit a town or village and move on within 24 hours and still get a mooring at the next point.”

■ CRT to draft a code of practice. Following this meeting it became apparent that CRT had little interest in following up on the majority of these agreed actions. Indeed plans for changes to London moorings were continued and have recently been proposed for implementation, which will result in fewer visitor mooring spaces with stay times reduced from fourteen days to seven days. To date the associations have not been asked to join in any data-gathering exercise, which was felt to be key to support any changes. The boating season is now underway, and meanwhile no doubt plans for future changes to visitor moorings continue. NABO hopes they include additional casual moorings becoming available by investing relatively small amounts to ensure that boats can get alongside the towpath onto a level bank.

NABO's Legal Position

We published the legal opinion we have received in the June issue of NABO News and on our website under six headings in the legal review supplement:

- 3 Roving mooring permits have now been withdrawn.
- 4 The definition of 'place' exceeds CRT's powers and would have to be decided in court.
- 5 CRT accepts that it does not have the power to decide how far a boat must move in order to comply with bona fide navigating.
- 6 CRT accepts that a boat does not have to complete a full 20 km journey before returning.

Overstaying—the Survey

Recognising that visitor moorings and overstaying were still wrapped together in many boaters' minds, and in advance of the planned meeting to discuss enforcement, NABO carried out a survey of its members to get a flavour of where they stood on these issues. This created a much higher response than we were anticipating and showed that this was definitely a key area of concern for our members. The survey questions were reported in the last issue of NABO News and the results are interesting—summary in the left sidebar. We hope CRT will take note.

Interesting Comments from Our Members

It was the supporting comments that brought home to us how the constant tinkering with rules and penalty charges relating to visitor moorings are alienating many long-established, law-abiding boaters—the very boaters that CRT should be bringing on board to become 'friends' and supporters in the ongoing struggle to support the network.

The following are typical of the many comments we received:

- 1 No-return rules and limited days mooring per month requirements are illegal.
 - 2 The £25 penalty is illegal and a licence cannot be refused for non-payment of an overstaying charge.
- “I don't want CRT to get too heavy-handed on this as the lack of regulations is one of the attractions of the waterways. It is more about changing the hearts and minds of boaters so that overstaying on popu-

lar moorings is widely perceived as the selfishness that it is.”

“There is a much neglected need to provide additional visitor moorings across the whole network.”

“Talking to people with the goal of creating a ‘feeling’ that this is how things are done on the canal is far more likely to have lasting consequences than simply applying enforcement. If CRT leads by example and really develops a culture of being seen and approachable then progress can be made. Enforcement is a rather blunt and often ineffective instrument, and one that human beings invariably regard as an irritation, a challenge and something to be got around.”

“The forthcoming interim 12-month local K&A mooring plan is pure fudge. What is the point of insisting that the whole collection of boats, many simply taking advantage, must play musical chairs by moving along a bit and swapping places with each other? Result—no change.”

“I have not been able to moor on the Regents Canal for years as a visiting boater. North of Cowley, mooring has never been a problem. Generally the visitor mooring restrictions appear to be observed. However, the boats that have been displaced congregate in colonies elsewhere.”

“What are mooring restrictions trying to achieve? At present they seem to be there solely for the sake of having rules. I can't see what they are achieving. No mooring restriction should be for less than 48 hours. It is not feasible to visit a town or village and move on within 24 hours and still get a mooring at the next point.”

“If vacant/unused moorings were made available to other CRT permit holders for say seven days and this being a normal part of all mooring



agreements, it would go some way to reducing any pressure on visitor moorings.”

“I do think that CRT is ineffective in policing overstaying on moorings. We have a boat ‘abandoned’ opposite our club that has been there now for 18 months at least. It has been logged but despite prompting no action has been taken.”

“The existing guidelines need to be enforced in a fair, consistent and timely manner. Tinkering about with new pilot schemes is more than likely only going to muddy the waters.”

“The physical presence of someone in authority must surely be the best way of drawing people’s atten-

Visitor mooring congestion at Stoke Breune 28th August last year

Photo: Alan Fincher

tion to the rules and getting them to 'play the game'."

"Like most of the continuous cruisers (and indeed all the marina-based boaters that we know), we still keep on making the case for more visitor moorings to match the increased number of boats, and more visitor moorings with more generous staying times for those of us who are not in a tearing hurry all the time."

"Recognising that many of the 'continuous moorers' are heavily committed to their lifestyle and enjoying very cheap living by London standards, the policy has to be a measured but progressive tightening of restrictions, eg moving towards a general 48/72 hour time limit in inner London, with 'no-return' intervals. Effective enforcement is essential to make this work."

In summary, outside the pinch points of central London and the western K&A, the vast majority of our members felt there is no tangible problem with visitor moorings beyond the fact they would like more of them as opposed to more restrictions. In areas where there was a high concentration of boaters they would prefer CRT to initially focus its resources on moving boats that don't move rather than boats

that don't move far enough and they felt this could be best done by having more patrol officers (not volunteer data loggers) in the field engaging with boaters.

In June, NABO, as represented by Geoffrey Rogerson and myself, attended a meeting on enforcement hosted by Richard Parry. A presentation by Denise Yelland explained the current enforcement process. For me there were a couple of interesting points: the enforcement team of 50 currently has five vacancies, which would seem to indicate this is a challenging role with a fairly high turnover of staff. Secondly, CRT stated that licence evasion is currently running at 4%, an acceptable level for management, yet the over-staying and enforcement open cases are running at around 1.5–2%.

The key consensus around the table was that with limited resources CRT should focus on the boats that don't move rather than those that don't move far enough. It was felt that if CRT could resolve some of these cases the message would soon get into the 'towpath telegraph'

It was announced that CRT will shortly be publishing a map of 'places' based on Google maps and they propose to amend their guidelines to indicate the number of places a boater should travel to avoid the attention of the enforcement team. However Sally Ash confirmed that any revised guidance on places was not meant to be a definition of bone fide navigation. This would seem to conflict with the advice published in the K&A pilot.

Lastly my old bug-bear: CRT said it has no intention of introducing signage or a mechanism whereby a boater could pay the £25 charge if they wished to stay an extra day at visitor moorings where the charge is levied. I still can't see how this can be a charge rather than a penalty.

13.00

The canal is to the right as we approach Harecastle. We crossed north of the station. The line veers away west just before the old railway tunnels but the old route is still there. We have a new route with a short tunnel that crosses over the canal while underground. No smoke alarms and one-way working for us. We flash across the canal near the north portal of the canal tunnel and we are off up the Macc.

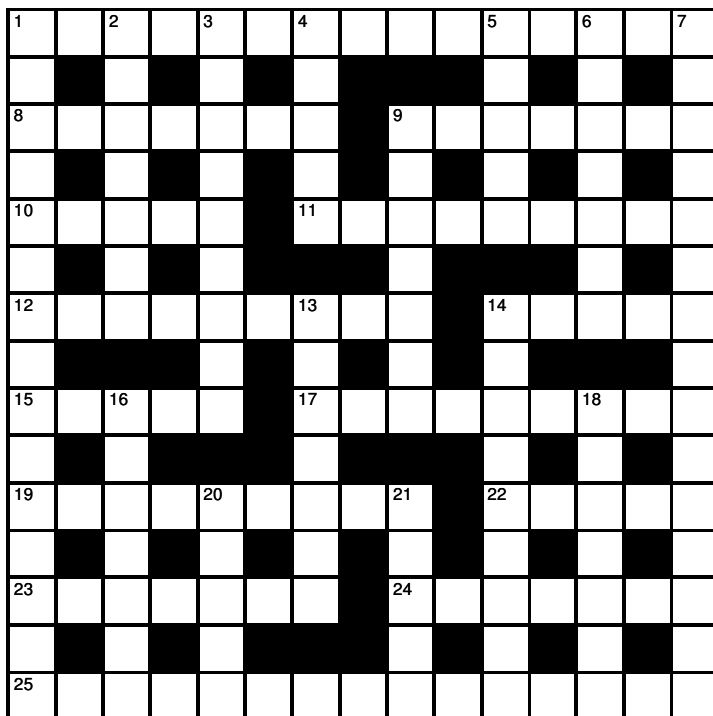
13.03

Fast up to Congleton with Mow Cop to the right and, in the distance, the black and white Little Moreton Hall on the left.



NABO News Crossword N° 17

By Canaldrifter



I name this boat ...

If you have spotted a boat name that made you smile, please let us have a photo to use in future issues. Here's one spotted by Janice Steckerl.

Answers to Crossword 17

Across: 1 Grand Union Canal, 9 Navvies, 10 Tapioca, 11 Range, 12 Situating, 13 Leewardly, 15 Eihyl, 16 Needs, 18 Audiolape, 20 Eccentric, 23 Ad lib, 24 Electro, 25 Goitres, 26 Thames and Severn.

Down: 1 General interest, 2 Advance, 3 Driveways, 4 Noses, 5 Outstayed, 6 Cuppa, 7 Neolith, 8 Liangollen Basin, 14 Diarrhoea, 15 Evocative, 17 Excreta, 19 At large, 21 Nitre, 22 Caged.

Across

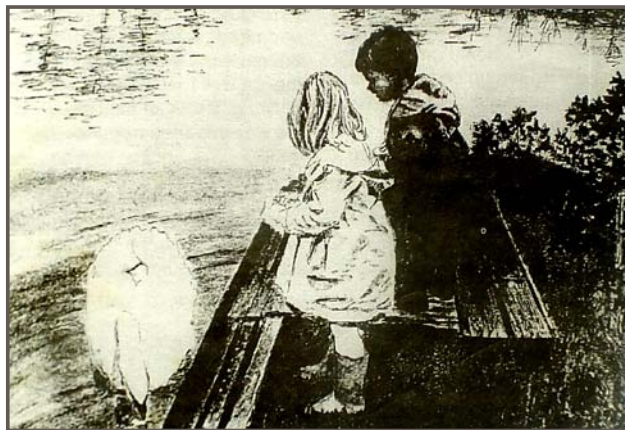
- 1 Posh hirers cruise around joint canal (10,5)
- 8 Ask out unspeaking clumsy sea bird? (7)
- 9 Vile VAT fraud found in Israel (3,4)
- 10 Boredom at bad reunion or not? (5)
- 11 Walking out with support? (9)
- 12 In pain wild coot hides in heath (9)
- 14 Across a coracle attachment for tying up? (5)
- 15 Notably at loss with high renown (5)
- 17 Patrol owe disruption to swimmers' game (5-4)
- 19 Labels rum cocktail for wet days! (9)
- 22 Cut waste off a little (5)
- 23 Pontoons wrecked. Ring missing. So keep going! (3-4)
- 24 At sea to the south feeling poorly (7)
- 25 The Council hereby get Michael to meet naval crew at the junction (5,10)

Down

- 1 Soldier adds weight to dig on the old T&S (9,6)
- 2 Make quick entrance and collide with (3,4)
- 3 Priggishly, quietly, well behaved around the basin (9)
- 4 Passes for the crew (5)
- 5 Darkened until straightened (5)
- 6 Bill being tuneful (7)
- 7 Canal understanding. Useful at night! (10,5)
- 9 Rush to hire about right (7)
- 13 Flower on a bovine's edge? (7)
- 14 Bad incorporations paint out rust! (9)
- 16 Nodal American kid flips coin (7)
- 18 Away from the towpath in advance (7)
- 20 Honour gets a lot back for the divorcee (5)
- 21 Girl returning in a pinnacle is usual (5)

ReWind 15 Years

Tony Haynes continues his look back through NABO News with Issue 5, Summer 1999



Council Lock Outing: NABO Council spent a day helping boaters through Braunston Top Lock. This resulted in several new members.

Pensioners' Licence Fee: BW has assured NABO's Chairman that it is considering licence discounts for retired boat owners who have had a boat on the system for many years!

Dredging: BW will spend about £2 million on dredging this year. It ad-

mits that this is too little and calculates it should spend about £4-£5 million. The problem is that dredging isn't part of the urgent maintenance backlog that the government has provided extra funding to clear.

Recreation Craft Directive: The seventh draft of the noise and exhaust emission control regulations contains some minor improvements. In particular it exempts rebuilds of existing installed engines.

Cycling: BW admits that it does very little to control cycling and that more should be done. It is seeking powers to do so through changes in its byelaws and towpath management agreements with local councils. Speed limits and fitting of bells or horns are on the agenda.

Angling: At Hebden Bridge the local council has written to boaters directing them not to move their boats while a two-day fishing match is on!

Water Cans: If the owner of a modern canal boat wants to put a Buckby can anywhere on the roof of their boat—why not? They are not attempting to emulate the boaters of past centuries. They just like the look of it. They are also supporting the work of modern canal-ware painters.

Towpath Jungles: After many complaints about overgrown towpaths we understand that BW's current policy is only to cut to the water's edge once a year.

Taxing Councils: A member complains that he is being charged council tax for his boat because it is on a residential mooring, even though he does not live on it. He is advised that if he does not live on his boat he should not pay council tax, but

13.05 We play tag with the canal as we run on north, with us crossing to and fro, and then it settles to the left until the silk town. We say goodbye again and break off left to follow the River Bollin, a poor substitute. Perhaps the railway engineers liked to follow the old rights of way.

13.07 But then, as a contrast, we break away with new confidence and the lines streak straight across the Cheshire Plain towards the mighty city of Manchester with the Cheshire hills to the east.

13.14 No more canals to be seen but we cross the River Mersey at Stockport; 11 million bricks in this viaduct and a motorway and bus station beneath it.



Q **Geoffrey Rogerson** Are you happy with boating representation on Council which gives too much preference to the IWA?

A **Richard Parry** We've four elected members to represent boaters. It was an open, fair election. We are starting a governance review to see how to improve Council's formation. For example, we're looking at having an elected Volunteer Representative on Council and an elected Friends Representative, both from 2016. It may look at boaters' representation also, but it is already the case that all boaters have a vote and that the four most voted for were elected. Whilst all four are, I believe, IWA members, I know that they see their role as being representatives of boaters as a whole, not the IWA.

From the K&A Open Boater Meeting with Richard Parry on May 21st at Devizes

the tax is probably for the mooring, not the boat. However if the boat is not away from the mooring for several weeks in the year, then its value may be added to the banding decision.

BSS Window Dressing: "I am fed up with BW continually moving the goal posts," writes a member. "My boat passed this time, but it won't next time without a lot of expensive work, including changing all the windows! If my windows are unsafe, why am I allowed to continue with them for another four years? Some boats that fail are declared to be unsafe. This must mean that the remainder that fail are NOT unsafe. So why are they failed?"

13.26 Into Manchester Piccadilly two minutes early. I know the Rochdale Canal is there to find but the walls are too high and I cannot find the landmarks. So I have to walk out of the station to find the way back to the towpath.

A wonderful, if exhausting, trip with only the shortest of breaks where the canal is not in sight. I must do it again!



Letter to the Editor

Opinions expressed here are independent of NABO policy and statements made have not been verified as true.

Dawdling EA

As happens every year, EA has dawdled over sending out their mooring licence renewals. In principle, of course, I ain't complaining ... but given EA's constant bleating about the severe cuts they're undergoing, which I know are real and very deep, and with which I greatly sympathise, one would have thought that bringing in, as soon as possible in the year, the very considerable mooring fees waiting to be paid to them would be in their interests.

One ends up with no mooring licence for often the whole of April. This is not a problem for most of us, as the keepers are au fait, but this has happened every year, irrespective of EA having supposedly 'streamlined' its admin processes. My usual reminder call to them a few days ago went through to Credit Control (!) who, would you believe, had 'no idea' of when the paperwork would be sent out!

There is also our longstanding suggestion of increasing the number of EA lock moorings, which seemingly has so far only resulted in having been 'passed to the Commercial Services Manager'. I don't know whether any further action or correspondence would be appropriate.

Graham Paterson

Photo credits for David's Trip

Crossing the North Circular Road: Justin, Wikipedia

Ovaltine advert: Wander AG

Concrete cows: Angus Mclellan, Wikipedia

Wolverton mural: Peter Fellows

Watford Locks: Stephen Dawson, Wikipedia

Ashby Canal: Peter Fellows

Fradley Junction: Peter Fellows

Haywood Junction: Gjp23, Wikipedia

Harecastle tunnel: Akke, Wikipedia

Stockport viaduct over the River Mersey:

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Rochdale Canal, Manchester: Peter Fellows

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