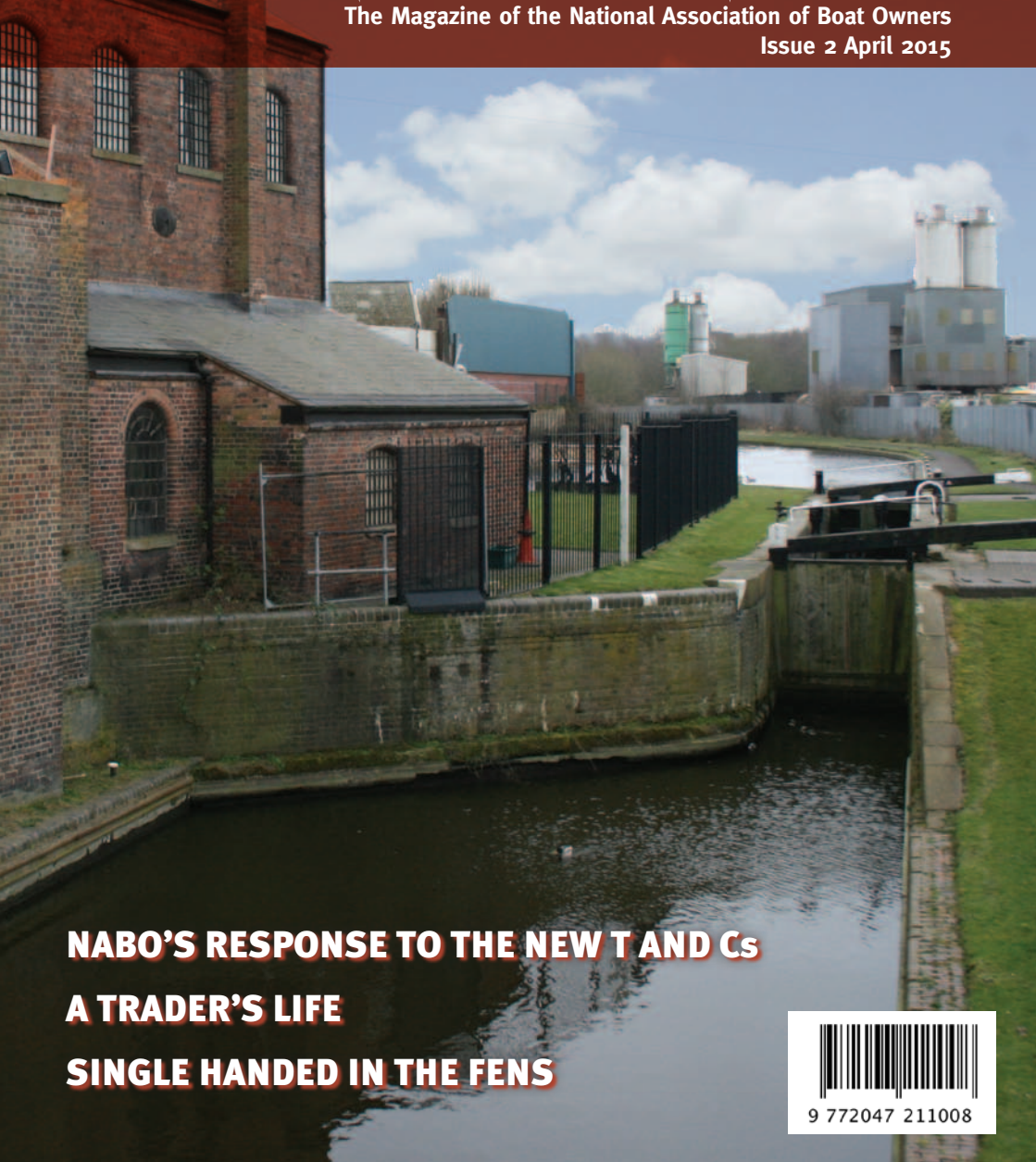




# NABO News

The Magazine of the National Association of Boat Owners  
Issue 2 April 2015



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# NABO News

The magazine of the National Association of Boat Owners

Issue 2 April 2015



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## Contributions

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

Contributions to [nabonews@nabo.org.uk](mailto:nabonews@nabo.org.uk)



## Cover photo

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This month's cover photo is Titford Pumphouse, last month's venue for NABO Council and home to the Birmingham Canal Navigations Society.

Win a year's free membership by having 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.

## Next NABO News copy date

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Please email or post your contributions by  
**2nd May 2015**

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# Better communication please

Editor **Peter Fellows** asks CRT to put brain before mouth

**O**h dear! CRT has certainly stirred things up with its letter to continuous cruisers. NABO's phone hasn't stopped ringing, the Facebook page has been swamped by boaters concerned that they might be forced to have a home mooring, and I've received more letters from members on this than any other subject over the last few years. A selection of them is included in this issue and Mike's Chairman's column describes the background and actions taken by NABO. I've included Mark's open letter to CRT and also NABO's comments on the proposed changes to CRT's licence terms and conditions in case you didn't read them on the website. Of course, CRT should have treated its letter for what it is—advice on the changes to enforcement—and sent it as general information to all boaters, not as a personal letter to named individual continuous cruisers, which is much more direct, and to some, more threatening. Or at the very least, as John and Fiona Slee write, introduce it with something like 'Although our records show that you appear to comply with our Guidance for Boaters without a Home Mooring...'

So how did CRT get it so wrong? As I understand it, none of the CRT team behind the letter is a boater and they do not seem to have an understanding of boating or how boaters would be expected to react. Wouldn't it be a good idea if Ian Rogers, Jackie Lewis and Denise Yelland were each funded by CRT to have a week on a hireboat (note the greater impact in addressing people by name rather than Heads of Boating, Legal and Enforcement!)? During that week,

they would each be required to talk to at least 50 boaters and ask them "What can CRT do to make boating better?" and use their replies to change the way that CRT manages its communications.

Elsewhere in this issue there is a summary of the new policy on the use of towpaths, which I'm pleased to see, gives boaters priority, and a BSS report on boating incidents last year. Helen Hutt enjoys the big skies, big rivers and big challenges of single-handed boating in the Fens.

Over at the EA, Louis Jankel has identified thousands of 'missing' boats on the Thames and has a few sharp words for EA management. Finally, there's an article from Sandra Willis on life on the cut from a floating trader's perspective. Wishing you good boating as the weather improves.



Spring at Shipton  
Photo: Peter Fellows





## PR disaster!

Chairman **Mike Rodd** takes a deep breath in a busy few weeks

**W**hat a hectic few weeks for NABO since my last column, when I very deliberately spelt out our support, in principle, for CRT's proposed action on non-compliant CCers who were not meeting some (very minimal) movement criteria. What we had not realised at the time, however, was that the CRT had not thought through its strategy on how this action was to be either communicated or implemented. We had understood that CRT had a clear strategy— which, in essence, was to lay out three categories of enforcement. 'Category one' was intended to target boats that had moved over a range of less than 5 km. (CRT has now stated this distance as miles not kilometres as originally discussed.) These boaters were to be told that their licences would not be renewed unless they could demonstrate a cruising range in excess of 20 km per annum. By fo-

not have a home mooring. The letters were sent to all, regardless of whether they were indeed genuinely provable CCers or had already been observed as not meeting the stated minimum requirement. This broad-brush approach totally and unnecessarily upset a substantial number of boaters, leading to many compliant boaters wanting to check how far they needed to travel to adhere to the rules, and to request their sighting records. It was like getting a letter from your supermarket's club-points scheme, thanking you for shopping with them and rewarding you with extra points and special offers— but then threatening you with prosecution should you be caught shoplifting. Dumb, dumb, dumb! We were contacted by many boaters who were both worried and upset. Importantly, probably at least half were from non-members who simply felt they had nowhere else to turn. It was telling that CRT soon rushed out a communication confirming the distances originally shown to us, although now in miles not kilometres!

***Too many boaters are blissfully unaware of even some of the simple requirements of their licensing conditions.***

cusing on these first-category boaters, it was felt that boaters who fell into the second category (movement between 5 and 20 km) would naturally be incentivised to move further, thus removing the need for enforcement action within that group.

We were thus very surprised when CRT then issued identical letters (with no mention of distance) to all those who were licensed under the continuous cruising requirements, i.e. to all boaters who did

### **Cruising or 'shuffling'?**

I also previously highlighted the proposed changes to CRT's terms and conditions for private boater licences. It has become clear that despite reservations from all quarters, the 'proposed changes' to the T&Cs were simply not proposals at all, but were actually going to happen. It was not only the CCers who were upset— as we have spelt out, the new T&Cs were clearly targeted at those with home moorings (like me!), saying that when we left our mooring

we had to be 'cruising' and not just 'shuffling' (please don't ask me what these terms actually mean!) Again, we received queries from members as to why these had been changed, and on what legal basis. As this seemed to be targeting those of us who, many times a year, go out over the weekend to our favourite spot for a few days, we immediately contacted CRT's legal department for clarity. In all fairness, Jackie Lewis came straight back with a statement assuring us that each time you return to your home mooring the clock is reset. She did not, though, spell out what CRT's definitions of 'cruising' and 'shuffling' are!

Of course we knew that much of this is aimed at addressing those who have so-called 'ghost (home) moorings'— i.e. they (allegedly) have a home mooring that they never use, and thus do not attract enforcement attention as non-compliant CCers. This is an issue, but surely it needs to be solved by a closer relationship between marina operators and CRT. I have personally never been able to understand why marina operators are not required to advise CRT exactly who has a paid mooring with them, say every six months. Even on the little Mon & Brec we have many boats that we know have given up their home mooring and yet tell (lie to) CRT that they are still registered there (and yes, this is illegal— just read your application for a licence.) If the marinas had to report which boats moor with them, then those marinas who apparently allow you to pay a nominal fee for a mooring that they know you will never use, would have to fall in line when their records show that they have more boats than available moorings. But what is the scale of the problem that CRT is seeking to address, and why on earth is it upsetting all the thousands of loyal customers yet again,

for the sake of tackling the comparatively few rule-breakers?

### **Why NABO exists**

What has become obvious to me during all this is that too many boaters are blissfully unaware of even some of the simple requirements of their licensing conditions. Many also thought that CRT waters were the same as EA rivers, where the local council or private riparian (bank) owner also own the towpath or bank, and so they believed that it was the nasty councils (and not CRT) who were trying to squeeze money out of those overstaying on short-term moorings. Certainly all this has stirred up most members of the boating community. While CRT's unfortunate letter to all CCers meant that we have had to deal with some members becoming upset with us for supporting the proposed actions, it has meant that shed-loads of non-members have suddenly realised why we exist— and we now have to build on this and use it to increase our membership!

### **And finally ...**

NABO Council meetings are proving to be most rewarding, not only because of the significant number of matters that we are dealing with but also because we are seeing an increasing number of non-Council members attending. Clearly, holding our meetings at boating clubs and other similar venues makes this much easier. We also are delighted to welcome yet another co-opted member to the Council— Paul Howland, also Chair of the Roving Canal Traders Association. As we move into the main cruising season, I hope you all have a great time, and for a while, forget about T&Cs and overstaying boats, and may all of your necessary pumpout stations be working!

# Fly on the wall

Observes proceedings at the Council meeting in March

## NABO calendar 2015

Dates for Council Meetings in 2015: 25th April, 13th June, 25th July (if required), 5th September, 17th October, 14th November (AGM).

Council meetings are held at boat clubs in the Midlands area—see the website for details.

Remember that members are welcome to attend meetings—please just let the Secretary or Chairman know in advance (contact details p4)

A couple of miles away from the Wagon and Horses as the crow flies (well, I fly!), is Titford Pumphouse, home of the BCN Society, tucked away in a little oasis among the industrial estates at the top of the locks. A low turnout of Council members, in part due to illness, was made up for by NABO members Alison Tuck and Paul Howden (of the Roving Canal Traders Association), Allan Richards, Graham Holmes and Ivor Caplin from the BCNS for the last part. David Fletcher contributed intermittently via a fairly poor phone link.

The hot topic was CRT's PR disaster over the letter sent to continuous cruisers, saying in effect 'We're watching you and if we don't like what you're doing we'll insist you have a home mooring'. One of the CC members likened having a home mooring to 'elastic band cruising'—going up and down the same stretch of waterway all the time—or in CRT's new terminology 'shuffling'—whatever that means.

Much talk of membership is-



issues, with people now wanting everything for free from the web. How can NABO balance transparency in giving out information on its website while retaining value for members by restricting public access? At least the furore over CRT's letter has increased the numbers of people visiting NABO's Facebook page, but how to convert these new friends into members?

There has been some criticism by CCers over NABO's support for the new CRT approach, but Chairman Mike's open letter on the website and Facebook page produced a lot of support. Attending members thought that the main benefit of membership is NABO's ability to represent their interests. To recruit new members, one suggested giving membership forms to coal boats to hand out. Another suggested having donations instead of membership fees, with the facility to donate on Facebook.

Everyone hoped things would be clearer in few months time. At least everyone thought NABO News was excellent—especially the contributions by a certain Fly!! Byeeee.





## Membership update

Time goes quickly for the membership team and we are now at our first birthday of the web-based system. The big benefit is all four of the team can access the database enabling us to share the workload. Now a year has gone by and it means that we have sent at least one renewal for everybody, and been able to check the records for typing and other errors.

The work is not done of course. Every month we have a handful of problems with wrong payments, sometime the banks, other times members. We try and be flexible knowing that members may be away boating and don't always get the mail promptly. Regretfully we do still have a number of members who do not react to the correspondence and continue to pay the wrong amounts. There is only so much we can do, and when there is no response, we have to stop sending NABO News, as this is a significant cost. If you are reading this on paper it most likely does not apply to you. Please remember that we do not have Direct Debits. Recurring payments are either bank standing orders or PayPal, and we have no control over these. You must change the amount and date, and it is for you to cancel if you resign your membership. And please feel free to ask, we are happy to help.

### What next?

This year there will be changes to the website to bring us in line with the latest software. This will involve some changes to the PayPal arrangements and we will notify you in due course. We also have to look again at our security arrangements. First we are minded to keep much more of the boating information on the site, behind the members' login, so that the value is retained for members alone. For members' profile details we do not hold any critical financial data, the data held is limited to names, addresses, emails, boating details etc., but not bank account details. We have in the past optionally held dates of birth but we do not really need these, and will in the future be asking only for a year of birth, so we have a guide to demography. Members can amend their own profile by logging on, but we will delete the day and month in due course. In short, please read what we send to you, and get in touch if you need help or you think we have got it wrong.

## Pocklington appeal and boat rally

The Pocklington Canal Amenity Society has launched an appeal to raise £170,000 towards a £250,000 fund to restore a two mile section of the canal. The work will include installing new gates for Thornton and Walbut Locks, provision of lock landings, and ensuring an adequate depth of water in the length. This year is the bicentenary of the Act that enabled the building of the canal and it is proposed that the work will be completed by 2018, in time to mark the bicentenary of its opening. The work is to be carried out within a SSSI and will be designed and scheduled to minimise interference with wildlife. More information about the scheme and details of how



Church Bridge near Thornton on the Pocklington Canal

Photo: Pocklington Canal Society

to subscribe to the appeal can be found on the society's website or contact Paul Waddington, Chairman, on 01405 763985 or paul@gooleboat-house.co.uk.

To celebrate the bicentenary, a boat rally is to be held at Melbourne over the weekend of July 25-26th. This will be the first major rally since 1987 on this very quiet and rural canal at the extremity of the system. Boaters interested in taking part can get further information and download an application form from the PCAS website [www.pocklingtoncanalsociety.org](http://www.pocklingtoncanalsociety.org). Entry fee is £20 and will include a brass plaque commemorating the rally to help support PCAS to extend navigation by two miles from Melbourne to Bielby. More information from Debbie Smith. [dejaysmith@btinternet.com](mailto:dejaysmith@btinternet.com), phone 07761 963565 or 01759 306070.

## Help with new pension arrangements

At present people don't have flexibility when accessing their defined contribution pension during their retirement and they are charged 55% tax if they withdraw the whole pot. Around three-quarters of those retiring each year purchase an annuity (insurance that pays a fixed sum of money to someone each year, typically for the rest of their life). From April 1st, people aged 55 and over will only pay the marginal rate of income tax on anything they withdraw from their pension up to 45%. The 320,000 people who retire each year with defined contribution pensions will then have full choice over how they access their pension. To help boaters make the decision that best suits their needs, CRT and the IWA have got together to offer free and impartial guidance on the range of options available at retirement. They have also teamed up with the British Marine Federation to produce an online calculator that will show prospective boaters the types of craft that are available to buy with their newly released pension pot. For further information and access to the calculator, visit [www.losey-ourpension.org](http://www.losey-ourpension.org).

## Pat on the back for NN



NABO has received a request from the Agency for Legal Deposit Libraries for copies of NABO News. It is based on requests for copies from the key repository libraries and few association or society magazines are ever held like this, as they normally hold the Learned Society journals.

## BCN Society rally

The Titford Pumphouse Rally will be held at the top of the Titford Locks at Tat Bank Junction from Friday 15th—Sunday 17th May. By road: at Engine Street, Oldbury, B69 4NL, off the Tat Bank Road. There will be a repeat of the successful Titford Pools cruises, a real ale bar (beer from 'Ma Pardoe's'— aka the Old Swan at Netherton), stalls and music. Details and entry form at [www.bcn-society.co.uk](http://www.bcn-society.co.uk). £17 entry fee per boat to in-

clude brass plaque/date tag. Please make cheques payable to BCN Society and return with the entry form to Barrie Johnson, 7 Moat Farm Drive, Bartley Green, Birmingham. B32 4LH.

## New towpath policy...

CRT has launched a new policy, 'Better Towpaths for Everyone', to promote their safe, considerate use. Priority should be given to pedestrians and those using the waterway. As well as setting out nine simple principles for towpath use, the policy identifies three areas of focus:

- **Infrastructure:** there has been a £15m investment to widen and resurface towpaths over the last two years and this will continue using external funding sources. Consideration of lighting and access/barriers will be added to towpath design guidance;
  - **Signs:** clear and prominent shared-use signs to encourage safer sharing will be installed where there are concerns raised, such as at blind spots, pinch points and busier towpath stretches, or where there may be moored boats;
  - **Behaviour:** a range of initiatives to encourage considerate use of towpaths will be developed in the 'Share the Space, Drop your Pace' campaign and towpath code. Where needed, CRT will consider other methods to promote safe behaviour such as volunteer towpath rangers.
- The policy is supported by a range of waterway, cycling, walking and angling organisations.

## ... and L&L towpaths

A £450,000 grant from the Department for Transport will create a new, all-weather surface along 4 km of towpath from Skipton to Bradley. The work will start in April and last for about three months. Also the first 1¼ mile section of improvements to the towpath between Kirkstall and Pollards Lane has been completed. This is part of a £29 million project to create a 14-mile green route between East Leeds and the centre of Bradford. Work is continuing on the 10-mile towpath between Kirkstall and Shipley, which will be opened in stages and is due to be completed by the summer. Finally, a £197,000 project will improve the ½ mile towpath between Chapel Bridge near Rufford train station and Town Meadow swing-bridge near Rufford Old Hall, a



## BSS annual review of boating incidents

The BSS gathered details of incidents on inland waterways and UK coastal waters including marinas and harbours for the year to February 2015. All but three of the inland incidents are on Association of Inland Navigation Authority waterways. Two were boat fires on Lake Windermere and the third a capsizing on the flooded River Severn near Tewkesbury. In 2014, there were 120 reports of sinkings, capsizes, man overboard (MOB) and grounding events. This is lower than last year but represent 63% of inland incidents.

### Fires

Two fatal boat fires in 2014, both residential, one on a tidal harbour in Essex and the other on the K&A, another near-fatal in Oxford during which three people escaped from a Dawncraft 22 cruiser only by breaking the windows and jumping into the Thames, a dog died in the incident. No definitive cause for this fire is known, but smoking materials, a solid fuel stove and candles have been identified as potential causes. A gas explosion during the fire destroyed the vessel. The owner, who cannot now be traced, was one of the three involved. He had lent the boat to two homeless people for accommodation. The fatal fire that saw the death of a woman living on a moored barge on the River Crouch estuary at Brightlingsea, Essex has been confirmed as being caused by candles. The lack of a working smoke alarm was a key factor. This is the 4th incident of fires potentially started by candles over the last 5 years and the 5th person to die as a result. Four fires that were directly related to battery arrangements and inverters also feature in incident figures (14 in the last 6 years). Although there have been no galley incidents due to unattended cooking or hot oil ignition, one fire started in a galley due to pyrolysis in wood panelling behind tiles surrounding a hob. There were no reported 'bullseye' focussed sun-ray incidents.

### CO poisoning

In January 2014 a residential boater and his dog were found dead from CO poisoning in Banbury. The CO source was a generator being run on the rear deck of the narrowboat. The boat had suffered a fire previously and the boat was undergoing a prolonged re-fit, with the victim 'camping' aboard for some years.

Two weeks later, two men died from CO poisoning on a small scalloping boat in Whitby harbour. They were sleeping aboard and lit the LPG cooker to keep warm as the heaters were not working. The source of the CO was the cooker, which was faulty and not maintained, the vessel was not fitted with a CO alarm.

### MOB

A fatal incident occurred in January at Isleham marina in the Cambridgeshire Fens when a man was found in the water next to his boat. The inquest verdict was accidental drowning linked to the excessive alcohol consumption.

In May a man who was steering his 'liveaboard' narrowboat through the Harecastle Tunnel was found dead in the canal after his wife noticed he was missing. It is believed that he struck his head on the tunnel and fell overboard.

#### Incidents recorded between 1st January and 31st December 2014

Incident	BSS Waters	Non-BSS Waters	Coastal Waters
Fire/explosion (including immediate risk)	62	4	37
CO (including near incidents)	3	-	1
Man overboard	11	1	2
Personal injury	15	-	1
Navigation issues:	90	-	-
capsize = 1, sinking = 34, collision = 14, grounding = 8, lock hang-up = 25, stranding = 8.			
<b>Total = 230 incidents</b>	<b>184</b>	<b>5</b>	<b>41</b>

(Extracted from the annual report of incidents and accidents recorded for 2014 (Doc C1, BSSAC #89), compiled and drafted by Rob McLean and Graham Watts from investigative work by Dave Washer)

# Mooring sales consultation

The full report can be found at [canalrivertrust.org.uk/media/library/8759-mooring-sales-consultation-report.pdf](http://canalrivertrust.org.uk/media/library/8759-mooring-sales-consultation-report.pdf).

**C**RT has published a feedback report on its directly managed moorings: 72 written responses were received, including responses from four national groups: NABO, IWA, RBOA and the National Bargee Travellers Association. The report summarises the responses under headings 'Judging market price', 'Fairness', 'Existing customers/rewarding loy-

moorings will not be priced below the market rate. There is a selection of moorings that vary in quality from 'Basic' to 'Standard' to 'Premium', offered at differing prices. Any new moorings along the main channel of the canal or river will comply with the online moorings policy (below).

## Decisions:

- CRT will decide whether a mooring should be publicised at a fixed price (buy-it-now) or sold via the auction system, based on judgement of the site and the local market. Auctions will be retained if there is reasonable demand.
- It will consider introducing long-term loyalty discounts.
- For existing customers, the price will align with local market rates at the time.
- CRT will make prospective buyers more aware of the 'grade' of mooring and prepare a site standard and maintenance specifications for all sites.
- CRT will consider removing the notice period for existing customers who have secured another Trust-managed mooring.
- CRT will further consider allowing the sale of a craft on a Trust mooring, taking a percentage of the selling price.
- It will consider further whether to promote vacant moorings offered by third parties.

## Extract of CRT's policy on reduction of on-line moorings

- 1 New online moorings are acceptable only if all of the following criteria apply:
  - i) there is clear excess demand



Hudsons are, of course, moored by the butler, either at the end of the garden...

alty', 'Logistics / website', 'Presence of the Trust' and 'Other comments / opportunities'. It then describes the conclusions and decisions as:

## Conclusions:

There will be allocation of a much larger proportion of vacant moorings at fixed prices to address people's fear of, or resistance to, the auction system. Auctions will continue to be used for certain vacancies, at least for one auction 'cycle'. If they do not sell within this timeframe, they will be offered at fixed prices. Home





..or in the marina.  
Photos: Peter Fellows

for moorings in the area with no vacancies at comparable sites;

ii) there is no prospect in the short or medium term of new off-line moorings;

iii) there is low density of existing on-line moorings in the area;

iv) there are no operational or environmental constraints to on-line moorings at the proposed location (e.g. high boat traffic volumes, water availability for navigation, and navigational safety).

**2** Permitted exceptions to these criteria:

i) visitor moorings located along the towpath or offside;

ii) visitor moorings allocated temporarily for winter months only;

iii) moorings for boats that they bring significant benefits to the location (e.g. trip boats, floating shops and restaurants, historic boats, charitable community boats);

iv) one boat moored offside adjacent to the garden of a private residential property (not on the K&A which is subject to a conservation plan);

v) temporary offside moorings where there is an acute moorings shortage and new marinas are under development;

vi) CRT operational vessels may be moored as required but will be located away from visitor moorings and lock landings. Their stay time will be limited when vessels need to moor at visitor moorings to use or maintain facilities.

- 3** CRT will reduce the number of online, long-term moorings as new offline capacity comes onto the market, with one on-line berth given up for every ten new offline berths. Reductions will be made within a 30 mile radius of the new marina within 12 months of its opening.
- 4** Exceptionally, where legally possible, reductions may be achieved by terminating or not renewing agreements for privately owned offside sites.

## Boaters without a home mooring: how far is far enough?

Received from CRT: 'A number of boaters have asked for clarification of the legal requirement to cruise throughout the period of their licence and, in particular, what is the minimum distance that should be covered in order to comply with the Trust's 'Guidance for Boaters without a Home Mooring'.

We recognise that boaters want clarity over this. However the BW Act 1995 does not stipulate a minimum distance. It does set out

the requirement to use the boat bona fide for navigation, and the Trust's Guidance is our interpretation of this requirement. Whilst this means that we cannot set a universal minimum distance for compliance, we can advise that it is very unlikely that someone would be able to satisfy us that they have been genuinely cruising if their range of movement is less than 15-20 miles over the period of their licence. In most cases we would expect it to be greater than this.'

## and... Boaters with a home mooring: must not 'shuffle'—Jackie Lewis speaks

NABO recently asked Jackie Lewis CRT's General Legal Counsel to elaborate on the changes to the licence terms and conditions for boaters with a

home mooring. We publish in full her reply with her permission.

'In accordance with Conditions 3.1 and 3.2 of the revised terms and conditions, if you have a home mooring, you must cruise on the waterway whilst you are away from your home mooring, stopping only for short periods (defined as 14 days or less if a local restriction applies). This requirement to cruise is the same as it's always been—it is not an amendment to the terms and conditions.

What it means to 'cruise' on the waterway depends on the period of time your boat is away from its home mooring. The longer it spends away from its home mooring, the greater the range of movement expected. As an extreme, if you never returned to your home mooring for the entire period of your licence, we would expect you to cruise continuously and therefore your pattern of movement should be the same as that of a boat without a home mooring. In contrast, however, if your boat spends the majority of the time on its home mooring and only leaves to cruise for short periods of time, then the range of movement expected for each cruise will be much more limited.

To explain further, every time you return to your home mooring (provided that this is not merely for a nominal period in an attempt to circumvent the rules), your cruise ends and 'the clock' is effectively re-set. The next time you leave, you start on a new cruise, the extent of which will depend upon the time spent away from the home mooring. If you are away for just a weekend, that cruise will be quite short in terms of distance. On the other hand, if you are away from your home mooring for several months, we would expect to see a much greater range of movement.

By way of example, it would be perfectly acceptable to leave your home mooring for weekend, cruise a short distance and moor for 48 hours (at a legitimate mooring site) and then return to your home mooring, and this pattern of movement could be repeated on several weekends throughout the year. However, shuffling between two locations close together, neither of which is your home mooring, for an extended period is not permitted as that shuffling is not 'cruising'.

Mark Tizard comments: While NABO appreciates the further clarity provided by the Trust to the questions we raised, we query the scale of the

problem that necessitates the wholesale changing of terms and conditions for all boaters. What evidence has ever been produced of wide spread

abuse? We are confused as there are no definitions of 'cruise' or 'shuffling' in the relevant Acts of Parliament. It is not clear to us when a shuffle becomes a cruise or vice versa.

We presume that this change to the Terms and Conditions is due to a recent case, in which CRT attempted to refuse to license a boat with a home mooring (we believe) on the grounds he was 'shuffling' within a narrow area. But CRT subsequently withdrew the case and granted the licence. This does not seem a proportionate response. NABO has some sympathy with the challenge of addressing 'ghost moorings' but the

majority of marinas we have spoken to have indicated that they would be happy to produce a list of paid-up customers. This would go a long way to solving the problem of boaters claiming to have a home mooring when in fact this is not the case.

It's just a case of building a relationship with your customer base, the trade and the public! We again point out that agreeing to these latest Terms and Conditions does not absolve either party from complying with any relevant law or Act of Parliament governing the canals and rivers administered by the Trust.

## Gloucester tall ships festival



Photo: Marketing Gloucester

**T**his year's magnificent gathering of tall ships in Gloucester Docks is from 23rd to 25th May, a procession of tall ships on Friday as well as a range of on and off water activities all weekend including live music, street entertainment, food, craft stalls and boat trips.

### Notes for Navigators

All visitor moorings in the Docks will be suspended from 12 noon on Thursday 21st May to 5pm on Monday 25th May. A limited number of visitor moorings outside the Docks will be available on a first-come-first-served basis. No booking is required, but call 01452 312143 (8am—7pm) to check availability.

The Sainsbury visitor moorings will be closed on Friday 22nd May from 11am—2.30pm while the tall ships move into the Docks. Their size, manoeuvrability and stopping distance means that their passage should not be obstructed, particularly on the approach to bridges. If you are boating, please ensure that the tall ships have priority and follow the advice of CRT bridgekeepers. If you have VHS, keep a watch on Channel 74. Boats moored along the route are advised that the tall ships cause significant wash. Boat travel through the Docks during the festival will be only permitted at the following times: 22nd May, 8-11am, 2.30-5pm; 23rd, 24th and 25th May, 7-10am, 12-1pm and 5-7pm. Further information call CRT on 0303 0404040.

# Single-handed in the Fens

**Helen Hutt** on the joys of cruising under big skies.

**L**ast year I cruised Pipistrelle down the River Nene, the Middle Level, the River Great Ouse and its tributaries (Wissey, Little Ouse, Lark and Cam). I planned to go for a month but stayed for nearly four, that's how magical I found it. Big skies, big rivers, big challenges!

About 20 miles as the crow flies from Gayton Junction, on the Grand Union Canal, to Bedford, the head of navigation on the River Great Ouse. By boat, a mere 163 miles— and 74 locks— so who'd want to take the easy option? Add in the tributaries, double the sum for the return journey, and that makes about 440 miles and 162 locks.

## Moorings

There's a distinct lack of moorings on the Nene but one must stop at Fotheringhay (£4/night), with its glorious church and remains of the castle where Mary Queen of Scots was executed and King Richard III was born. Similarly, moorings on the Middle Level are scarce but most visiting boats seem to thrash through at speed, making just one stop at March where there are plenty of rings. But at least this means that such moorings as do exist elsewhere are usually quiet. On the River Great Ouse and its tributaries, the 48-hour EA moorings were well maintained, if not all that plentiful. But there are also bankside mooring sites man-

Right: A distant view of Ely cathedral, the approach to Bedford which, thankfully, reveals quiet moorings.

Below: Fotheringhay Church standing proud on the skyline





aged by the Great Ouse Boating Association (GOBA), which more than double the capacity. Membership costs £20 a year but the investment is well worth it.

### Challenging Locks

The locks on these waterways are an important part of the flood defence strategy. Paddles are called 'slackers' but otherwise the terminology is similar. You need a special key for lock control cabinets and access to sanitary facilities, and a larger than normal windlass (both on sale at Gayton Marina). On the Nene, most locks have an electrically-operated guillotine bottom gate and manual wooden mitre upper gates. A few guillotines are hand-operated, by means of a huge wheel which takes forever and mega muscle power to operate. At either side of the Middle Level are manned locks (passage should be booked 24 hours in advance). From the Nene, Stanground Lock is the gateway to the Fens. Salter's Lode Lock leads to the tidal New Bedford River and—a mercifully short distance away—Denver Sluice Lock, the access to the non-tidal Great Ouse. Only two other locks are currently in use on the Middle Level; Whittlesea and Marmont Priory. Once on the Great Ouse, it's quite a way to the first lock, Hermitage, which is keeper-operated. After that, many locks have at least one electrically-operated gate and most have a low bridge over the downstream gates—the ultimate deterrent if the river is up!

### Wildlife heaven

Wildfowl abound— thousands of swans, various species of geese and ducks, oyster catchers, terns and other sea birds. I heard cuckoos galore, saw my first little egret and plenty of lapwings, a rare sight nowadays, and a barn owl hunting in broad daylight over the River Lark. Despite the narrowness and weediness of Wicken Lode, it was worth chugging up it to a delightful GOBA mooring at Wicken Fen, a National Trust nature reserve boasting ancient sedge fields, whose tall grasses are still harvested on a rotation basis for thatching, you might well spot wild Konik ponies, introduced to keep the otherwise untamed vegetation in check. I twice saw a grass snake swimming. Sadly otters eluded me, although other boaters got lucky. I also missed the seals, commonly spotted above Hermitage lock, where





Wildlife in the fens; below Konik ponies on Wicken Fen and above little egrets and swans under a typical fenland sky

the tidal New Bedford River sweeps up from the Wash.

#### **A voyage of discovery**

I like to go off exploring local culture and history. Moorings in Peterborough are close to the Key Theatre. On the Middle Level, at Benwick, I walked into the village to find a pub—only one remained where there had once been nine! This was just one of many locations in Cambridgeshire and Norfolk where I got the distinct feeling of social deprivation. Quite a contrast to Ely, with its cathedral, Kings School and everything possible related to Oliver Cromwell. The town moorings are beautiful, but there is a serious overstaying problem; the 48-hour rule is not enforced because of a dispute as to who actually owns the land. Hopefully this will soon be resolved. The River Cam is managed

by the Cam Conservators, and an extra £45 license is needed to cruise up to Cambridge. As well as the usual sightseeing, I caught a choral evensong at King's College Chapel and, a week later, the Tour de France! While on the Little Ouse, I made an amazing discovery: near to Weeting village, a moonscape terrain concealing hundreds of Neolithic flint mines, one of which is open to the public. Worked using tools such as deer antlers and shoulder-blades, these circular pits descend a hundred feet to the best quality flint. From there, low tunnels, probably worked by children, radiate like the spokes of a wheel. Once worked out, the mine would be filled in, often with a sacrificial body left at the bottom, with the spoil removed as the next hole was dug.

#### **Not all a bed of roses!**

I had originally planned to do the Nene and the Great Ouse and then cruise, with a pilot, across the Wash to Boston. However, I had misinterpreted the wording of my insurance policy and found I was not covered for this. So, that will be for another time, and I headed back to the canals the way I had come. After four idyllic months of those big skies and relatively few boats, the traffic jam at Gayton Junction came as something of a shock—back to the real world!



# Helping boaters in trouble

**Mark Tizard** confirms that the boating community is still alive and helping each other and boater, **Emma Robertson**, has a good word for CRT staff.

I understand that as a result of the actions of CRT's Welfare Officer, Sean Williams, a Section 8 action against an unlicensed boat was halted. We believe that he arranged for a representative of Workplace Matters to accompany the boater to a meeting with the local social services, where his appeal against refusal of housing benefit was successful. Workplace Matters has found the funding to pay for the boater's safety certificate and another boater used Facebook to offer to pay for his insurance. So one less court case and, in this one case alone, Sean has paid for his salary out of the saved Shoosmiths' solicitor fees. Sean has drafted a FAQ with some guidance, which is currently being reviewed by CRT prior to being released hopefully providing further advice both internally and externally to CRT's customers.

## Emma wrote:

I'm a 33 year old and have been living on a boat since 2010. I was diagnosed with primary breast cancer in 2013 and underwent a year of treatment: six lots of chemotherapy, several operations including a mastectomy, and 25 lots of radiotherapy then another year taking a drug called Tamoxifen. Throughout my treatment, we managed with help from our wonderful boating community, to continue a cruising pattern that satisfied CRT and we didn't encounter anything other than reasonableness and understanding from its enforcement team. I am afraid to say that very recently I have received a secondary diagnosis.

I am undergoing further treatment and have been told that the cancer is not now curable. We continue to live on our small boat. We are in the process of fitting out and moving onto a much larger boat and I would very much like to begin a trading business on my boats.

We have recently asked CRT for an official overstay, which they happily granted. This was for home visits from my incredible palliative care team, who have been very understanding of my living arrangements—very similar to the sorts of visits that young mums also have to deal with.

When we moved onto the boat, we researched that decision very carefully and we were aware of the problems of registering with health professionals and other address-related bits and bobs. Aware that we would have to comply with licence conditions, though on occasion it has been difficult to do so, we have always been able to find help and support.

I am not CRT's biggest fan. They have absolutely awful clunky admin systems and make very many errors, but I do offer an alternative viewpoint to what I believe is a misconception that they are out to 'get' or in some way victimise vulnerable boat owners."

## Mark adds:

I was uplifted by Emma's email, both by its positive tone and confirmation that in times of need the boating community, including CRT, rallies round in support. I have found this throughout my 30 years on the

## A trader's life

**Sandra Willis** of the Roving Canal Traders Association describes some of the issues faced by floating businesses

**R**oving canal traders are a small but vibrant part of the boating community, ranging from the ever-in-demand fuel boats, to unique and wonderful artists and retailers. The traders are varied in both location across the canal network and their wares: we have boats such as The Vapes Boat selling electronic cigarettes and associated products; The Grand Rosettes Company who are in demand at dog and horse events; delicious smells as you walk past the Herbs and Spices boat; to the boats supplying boater's essential needs for fenders, ropes, windlasses, tiller tassels and bespoke tiller pins. There is a huge range of food-based boats from those selling traditional sweets, which are always popular, via the boat that sells jams and chutneys all made from ingredients foraged along the canal towpaths, to cafe boats who serve up a mean cuppa and Guinness cake alongside other delicious items. Then there are the very popular home-brew boat,

the warming jacket-spud boat, the delicious oatcake boat and the cooling ice-cream boat. There are many incredibly talented traders and quite a few artists, many of whom take their inspiration from the scenes along our waterways. The laser-cutting boat makes precision wooden shapes for all manner of customers and there are crafters who can turn balls of wool and swathes of material into wonderful items of clothing, decorations and rag-rugs. Others make pretty home-made jewellery or beautiful hand-made cards or unusual wooden sculptures. There is even a boat producing very detailed pictures, cut out from vinyl records. Others include a floating record shop, antiques shops, a tarot and palmistry boat, and even a swimming instruction boat. These are just a small selection of the types of trades that can be found along the canals.

For traders, the mooring location is absolutely critical and they rely on spots that attract good footfall while complying with the rules for moving around the system every 14 days. The traders are represented by The Roving Canal Traders Association (RCTA), which organises floating markets throughout the main boating 'season' for traders to take part in. They benefit from the increased footfall due to multiple traders being located together in one location. We also welcome and appreciate the support of other boaters.

The RCTA provides a useful communication point between CRT and the traders. Recently RCTA managed to negotiate for winter

All photos: Gillie Rhodes







towpath permits to be extended to those traders who were also continuous cruisers, as they had previously been excluded. The Association is currently representing traders with regard to concerns over changes to visitor moorings. The biggest problem for traders is that 48 hours is not long enough: they arrive one day, trade the next and then have to leave the following day, so at 48-hour moorings, traders find it difficult to even trade over a weekend, which is when the footfall is highest. A few places had double-stay times for traders, but these are being removed next month and with more 48-hour moorings being introduced in popular locations this is crippling for traders. Given that traders pay more for their licences, we would like to see this resolved to allow them to moor at the busier spots—they can't moor outside these areas as the footfall isn't there.

There are also issues over land-based traders being given priority over roving traders at some of the boat festivals, which is why we introduced our own floating markets. The most controversial issue is the impossibility of trading in London, due to the scarcity of moorings and the need for a trader to be bank-side. Many traders now avoid London, which seems to be a big missed opportunity. This is a difficult issue as traders are mindful that any solution should be fair to other boaters while encompassing the fact that traders have slightly different needs and mooring requirements to make their living.

The RCTA floating markets were recognised last year with a commendation in The Living Waterways Awards in the 'Recreation and Tourism' category. This recognised that traders are a great asset to the waterways and bring increased footfall and revenue along them.

### The 2015 floating market programme:

**April 3rd—6th**  
Middlewich in the Town Pound

**April 24th—26th**  
Stone above Lime Kiln Lock

**May 22nd—25th**  
Burton at Shobnall Field

**June 26th—28th**  
Market Drayton at Bretton Bridge 63 to Lords Bridge 64

**July 17th—19th**  
Ellesmere in the Ellesmere Arm

**August 21st—23rd**  
Merry Hill on the Embankment above the Shopping Centre

**September 4th—6th**  
Stourport above York St. Lock

**September 25th—27th**  
Birmingham at Barclaycard Arena (NIA) towpath, Symphony towpath, Brindley Place and Sheepcote towpath.

# EA : 2 + 2 = 5, 1 1 1

## Mismanagement of Thames boat registration

NABO Thames representative **Louis Jankel** gives an update

In 2010, after more than a ten-year delay, a change of byelaws for the River Thames was brought into effect by an Order in Council. Among the many changes was one that had been the reason for much of the delay. Over the past period of registration (which is what licensing on the Thames is referred to), the definition of what constitutes a boat's status for registration is that the owner 'uses a boat on the navigable waters'. The order changed this to a boat 'on Thames waters'. This subtle change effectively directed that all boats moored on any waters connected to the Thames need to be registered. In 2010 it was suggested that this change would affect about 1500 historically unregistered private motor boats. The EA representative who was leading the adoption of the new byelaws suggested that the figure might be nearer 1000 boats. The EA decided not to enforce the new regulations until 1st January 2012.

During 2012, it was clear that many recalcitrant boat owners who had desisted from registering over the years continued to ignore their responsibilities. In the later part of 2012, the EA made a full survey of the Thames and established estimates that around 25% of boats in marinas were still unregistered. It was also recorded that 12% of boats on the waterway were also unregistered. It was unfortunate that this survey was not used to enforce those miscreants, but various excuses were offered including that the ensuing paperwork could not be handled, or that some marinas were challeng-

ing their need to comply with the order. This last point was the reason that the order was delayed. Defra, the funding ministry and author of the order, had taken legal advice thrice, and all refuted the objections. In 2014, the EA proposed to enforce the order in marinas.

### Enforcement

In 2010 the EA had 8,813 registered Class N private power boats (Class N is by far the biggest single part of the annual EA customer income). Therefore we could expect almost 10,000 Class N boats in 2011. In 2011 the EA had 9,032 registered private power boats and 9,010 in 2012. In view of the evasion rate of >15%, 2013 was targeted to reduce this figure. In 2013 the EA had 8,801 registered private power boats. The preliminary figures for 2014 would suggest the registration figures will drop again. You may think that the EA has not invested in 'enforcement' but we have managed to obtain the cost. A specific group of enforcement officers was created to anticipate the new order. The costs of enforcement were £21,702 for 2010, £26,376 for 2011, £124,456 for 2012, £175,237 for 2013 and £178,855 for 2014. So for the last five years, £526,626 has been spent on registration evasion and the total number of Class N boats has not increased by a single craft.

In 2015, when Thames boaters arrive at a lock and find it is set to 'self service', it would be fair to wonder where the enforcement team has been directed. I know many of the enforcement staff and, be assured,

most of them are as frustrated as many users. The fault must lie firmly with senior management who set up a structure and then allow it to be so completely useless.

Has anybody in the EA Navigation

Division noticed? Has anybody in the EA North East area noticed? Has anybody in the EA South East region (that was) noticed? Nobody noticed until brought NABO it to their attention.

## Bermuda Triangle on the Thames?

Louis Jankel's research uncovers thousands of missing boats.

Using figures supplied by the EA under a Freedom of Information request, the Class 'N' registered boats on the Thames since 2010 are shown in the table.

If we start with 8705 (a), the 2009 year-end total boat estimate, and

add the total of five years' new first time registrations of 4849 (c), that gives 13,554 boats on the river after five years. Now subtract the actual number of boats currently on the river 8443 (b) and the resulting 5111 boats have effectively disappeared. For the mathematically-minded, using the formula:

(a) + (c)—(b), gives  $8705 + 4849 - 8443 = 5111$  boats.

What is going on? Have 5111 boats on the river between 2010 and 2014: 1) one way or another left the river, or 2) avoided registration (evasion), or 3) what? But statistically 5111 boats have disappeared. Alternatively, what does this say about the quality of the data provided?

Year	Total boats registered	Of which first time registrations	Renewals
2010	8705 (a)	1066	(8813-1066) = 7747
2011	9032	1163	7869
2012	9010	932	8078
2013	8801	865	7936
2014	8443 (b)	823	7620
<b>Total</b>		4849 (c)	



Photo: Amandajm Wikipedia Commons

# Moving goalposts

## NABO's comments on changes to licence terms and conditions

**T**hese proposals seem to adopt an unnecessarily aggressive tone; not the way in which you might expect an organisation to welcome new, and retain existing, customers. CRT is seemingly trying to bolster the 'contract'—not as it states 'to make it clear to boaters'; most of

*of the licence where we are satisfied that the boat can reasonably be kept and may lawfully be left when not being used for cruising.*

*Also this wording in Schedule 2. 1995 Act 17 3 1 says '(i) the Board is satisfied that a mooring or other place where the vessel can reasonably be kept and may lawfully be left will be available for the vessel, whether on an inland waterway or elsewhere.'*

The proposed wording is not exact, but obviously links to this. We suggest it does not say 'used for cruising', but says 'when elsewhere'.

2.1. We dislike the use of the word 'merely' in the dialogue. It is unnecessary lawyer-speak for a one-sided opinion.

**CRT proposes 3.1:** *You must cruise on the waterways whilst you are away from the home mooring (save for any period when you leave the waterways or when the boat is lawfully moored at another mooring site).*

There is no definition of 'cruising' and this could be contentious (although we think it has been used in previous versions). There is no specific requirement to move in the Acts. BW invented the 14-day rule for those with a home mooring, and cites the 62 Act's powers (as they think fit). This is widely accepted as reasonable, but there is no specific legal requirement to do more. If CRT now wants boaters to 'cruise', it must say what it means and how this complies with the Acts. If it means you cannot stop in one location for more than 14 days, and then you must move to another location, then

***"The court can hold a rule to be invalid even though it is contained in a contract"***  
***Lord Denning, Nagle v Feilden (1966)***

whom will never read it. It smacks of 'I have a lawyer and you do not, so I (CRT) will take advantage in this contract because you have no choice'. A new customer should not have to get legal advice before applying for a licence. It greatly saddens us.

If we take it on face value that CRT says it needs these changes to manage current boaters' misbehaviour, then it is a sad reflection on our waterways. It just goes to show how the misbehaviour of a few has resulted in significant change in regulations for everyone.

CRT should have a note at the end of the T&Cs confirming that agreement to these terms and conditions does not absolve either party from complying with any relevant law or Act of Parliament governing the canals and rivers administered by the Trust.

### NABO's specific comments

**CRT proposes 1.3:** *'Home Mooring' is a mooring or other place which will be available throughout the period*



CRT should say so.

**CRT proposes 3.3:** *The licence does not give a right to moor that is sufficient to meet the requirement in the British Waterways Act 1995 for the boat to have a home mooring.*

This is lawyer's gobbledegook. We think it means that you cannot adopt a bit of towpath and call it a home mooring. This needs greater clarity.

**CRT proposes 6.5:** *We may recover from you any costs, charges and/or expenses that we may incur as a result of your failure to comply with the conditions. Examples of what we may seek to recover from you include, but are not limited to: (i) legal costs (ii) daily charges which may be applied for etc.*

This is a new departure and it is abrasive in nature. It is typical of BW/CRT behaviour in court when they ask for all sorts of costs and then don't get them. Perhaps this is the best place for this, because a judge will at least have a view on whether the costs are reasonable. CRT should not be able to invent costs and then take debtors action to avoid the County Court. On a point of detail, the Act 83 s8(5) talks about when CRT can claim costs for moving a boat. This law still applies, not withstanding CRT's new words! Of course, this is all meaningless because most of the issues surround those who do not have the means to pay and CRT has never used 83 s8(5) to claim costs!

**CRT proposes at 7.7:** *You agree that: (i) we can the boat and/or enter any land you may own or occupy which is adjacent to the boat, in order to affix or place on the boat, correspondence, contractual or statutory notices or court papers; and (ii) we can come on board the boat to inspect it where we*

*need to check you meet these conditions, and we can cross the boat for the purpose of accessing any adjacent boat that cannot otherwise reasonably be accessed from the bank etc.*

It must be clear that CRT can only do this at its own risk, with CRT staff having satisfied themselves that it is safe to do so. If the boat is currently licensed the licence-holder shall have the right to refuse CRT permission to board his or her boat by notifying CRT in person or in writing.

***These proposals seem not to be the way in which you might expect an organisation to welcome new, and retain existing, customers.***

**Under 7.9 and 7.10 CRT proposes:**

*7.9 You agree that we may confirm to third party(s) whether or not the boat is appropriately licensed and/or whether you are complying with these conditions and, if not whether we have commenced enforcement proceedings or are proposing to do so.*

*7.10 You agree that where we believe you are failing to comply with the conditions, we may exchange information relating to you and/or the boat with third parties if we consider such action appropriate or necessary... etc.*

We would like to see confirmation from the Information Commissioners Office that these clauses comply with the Data Protection Act 1998.

**Under 8.3b CRT proposes:** *No refund will be payable for any period of suspension or for what would have been the remaining period of your licence if it had not been terminated in accordance with this Condition 8.3.*

This is corporate theft and could be seen as a fine and therefore ex-

ceeding CRT's powers. CRT should refund in accordance with the payment terms for anyone who cancels a licence.

**Under 8.4 CRT proposes:** *If your licence is terminated in accordance with this Condition 8, you agree that for the remainder of what would have been the licence period, you will not apply for a new licence and you will remove the boat from our waterways. Should you apply for a new licence during this period, we will not consider the application.*

This is unnecessary and bullying. CRT has the powers to refuse a licence and it does not need licence applicant's 'agreement' for this. There is no need for such wording and this should be removed.

*[Much of this] is lawyer-speak, which has its place in courts, but not here; it is unnecessary and confusing.*

**Under 10 CRT proposes:** *Variation 10.1. We may from time to time review and revise the conditions. You will be given at least one month's prior written notice of any substantive changes and we will tell you the reasons for the change. At the end of the notice period referred to above, the changes will be effective and you will be issued with the new revised conditions that replace the previous*

*conditions. You will be deemed to have accepted the changes by keeping the boat on the waterways.*

Again this is aggressive and unreasonable. The terms and conditions apply when a licence is purchased and the applicant signs up for this for the licence period. This is then the 'contract' which CRT is wishing to use to enforce and enhance its powers. But it holds it in such contempt by seeking agreement to vary it 'on the fly'. Is CRT really so uncertain about the T&Cs that it cannot plan a year ahead!

CRT may have the powers for this, but this is not the way to treat customers. CRT cannot possibly need to have an instant change for everybody at once. It will catch up with everybody within a year, maximum.

Our view is that if CRT wants to change the terms within the duration of a licence, then it must write to the licence-holder and get written agreement. Putting it on the website is not enough. This is typically lazy and bad management practice.

**Under 11 CRT proposes:** *all kinds of legal clauses.*

All lawyer-speak, which has its place and merits in courts, but not here; it is unnecessary and confusing. The whole thing strikes us as aggressive and without merit for either party.



# Open letter to Richard Parry

## NABO's communication on continuous cruising enforcement.

**W**e write to express our disappointment at the communications strategy of the Canal and River Trust that has occurred in the short period following your appointment. We think this is a PR disaster, alienating many of our members who continuously cruise without a home mooring.

At the meeting with boating associations in January this year, we were shown a presentation that indicated a three step approach to enforcement:

**Step 1.** Refuse to license the 16% of boaters without a home mooring that move less than 5km;

**Step 2.** Refuse to grant a full-term licence for the 50% of boaters without a home mooring that move more than 5kms but less than 20km, until they show a pattern of movement that takes them into the third step;

**Step 3.** Those that move more than 20km will not generally attract enforcement attention.

It was recognised that these percentages were being verified but that they were not expected to change materially. The associations were invited to approve this process.

NABO has long stated that it is for CRT to decide what constitutes 'bona fide' for navigation and to enforce on this basis, which could be challenged via the Courts as appropriate. NABO therefore supported this proposal on the basis there was a comprehensive strategy that CRT intended to follow and that enforcement was seen to be transparent and consistent. The implication from Denise Yelland, Head of Enforcement, was that enforcement was to be focused on those in step 1, and thus the 'towpath telegraph' would work and many of the boaters currently in step 2 would move to step 3 without any need for further action.

However, every boater without a home mooring has been set a letter and email detailing two vague definitions those that 'hardly move' and those that move more than 'hardly move' but still do not, in CRT's opinion, not move far enough. At the meeting of the associations it is minuted that Richard Parry and Denise Yelland were going to prepare a clear response to the question 'how far should I travel to comply?' Regrettably this has not been the case.

This has had the effect of upsetting many of our members who fall within the 34% that do not, and

will not, attract CRT's enforcement attention. These are boaters who in general are supportive of what CRT is trying to achieve. A typical comment we have received is "*I'm not against the rules for CCing or CRT trying to enforce them, but they really do not have the information to make fair and reasonable decisions and there is a lot of assumption where there are gaps in the data. I suspect many people who are following the rules will end up with notices due to an attitude of "guilty until proven innocent". We do not think our blog would be considered suitable evidence if we did find ourselves with an enforcement notice. CRT is losing the support of lots of great boaters who previously donated to them and supported their activities with enthusiasm.*"

Instead of focusing initial communications and enforcement activity on those boaters within step 1, we now have great unrest within the continuous cruiser fraternity with boaters asking for their movement records and in many cases discovering many discrepancies in the recording of their movements. This has given rise to doubts, coupled with many boaters emailing CRT to request confirmation how far they should travel to avoid enforcement attention. It appears that CRT did not have a strategy to respond to these queries. In the end CRT has been forced to release a statement (now in miles not kilometres) giving a range of movement that boaters should follow as a guide to avoid enforcement activity.

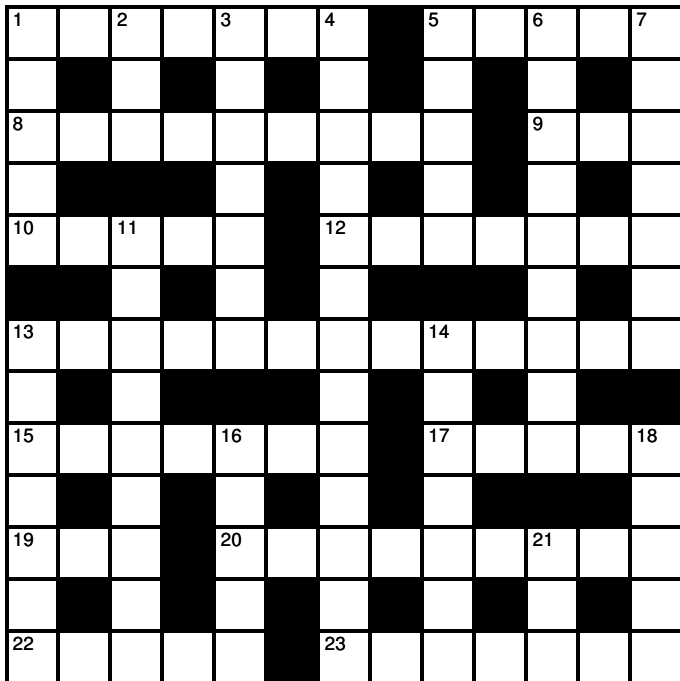
From a PR perspective this blanket approach to communication and enforcement does not reflect well on CRT. We hope that CRT will now pause and ensure a clear strategy on enforcement. Our recommendation would be to focus on those within step 1 with a consistent enforcement approach with guidance and support, such that there is a pattern of movement that supports CRT's interpretation of *bona fide* navigation that they are comfortable in defending when challenged.

We would urge CRT to please treat boaters as customers whom they wish to retain and encourage to be more involved in the waterways and not as a problem, which is how many boaters believe that CRT sees them.

**Mark Tizard, NABO Vice Chair and Moorings**

# NABO News crossword 22

By Canaldrifter



### I name this boat ...

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

### Answers to Crossword 21

**Across:** 1 Balance, 5 Gates, 8 Adaptor, 9 Alpha, 10 Sonic, 11 Reduced, 12 Course, 14 Galley, 17 Up river, 19 Cased, 22 Tight, 23 Tooleys, 24 Rotas, 25 Hustles.  
**Down:** 1 Beams, 2 Learn, 3 Notices, 4 Errors, 5 Grand, 6 Typical, 7 Stand by, 12 Counter, 13 Upright, 15 Anchors, 16 Cratch, 18 Votes, 20 Shell, 21 Doses.

### Across

- 1 Official enters to empty bilge if full (7)
- 5 Pulling faces about bistros (5)
- 8 Aunt boils about facilities (9)
- 9 Indeed a desired title? (3)
- 10 Attack is a blow (5)
- 12 Channel turns wide in the Tay (7)
- 13 Is Alan able to drive right for the Trust? (5,3,5)
- 15 Dancer could run back to view small vessel (7)
- 17 Guard in an advisory capacity (5)
- 19 Single out unwashed wood (3)
- 20 Waste wary around canals (9)
- 22 A step I do to keep warm? (5)
- 23 Go back in and be a hirer around the east (2-5)

### Down

- 1 Strikes about nothing in the fleet (5)
- 2 Sick of email lists (3)
- 3 Innermost, intimately, yet remote (7)
- 4 Constituent aboard? (8,5)
- 5 Appraised and packed up (5)
- 6 Search for altered views in harbour! (9)
- 7 Reps return and catch fish for a painter (7)
- 11 The Queen aboard her vessel in possession (9)
- 13 Swindle with thoughtfulness. That's touching (7)
- 14 Concerning poetry come back (7)
- 16 The day we badly went off course (5)
- 18 Up about 9 staircase locks! (5)
- 21 Skill of boat racing in 14! (3)



# Rewind 15 years

Tony Haynes continues his look back through NABO News from April 2000

**Toothless NABO?** Chairman, Sue Burchett was asked: "Has NABO lost its teeth?" She says, "when it began the only way to be heard was to jump up and down and shout loudly. But now NABO has a good talking relationship with both BW and the EA. We now don't need to shout if we can talk".

**BSS:** NABO reiterates its support for a practical and cost-effective boat safety scheme, but at a meeting with DETR it was explained that the present scheme had lost the confidence and support of boaters because it was too complicated, too expensive, badly run and the goalposts kept changing.

**Continuous Cruising:** In a letter to User Groups entitled 'What is clearly not Continuous Cruising' BW set out various indicators such as (a) having a job near to where you moor your boat, (b) owning a car and parking regularly in the same spot, (c) on the Electoral Roll, (d) receiving milk and post etc. BW's initial proposal of having to move 30 kilometres after 14 days and not return within 28 days was not acceptable. They now propose 10km.

**Council Tax:** NABO understands that: a) if the mooring is classed as residential and it is your sole main residence you will be charged while the boat is there; b) if the mooring is classed as residential but you don't live on your boat it may be classed as a second home. The mooring is exempt for the first six months, then it will attract a 50% charge, but only when the boat is there; c) if the mooring is not classed as residential, no council tax should be charged.

**Kennet and Avon:** Our regional rep

says he is growing concerned about the overall direction in which BW K&A is moving. The whole tone of their presentations gives the impression of reducing their traditional role of navigation in favour of anglers, walkers, cyclists, environmentalists etc. *"At times I feel the end intention is a countryside theme park in which boaters would only be welcome if they bring increased revenue."*

**Single Handling:** At a meeting with BW L&L a single-handed boater pointed out that it would be a lot safer if BW could fit landing stages on the operational side of swing bridges. He was told that single-handed boating was not safe!

**Swans:** If you see a swan with a length of fishing line protruding from its beak, don't cut it! If you call the RSPCA/Swan Rescuers, a length of line will enable them to quickly identify swans needing help, and in some cases facilitate removal. Swan Care has X-rays showing as many as 6 hooks embedded in a swan's throat.

**Boat Tracking:** As BW is concerned that boaters may inadvertently contravene the 14-day 10 km rule, it has designed a specially calibrated paddle-wheel to trail behind a boat. This has a day counter up to 14 days and kilometres up to 10 km, and is fitted with an alarm. It is reasonably priced at £40. All enquiries to BW at Watford.



## Letters to the Editor

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

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### The CRT CC debacle

I have just joined NABO. I suspect you're getting lots of new members. Just wanted to let you know that, as I guess is true for all CC'ers, we got the email from CRT on what constitutes sticking to the rules of our CCing licence. We are true CC'ers so I don't think it should give us any issues but it has highlighted to me how inadequate the CRT logging of boat movements is and how easily they will be able to misinterpret the data the enforcement team are collecting. I have emailed CRT for clarification as we have a Gold Licence for 2015 and I'm not sure they even have data on boat movements that are not on CRT waters. Like many boaters we are now using the Android Cruisinglog app as we do not think our blog would be considered a suitable evidence if we did find ourselves with an enforcement notice. This records what we actually did in terms of moving in 2014 and we also have the sighting that CRT have of us. I think this demonstrates that unless they have much more frequent sightings data and in more locations, the CRT data means very little. I'm not against the rules for CCing or CRT trying to enforce them, but they really do not have the information to make fair and reasonable decisions and there is a lot of assumption where there are gaps in the data. I suspect many people who are following the rules will end up with enforcement notices due to the enforcement attitude, which appears to be guilty unless proven innocent. It seems to me that CRT is losing the support of lots of great boaters who previously donated to the Trust and supported its activities with enthusiasm. There have to be better ways to tackle this issue, like providing more reasonably priced residential moorings and maybe even charging more for a CCing licence where CRT facilities are being used more, and less for a licence with a home mooring where CRT facilities are being used less.

**Allison Willcocks**

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### A letter to CRT copied to NABO News:

Thank you for sending us the letter by email (as well as in the post). However, we are disappointed that you did not preface our letter with wording such as, "Although our records show that you appear to comply with our Guidance for Boaters without a Home Mooring".

I believe you should know that we do, as you have been able to provide statistics to the boating organisations showing the percentage of boaters travelling less than 5km, 5-20km and greater than 20km. As we have been continuously cruising since 2008, you should have plenty of data to show the hundreds of miles we travel each year (6594 miles so far!). Sending us the letter as a circular shows a distinct lack of courtesy to your loyal customers. In fact, we feel it was inappropriate to send the letter out to those who are in neither Category One nor Category Two. We felt we needed to express our disappointment.

**John & Fiona Slee**

I am aghast and angered by the email CRT sent last week. It is the first time in 20 years where I have felt truly threatened by CRT/BW. I have cruised within the spirit of the 95 Act, and now I am feeling that I am a problem. My cruising range is reasonable; I do the Caen Hill flight a few times a year and head off in each direction. I feel the spirit and enjoyment of the canal is dissolving. And now a threat to only issue 3/6 month licences, depending on behaviour to a voluntary imposed "agreement". How has this position arrived? I am complaining to you, but also intend to do so to CRT too.

**Andrew Colyer**

Just received my NN—Capitulation! NABO has lost its fighting zeal. This member is on the point of resigning. I will finally decide this week when my anger subsides. I remember NABO at the Select Committee hearings back in 1994/5. Then



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