



NABO News

The Magazine of the National Association of Boat Owners
Issue 6 December 2020

**COST OF ENFORCEMENT
BOATER REPUTATION
SURVEY**

**CRT LICENCE TERMS AND
CONDITIONS**



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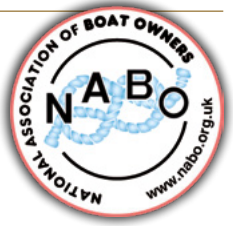
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NABO News

The magazine of the National Association of Boat Owners

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Next NABO News copy date

Articles, letters, cartoons and photos are most welcome. Images in JPEG format please. Please email your contributions to nabonews@nabo.org.uk or post to the Editor by January 23rd 2021.

Cover photo

Late in the day, as fishermen were packing up at Crofton bottom lock on the K&A from Gillie Rhodes.

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.



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Following appeals for more members to help with NABO, the Council is delighted to welcome four new members: Anne Husar, who will take on the role of Publicity and Communications Officer; John Devonald, who will be the Technical Officer and also the South East Rep.; Peter Braybrook, who will also be the West Midlands Rep. and Matt Thompson who will also be the new North West Rep. Additionally, we welcome Peter Braley who will be the new rep. covering the East

Poised for 2021

Editor **Peter Fellows** looks at what might be in store for a rejuvenated NABO Council next year.

Midlands and the River Trent. I would also like to welcome Jim and Jackie Buckley who, together with Anne, will join the team of NABO News proof-readers.

The AGM was by teleconference for the first time and was attended by eight members, who made valuable

Keep warm this winter
Photo: Helen Hutt



Having resumed as Chair once again when Stella had to stand down, I am delighted that she has made such excellent progress health-wise.

She has, however, had to move back on land and give up her boat, so I guess I am 'it' for a while. But my task is made so much easier by having such active and fully engaged colleagues, both on the Council and also as our Regional Representatives. And what a year this has proved to be—not just through the COVID-19 lockdowns, but with both CRT and the EA clearly getting themselves geared up for a future in which they will have to bid for Government funding, by making extensive internal changes and very significant operational modifications.

NABO and CRT

I have always believed that we should work with CRT and the EA—but always acting as 'critical friends'.

At times, however, this has not been particularly easy and—until recent changes at the Director level in CRT—was in fact proving to be very difficult. We have now, however, been able to have regular meetings with most of the new tranche of Waterways Directors, and our General Secretary and I meet the National Boating Manager (Leisure) on a regular basis. He also provides us with detailed reports of all CRT's activities. It is important to also note that my council colleague, Ken Hylins, our expert on support for those who are disabled and/or socially affected, has developed excellent contacts with many of the CRT staff handling these matters, and has been able to help many of our members who are in difficulties.

We are nevertheless very anxious, right at this moment, about the

recent announcement by CRT of a consultation on proposed changes to the Terms and Conditions of our licences. As with the previous consultation in 2015, CRT has given no explanation of the scale and scope of the problems it is trying to address. The consultation documents propose many changes, but the suggested solutions have simply not been well thought through and, in many cases (as has been confirmed by our solicitors), are in contradic-

A most unusual, but rewarding, year

Chairman's Report to the AGM 2020

Mike Rodd reflects on his last twelve months in the NABO Chair

tion to the relevant Waterways Act. It is just such a pity that CRT didn't talk to the boater representative organisations before going public—it is clear to us that those who have been dreaming up some of these changes simply have little understanding of the issues facing real boaters! With the expertise that exists among our members, CRT really seems to be missing an opportunity here.

CRT has also launched yet another consultation—on London congestion—yet many of the outcomes of the previous consultation (published only in 2018) have yet to be implemented. Is this yet another political exercise, I wonder?

We are, of course, fully aware that in the next few years CRT will have to start negotiating with a financially constrained government to secure a new grant. It is clear to anyone looking at the recently published accounts that, without

substantial government funding, the organisation will simply not be able to operate as it does now. It is thus entirely understandable that CRT needs to promote the waterways and their environs as being of national importance, and bringing important benefits to the wider population, not just boaters. CRT needs to target the support of all those who use the waterways, for whatever purpose—and the number of non-boaters far exceeds boaters, so this is where the need for government funding is right and proper.

However, CRT also needs to recognise that boaters and boating-related businesses contribute almost as much as the entire grant, through their licences, mooring fees and related activities. It is thus only right that we boaters should get behind CRT's bid and help get the message across to those who will make the final decisions.

But conversely, it is equally vital that CRT should work with us and, for example, not start proposing new licensing requirements without talking to us first!

NABO and EA

NABO is well represented on most of the relevant EA boards and committees responsible for overseeing their navigational responsibilities, especially on the Thames. The government department responsible for the EA has itself undergone massive changes following the decision of the Government not to move the navigational responsibilities to CRT, at least for the next five years.

This decision was welcomed by NABO, one of the very few organisations that opposed the original proposal. However, it is clear that the EA continues to prepare itself for such a move, essentially by making itself far more attractive to CRT, partly by trying to raise additional

funding from users of its waterways. Internally, there have been significant staff changes and we have gone to meetings where almost the entire personnel have changed—some of whom clearly had little understanding of their waterways. I have to note, however, that the EA was successful in gaining additional funding this year for system repairs and, as we speak, much additional and urgently needed work is taking place on the Thames.

One aspect of EA's work that has deeply worried your Council has been the way it is proposing to manage their short-term moorings on the Thames. As a result, a car-parking company has been awarded the contract to do this—using the same hard-line approach as it does for car parking!

This is very worrying, in that it changes the whole relationship between boaters and the organisations responsible for managing the waterways they use. An additional worry for your Council is that, if this model is emulated by CRT, we could see all our short-term moorings being operated like car parks!

Our Waterways

The Council is fully aware of the poor state of the network over the past year. While we appreciate that the lockdowns and staff furloughs have made things difficult for CRT, we are only too well aware of the significant increase in system failures, with many canals simply being unavailable for cruising over many weeks.

There have been far too many lock failures and a multitude of examples of poor or inconsistent vegetation control. We see, for example, different standards of vegetation control being applied across the network, and we are not convinced that the regular lock inspections are picking

up all the potential problems—possibly because inspectors don't always spot the problems that boaters will experience. We are also gaining a strong impression, whether true or not, that paddle repairs etc. are left until there is a total failure—if one paddle works that seems to be OK. This is not good news, either for us as users, or for the general view of CRT's level of customer satisfaction.

Boat Safety Scheme

NABO Council members are especially active in all the BSS committees and relevant working groups, where our professionally qualified members (led by David Fletcher, who presently chairs the BSS Technical Committee) participate actively in many areas, always trying to ensure that the scheme is proportionate in meeting the real needs of all waterways users.

NABO's place in the waterways world

As I have said previously, I am always pleased (if sometimes rather surprised!) by the respect we have achieved right across the waterways, beyond the statutory organisations—sadly not always from all boaters—but from most other organisations with an interest in the canals and rivers.

As the Chair, I am continuously a first port-of-call when people are seeking advice, recommendations, approvals, etc., for anything to do with the waterways. This shows what our NABO predecessors have achieved in staking NABO's claim.

It is also interesting to see that the most popular waterways publications, notably Towpath Talk, are always willing to seek and report our views. Indeed, Towpath Talk gives us a monthly slot, brilliantly written by our General Secretary. It is interesting to note, though, that some of our

We are now able to have regular meetings with most of the new tranche of Waterways Directors.

more outspoken views on CRT are ignored by some of the glossy mags, who may perhaps be too dependent on carrying CRT advertisements, etc.?

Likewise, since IWA took over the secretariat for the All Party Parliamentary Group for the Waterways, our attendance at their important meetings has been sporadic and, for a couple of years, we were simply not invited! A great pity.

It is important to note that our membership numbers have stayed fairly constant over the past decade, often growing slightly when there is an important issue at stake, although it is evident that most boaters simply get on with things and take an interest only when there is an issue affecting their own cruising. The same appears to be true for other representative bodies.

Communicating with members

NABO News has continued to reach new heights both in terms of content and in its role, not only in briefing members, but also in getting messages over to senior people in Government and other authorities.

Always filled with outstanding relevant content and most professionally produced, this is a very important mouthpiece for NABO. The efforts of the Editor, Peter Fellows, are much appreciated, as is the very professional work by Chris Pink on the layout and the careful and highly detailed work by the teams of copy editors.

Over the past few years we have

also made great strides in ensuring our presence is felt in the social media world. David Fletcher has made much progress in terms of our well-read website and monthly members' bulletin, and Mark Tizard spends much of his time ensuring that a constant flow of material and debate takes place in the Facebook world.

Finances

As will be reported, we are financially OK, with our major expense being NABO News and, when necessary, solicitors' fees.

Holding regular (recently, all!) meetings across the internet has also reduced costs. Helen Hutt's work as our volunteer Treasurer has continued to be outstanding and the Council is always provided with excellent and easy-to-understand, accounts. I must also thank our auditor, Colin Walker, for his vital work approving our annual accounts, and for also the advice he gives to Helen.

Council Membership

Whilst we could have done with a few more Council members this past year, I was delighted that each and every member accepted that they had well-defined roles to play and simply got on and did it—a real pleasure to chair!

I must also thank Mark Tizard for his on-going work as our General Secretary—he really does make sure we meet all our legal requirements and quietly ensures that Council meetings are carefully prepared and organised. I must also thank David Fletcher for his excellent minute taking! But we do still need to find a minute secretary, please!

I am delighted to welcome three new members to the Council, bringing us up to a full membership again. We were deeply saddened by the loss of our long-term legal advisor and Council member, Geoffrey

Rogerson, who passed away in August 2020 after several years of illness. With his deep practical knowledge of matters legal, Geoffrey made a huge contribution to NABO, leading all aspects of our legal work, closely supported when necessary by the Council's solicitors. For many years he lived on his boat on the K&A as an active, rule-abiding continuous cruiser, setting a very clear example to all.

We also lost Sadie Heritage (formerly Dean), a member of NABO right from its start. She was on the Council from 1999 to 2001, and the minutes secretary for some of the time. She was NABO's very active East Anglia representative, mooring on the Middle Level.

Looking ahead

We are all sadly aware that there is a significant decrease in the number of younger folk becoming actively involved in inland waterways boating—the only counter to this is the large number of individuals who find living on a boat to be a cheap way of living in the centre of London and a few other cities such as Bath.

There is no simple answer to the latter problem, and we have to be careful that CRT and the EA don't try to solve it by ruthless charging mechanisms, with their obvious knock-on effects on the rest of the boating community. NABO clearly has a vital role to play over the new few years, especially in ensuring that the Government is persuaded to continue to fund the waterways, and that neither CRT nor the EA fall into financial traps that put the waterways out of the reach of most people.

As a totally volunteer-run organisation with no staff, we can only be as good as our members make it!

My best wishes to you all for Christmas and the New Year.

Fly on the wall

Observes proceedings at the Council meetings in October, November and the AGM

October Council Meeting

In October we were joined by member, Anne Husar, and the new East Midlands rep., Peter Braley. Councillors spent the first half of the meeting discussing the finer points of CRT's consultation on its revised Terms and Conditions; especially the first question, which concerned cruising arrangements for boaters who have a home mooring. This asks how much respondents agree or disagree with the statement: 'You must cruise on the waterways whilst away from the home mooring. The cruise must be a genuine cruise. Minimal or repetitive movement along a short part of a waterway without use of the home mooring ... will not be accepted as a genuine cruise.' Unsurprisingly, there was unanimous disagreement: What's a 'genuine' cruise? CRT doesn't say. It appears to be trying to address a perceived problem of 'ghost' moorings, which some boaters say are their home moorings, but never use them and basically just do what they like. But how many boaters? No-one seems to know. Where is the proportionality?

CRT is also asking for a lot more information about a boat's insurance when a licence application is made. Councillors agreed that it's in everyone's interest that all boats are properly insured, but they were concerned about issues surrounding data protection by CRT. In another statement, CRT says: 'We will do our best to keep the waterway open for navigation' and then:

'There is no entitlement to a (licence) refund arising out of a closure to the waterway'. But is it not the purpose of a navigation authority to keep the waterways open for navigation? Is this asking boaters to agree that CRT has no obligation to maintain its infrastructure when they buy their licences?

Further into the consultation survey, another statement says that when boaters apply for their licences, they will agree not to '... behave towards an employee or representative of CRT in a way that causes them to ... feel harassed, alarmed or distressed'. The Trust is proposing to be able to terminate a licence if this happens. So they'll take your licence away if they think you're being rude to them—with no indication of who decides what constitutes alarm or harassment and seemingly no provision for an appeal.

Things are not looking much better on EA waterways either, with a car parking company being awarded the contract to manage Thames visitor moorings, despite widespread boater disapproval of its performance during the trial a few years ago.

Despite the apparently gloomy topics, everyone left the teleconference feeling that it had been a very productive meeting, with much for NABO to get its teeth into over the coming dark winter months.



Council meetings are normally held at boat clubs in the Midlands area. However, with COVID-19 they will be held by teleconference until the Council is able to meet again face-to-face.

Members are welcome to join in the teleconferences; please just let the Secretary or Chair know in advance (contact details inside cover).

The dates for Council meetings in 2021 are: January 16th, March 13th, April 24th, June 19th, September 4th, October 9th and November 13th (includes AGM)

Fly's AGM...

Councillors were joined by eight members for NABO's first teleconference AGM in November, welcoming Anne Husar, Peter Braybrook and John Devonald as prospective new council members.

Chairman Mike reported that, despite a heavy workload, he had enjoyed the last year and thanked Council members for their hard work and support. Relationships with new senior CRT staff have improved after going through a sticky patch, during which CRT had largely ignored NABO. The current CRT 'consultations' on terms & conditions (T&Cs) and London moorings are causing concern, the former proposals are probably illegal and the latter is being undertaken before the recommendations of a similar London consultation two years ago have been implemented. Things are not much better at the EA, with staff changing all the time, but the five boating organisations have developed a good working relationship with the Agency. They all have major concerns about the Thames moorings management contract, given to a car-parking company—if you don't pay up, you'll have your boat seized!

That consultation again...

After reports from the Treasurer and election of the three new councillors, the meeting discussed CRT's T&C consultation in detail. Members have been writing to support NABO's stance, agreeing that CRT is using a proverbial sledgehammer to deal with a very small nut, with proportionality flying out of the window.

CRT doesn't even know the extent of the supposed problems. Perhaps it is making a power grab—to get powers that are not given it under the 1995 BW Act? But T&Cs are not binding if they are not law-

ful, even if you've signed up to them when renewing your licence. Everyone agreed that boating organisations (except the IWA?) should present a unified front to oppose the proposed changes. As for London moorings, everyone is mystified as to why it is happening at all—is it congestion charging by the back door? Is the Thames carpark company going to be involved? Or is it just embarrassment after a CRT filming crew couldn't find anywhere to moor? There are miles of towpath in London where mooring is not allowed because of old electricity cables buried under the towpath, but the UK Power Network is now digging these up. It's a pity that there's no requirement in the contract to put in mooring rings when the towpaths are reinstated.

....and November's Council meeting

After the AGM, the new Council divvied up the jobs that people will have next year. Anne will become NABO's new Publicity and Communications Officer and John will become the SE Rep.

Matt Thompson will be the new NW Rep. and Mark will be the Middle Level Rep. Peter (Braybrook) will take on both W. Midlands and Trent Reps. There were no regional reps' reports because nothing is happening on the waterways during the current COVID-19 lockdown. But Council members noted that CRT has agreed with British Canoeing that canoeists can use its waterways, because people are allowed to take exercise. But it is not just physical wellbeing that is needed; what about our emotional wellbeing? So why aren't boaters allowed to sit on their sterns with a G&T? It's all very confusing!

Happy Christmas and byeee until next year...

Membership Matters

New Council Members

Anne Husar



We've lived aboard our 70ft narrowboat for 15 years after selling our home in North Norfolk. Two years before that our sailaway was craned in over the hedgerows to the end of the garden,

much to the entertainment of the village, for my cabinet maker partner to fit out.

This last 15 years cruising have been the absolute best, including ten years on the waterways of France, Belgium, The Netherlands and Germany. In East Germany we were arrested and told to leave for being much too long for a pleasure boat, so we never got to Poland sadly. We returned to the UK canals in 2017 where we found that BW had become C&RT and, as continuous cruisers, began to see the changes in our historic heritage. I renewed our NABO membership that had lapsed while we were abroad and now, as Publicity Officer, welcome this opportunity to support and promote NABO's efforts as a 'critical friend' to CRT.

John Devonald

I am an ex-marine engineer officer, having worked in the oil and liquefied natural gas trade all over the world for most of my working life. For the last few years before I retired I was technical superin-



tendent for a fleet of LNG tankers. Once I left the sea, I took the BSS examiners course and was a practising examiner around the south east waterways.

My leisure boating experience is varied, having owned narrowboats, cruisers and sea-going yachts over the years. I did live on one of my boats for a few years when I was based in London, but now I use my current boat purely for leisure and relaxation. At present I have a 48ft narrowboat on the GU canal.

I decided to put myself forward to help NABO stand up for boaters on the inland waterways simply because I, like many, can see the rapid deterioration of the system and the change of focus from boats and navigation to the general public and wellbeing. Hopefully, somewhere I can make a small difference.

Peter Braybrook

I live in Banbury near the South Oxford Canal, where I am a Waterways Chaplain. We have been boating since 1999, owning our boat, 'Sonflower', since 2003.



We have navigated the Rivers Thames, Avon and Wey; the canals and rivers that make up the Worcester, Black Country, Warwick and Leicester Rings, plus the Canal du Midi between Sète and Carcassonne. Our summer cruises nearly always involve some time on the BCN. I am an Association of Waterway Cruising Clubs' Rep for the BCE, a cruising club that is part of their West Midlands region. I will keep Council up to date with what is going on in the W. Midlands. I believe passionately that canals were made for boats and boating issues are the top priority.



Boating during lockdown

NABO Welfare Officer, **Ken Hyllins**, reports

At our last Council meeting, I was asked to give some guidance to boaters on the present virus situation, in which, at the time of writing, England is in lockdown.

Previously, there have been different levels, depending on your area, with England having a Tier 1, 2 or 3 level of precaution and Wales in total lockdown. Where there is an obligation to move as a continuous cruiser, for example, we come to its complications as follows: a Tier 2 lockdown states: 'Journeys should be limited where possible, but you can still travel to go to the shops, work and hospitality places that are

permitted to open. This also applies in a Tier 3 lockdown. CRT has made allowances for this. There are other factors: a boater may be self-isolating because of his or her vulnerability to the virus. Or you may have come into contact with a person suspected of having the virus and again having to self-isolate. There have been emails sent to boaters for not moving far enough, saying that, due to the present situation, no further action will be taken. I would suggest that if you receive one of these emails, you contact CRT to make sure that it's not on any record that could lead to issues at a later date, such as a restricted licence. I would stress that you should be aware of your area's level of lockdown. If you need help or are isolating, you should make your respective welfare and support officer aware at the earliest opportunity. If there are any problems, you are welcome to contact me for guidance.

Virtual news from CRT

At a short, combined CRT Council and AGM in November, last year's annual report and accounts were accepted.

Topics of particular note included:

- Application for renewal of the Defra Grant—which accounts for about a quarter of CRT's income—will be submitted on 6th December; whilst the Government is under no obligation to extend the grant beyond 2026/7, CRT feels that a solid case is being made for increased funding. A decision is expected in July 2022.
- COVID-19 continues to throw up challenges but winter works should proceed unhindered and the impact on income is estimated at -10%. A special fundraising appeal, launched the previous day, drew 450 responses in the first few hours. However, Friends numbers have fallen nearly 7% over the year.
- T&Cs consultation: CRT reports a 'net positive' result so far, whilst acknowledging some proposals need more clarity—that doesn't seem to chime with what we see and hear!

A special Boaters' Reps meeting was convened on 20th November to discuss the London Mooring Consultation, follow-

ing concerns that we raised. Boat sighting numbers 2010—2020 were queried: we were assured that exactly the same stretches of waterway were covered. The 2020 figures were dubious as COVID-19 restrictions had impeded counting. There was much discussion over whether numbers had now stabilised after rising for 8 years—so was the premise of 'foreseeing continuing increases' correct? Head of Boating, Matthew Symonds, said: "We are not trying to reduce numbers but we do need to control the situation in future".

Why not see out the 2018 strategy first to counter criticism that nothing is being done to deal with the impact of so many boats in London? There should be major improvements under the 2018 strategy in 2021, but these alone would not address the overall situation. When questioned, Matthew emphasised that CRT did not intend to introduce any additional fees or mooring zones, and that there was no pre-destined outcome. Six Zoom sessions had been held so far, with around 100 attendees in total, and 400+ written responses received. We will consider the results of the preliminary consultation in January and hope to have some input into the ensuing proposals, which will then go out to boaters for another consultation.

NABO at the user groups

Thames Navigation Users Forum

Mike Rodd reports from October's meeting

The online meeting of TNUF in October was yet another example of how not to use the available technology—in this case a voice-only system was used, with most users being muted until being asked if they had any queries, following the EA presentations. Those who said they did were then noted and given time to comment, but there was really no opportunity for any proper debate, and most queries answered by: "We will take that up after the meeting". I must say, though, that this time the EA presenters did try not to just read through their previously provided material, but to give what proved to be good summaries. The overview of Thames work being undertaken now and in the near future was particularly impressive and it is clear that the additional funding provided is being well used.

Of special interest to me was the presentation by the Managing Director of District Enforcement (DE), the car-parking company that has been awarded (in somewhat odd and

non-user consulted circumstances), the contract to monitor and then enforce short-term moorings on the majority of EA's Thames sites. The give-away for me was in one of his written statements, that an aim and objective of the contract was to 'increase the number of enforcement actions, particularly the service of mooring charge notices'.

Of course, this does reflect the nature of the contract, in that DE makes its income from this work primarily through user 'fines' for overstaying. When I queried this as a 'prime objective' of the contract, I was told by the Chair that the EA feels that it is quite appropriate to operate a car-parking approach to their moorings, and if users chose to overstay, then the proposed charges were fully acceptable. To my surprise, I appeared to be one of few user representatives who were concerned about this matter and I can only conclude that most Thames users are happy with this approach.

All Party Parliamentary Waterways Group

Waterways and Net Zero—Sustainable Propulsion

Mike Rodd enthuses over some new thinking about alternative power sources for boats

I sat in on the meeting covering 'Waterways and Net Zero—Sustainable Propulsion'. Most of the group's MPs attended and there was a really good presentation by Bowman Bradley from the IWA, who is leading their work on this. He was followed by a good presentation, with some really good engineering, from Warwick University, a report from a company looking into alternative power sources, and a report on an Oxford Council-led project on their work.

It was well chaired by a very battery-sceptic Michael Fabricant and I thought the material was excellent and very realistic.

I found there was little that I wanted to contribute, especially as the queries I had—mainly

related to how to move the present fleet over to any non-diesel solution—was well-handled by others. I think the general conclusion was that the short-term approach might rely on using the emerging diesel alternatives for existing boats, and that new-builds would probably have to adopt a hybrid approach, as any hydrogen-based solutions would take much longer to become realistic.

It was emphasised that to support any serious move to electric-based systems would involve not only government support to encourage this, but funding an extensive supporting infrastructure. Probably the best APPG meeting I have observed.

The law works both ways

CRT is seeking powers beyond those granted in the 1995 Act

The following letter was sent by NABO to the All Party Parliamentary Working Group for Waterways

To: Members of the All Party Parliamentary Working Group for Waterways

From: The National Association of Boat Owners

Date: 18.11.20.

The Canal and River Trust (CRT) is seeking to revise its licence terms and conditions further through a consultation process with private boat licence holders.

The National Association of Boat Owners (NABO) believes that there is one proposal of sufficient concern that it should be brought to your attention. Namely, CRT is seeking to exceed the powers granted to it by Parliament in the British Waterways

Act 1995.

To obtain a licence, a boater has no choice but to agree to CRT's Terms and Conditions. NABO strongly believes that boaters should not be required to agree to terms that are not required by the relevant Act of Parliament.

CRT is proposing that the following is added to the end of clause 3.1 of the existing Terms and Conditions: "The cruise must be a genuine cruise. Minimal or repetitive movement along a short part of the Waterway or Waterways without use of the Home Mooring (nominal use of which shall be disregarded for these purposes) will not be accepted as a genuine cruise."

This change appears to be an attempt by CRT to extend its powers beyond the 1995 Act. There is no authority in the 1995 Act for CRT to decide how a boat must travel in order to comply with the requirement to be used for proper navigation. The requirement is simply as per s17 (3) (c) (ii) of the 1995 Act—the boat must not have remained continuously in one place for more than 14 days, unless reasonable in the particular circumstances. A boat remaining in a small area or not travelling a certain distance does not thus contravene the 1995 Act, which appears to be what CRT is driving at with the reasoning given for this change. NABO, supported by our legal advisers, believes that CRT should be required to act in accordance with current legislation and not require boaters to agree to Terms and Conditions that exceed

Hadar at Worsley
Photo: Keith Lodge



those required under the 95 British Waterways Act.

Quite apart from the legal aspect, there is the question of proportionality. CRT has been unable to quantify the size of the problem it is trying to address nor provide a definition of "genuine cruise" or "minimal" in this context. The reasoning given is "ensure all boaters get fair access to the whole of their network, as presently some boaters with a home mooring remain in a small area, not returning to their home mooring, preventing others access to mooring space." This could best be addressed by the provision of mooring spaces of varied durations in popular areas and the enforcement thereof, which is available under the existing legislation.

We hope that the members of the All Party Parliamentary Working Group for Waterways will consider the points we raise above and make appropriate representations to the directors of the Canal and River Trust.

Mike Rodd, Chair NABO

Section 17 (3) of the British Waterways Act 1995

Notwithstanding anything in any enactment but subject to subsection (7) below, the Board may refuse a relevant consent in respect of any vessel unless—

- (a) the applicant for the relevant consent satisfies the Board that the vessel complies with the standards applicable to that vessel;
- (b) an insurance policy is in force in respect of the vessel and a copy of the policy, or evidence that it exists and is in force, has been produced to the Board; and
- (c) either—

- (i) the Board are 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; or

- (ii) the applicant for the relevant consent satisfies the Board that the vessel to which the application relates will be used bona fide for navigation throughout the period for which the consent is valid without remaining continuously in any one place for more than 14 days or such longer period as is reasonable in the circumstances.

Boats with a home mooring

comments by Judge Halbert in the case CRT v Mayers, Judgment in 2013.

"However, neither the statutory regime in subsection 17(3) nor the guidelines can deal with this problem. A boat which has a home mooring is not required to be bona fide used for navigation throughout the period of the licence, but neither is it required to ever use its home mooring. The Act requires that the mooring is available; it does not say it must be used. The boat is still subject to the restriction that it must not stay in the same place for more than 14 days, but there is nothing whatever to stop it being shuffled between two locations quite close together, provided they are

far enough apart to constitute different places. If those who are causing the overcrowding at popular spots have home moorings anywhere in the country, the present regime cannot control their overuse of the popular spots. Such an owner could cruise to and fro along the Kennet & Avon canal near Bristol and the home mooring could be in Birmingham and totally unused."

Mark Tizard comments: "An interesting take on what is a genuine cruise. Whilst not creating a precedent in law, it is certainly something that would be used in any defence".

What do boaters think about CRT?

Boater reputation survey 2020

The latest survey was published in the summer and responses by boaters confirm what NABO has been saying to CRT for many years (boaters were surveyed pre-lockdown)

You can find the full survey report at canalrivertrust.org.uk/media/original/42155-boater-reputation-survey-2020-results.pdf

Responses cover the organisation itself as well as the operational management of the waterways, and the feedback seems to be as negative as in previous years.

One overwhelming theme is the feeling that boaters are being sidelined in favour of other waterway users, particularly cyclists, who come in for a huge amount of negative comment, exacerbated by the perceived decline of boater services, lack of maintenance, and money spent on TV ads and rebranding.

“CRT has been totally diverted from its duty of caring for, maintaining, and looking after its canals and rivers.”

The main themes that are likely to have contributed to the negative aspects of the overall perceptions include:

- Poor maintenance, reactive rather than proactive maintenance/repairs and failure to take account of, or prioritise, boater's needs
- Lack of confidence in senior management
- Lack of support for the rebrand and CRT's wellbeing vision
- Lack of, and neglect of, boater services

But many boaters thought that CRT did a good job with limited resources and volunteers in particular came in for a lot of praise.

In answer to the statement: ‘*CRT prioritises its spending on what I feel is most needed*’ there has been an increase in those disagreeing from 33% in 2017, 37% in 2018 and 46% in both 2019 and 2020. Many of the comments relate to spending money on non-boating waterway users, not prioritising maintenance properly so that it ends up costing more, and not scheduling work properly (eg. grass cutting in the winter). Disagreement with the statement was greatest in Yorkshire & NE (52%), closely followed by London & SE (51%) and West Midlands (50%). Boaters with widebeams are most likely to disagree (71% with just 11% agreeing).

In response to the statement ‘*CRT values the views of the people who boat on its waterways*’ there was a slight increase in people who agreed, compared with 2019, but, at 35%, it falls far short of 2018. Widebeam owners were again least likely to agree (18%).

Maintenance

There were a number of elements that could have contributed to current negative perceptions:

- Overall upkeep is perceived to have declined, with the waterways now in a worse state than people can remember
- Maintenance is perceived to be reactive rather than proactive scheduled repairs
- Too great a reliance on contractors and inadequate input from CRT staff, who are perceived to be the experts and more pas-

sionate about the waterways than contractors

- Failure to take account of the needs of boaters, with maintenance prioritised for the benefit of towpath users instead
- An acceptance by many respondents that funding is limited, but there is a common belief that the Trust is not prioritising maintenance properly. Comments suggest that this belief has been strengthened further by the rebrand, logo and TV ads
- There were many comments that the income from licence fees should be better invested in maintenance. Two areas repeatedly mentioned as being particularly poor were the Grand Union Leicester Line and the Oxford Canal.

Examples quoted to illustrate the points around maintenance include: *“You have a reactive mentality, dealing with issues after they've arisen rather than a proactive attitude that would identify problems before they became serious.”* *“When contractors are used, there is often too little monitoring of standards and performance.”* *“We have no water as no dredging is ever done, but we have nice shiny pointless signs, such as the ‘CRT slower bed’ sign over a slower bed.”* *“Boaters are frequently told that they are important, yet locks are poorly maintained—no grease, paddles broken for years.”* *“CRT has been totally diverted from its duty of caring for, maintaining, and looking after its canals and rivers. The emphasis is now totally on walkers and cyclists.”*

Management

Many comments suggest little confidence in senior management, with a perceived failure to manage resources and ensure that the waterways are properly maintained. Also a gen-

eral perception that many in senior management do not understand the waterways or boaters, and therefore do not have the knowledge or expertise to manage properly.

“Not enough of the senior people are boaters themselves and don't really understand how boating works and what boaters need.”

Rebrand and Wellbeing

The rebrand and new logo are still a major cause of dissatisfaction among boat owners, the majority related to three themes:

- 1 The money could have been better spent elsewhere
- 2 Failure to resonate—boaters don't believe in the brand vision based around wellbeing, they think there are other aspects of the waterways that are more important
- 3 Alienation—the new brand is perceived to relate to towpath users more than boaters, leading to perceived alienation. *“We are going through shallow silted-up canals and the money is being spent on the towpaths so that cyclists can tear up and down at dangerous speeds!”* *“I think there was no need at all to rebrand the logo of the bridge and swan to the ‘toilet seat’. I feel this was a total waste of time, effort, resources and money and has achieved absolutely nothing. Meanwhile boater's facilities are in a shocking state and non-existent in many places.”*

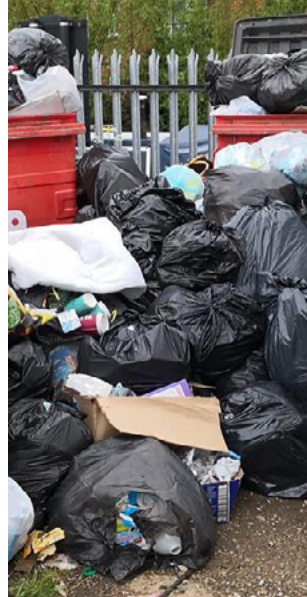
Boater Services

Many boaters expressed deep dissatisfaction with the state of the facilities and a recurrent theme was the lack of recycling. *“You could really improve your ratings by paying better attention to things like Elsan points, rubbish disposal, recycling, slow water points.”* *“It is high time CRT did more to protect the environment.”*



Not enough of this...

...too much of this



CRT Annual Report

In October, CRT published its Annual Report and Accounts for 2019/20. Here are some selected extracts.

The full report can be found at canalrivertrust.org.uk/media/original/42580-annual-report-and-accounts-2019-20.pdf

Income

Total income increased by £6.1 million in 2019/20 to £216.1 million. The value of property and financial investments increased by 2% to £1,010.5m in subdued market conditions, despite the non-property portfolio producing £8.4m capital losses before fees.

Market uncertainty during Brexit and the coronavirus pandemic affected the Trust's investments and acquisition and disposal programme, but the policy of increasing diversification spread the risk across a broad spectrum of assets and the Trust has a large proportion of resilient assets, such as ground rents, which offer relatively secure income in times of uncertainty. However, the impact of the pandemic on the prospects of CRT's business customers is expected to adversely affect income and cashflow.

Income from boaters and boating businesses was £41.6m approximately 20% of the total

Income from utilities and water sales was £33.3m, nearly £5m more than budgeted. Income from boaters and boating businesses was £41.6m, or ≈ 20% of the total. The number of licensed boats on CRT waterways increased from 34,367 to 34,435 by March 2020 and 96.2% of boaters hold a current licence, similar to 2018/19. Shortages of moorings,

particularly in London, meant that mooring income rose as a result of charging higher prices.

Friends and volunteers

The number of Friends who regularly give to the Trust increased by 5% on the previous year, to just over 30,000, but recruitment of Friends was severely reduced since the March lockdown and the number of active Friends dropped to ≈ 29,000 in July. More than 3,600 volunteers gave over 700,000 hours of support, including 1,200 volunteer lock keepers, an increase of 27%.

Wellbeing

A new advertising campaign was aired on regional prime-time television and digital channels, fronted by a character, 'Well-B', and slogan 'recharging by your local canal'. The campaign had > 5 million YouTube views and reached on average ≈ 80% of the adult population in target areas. During the coronavirus lockdown, brand awareness increased to an average of 62% in March—May.

Increasing influence

To increase understanding by national and local governments of the value of canals and rivers to their policy priorities, the Trust used the opportunity of visits by the Prime Minister and Secretary of State for Defra to Toddbrook Reservoir to highlight what it can offer around national priorities such as health, wellbeing, transport and the environment.

The Education Secretary visited the network in his local constituency

Defra waterway targets

Target	2018/19 Actual (%)	2019/20 Actual (%)	2019/20 Target (%)
Towpath condition grade C or better	80.8	81.2	>80
Principal assets grade C or better	86.8	87.1	>86.5
Condition of flood management assets grade C or better	99.0	99.2	>99
Waterway measures			
Boating customer satisfaction	61	67	73
Visitor satisfaction	92	81	92
Regular visitor numbers to reach each fortnight	4.1m	9.2m	4.3m
Public safety measure (number of reported incidents)	34	17	27
Internal safety measure (accident frequency rate expressed as number of accidents per 100,000 hours worked)	0.29	0.22	0.15

and was briefed on the importance of educational work that CRT undertakes.

Conserving waterway heritage

CRT reported that: 'Our historic waterways represent a unique working heritage of industrial architecture, archaeology and engineering structures and is ... an integral part of regional culture and local distinctiveness, and they contribute to the physical and mental wellbeing of communities, visitors and volunteers.' Just under 86.5% of the Trust's listed structures were in 'Fair' condition or better, an improvement of 0.5% on the previous year.

The Trust will reduce the number of assets on Historic England's Heritage at Risk Register and aim to prevent further additions to this list.

LONDON MOORING SURVEY

CRT is asking waterway users for ideas on how to address perceived problems caused by large numbers of boats moored on some of London's waterways, particularly the Paddington Arm, Regent's Canal, Hertford Union Canal, Limehouse Cut and the Lee Navigation. Since October, it has been holding Zoom virtual consultation meetings to hear ideas and answer questions. The remaining meetings are to be held on:

- Saturday 12th December, 3-4pm
- Wednesday 16th December, 10.30-11.30pm
- Friday 18th December, 2.30-3.30pm
- Wednesday 6th January, 7-8pm
- Friday 8th January, 10.30-11.30am

You can register to join a meeting at canalrivertrust.org.uk/about-us/where-we-work/london-and-south-east/managing-boats-on-londons-busy-waterways and clicking the date that you'd like to attend. There are also opportunities to give your views using an online survey at wh.snapsurveys.com/s.asp?k=160260143288 before 8th January 2021. Or if you do not have internet access, write to CRT Head Office, First Floor North, Station House, 500 Elder Gate, Milton Keynes, MK9 1BB

Canals and transatlantic slavery

Further Reading

The review by Dr Jodie Matthews can be found at canalrivertrust.org.uk/media/original/42453-canals-and-transatlantic-slavery.pdf

An essay by Dr Caroline Bressay canalrivertrust.org.uk/refresh/media/thumbnaill/42508-canal-stories-by-dr-caroline-bressey.pdf

The statue of slave trader, Robert Milligan, being removed from Docklands
Photo CRT



In spring 2020, the Black Lives Matter movement spurred CRT into commissioning Dr Jodie Matthews, Honorary Research Fellow at the University of Huddersfield, to undertake literature research into people who had made their wealth through the slave trade and invested the profits in canal building.

She also investigated canals that were built specifically to carry goods derived from the exploitation of slaves—especially tobacco, cotton and sugar—and how these canals led to the development of cities such as Liverpool, Bristol and Manchester. Examples cited in the review are:

1 Moses Benson, a Liverpool slave-

trader, who owned a 'palace mansion' in the city and invested in canals, leaving 230 shares in the Lancaster Canal in his will;

2 Lowbridge Bright was a wealthy Bristol West India merchant who sat on the Committee of the Thames and Severn Canal Company;

3 George Hyde Clarke, who inherited a sugar estate and 220 enslaved people, was a promoter, shareholder and committee member of the Peak Forest Canal Company;

4 Robert Milligan was a prominent Scottish merchant and slave-owner, who was the driving force behind the construction of the West India Docks in London.

A rose by any other name...

Peter Fellows continues his attempt to catalogue the extraordinary diversity of nearly 800 boat names.

Part 2: We like the waterways!

Of the 36,000 or so boats that are registered on the UK's inland waterways, the vast majority of owners choose a name that is something innocuous, such as reflecting an aspect of nature (Kingfisher, Willow, Misty Dawn etc.) or a name of someone special to them, almost always female (Lady Christine, Jenny B, Rosie etc.). But there is a sizeable minority who choose a name to make a statement of some kind and, in doing so, reveal something of their character or background.

A large number of boat owners use their boat's name to describe what attracts them to the water

Aqua Vitae, Aquaculture, Aquadesiac, Aqualibrium, Aquaphile, Aquatherapy, Waterholic, Almost Heaven, Cloud Nine, Charmed Life, Almost Paradise, Tranquility, Transcendence.

...and for many, it is the relaxation on the waterways that draws them to a name...

At Ease, Just Relax, No Worries, Knot a Care, Ain't No Rushin, Eze Go-N, Be Calmed, Boatox, Bee Happy, Comfortably Numb, Can't Be R'sed, Dunmarrah, Getta Round Tuit, Aldoittamora, Eezy Duzzit, Dilly Dally, Catatonic, Juschillin', Catharsis, Chillin' the Most, Relaxin, Relaxashun Stashun!, Licence to Chill, Moments Of Inertia; Ea Sa Dayz, Easylivin', Easy Days, Happy Daze, Happily Ever After, Happy Ours, Happy Together, Just Right, Just Us, Lazy, Lady of Leisure, Laissez-Faire, Lazy Bones, Lazy Dayz, Lazy Sunday Rush No Moor, Peace at Last, Nomad Rush, Peace 'n Quiet, Rush Knot, Peacemaker, Lingaryng, Linglonga.

...or not working....

Beats Shopping, Dunworkin, Fahrfrumwurken, Wea-Ry-Tired, Beats Workin'; Nograstomo, Lake for Work, Nolauntumo,

No Deadlines, Knot On Call, Knot On Duty, Wecandonomore

...which gives them more time...

Thyme to Enjoy, Killin' Time, Idle-Ours, Wastntyme, Juschillin, Thyme Off, Thyme Out, Time Flies, Knot Enough Time, Time Bandit, Timeless, Time to Go, Time Walk.

...and independence.

My Wey, Free At Last, Kutnloose, Feeling Free, Dunarunna, Independence, Free Spirit, Greener Grass, Freedom at Last, Escapade, Great Escape, Gotta Get Away, Urban Escape, Escape Route, Gotta Go, Escape To...

For others, it's the cruising that counts...

Just Add Water, Just for the Hull of It, Justa-Float-Inn, Quiet Passage, Quietly Making Noise, Just Siviting, Cruzin & Snuzin, Just Cruising, Getting There, Just Boatin', Fuelish Pleasure; Destination Unknown, Linalonga, Five o'Clock Somewhere, Nofe Ixta Boad, Lingaryng, Meander, Wanderer, Wanderlust..

...whereas some see health benefits...

Hydro Therapy, Energy Recovery, Even Keel, Mental Floss, Havatude Ajustment, Pressure's Off, Exhale, Miss Stress, Stress Buster, Stress Management, Stress Relief, Stressed-Knot, Stressless, Sanity Tool, Intensive Care Unit, Recommended Dosage, Recovery Room, Strugglers' Retreat.

...or living the dream

Dream—Catch Her, Dream Chaser, Dream Maker, Dream On, Dream Weaver, Just Dreaming, Family Dream, Just About Perfect, Family First, Fortune-8, Fan-Taz-Tic, Love It!, Lovely Jubbly, Meant to Be, Tickety Boo, Nice One, Will-N-Joy, Sans Regret, New Beginning, New Dawn, New Horizons, New Life.

Shared boating

The 'Village Boat'

Part 2. Informal self-managed groups and managed syndicates.

Peter Fellows describes how a group of friends and neighbours set up their own shared-boat group and Linda French outlines the services provided by a management company.

We'd been boating since the early 1980s with our 20-year old 40-foot narrowboat but, by the late 1990s, we were spending more time on maintenance and repairs than cruising, so we decided to sell it.

While looking for a replacement, the idea for sharing a narrowboat started with a conversation in our local pub in Bonsall, Derbyshire. The Bonsall Boat Club was established in 2003, following a notice in the village newsletter and an inaugural meeting in the Village Hall. Some attendees were experienced boaters, others novices, and some had never been on a narrowboat but liked the idea. We decided that we needed a boat with a minimum of six berths to accommodate larger families and guests; a cruiser or semi-trad stern to avoid 'lonely steerer' syndrome; a boat not more than ten years old so that we could spend our time cruising rather than repairing it—and our maximum budget was set at £40,000. After the inaugural meeting, we started searching brokerage websites and waterway magazine adverts and, within a few weeks, we located Burland for sale at Longport Brokerage in Stoke-on-Trent. It is a 50-foot narrowboat, with a semi-trad stern and a Beta Marine 35HP engine. It had been professionally fitted out in 1996 with six berths and was on sale for £39,500, so meeting all of the group's criteria. We paid a

deposit and waited for the surveyor's report.

Meanwhile, we agreed the rules by which the group would operate: buying and selling shares, how to fairly allocate time afloat, apportioning running and maintenance/repair costs, and families' responsibilities when cruising and handing over the boat. The group now consists of eight families who live in our small Derbyshire village and three other families who are friends. There are 32 shares in the boat, each representing one week's cruising, which are held in three levels of shareholding: 2-week, 3-week or 4-week shares. Each year, we meet during the winter for an evening's get-together and to decide who will have which cruising weeks the following year. This is done democratically, with each family in turn claiming one week until all 32 weeks have been allocated for our cruising 'season' from March to October. If two families want the same week, there can be horse-trading and compromise, which so far has worked to everyone's satisfaction and without resort to fisticuffs! At the start, there was some competition for weeks during the school holidays between families who had children or a parent who was a teacher. But over the last 17 years, the children have found other ways to spend their summer months and some of the teachers have retired, so this pressure has largely disap-

peared. These families have now discovered the delights of spring and autumn cruising, which spreads the demand more evenly throughout the year. There has been some 'turnover' of families in the group, but five of the original families remain and we have seldom had difficulty in finding local people who would like to join.

We use the annual meeting to decide the budget for engine servicing and hull blacking, which is needed more often than an individual privately owned boat because of the amount of use that the boat gets—more than most hire-boats. In an

So far we have cruised nearly all the main rivers and canals between Skipton in the north and Godalming in the south.

for a 2-week share, which compares very favourably with the cost of hiring. This includes the CRT licence, insurance, servicing and any repairs, and replacement gas bottles, but excludes fuel and pumpouts when afloat.



Burland, repainted in 2020

average year, the boat covers about 1,100 miles and passes through more than 900 locks. Costs are divided pro-rata according to each family's shareholding, and have so far averaged about £400 per annum

At the annual meeting, the group also decides which general area to head for in the following year. So far we have cruised nearly all the main rivers and canals between Skipton in the north and Godalming in the

south. The waterways that have yet to be explored are mostly at the edges of the system (the Fossdyke & Witham, Stainforth & Keadby, Pocklington, Lee & Stort) or those that are not directly connected (Bridgwater & Taunton, Ribble Link/Lancaster, Mon & Brec). Every family has many experiences to recall, from rescuing sheep from the cut to running aground in publicly embarrassing ways. All is recorded in the boat logbook, which not only makes entertaining reading, but it also provides anecdotal advice and information on good eating and drinking places, local attractions to visit, walks away from the canal, and so on.

But the really significant advantage of shared ownership is financial: the capital outlay for a new family wishing to buy shares is based on

a boat valuation and is currently £2,100 for a 2-week share, pro-rata for larger shareholdings. Based on a new valuation, this is refunded when the shares are sold. The operating costs are also lower than a privately owned boat: the boat only requires a four-month winter mooring because it is used continuously for the rest of the year. CRT allows informal shared ownership groups to have a private licence and we have also obtained insurance at the same rate that is offered to individual private boaters. And of course, these fixed costs are shared between the 11 families. Small maintenance and repair jobs are also shared between the families, thus reducing the need for expensive professional work and sharing the cost of replacement parts.

Are there any problems boating in a shared boat group?

A management perspective

Linda French of Ownashare Cruising Ltd. outlines the services that they can provide to shared-boat syndicates.

The idea of shared ownership is, of course, always going to be one of compromise; the boat is designed for use by people of varied skill levels and boating knowledge.

Many owners come from using hire-boats and love the boating experience, but have neither the time nor income to afford a whole boat of their own. However, there have been changes in recent years and many people are now downsizers; they have had their own boat but found they did not get enough use from it, and hence sold it, but then missed the whole boating lifestyle. So shared ownership seems to suit those who love boating but cannot have long holidays away from home

or work, or those who feel that the costs of boating are not within their budget. As with all boating, shared-boat owners come from a wide variety of backgrounds with the love of the waterways being the common denominator.

Why choose a managed syndicate?

The main reason is that someone is always available to help with any issues on your boat and to take on the concerns that would otherwise have to be shared among the syndicate members. The management covers myriad functions for the syndicate and its members, from relationship issues within the group, finance and income, budgets and

The most obvious one is that a family cannot use the boat 'on spec' when a weekend of nice weather beckons. At the outset, some people were also concerned that the boat may feel like a hire-boat without the sense of ownership that private boat owners have, but in fact everyone feels that Burland is their own boat when they are aboard. Also, it is not possible for families to plan in advance exactly where they will be having their holidays, because each family picks up the boat wherever it happens to be on the appointed handover day. However, the advantages of sharing far outweigh any such problems because, as a result of this way of organising our cruising, we are able to visit parts of the system that would not be possible from a home mooring and we don't set off along the same bit of cut each time

Each family picks up the boat wherever it happens to be on the appointed handover day.

we go on board. There are environmental benefits too, when families share a car to travel to/from the boat on handover day; and there is a certain satisfaction in knowing that the boat is being fully used and does not sit idle on a mooring for a large part of the year.

Requirements for successful informal boat sharing

One of the most important aspects is that all members of the group feel that they have an equal contribution to it.

This can be achieved by adopt-

payments, to engineering knowledge and expertise, breakdowns and helplines.

The role of a management company is to rise to any occasion and assist boaters through any issue that arises. Each management company offers slightly differing services but, ultimately, they will be the first and last port of call for a shared boater in any circumstance. The management company's roles start with buying a share and providing all the information about boating and the boats on offer. When the share has been bought, the company helps when the owner is first aboard and is unsure of how everything works. Later, when the boat is being used, the company provides support during engineering breakdowns, ensures that the boat has regular maintenance and provides boat surveys before a maintenance period is due, ensures insurance cover and boat safety inspections, and cares for the boat in



Carefree boat 'Adagio'

But the really significant advantage of shared ownership is financial

ing procedures, such as rotating the chair for annual meetings and having equal voting rights by all group members if a decision is put to the vote. But we have also made sure that all communications about the boat and its operation are transparent and everyone is copied in. Although we have an Hon. Secretary and Hon. Treasurer, we have successfully avoided the situation that exists in some shared boating groups, in which, effectively, a small cabal runs the group and the remainder are

Shared Ownership: A management perspective

winter when it is maybe out of use. Another administrative side of boat-share management is assisting syndicate members with booking time afloat and running the AGMs. We run the syndicate's booking system, which includes making sure that valets are booked and completed during the boat's few hours back at base. During that time, turnaround faults are reported and rectified, with each boat having a dedicated fault log that details any faults and the actions taken. With fi-

The role of a management company is to rise to any occasion and assist boaters through any issue that arises.

bystanders. To reinforce the equal status of all 22 members requires everyone to contribute something to the group's operation. We recognise that not everyone has the skills or expertise to work on the boat's mechanical or electrical systems, but there is much other work, from touching up paintwork to an annual deep-clean of the interior before the boat sets off each year, that can be done by non-technically minded members. It helps that the group members are friends or neighbours, but this is not essential, provided that each member is respected for their contribution.

Overall, we see shared ownership as an excellent and affordable way to explore the waterways and to attract people who would otherwise consider boating to be beyond their means.

nance, the company ensures that all bills are checked and paid, provides a budget for the following year and gives peace of mind that a qualified accountant is in charge of the syndicate's money.

When the time for leaving a scheme arrives, we are there to provide the owner with a seamless way to sell their share with everything taken care of. This includes assisting with dedicated brokerage schemes, website, social media and attendance at trade shows, talking to a prospective customer, arranging a viewing, providing all the sales documents and transfer of funds via a client brokerage account.

All management companies are there to provide every owner and boat with a wrap-around service and ensure that each holiday week is just that, a holiday, with any concerns and worries covered by the manager.

Enforcement

—an expensive business.

Mark Tizard looks at the cost to CRT

In the last issue, I touched on the idea of an option for a donation when renewing a licence to, say, the Waterways Chaplains to support vulnerable boaters or those who are now struggling financially as a result of the current pandemic, now much more at risk of falling into the enforcement process.

I have been speaking to people at CRT, to scope out the size of the problem. The Customer Support Team spend most of their time supporting boaters and, hopefully, helping them out of the enforcement process. At any one time, there are around 1500 active cases covering the complete range, from a boater who forgot to renew a licence to far more time-consuming, complex cases which could lead to the removal of a boat. The costs involved are substantial: in the last year, some 104 boats were removed from CRT's waterways, including 13 liveaboards. The average time taken in these cases, from initiating the process to seizure/removal of a boat, is 346 days. This demonstrates that there is normally ample time for both sides to achieve a resolution if it's possible.

The direct cost of this was £635,700, the vast majority of which (£536,100) was spent on non-liveboard boats, including those sunken and/or abandoned. Against this CRT recovered just over £160,000. If you add the salaries of the staff involved to the net cost of approximately £500,000, it's easy to see that we are talking £30-50 out of every licence, and it's clear that these substantial costs could be spent better elsewhere on the waterways.

NABO's disability representative confirms that CRT's support for vulnerable boaters has improved dramatically in recent years. The appointment of a Welfare Officer and the additional training given to the licence support team to provide support and guidance—such as helping with benefit claims, supporting BSS examination bookings and signposting to other support services—to resolve issues and keep the boat on the water. This helps in many cases where a boat has become unlicensed due to financial difficulty. Outside of CRT; the Waterways Chaplains play an important role in providing advice and support, there is an excellent well researched Facebook group *Benefits for boaters (liveaboards)* and boaters themselves often club together, as on the Kennet & Avon with the *Floaty Boat Fund* which, among other things, has provided a pump to help refloat sunk boats.

Lastly, CRT's consultation on the licence terms and conditions. I fear that, like the last consultation on licence changes, CRT has already decided the outcome, but this is a chance to have your say, so please complete the survey.

I personally have issues when CRT seeks to supersede Acts of Parliament as its proposals do. I am nervous of the new clause which states that 'the licence is not a guarantee of access or availability of the waterway' — exactly what I thought the licence was for. Navigation is, and should be, the most important aspect of CRT's obligations to licence holders as specified in Clause 2.1.1 of the Articles of Association.

The Boat Licence Customer Support Team consists of six Regional Supervisors, 26 Licence Support Officers, 23 Licence Support Rangers and eight National Advisors who have a supervisor.

Benefits for Boaters (Liveaboards)
facebook.com/groups/407453139424368

Floaty Boat Fund
facebook.com/FloatyBoatHQ

CRT's Consultation on License Terms and Conditions
wh.snapsurveys.com/s.asp?k=159843204588

TECHIE'S CORNER
Aspects of boat design, construction, equipment, facilities or maintenance

I had occasion to buy an oil suction bottle to get some excess oil out of a car engine. It worked OK. I thought I would have a go with it on the boat fuel tank to see what was at the bottom.

I have never had a problem with dirt, water, or diesel bug, so had no expectations. The



Dark things lurking in the fuel tank

David Fletcher comes out alive.



tank has never been cleaned and is 30+ years old. I got a 1m length of small copper central heating tube and used this as a wand to get to the corners of the tank. The main fuel is clear and bright, no problems. The amount of black crud down at the bottom was incredible and it came up easily through the tubes. I had two goes, pulling about two litres of fuel out each time, with no problem finding more crud. I had to stop be-

cause I didn't have enough storage for the waste fuel. I filled an oil container, brought the fuel home and tried to strain it but without success so it went to the waste oil at the tip. The black crud is soft and breaks up to sludge when rubbed. I could obviously use a fuel polish session at some time.



Rewind

Issue No 6, 2005

Howard Anguish explores NABO News from 15 years ago

2005 licence fee consultation. This month starts, as is often the case, with a strong difference of opinion between NABO and British Waterways on the subject of the 2005 Licence Consultation. BW had proposed a massive increase of nearly 2.5 times for the pleasure rate and it is not surprising that NABO Council was objecting in the strongest terms! The consultation had apparently left little room for discussion, so the proposal was left on the table and will undoubtedly remain the subject of ongoing discussions in the coming months some things really don't change!

Red diesel campaign. There is an appeal for as many boaters as possible to meet in the Dockers Club, Sharpness, to rally in protest against the proposed cancellation of red diesel in 2007. The MP for Stroud—a boater with an interest and sympathy towards the cause to save red diesel—will front the campaign together with a number of local boaters who have already started a petition. It seems that the petition was a partial success in that red diesel wasn't after all abolished in 2007, but with a sense of déjà vu the subject has now returned with a vengeance in 2020 and opinion seems to be growing, that this time, the writing is definitely on the wall. We'll have to see.

Jericho boatyard. The long-running dispute regarding this site in Oxford was the subject of an article which is critical about BW's handling of the redevelopment of Castle Mill Boatyard and its proposed conversion to housing. The article is also critical about BW's policy of selling

off canal-side plots to land-based interests, causing the loss of valuable boatyard services, somewhere which provides a place for basic maintenance and hull repairs or craning services, together with pump-out, water and fuel.

Environment Agency fines waterway user. EA successfully prosecuted a non-licensed boater on the Thames, who was fined the maximum £1,000 under the Thames Conservancy Act. This case came about as a result of EA 'campaigning to target and eliminate illegal, unlicensed boat users on the non-tidal Thames'. The campaign was entitled 'Don't be a Toad' and was fronted by Wind in the Willows character, Mr Toad.

Snippets from Fly on the Wall. At a recent meeting, Fly reported a new face to Council in the form of Andrew Colyer from the K&A. There was a discussion about life memberships, and also whether there should be a different rate for seniors and whether there should be a special offer to members who recruit others.

At the recent BW AGM, lack of cash had resulted in cutbacks, although the 'Veg Pledge' has been taken on. In present times, however, even this is suffering from cutbacks. On the upcoming 2005 AGM at Stafford Boat Club, two particular discussion items will be raised: Crime on the Cut; and Security of Tenure for residential moorers, who in 2005 had less security than mobile home owners.



NABO News back issues are available online at nabo.org.uk/index.php/reference/nn-back-issues-2

Letters to the Editor

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

Red diesel

I have followed the recent Government proposals and consultation for the phasing out of red diesel with great interest and, further to the article in the October edition of NABO News, I feel some further clarification may be useful.

The proposals will affect not only private boat owners but are far more wide-reaching than one might assume. With effect from 2022, there will be no users of red diesel anywhere in the UK (excluding the Channel Islands & Isle of Man?), apart from agriculture, rail transport and domestic heating. Everyone else, including sea-going commercial and fishing vessels and all inland waterway craft, will be supplied with white diesel. This will be subject to the full rate of duty and 20% VAT. Users on inland waters will NOT be able to reclaim any of the duty and will bear the full brunt of the change. Vessels based on tidal waters, such as fishing boats, ferries, etc. will be able to reclaim the duty paid using the existing HMRC Marine Voyages scheme. They will still have to pay the higher 20% VAT rate and reclaim it if they are VAT-registered.

The proposed changes mean that red diesel will

disappear from the fuel pumps, both inland and on the coast, as commercial and private craft will all use white diesel. I hope that the NABO response to the recent consultation took the above facts into consideration and did not raise questions that did not accord with the actual proposals.

It should be noted that the proposals are claimed to be unconnected with the ECJ ruling that red diesel use was incompatible with EC regulations. The Government states that the changes are for environmental reasons and one must assume that at some point in the future the sale of new diesel engines will be banned in similar fashion to new diesel cars. Ultimately, we shall not be allowed to use fossil fuels in our boats at all.

Stephen Peters

Canal and River Trust over-reaching statutory powers

A letter to Victoria Prentis, MP

Dear Ms Prentis,

I believe that I corresponded with you on this subject in 2015 when Canal and River Trust (CRT) introduced Terms and Conditions (T&Cs) for the issue of leisure boat licences for the canals and rivers under their management. My concern at that time was that CRT stated that the T&Cs are made under s43 of the Transport Act 1962, which gave British Waterways Board (BW) power to charge for its services under such terms and conditions as they see fit. CRT, as BW's successor, has latched onto this as a means to add T&Cs to licences, which are issued as a duty under s17 of the British Waterways Act 1995. The 1995 BW Act is very specific that the authority can only refuse a 'relevant consent', which includes all forms of permit, such as Pleasure Boat Certificates, House Boat Certificates and Licences, under two conditions. CRT was thus using the 1962 act to modify the will of Parliament as set out in the 1995 Act. I asked you to support this view and

use your influence and legal training and experience to correct CRT's thinking on this matter.

I write to you again now because CRT has gone out to consultation on proposed changes to the 2015 T&Cs. This time they wish to change them to enable the use of their power to refuse licences for breach of the T&Cs, rather than depend on the Conditions of s17 of the 1995 BW Act. They are bringing into the T&Cs topics, such as the use of fenders and crew requirements and behaviour, which are actually already covered by BW Bylaws and common law. By doing this they hope to make breach of these a contractual matter, suggesting that the T&Cs form part of a licence contract. They force agreement to the T&Cs as part of the application or renewal process. They would enforce them through the civil courts. This introduces a further change in customer management as the burden of proof for breach is changed from the criminal requirement of 'beyond reasonable doubt' to the civil measure of 'on the balance of probabilities' (i.e. it makes CRT's case easier to make and thus measures such as removing a boat easier to achieve).

I hope that you can see the problems:

- CRT is modifying the will of Parliament by using T&Cs for services under the 1962 Transport Act to change the Conditions laid down in s17 of the 1995 BW Act;
- CRT asserts that issue of licences is a contractual matter rather than a duty to issue relevant consent to perpetuate the right of navigation with the Conditions of s17 of the 1995 BW Act alone. It unilaterally imposes these T&Cs;
- CRT is moving enforcement of Bylaws from criminal law to civil law by asserting contractual structure to licensing.

Please discuss these matters with your colleagues in the All Party Parliamentary Group for the Waterways, who may be able to understand why this is an important issue among the boating community. Our way of life is at risk.

Please also use your influence to stop these extensions of power by this national public and statutory authority. It is obvious that issuing the 2015 T&Cs was the thin end of a wedge that CRT is driving in to put distance between the wording of the 1995 BW Act and its unenforceable interpretation of it.

Peter Braybrook

Composting loos

This might interest readers who have, or are thinking of getting, a composting loo: at the September CRT Council meeting, Richard Parry agreed to take a question away on composting toilets. Please find below the response to this question. With an increasing numbers of boaters changing to composting toilets, CRT was asked if there were any concerns over the correct disposal.

The Trust published a blog post in 2018 on composting toilets which may be of interest: canalrivertrust.org.uk/enjoy-the-waterways/boating/boating-blogs-and-features/the-boaters-update/boaters-update-13-july-2018#compost. 'Provided that composting waste (that may not have fully composted) is securely wrapped (as nappy waste is) then it can be placed in our waste facilities. Anyone disposing of fully composted waste must do so off Trust land. Liquid waste (separated by composting toilets) must be disposed of in Elsans or toilets, not poured on the ground. The Trust has been giving some in-kind support to a group in London who were looking to pilot a composting toilet waste collection service. However, this pilot was pre-COVID-19 so that may have had an impact on their plans. This will be followed up by the Trust in due course.'

Helen Hutt

I name this boat ...

If you have spotted a boat name that made you smile, please let me have a photo to use in future issues. Here's one from the Trent & Mersey that I spotted in the autumn.



Bless!

A gem from Facebook

'Anyone know... If I have a bunch of plugs that work on 240V when the inverter is on... will they have a 12V charge when the inverter is off, or none?

Can I plug 12V stuff straight into them with the inverter off? Any tips.'



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