

British Waterways Consultation Meeting
Springfield Marina
2nd March 2011

Last night's meeting was constructive.

We are here to hear your views.

Madge Bailey: I am Madge Bailey, I did work for BW, developing the mooring policy. I will be assisting with the project and I will be chairing the meeting tonight.

Comment: Can we have a neutral chair? We want it noted that the chair is not neutral.

Sally Ash: There is nothing partisan about Madge's role. But we are happy to have a role. We want to prove that we are trustworthy.

Lily: I am a boater and resident.

The meeting will be chaired jointly by Lily and Madge.

Sally Ash: I am responsible for mooring policies. I am a boater. I worked on the Kennet and Avon canal Trust. I was a BW opponent. My first passion is boating.

Damien Kemp: I am Sally's colleague. I work with mooring strategies. My contact details are on all the documents. So please educate me. I am open to hear everyone's views and knowledge.

Simon Salem: BW director. Ultimately I am responsible for the policy. I am here to listen.

Comment: Why weren't you there last night?

Simon Salem: I am here because I want to be here.

Comment: Seems a bit unfair that you weren't here last night.

Simon Salem: I have various responsibilities, I could not attend last night.

Madge Bailey: How many people here have a permanent mooring, how many people are towpath users, how many people are continuous cruisers? Most people here seem to be continuous cruisers.

Sally will run through the issues, also some from last night.

Sally Ash: We are aware the proposals are controversial. We got a lot of passion from people last night, which we deserved! This is a genuine consultation. We have presented proposals based on principles based on how we manage towpath moorings. These principles are from the 2009-2010 national consultation, which included various interest groups including boating representatives.

Comment: What proof do you have, that there have been issues. How many boaters did you invite tonight?

Sally Ash: These issues are of primary concern to boaters, so this is why we are having public meetings. It would be too big to practically manage if we contacted and invited everyone. We leafleted in the area and invited people who we thought would be affected.

The national consultation (2009/10), it was not possible to publicise everyone in every community. This framework is from that consultation.

The framework includes the 14 day rule and the monitoring of compliance. Making better provisions. The issue of continuous cruisers, who register as continuous cruisers but cannot or will not travel far enough. These people can continue with their current lifestyle but they will have to pay.

The framework is set, but we are happy to discuss various issues including, the size and number of neighbourhoods, the daily fee, how far it is necessary to cruise. This process will last until May 12th. We will have further meetings with representative boaters who will help us modify the proposals. The reason that we have developed these proposals is because the river has a problem. Cruising clubs and visiting boaters are telling us that there is no room to turn up (and moor).

Comment: How did you get this information?

Sally Ash: There has been a 40% increase in the number of boats, in the last 4 years, on the river Lea. The river Lea has a limited capacity. Not everyone can come to the river Lea and live on a boat. We really need to signal to the outside world that the river Lea is a scarce resource and therefore not everyone can live on a boat like you.

In the last 15 years, we have seen changes, previously we could comply with the continuous cruisers licence. We admit that BW hasn't managed the situation as well as they should have done. The reason for this is that enforcement is very expensive and time consuming. We won't take boats away if they are live-aboard without a court order. We acknowledge that BW has not policed properly. However, if boats keep increasing you will all find the environment becoming increasingly unpleasant.

The proposals are printed but I would like to stress that they will not be implemented in that particular form.

Policy framework – some things must be regulated in the long term, to stop the river from being congested. Now the river is not congested but if boats increase at the same rate as the last four years, soon it will be. Better to do something about it now.

Comment: Why don't you use the current rules?

Sally Ash: We need to monitor the use of boats and gain a revenue to cover the costs.

Comment: By implementing these new proposals (7 day rule) you will make people's life hell.

Sally Ash: As with any scarce resource we need to use the price to signal to everyone, that this is a scarce commodity. Similar to a parking fee. Everyone who has bought a boat has signed up to a Bona Fide journey (continuous cruisers).

The compliance is one of the requirements of a continuous cruising licence.

Comment: What evidence does BW have of these comments of non - continuous cruisers?

Sally Ash: This is based on feedback from cruising clubs members who say that their trips are now limited because they are not guaranteed to find a mooring. There are too many boats on the river. This feedback is anecdotal.

Comment: I hope there is requestable evidence that you can provide to prove this, rather than just relying on anecdotal evidence.

Nick: We made a Freedom of Information requisition and from the information we obtained we found a total of 13 complaints were made to BW, the majority of which were against BW themselves.

Sally Ash: People from various groups approached us after the meeting last night to say that they felt that there were too many boats.

Comment: We are continuous cruisers but we also pay for our licences.

Sally Ash: But cruising club members pay a lot more for their mooring, which is in a marina.

Comment: You are dressing up opinion as fact.

Rowing Club Member: We are becoming concerned that from our point of view the river is becoming unsafe. You must understand that there are other users of the river. It is becoming overcrowded.

We have two main problems, firstly that the boats that are parked along the banks mean that, banks are closed in so we can't navigate the river sufficiently. There is also a particular problem when boats park in difficult and unsafe places which block our view, for instance on corners. This situation makes it difficult to see on coming boats (because we are so low down in the water) this can be dangerous for us.

Comment: We could do things so that we all the people who use the canal get along better. This proposal is creates an air of panic and it feels like you are trying to limit live-aboard boating. Live-aboard boating has many positives. It is a form of social housing, it keeps people off benefits. I think we need to think about ways of shifting the way BW thinks about live-aboard boaters. You need to shift BW;s psychology. In many ways live-aboard boating is a solution to housing problems and many environment problems, since it is a low impact lifestyle. Hopefully we can think about ways in which all those who use the waterways can all get along better.

Sally Ash: Just to be clear, we like live-aboards, they add security and bring life to the waterways. We just don't like people who don't move.

Comment: I have an issue with the number of days the proposals stat that it takes to navigate the length of the river Lea. It actually takes 168 days to do the length of the Lea but BW states less days than this – the sums are all wrong, this issue needs addressing.

Sally Ash: We can go through those details, I am not sure if you are correct, but this can be discussed. The point is, if you are smart and prepared to navigate, then you can avoid the charges.

However, all this is negotiable.

So, the default is 14 days – these proposals, the concept of a neighbourhood (place) the boundaries and number of them, is up for discussion. Some areas are popular so will become a 7 day mooring. The maximum number of days in any one neighbourhood is also negotiable, as well as a daily fee.

Sally Ash: We had no way of reaching you to ask you your views on this issue.

Comment: Why don't you just enforce the 14 day rule?

Sally Ash: Well because the advice about place was inconsistently given by various enforcement officers. Also to monitor and enforce is expensive, so we can't afford to do it. This is why we are going to impose a 'car parking fee', so we can use the money raised to pay someone to enforce the rules.

We recommend that you nominate a spokesperson for your group, that way we can further the discussion.

Comment: I am a single Mum, I have a baby and I we live on a boat. I travel with a couple of friends, we try to move about around quite a bit. Sometimes we are on the Regents canal, we have three boats and to be honest, we've always found a parking space. There seems to be a panic about continuous cruisers taking over the waterways, but this is not my experience. Yes there are hotspots and we encourage you to please get tighter on them. There is so much space on the river Lea and Stort. Therefore, I don't feel that there is any excuse for imposing these new rules. It is too Draconian.

Comment: I pay a licence, so I want to ask you, what service are you providing for us?

Sally Ash: We provide basic water, sanitation and toilet facilities. That is all we can provide with our current funding. If we can generate some more income we could improve your facilities. However, on the current amount you are paying this is not sufficient to increase facilities.

Independent work has been done to look into funding. In the last 5 years we are short £30 million every year. We make £20million from boat licences. We have little choice. We want to give you a better service. If you paid more, we could do better, it would all help. You all use locks. We have hard decisions to make about funding.

Comment: I have a proposal that this meeting isn't working – we need another meeting so we can all ask questions, in a well- run meeting.

Comment: You could have planned a better consultation. I have an issue, in your document you state the majority of boaters with long term moorings think it is unfair for people who do not pay for a mooring, to be able to stay for free in the same place. Well I would like to clarify that I have a long term mooring and I don't think it is unfair, so please don't count me in your statement.

Also, I have a permanent mooring along the Lea for the past 2 years. This rule of 7 days zones is completely unjustified as I've never seen people parked next to my mooring – so I don't see how you can say that it is congested.

Sally Ash: The issue of permanent moorings is difficult. You need planning consent from the local authority. For instance in Lea Valley, it is against the policies to grant residential moorings. Last few years we have created moorings but they are all subject to planning consent.

Comment: So according to the planning rules – at what point does a boat become classified as a residence?

Sally Ash: If it is used for residential purposes – it needs planning consent. Boats staying still and being used as a residence is subject to change of use of land.

Comment: I think another meeting I think it is a good idea.

Comment: How much of this is to do with the Olympics.

Sally Ash: This is nothing to do with the Olympic proposals. There will be 'controlled access areas' near the Olympic site, that means that due to these security issues, we are not going to offer short term moorings along the river Lea.

Comment: The river often becomes unnavigable, due to excessive weed. This is a serious problem, as boats are unable to move. However, there is a cheap solution to this problems by using bales of straw. I was told that one BW worker was aware of this simple cheap solution to the problem, however he was instructed not to undertake this remedy. Why was this man told not to do that?

Sally Ash: I would like to point out that I have nothing to do with weed.

I am not responsible for weed on the canal!!!!

Comment: You have stated a number of reasons why you believe the new policy to be reasonable:

1. **Fairness** – the situation that some people pay for moorings, whilst others moor in the same area for free. Tonight we've heard from one permanent moorer who says that this reason is not true.
2. **Limited Space** – we've agreed that the space issue isn't an issue. And we can negotiate the various problems that seem to have occurred with the rowing club.
3. **Mooring Enforcement:** The monitoring will be paid for out of the fines from the 7 day moorings

There are no reasons for these policies. You are dressing up your opinions as facts. You are making it impossible for us to live our lives, basic things like taking our kids to school and going to work.

Comment: Can you explain Section 2.5: Transient mooring permits. What does this mean?

Sally Ash: It was an idea to have a separate permit for people who need to stay longer in certain places.

Comment: I want to discuss the idea of Neighbourhood – the definition you use in the documentation does not exist.

Sally Ash: Well yes, the concept of neighbourhood is not an exact science.

Comment: It is a exact science, the concept of neighbourhoods are clearly defined by the council the council's definition is also used by the police. If you look at the River Lea, what you are proposing to be four neighbourhoods, is in the council's definition, actually 24 different neighbourhoods.

Sally Ash: Well 24 neighbourhoods, that is difficult to manage.

Comment: To split the river Lea into 4 neighbourhoods, this doesn't make any sense to the rest of the community.

Sally Ash: We need to consult our legal director about this issue. The concept of place needs clarity. As does the definition of Bona Fide navigating.

Sally will make a commitment to look into the legal issue of the concept of neighbourhood.

Comment: You said that one main reasons is the difficulty to patrol the area. We can help themselves boaters can patrol the area.

Sally Ash: The issue of mutual trust came up last night, if we can work through the issues and get some more mutual trust that would be a valuable thing.

Comment: This is all very panicked. What research have you done, about other solutions in other countries who have experienced similar situations with the boating community. What do you know and what can you learn from that information?

Sally Ash: it is difficult to compare our situation in this country with other countries. To my knowledge, no other country has such a complex system. In the UK there are a lot of different pressure groups. We have letters that people are saying that they cannot moor.

Comment: What gives BW the right to charge fines to boaters?

Sally Ash: The 1962 Transport Act. Section 43: allows us to charge for reasonable services. The permission to tie up is something that we consider to be a service.

Comment: But surely £150 charge is illegal. £40 for late fees. £20 per day????

Sally Ash: That is not illegal. It is a reflection of how much it costs to chase people who do not pay their licence.

Comment: Perhaps the boaters could swap work instead of fines.

Sally Ash: The new charity will have a governing structure there will be national council made up of users, the future is bright, there will be local committees to help the local governors make decisions on different issues. I hope that good will come out of this change and that we can have a constructive relationship with boaters.

Comment: people who live on boats, you say that you welcome them, you say that you want to increase residential moorings. But you say that there is a problem in the Lea Valley because of planning permission. So what is the maximum time that you could stay. How many applications have you put in? If you are serious about people staying on the river...

The 7 day rule is only in hot spots, which is all along the river Lea????

Madge Bailey: The official line is that you can spend a maximum of 28 days in one place in one year. Any more than this and it could need planning permission. However, this requirement depends on the local authority. Some local authorities take rapid enforcement action but others do not.

If boaters themselves want to talk to councillors to discuss planning permission, that would be a good idea.

Comment: Did you carry out an Equality Impact Assessment?

Sally Ash: I will be asking the legal department about when the most appropriate stage in the process to do this. If one needs to be done, it will be done.

Comment: What is your definition of a Bona Fide journey?

Sally Ash: There is a court case which is currently on-going in Bristol. This was a case where one continuous cruiser did not move at all.

We are waiting for the court judgement. We expect it before April. The legal process basically asks the judge if they agree with BW's interpretation of Bona Fide journey. We are awaiting a judgement. The judgement will be posted on the BW website.

Comment: How is it going to help the congestion to move everyone up and down the waterways? How will this help the rowers, the wildlife. The locks are already faulty. This whole system could prove very costly for BW.

Sally Ash: We have to introduce rules, you have to be on a Bona Fide navigation.

You can register to vote anywhere, we are not responsible for the problems that boaters encounter by not having address.

Comment: I have a permanent mooring. I want to say that there are huge problem with people who overstay...particularly in certain areas such as Angel and Stanstead Abbots. I am restricted by people who are staying in the same place for month.

It is true that BW are limited by the councils in creating residential moorings.

However, all that said, I would find the 7 day rule too excessive, it is not a rule that I would be able to abide by.

Comment: These new rules are extreme. I want to know that you are prepared to step down and if there is another meeting, that people could write down their questions and they could be answered.

Yes this is a first proposal.

Sally Ash: I think those people who are continuous cruisers should register with us. We have a lenient set of rules for those already on the river. The strict rules will be reserved for new comers.

Comment: Why wasn't I notified about this meeting?

Sally Ash: Information was distributed – we wanted to make sure that those most affected would have a letter delivered to their boat. We emailed permanent moorings. All the moorings operators, we tried to reach anyone. We knew that you would all contact each other through the 'Towpath Telegraph'.

Comment: Money gathering systems do fail. People who couldn't afford to eat have to pay fines, this situation just won't work.

Sally Ash: "They are not fines, they are optional extended stay charges."

Environmental assessment will also be done, to assess the damage to the environment.

Yes we have admitted that we have not done much to enforce current rules.

Comment: Why is it always done in retrospect?

Sally Ash: Budget restrictions. This was done inhouse – over the last 6 months. We don't have the money to do professional consultations (meaning with experts from organisations such as environmental etc).

We have given a framework – it is up for negotiation. I was not aware that there were any groups who represented continuous cruisers.

Comment: This new framework has serious implications for many people and their lives. I have a young baby, the decisions that you are going to make decide HER future. How am I supposed to send my daughter to school, when the neighbourhood is so vast???

If you don't back down on this neighbourhood issue, NOBODY will agree with it!!!!

Comment: I was a park ranger at Lea Valley. I believe this new ruling will have a wider effect on behaviour of other people in the community. I did a lot of research as part of my course and I have evidence which shows that anti-social behaviour in this area will increase sharply. It will be detrimental for Lea Valley.

The reason why Long term moorers do not complain, is because the reason that they are safe is because they are surrounded by other boats. Also increased journeys will lead to more damage to this area. These issues need more investigation. They could have a seriously detrimental impact on the area.

Comment: I welcome more boats, I think it would be good if boating increases. You need to stop thinking about the whole issue just in terms of enforcement.

This is what is happening and it is a good thing, the issue is how can it be managed more effectively.

Comment: We provide the safety for the visiting moorers. Continuous cruisers make it a nice area to live in. You have been told that boaters can't get in and moor in certain places. So why not solve the problem by have some places allocated for visiting moorers only NOT for live-aboards.

Comment: You talk about pay more for this, pay more for that. You make analogies to car parks, but we do not live in our cars, it is not the same thing. To most of it our boats are our life, they are our homes.

Sally Ash: BW is not a housing authority, it has a responsibility to navigation, not to housing issues.

Comment: Well actually, you are a housing authority. According to Article 8. Let's work together from now on and include all the groups.

Comment: I think you should put the proposals to one side. Then enter into discussion and consultation with representatives from our community. Start thinking about drafting a completely new proposal.

Sally Ash: I would agree to that, if the new proposals meet the basic objectives.

Comment: I would volunteer to do work on the canal, instead of being fined.

Sally Ash: We have a volunteer section, so we are building up a database of volunteers.

RBOA REP: Residential mooring policy shows that there is a change in attitude from BW. BW will listen, I am from the RBOA, I want to give you reassurance, get your reps down around the table, it is important to everyone, don't give up, get your act together.

Sally Ash: BW says they will now extend the consultation period and everything is negotiable.

National Travellers Association (Nick): Actually the whole fabric of the consultation is up for debate. If the majority of the feedback says ditch the proposals, then that is exactly what you have to do. I would like to point out that you excluded any representatives from the Kennet and Avon canal from this current consultation.

You've also said that these proposals are to dissuade new boaters. This is the policy of the board. It is very right wing policy. We can all build a new policy one that upholds the interests of this vulnerable group.

Comment: I think it would have been better to come to us with issues instead of drafted proposals. If you gave us issues, then we could all work together to solve them.

There are ways of talking in groups and we could address these issues, we don't have to just have one representative.

There will be a boater's meeting on Saturday 5th March 2011