

# THE JUST WON'T GO AWAY FLOATER

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The only paper for boaters produced by boaters

## INSIDE:

- Boaters use social media to fight C&RT's dubious data - Page 2
- Secret landlords rip-off moorers - Page 5
- Veg takeover - Page 6

COMPLAINT ALLEGES 'HARRASSING, TERRIFYING AND PERSECUTING'

# Police are called as council manager 'jumps on' lone woman's boat

**Allan Richards takes a look at the troubled waterways of Oxford where the Council and its officials seem to be increasingly anti-boater .**

**The credibility of Oxford City Council's proposed waterside Public Space Protection Order (PSPO) is in doubt following an incident where police were called to deal with a council official boarding a broken down boat belonging to a lone female boater. He is now accused of 'harassing, terrifying and persecuting the owner' in an official complaint.**

Following police advice, a complaint of maladministration and harassment has been made against Oxford Council's Green Space Development Manager Chris Bell.

The complaint has been made under the official council complaints procedure by the boater, who cannot be named for legal reasons.

Mr Bell is one author of a draft waterside PSPO which, if it comes into force, will place draconian restrictions on boaters. As an example, using a stove or just simply mooring in Oxford could lead to a fixed penalty notice of £100 which, if contested, might result in a £1000 fine and a criminal record.

The official complaint states that Mr Bell boarded the vessel without consent with a view of harassing, terrifying and persecuting the owner and that he committed an offense in doing so under the Merchant Shipping Act 1995.

The complaint claims that Mr Bell fundamentally declined to uphold the occupier of the vessel's Convention rights under Article 8 of the European Convention on Human Rights and that he engaged in an attempted eviction contrary to the Protection from Eviction Act 1977 and other legislation.

The complaint further states that Bell spuriously quoted local by-laws that do not override primary legislation (in this instance s.79(1) Thames Conservancy Act 1932).

As if that were not enough, the complaint also states Mr Bell offended against the Data Protection Act by publishing personal data related to the boater. Finally the complaint questions if the land against which to boat was moored was even within the jurisdiction of the council.

When questioned after the incident, Mr Bell did not deny that he boarded the vessel without the permission of the owner or that he shouted 'You're breaking the law!' Neither did he deny attempting to justify that claim by quoting Oxford City by-laws irrelevant to the situation. He later stated 'I have not undertaken any actions which are not commensurate with my role for Oxford City Council and your complaints are confused between the policies and procedures of the council and any actions you consider I have taken'.

According to National Bargee Travellers Association (NBTA) legal officer, Nick Brown, the association has been assisting the boater

due to previous alleged harassment from Mr Bell and his team. In particular, she was given advice regarding dealing with further visits. This advice was apparently taken, with the boater telling Mr Bell that she had no intention of conversing with him on the towpath and that he should put anything he wished to say in an e-mail and she would reply.

However, she claims, Mr Bell continued haranguing her and talking over the top of her. She returned to her boat, went inside and shut the door.

She says Mr Bell then jumped onto the front of her boat at which point she became concerned for her safety and called the police.

The police attended and gave advice to both parties. It is understood that the incident took place when Mr Bell attempted to enforce an eviction notice signed by one of his staff and affixed to her boat. The notice was signed by a Kevin Keen, however it contained Bell's email address for contact.

The notice, claimed that the boater was guilty of a by-law offences quoting sections of council by-laws from 1996, relating to parks, nature areas, recreation and sports grounds.

However, those offences are summary offences and the boater has not been summoned, much less convicted.

Worse still for Mr Bell and his team, the by-laws quoted only apply to land listed in schedules to those by-laws.

Sidelings Island, where the boat was moored, is not listed and thus not subject to the by-laws. Following a request under the Freedom of Information Act, Oxford Council has confirmed in writing, that Sidelings Island is not subject to the by-laws.

Perhaps little wonder, then, that Mr Bell did not deny quoting Oxford City by-laws irrelevant to the situation!

Despite that admission, the eviction notice claimed that that Sidelings Island was owned by the Council and the boater was aware that mooring was restricted by the Council to 48 hours.

However, local boaters say that mooring restrictions are not displayed at this site and there is nothing on the Oxford Council website to document any mooring restrictions at this location.

Furthermore, a map provided by the Council to support Mr Bell's draft waterside Public Space Protection Order shows the land as unregistered.

In a demonstration of the confusion and inefficiency that seems the hallmark of this local authority, the Land Registry entry shows that Oxford City does own the land, having registered it in 2012.

Despite that registration, the Thames Conservancy Act 1932 and Public Right of Navigation negate some riparian owners ability to regulate mooring.

The eviction notice states that the boat has



**Oxford Council's Green Space Development Manager Chris Bell is pictured being spoken to by two police officers immediately after the event. (picture Green Boat Services)**

been moored for more than 48 hours and must leave within 24 hours. If it remains moored then it may be removed and sold (to recover the costs in removing it). The notice also makes another un-evidenced claim that the boater may be subject to a fine for fly tipping and costs for clearing up the site. Following the complaint, Mr Bell attempted to justify the fly-tipping allegation and made three photos available showing staff clearing up after fly tipping.

However, when asked to confirm, before publication, that the boater was responsible for the fly tipping shown in the photos he said that the photos were of an unrelated incident and had been provided by 'mistake'. Local boaters state that no fly tipping had taken place.

Needless to say, the notice does not quote the relevant legislation that might allow the council to seize a boat - much less a boat that is somebody's home - and then sell it.

The reason for this is, of course, that no such legislation exists. Any eviction carried out by a landowner must follow a process under part 55 of Civil Procedure Rules.

When informed of Bell's actions Oxford Council hastily withdrew the notice and the boater was informed that she could stay for a reasonable period of time to carry out repairs.

At face value it would appear that the only waterside PSPO needed in the Oxford area is one to protect waterways users from council managers who allow unchecked harassment of boaters.

**Meanwhile it seems the united resistance of boaters to Oxford Council's attempts to introduce private laws for the towpath in some secrecy is having an impact.**

**The Information Commissioner has found Oxford City Council in breach of a number of regulations with regards to it's refusal to provide UMPEG (Unlawfully Moored Boat Enforcement Group) minutes in response to an FOI request by Panda Smith.**

**They've got 35 days to respond properly or be taken to the High Court for contempt of court!**

**Meanwhile council minutes seem to suggest that the attempts to introduce the Public Space Protection Order on the towpath are set to be postponed. One of the councillors promulgating the draconian restrictions is quoted as saying they have been having discussions with boaters: "We are starting to discuss with them alternative methods of dealing with some of the acute problems that the draft PSPO is aimed at. I want to give sufficient time for these discussions to come to fruition and have asked officers to engage positively with this and to report back to me."**



# Boaters now use social media to help challenge C&RT's dubious data

**By Peter Underwood**



The boating community, especially that part of it which has made boats their homes, is remarkable as it comes together when threatened, rather than attacking or scapegoating other boaters, and turns on those threatening their lifestyle. Many years ago it was the Residential Boat Owners Association, defending liveaboards on the Thames and later across the country. As it became too closely aligned with the Canal & River Trust for many boaters' taste, the National Bargee Travellers Association has been challenging navigation authorities and even local councils across the country with considerable legal expertise and an increasingly sure sense of the value of effective publicity. The latest recruit to the cause of those unfairly dealt with by the less than effective monitoring and enforcement teams of the Canal & River Trust is Heidi Siggers, the founder of a new Facebook Group called Narrow Boat Licensing which has been set up for C&RT licensing issues as a place for boaters to come together to 'share ideas, files, rants and support'. She says: "I believe the way forward is to empower boaters with knowledge so they can help themselves." Heidi lives board a 70ft narrow-boat with her partner and two home educated young children. She has an art degree and trades from the boat. Heidi told The Floater: "I've been on the canals on and off for almost 30 years, over ten in our present boat. I can't imagine living any other way. "Three years ago we received a CC1 (The first in a series of warnings that we weren't moving far enough), it was terrifying, that's the only way I can describe the feeling I had, I felt like we could possibly lose our family home sim-

ply because The Canal & River Trust had decided we hadn't moved far enough; despite the fact that we had complied fully with the law and moved every 14 days. "I contacted various canal groups for information as well as writing to C&RT and my MP. "Eventually we were advised to take a winter mooring which we did in Berkhamsted, we then moved on to Rickmansworth when the 5 months was up. "Despite this we were issued a CC2 stating that we had over stayed at Berkhamsted the dates covered were in fact the time we had been on the winter mooring, I challenged the CC2 stating that C&RT had made a mistake and sent the mooring receipt only to be informed by the head of enforcement that C&RT were upholding the decision. "I sought legal advice and eventually common sense prevailed and the CC2 was lifted. "Two years ago we took the only 70ft residential mooring in the area for a period of eight months but the price was too much for us and we missed the travelling. "At the time both children were in school but it soon became clear that we wouldn't be able to travel the distance C&RT were specifying and get them there as I don't drive and my partner works full time, so we made the decision to home educate the children. "We are lucky to be able to make that choice as home education isn't an option (or choice) for many families, it's worked out really well for us. I contacted the National Bargee Travellers Association (NBTA) who were, and continue to be, a wealth of information and support. "Around the same time a friend of ours was refused his license despite being fully compliant with the law and getting himself a home mooring. "He is a pensioner who had very little money and ill health. He had lived on his boat for 27 years and was incredibly stressed at the thought of losing it. "I spent the next year dealing with CRT and their solicitors on his behalf, thankfully it was worth it



Heidi Siggers - her own problems with inaccurate C&RT data inspired her to aid others

and he had his license reinstated. "After that many more people came to me for advice and since then I've found myself working with other boaters that have been given restricted licenses. "I went to many different places and often getting conflicting information or going from one website to another fact gathering. "Boaters were saying the information needed to be in one place and I could see that people needed support too; it's frightening to say the least when you suddenly find your home is at risk. I decided to start the Facebook group 'Narrow boat Licensing' where people can come to get information and support in a place dedicated to restricted licenses and nothing else simply because there was a need for it. "It's the only boating group with the specific aim of helping the less able and that was very important to me. The group is there to enable boaters to help themselves and others as well as getting support. "The group contains files, templates, links to relevant C&RT information, The Waterways Act 1995, as well as links to boating associations such as The National Bargee Travellers Association and 'Narrow Boat Owners Association' NBABO.

"The Canal & River Trust already have the power within the law to deal with genuine overstays or nuisance boaters what they don't

have is the right to interpret the law and use it to criminalise law-abiding boaters."

**'The group is there to enable boaters to help themselves and others as well as getting support'**



The Narrow Boat Licensing Facebook Group's page.

## Costly charity - £7.20 for every £5 raised by C&RT

According to their press office The Canal & River Trust's Annual Report shows 'an increase in expenditure on the waterways and a growth in the number of people donating to the Trust and visiting, volunteering, and adopting stretches of its waterways'. It says spending on the waterways rose by eight per cent to £128 million; claims a significant drop of almost 300 days in unplanned closures and says there were an estimated 380 million visits to the system. The Trust says are 15,800 Friends regularly donating to the Trust – an increase of 60 per cent on the same point the previous year Chair of the Canal & River Trust, Allan Leighton, comments: "It has been a good year for the Trust as

we continue to work to secure a wonderful future for the waterways." Chief Executive, Richard Parry, adds: "This year we have increased expenditure on the waterways and improved the overall average condition of our locks, bridges and other historic infrastructure, leading to less disruption for our boating customers. "As the Trust passes its fourth anniversary we have good reason to be optimistic that we have put in place strong foundations to rise to the challenges ahead." However, that's not quite the whole story. Allan Richards has been taking an initial look at the numbers and reports that last year charitable giving cost C&RT £7.20 for each £5 raised. As its 2015/16 annual report confirms, C&RT are still having massive problems in the recruitment and retention of 'Friends'.

The number of active 'Friends', regularly donating to the Trust, is given as just 15,800 after four years. This is some 1,200 down on a revised 2015/16 target of 17,000. Worse still, the Trusts expenditure on voluntary income during the year was again significantly more than its income. This expenditure not only includes the costs of recruiting 'Friends' but also retaining them. The original aspiration was to have 100,000 regular donors at the end of 10 years but the Trust now say that they will have less than a quarter of that number (22,500) by the half way stage. Worse still, are the significant losses that C&RT have made. In 2015/16, C&RT lost £1.1m on charitable giving which has to be added to cumulative losses of £3.0m over the first three years. Put it another another way, last year charitable giving cost C&RT

£7.20 for each £5 it raised. The simple fact is that the differentiator between C&RT, the charity, and its predecessor British Waterways (a non-departmental government body) is the ability the raise further income by 'charitable giving'. However, the charitable income stream is flowing the wrong way, a problem that C&RT do not even acknowledge and seem incapable of addressing. The Trust's Annual Public Meeting will be taking place on 22 September. For more information about attending visit <https://www.eventbrite.com/e/annual-public-meeting-tickets-26563897332> You can read the Annual Report via <https://canalrivertrust.org.uk/annual-report2016>

### The Floater

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# Pampering pets is a serious business - and Sandra has the knack

The Floater takes a look at canal traders – people creating businesses on our canals and rivers. Their numbers are increasing almost daily and the chances are you will see a floating market or a sole trader on the canal this summer. Our fourth trader is Golden Boyz – known to many as The Doggie Boat - the business of Sandra Willis, who has become a floating friend to dogs ashore and afloat



By Peter Underwood

**S**andra Willis is a businesswoman who became a boater and turned into a boating business-woman – now she is a godsend to dog owners both afloat and on land.

Sandra, 48, says she is known by some as the crazy dog lady and travels the canals and waterways with her two golden retrievers Cosmo and Daquiri on a narrowboat called Golden Boyz – known to many as The Doggie Boat. The love affair with boats began with holidays. Sandra says: “I’d hired for many years before buying then, on my last hire holiday, I literally handed the hire boat back and walked straight into the sales office at Sawley Marina – that was 10 years ago.

“I ran a small events company then, which involved working long hours pretty much 365 days of the year, so I bought the boat as a complete opposite to a frantic way of life. “I was married when we bought the boat. We then separated and I took the boat on despite not even knowing how to start it, let alone cruise it. I’ve learnt over the years and did a helmsman and single handing course. “I had six years in two different marinas on the Trent and Mersey firstly then on the Stainforth and Keadby. Then, just under 4 years ago, I was offered some money for my company so decided to take a year out cc’ing ... I’m now in my fourth year and don’t feel like I ever will go back to land at the moment.” She says the decision to trade was: “Literally because my money started to run out. I got pretty down, thinking I had to either go back to land and get a job or into a Marina; so I started to think outside the box and in my research found out about becoming a roving trader.



Flying the flag at the Black Country Boating Festival



Just some of the wide range of stock items for dog owners to pamper their pets

“I initially thought about writing poems, specialising in personalised pet poems as it’s something I’ve often done and still do for friends special occasions. “I attended my first floating market in Birmingham three years ago promoting these but upon seeing other traders wares knew pretty quickly I needed to up my game. I tried to think of something to sit alongside the pet poems and came up the idea of doggy related items. I now just do the doggy themed products and not the poetry. “I have pretty much always been self employed so doing business plans and cash-flows and marketing are second nature to me. I’ve always been a believer in

working in what you love and boating and dogs are my two big passions. Life’s too short to spend doing a job you hate.” Sandra buys all her products from suppliers and it is an area that needs a careful approach. She says: “The legislation around making your own pet treats is very strict stricter than for human consumption especially the rules around feeding animal product to animals eg chicken flavour treats. “As such I decided it’s really not worth my time producing my own. As well as pet treats I sell leads, collars, bandanas, toys for dogs and a big array of dog-themed gifts for dog owners and lovers including very incredible 3D dog breed

pictures. These are especially effective displayed along my boat as all their eyes follow you as you walk past.” In her third year of trading is it working as she hoped?

“The first year was really an experiment and very hit and miss. The second year I started to feel the business could work; learning which of my products sell best and also which events work for me and which trading spots.

“I am aiming to make this year the year the business sustains me on the boat. The business needs to be a living for me as it’s a long time till I’ll get my pension. I absolutely love being a roving trader.

“Although I’m on my own and single-hand the boat I’m never lonely I meet loads of customers and there’s a huge camaraderie with all the fellow traders. I really feel I’ve found my happiness niche in life.

“I hope to keep trading and cruising as long as I’m fit and able “I trade anywhere and everywhere I can and open all year. I only close when the weather is against me. I do far better at festivals and floating markets than solo trading so do as many of these as possible but do solo trade in between. “I’m trading to fund my cruising and have in the last three years covered 80 per cent of the waterways. I’m currently down



Sandra making a sale to a passing dog lover

the Grand Union attending Cosgrove, Linslade and Blisworth festivals then it’ll be back up to the West Midlands in September for festivals there. I’m hoping to winter along the Llangollen for Christmas trading this year.

“In the last year I feel C&RT have started to realise the benefits traders bring to the waterways and the fact we actually bring people to the canals.

“When C&RT managers visited the Birmingham floating market last year and saw all the boats with all their wares out they really appreciated how hard we all work. “The major turning point for me has been the fact we’re allowed to stay on visitor moorings across a full weekend as traders.

Being only allowed to stay one or two nights in the past was crippling our weekend trading spots and now we can get a full two days trading in is so much better. “I think C&RT’s relationship with traders is definitely improving and I know the RCTA (Roving Canal Traders Association) is playing a vital part by providing traders with a voice. I personally have found them really helpful and supportive.

“One thing I’d love is a map that showed mooring time limits as when planning my trading in new areas I never know till I get there how long I can stay. It’d make my route planning much easier if I knew ahead of time.”



It’s not always sunny or even very light - but Sandra still trades - this is a winter market in Birmingham



# Education charter calls for term time movement limits

Boaters have put together a proposal for the way in which the Canal & River Trust should deal with boater families without home moorings on CRT waterways who have school age children (including those who are home educating).

National Bargee Travellers Chair, Pamela Smith, said: "We acknowledge that not everyone agrees with the principle of this. However, many other vulnerable groups are protected by the Equality Act 2010 from the full effects of C&RT's current enforcement policy against boaters without home moorings." She points out that children's rights to education are conferred by the United Nations Declaration on the Rights of the Child and by the European Convention on Human Rights/ Human Rights Act and claims C&RT is violat-



The charter was developed on the Kennet & Avon but London probably has even more families on boats - pictured above is Victoria Park

ing these rights by its current enforcement policy. The proposal was finalised after con-

sultation with over 200 boaters on the K&A; with the members of K&A Canal

Boaters Society Facebook page, and with over 700 members of the National

Bargee Travellers Association. It will now be sent to the head teachers of Bathampton Primary School and Fitzmaurice Primary School for review, and then sent to Michelle Donelan MP who will forward it to CRT's Chief Executive Richard Parry for inclusion in the Guidance for Boaters Without a Home Mooring. The Family Cruising Proposal asks for C&RT to adopt more sensitive management of boater families with children attending school, to allow less movement in term times offset by greater movement in holiday times. It applies to families with children aged two years and above who are in nursery/pre school/school; families who are home educating their children who are part of a local home education network and/or who attend weekly local educational activities such as participation in a jun-

ior sports team etc. The special dispensation being asked for includes a term time cruising pattern in which families will navigate a range of two miles either side of their child's school/ local home education base. This distance is in line with the Government's Guidance on Home to School Transport: This is based upon children travelling/ being escorted to school on foot, bicycle or public transport. Over their licence period, families will make up the distance requirements of the terms and conditions during holidays and will continue to comply with Section 17 (3)(c)(ii) of the British Waterways Act 1995 and will not remain for more than 14 days in any one place unless it is reasonable in the circumstances to stay longer.

## Towpath charging experiment - for eco-friendly mooring in up market Islington

Towpath charging points for boats are about to be introduced in central London - although the move may lead to an attempt to charge for towpath moorings in parts of the capital.

The Canal & River Trust and Islington Council have won funding from DEFRA for electric charging points on the Regent's Canal in Islington. There is, as yet, no suggestion of anything similar on any other canal. Boaters will be able to use these charging points to top up their electricity and they will provide an alternative to running boat engines to generate energy. The Trust is also developing a London mooring strategy for the capital including the idea of charging for some pre-booked moorings. It says it is working with boaters and other stakeholders, has discussed a range of ideas including eco-zones - where boats can get their power from electricity, not diesel engines - and how living on the waterways can be a sustainable and environmentally friendly choice. Islington is a popular spot for boats and the bollards could reduce the impact of engine

noise and smoke that can affect both water-side residents and other boaters. There will now be a period of discussions and consultations involving the Trust, the Council, boaters, canal users and other stakeholders to think about where the electric points should be located and how they should be managed. Sorwar Ahmed, London boater liaison manager at Canal & River Trust, said: "In a busy city it's more important than ever to be environmentally-minded and think about how the things you do can affect the people around you. Boaters live very close to nature and many are keen to embrace green initiatives like solar panels and clean fuel. I'm delighted that we've got the funding to trial these electric points, which will give boaters another option for topping up their batteries in town. Now we need to work with boaters and the wider community to see how they could work in practise." Cllr Claudia Webbe, executive member of environment and transport at Islington Council, said: "Islington Council is committed to cutting local engine emissions - particularly from diesel engines, which have a serious impact on health and air quality."



How will London's boaters take to electric charging rather than running an engine?

## Winter moorings just got even more expensive

Last winter C&RT had 149 miles of empty winter moorings, about two thirds of the total across the country.

Just 437 boats bought a winter mooring permit, when there was space available for 1,350 15 metre vessels and just 182 boaters bought the highest priced £13.50 winter permit. The cheapest, £6.50, winter moorings attracted 149 moorers. It's total income was just over £200,000 from a potential £600,000

Most boaters would also say they overpriced themselves and formerly popular sites, such as Cambrian Wharf in central Birmingham were virtually empty all winter. Despite that experience the Canal & River Trust has just published the list of sites it will be offering for winter moorings in 2016-17 and it has introduced a new even higher price bracket of £15 per metre per month to take advantage of the one areas where demand was high - London. The Trust claims it has 'listened to boaters' feedback on last year's winter mooring spots and has made changes to reflect their suggestions'. It has also extended the time winter moorings are operational so that it once again runs from the start of November to the end of March. The explanation is: "As Easter falls later this year, winter moorings will be available from 1 November 2016 to 31 March 2017, as winter moorings won't disrupt the start of the summer cruising season." The Trust says: "This year winter moorings will be divided into four price bands, reflecting each site's relative attractiveness, for example location and facilities, and to ensure the Trust stays in line with the pricing of both private mooring operators and its own long-term mooring sites. Each local waterway




A winter mooring on the Shropshire Union Canal that stayed empty all last winter.

has reviewed their sites and ranked them according to what's available onsite or nearby." Winter mooring sites have been ranked according to the following criteria. Band 1: £15 per meter/per month - a visitor mooring site with mooring rings or bollards, in/within walking distance of a popular village/town/location with local amenities. There are good facilities at or nearby (including water, elsan, pumpout and rubbish facilities) and good public transport links (for example the site is close to a station/public transport routes or, in London, is in travel zone 1-4). Band 2: £13.50 per metre/per month - a visitor mooring site with mooring rings or bollards, in/within walking distance of a popular village/town/location with local amenities. This site has good facilities (most including water, elsan, pumpout and rubbish facilities). Band 3: £10.00 per metre/per month - this could be a visitor mooring or towpath site with some facilities on site or within a short cruise. The site is likely to be quite close to a village or town. Band 4: £6.50 per metre/per month - a quieter towpath location, which doesn't have

any facilities on site. A final list of the winter mooring sites and prices can be found at [www.canal-rivertrust.org.uk/winter-moorings](http://www.canal-rivertrust.org.uk/winter-moorings). Bookings for the winter moorings will open on 3 October 2016, and will be made through the Trust's boat licensing site: <https://licensing.canalrivertrust.org.uk/Account/Register>. Boaters will be able to look at sites on the system from the beginning of September. Mike Grimes, head of boating at Canal & River Trust, said: "We offer winter moorings as an additional service for boaters and they've proved popular for those who want somewhere to moor up when the weather and long nights can make a day's cruising seem less enticing. This year we'll be offering winter moorings for the five months from November to March and are providing a wide range of options, from rural, out of the way spots to full-service moorings with good links to city centres. We hope that every boater who wants a winter mooring will find something to suit them. As always, we are keen to hear your feedback, so please get in touch with any comments and suggestions."



# Secret landlords rip-off boaters by sub-letting C&RT waterside moorings

 By Peter Underwood

**If you thought getting a Canal & River Trust mooring was an open and fair process, whether buying through the new buy-it-now process or online auction, you may be surprised to learn that all is not as it seems.**

Some boaters are being charged many times the going rate by unscrupulous secret mooring landlords who buy moorings from C&RT and sublet them. The Trust knows that some moorings are being bought by individuals with no intention of putting their own boat on them – instead they plan to sub-let them to other boaters, sometimes charging twice the amount they have paid, or even more. Now the Trust is trying to discover just how many of their moorings are being sub-let, with the biggest problems in the busiest areas of London, the South East and South West.

Information supplied privately by C&RT insiders suggest that the mooring landlords simply notify C&RT that they have a different boat when they transfer the mooring from one tenant to the next but it seems the Trust have difficulty in identifying those landlords.

The charity has even begun attempting to use other moorers on certain sites to inform on the secret landlords – although that has been met with some suspicion. One South East C&RT moorer said: “We know they must be ripping off the boaters who buy the mooring rights but we get to know those who are tenants and don’t want to see them thrown off a mooring they sometimes desperately need. “Our biggest problem is that these people push up mooring fees because they are willing to pay silly sums in auctions, knowing they can still profit from the mooring.”

The Canal & River Trust is somewhat ambivalent about the secret landlords and



**Countinuously cruising boats double moored in West London where official moorings rarely become available**

seem more intent on sharing in their profits than eradicating them as part of the moorings system.

### Uplifted fee

The Trust statement says: “We recognise that sub-letting of moorings goes on. We do try and tackle it as and when we find out about it happening, and we are now taking a much more proactive approach. “We do not necessarily stop it if the customer is willing to obtain a business licence and pay an uplifted mooring fee – we want to work with boaters, as long as they can meet the terms of their licence and mooring agreements.

“Our new T&Cs have been drafted to deal with this very issue.”

In fact the guidance to the terms and conditions of all C&RT mooring agreements now says: “Condition 4.4 of the Mooring Agreement makes clear that a mooring cannot be used for business purposes, unless our consent has been obtained. Whether or not we grant consent is a matter for us to decide. We are not obliged to give consent.” Yet, with the confusion we have come to expect of such C&RT documents the same guidance spells out that moorings cannot even be assigned or inherited on

death  
It goes on: “Condition 4.6 makes clear that the mooring is personal to you. This means that you have no right to pass it on to anyone else, and if you die during any mooring period, the mooring cannot be inherited by anyone.”  
It seems that C&RT is quite happy for boaters to be exploited by these mooring landlords and is only really interested in making more money from its mooring sites. One rule for boaters and another for those exploiting them – as long as the Trust gets a cut of proceeds.



**Long term moorings on the Grand Union Canal - but how many are paying C&RT and how many a secret landlord**



**Residential moorings at Rickmansworth - but is every boat paying C&RT?**



# Losing the battle with vegetation - is C&RT taking it seriously?

**Peter Underwood takes a look at the way in which trees and bushes are making our canals narrower and more difficult - especially in the South East of England**

**T**here are few places on the system where the Canal & River Trust seem to have a good grip on vegetation that threatens to shrink the canal on the offside and even take over the towpath in places – but the consensus seems to be that the Trust's South East region is worse than any other.

I saw it first hand last month travelling from London to Rugeley over a 10 day period along the Grand Union and the North Oxford. For mile after mile at least a third of the width of the cut on the offside had been colonised by overhanging trees, many often fallen and regrowing in the water.

Clearly little or no attention had been paid to offside vegetation in many years and the towpath was not much better, especially on the North Oxford canal where saplings at least five years old were growing in the wash wall that forms the edge of the canal and the towpath was invisible in many places.

My impressions are confirmed by C&RT's Navigation Advisory Group (NAG) member Susan Cawson.

She told me: "I have been in a battle with SE about vegetation for about a month. They don't even cut the grass round locks and moorings. NAG is also now pulling together a vegetation sub group, to look at the contracts and to look at better use of the spend.

Sue says she gets the impression that the South East Region simply don't think there is anything wrong in their approach to vegetation. "Many of us have issues with SE region. It's not only offside trees the SE region even has trees growing from wash walls on the towpath side and they don't seem to believe it's an issue!

"Please put your comments into C&RT with pictures to enquiries.southeast@canalrivertrust.org.uk and vicky.martin@canalrivertrust.org.uk. Complaints are all about numbers, one won't get noticed, many and they'll have to take notice and do something."

Another well-known boater, David Daines commented on Facebook: "I have written to SE Manager Vicky Martin about vegetation and I highlighted a couple of particularly bad areas on the Oxford and GU. The trees growing in the towing path edge are going to destroy the canal bank."

It is a long-standing issue and another boater Judith Emery said: "We went down to Oxford last year and the vegetation is like something out of the African



*Carry on up the jungle on the North Oxford*



*Spot the towpath*

Queen in places, I'd hate to need emergency assistance in a hurry as they wouldn't be able to get to you. Nearer Oxford itself you can't see other boats coming due to the out of control weeping willows."

There has been a sort of apology from SE Region PR Sarah Rudy, who said:

"Thanks to Sue Cawson for getting in touch with the Trust and we are sorry you feel your complaint about vegetation management was ignored."

She went on to outline what the region claims to do about vegetation: "Grass and vegetation around the locks and at moorings is cut nine times per year and six times a year on the other areas.

"This is all carried out between April and March the following year. Although this is the standard for maintaining vegetation, there are differing specifications depending on the level footfall however, all towpath grass from hedge to water's edge is

cut once a year including fender growth up to 75mm. (Fender growth is the small trees in the wash wall on the towpath side of the canal)

"This winter, as part of the five year cycle, the offside vegetation along the canal from Buckby Locks to Husbands Bosworth and along the South Oxford

Canal is being cut back. There was a problem with fender growth along the north Oxford Canal but this has now been cleared, as well as the over grown vegetation at Stockton Locks and Hunton Bridge.

"Whilst we regularly inspect the canal and highlight where there are problems of fender growth we would still encourage boaters who see any overgrown trees and bushes to please get in touch with the South East and let them know."

Any boater who thinks that isn't good enough should take some pictures, specify the area and send it off as suggested by Sue Cawson.



*Tight fit even for a small narrowboat*



*On the South Oxford. Sue Cawson took the picture and commented: "Well done C&RT, this is a 48-hr mooring!"*

## The volunteer option

**T**here is another way and a volunteer group on the Macclesfield & Peak Forest Canals reckons they have got it cracked.

The Macclesfield Canal Society has led what one organiser describes as a successful volunteer effort to get and keep both off and towpath side hard vegetation under control.

C&RT fully supported this work, providing workboats, chippers and operatives, and training volunteer chipper drivers. Since 2013, volunteers have cleared approximately 11 miles of offside vegetation bank and 10 bridge-holes and narrows on the Macclesfield Canal, 75% of dangerous and nuisance overhanging vegetation from the off-side of approximately 14 ½ miles of the Peak Forest Canal, and as a by-product generated 35 bags of chipped vegetation for use as mulch by the Bugsworth Basin Heritage Trust.

Around 15 miles of towpath hard vegetation from the Macclesfield Canal.

Feedback from boaters is overwhelmingly positive (from boat painters perhaps less so...), and the Society has produced a guidance note for canal societies, IWA branches and CRT regions explaining how to go about organising their own volunteer events.

The Canal Society will be back on the Macclesfield Canal in October, dealing with regrowth and some lengths that have got a little out of hand since our first go.



*Cutting back on the Peak Forest*