**LONDON BOATERS**
[www.londonboaters.org](http://www.londonboaters.org)

Sally Ash

Head of Boating

British Waterways

64 Clarendon Road

Watford

WD17 1DA

9 March 2011

Dear Sally

**Re: Mooring Management Plan for the Rivers Lee and Stort**

I am writing on behalf of London Boaters to follow up our initial discussions with you and other British Waterways staff at the public meetings on the 1st and 2nd March.

Firstly we would like to thank you for agreeing to extend the consultation period to the minimum good practice guidance period of 12 weeks, and of your offer, both at the meetings and in Damian’s blog of 4th March, to “work constructively with all those who want to be involved in order to reach the best, and fairest, possible outcome”.

At our meeting on Saturday 5th March the London Boaters group had our first opportunity to capture the thoughts, concerns and the ideas generated in the turbulent week following the publication of your policy proposal. Please find these summarised below.

**1. IMPACTS**

Even on the basis of these initial discussions it is clear that the proposals will have serious negative **impacts** on the environment, other river users, and on British Waterways as well as liveaboard boaters.

* The proposals for large ‘neighbourhoods’ and extensive 7 days mooring limits will require larger and longer journeys to be undertaken. These will result in:
	+ increased environmental damage including increased diesel engine emissions, wash damage to banks, disruption to nesting birds etc.
	+ Disruption of anglers and rowers
	+ Problems in maintaining water levels to ensure the waterways remains navigable
	+ Increased wear and tear on locks and equipment
	+ Increased congestion at locks and water points (especially at weekends)
* Increased policing, and legal challenges associated with enforcement of a highly complex system which does not have the support of the community as is not economically viable
* Increased recovery costs associated with removing boats abandoned due to increased costs or the practical impossibility of compliance
* The need for liveaboard boaters to undertake larger, longer and more frequent movement will cause disruption to health and childcare arrangements, schooling, employment and even the denial of voting rights based on ‘local connection’ with a particular borough. In extreme cases they will lead to loss of homes and livelihoods and risk destroying a long established way of life on the rivers.

**2. ALTERNATIVES**

We wish to approach the issues raised in your proposals constructively and have established a working group to develop **alternative** proposals.

Your public statement on the recent public meetings states that British Waterways has no ‘evidence in a structured format’ to support your assertion that there is a problem with existing arrangements on the Lee & Stort. In contrast we fully intend to base our response on both qualitative and quantitative evidence. We have established a research group to gather evidence from the local community and authorities in order to understand the cause, nature and extent of any concerns they may have. In the course of this work we will be seeking to establish and improve relationships with other user groups on a basis of mutual respect and understanding.

In considering alternatives we will:

* Examine the concept of ‘neighbourhoods’ and, if we accept it is a useful one, consider issues of size and definition.
* Establish whether the perceived issue of ‘congestion’ is real, and if so seek to understand which aspects are problematic to others (e.g. double berthing, mooring on bends, use of ‘visitor’ moorings) and how we can best address them.
* Seek to establish whether simple enforcement of the ‘14 day rule’, with a clear definition of a ‘bona fide navigation’, might overcome many of the issues raised.
* Seek to gain clarification from BW on what is ‘law’ and what is ‘regulation’ - and establish how we can maintain our way of life and community whilst remaining *within* the law and minimising problems for other river users.
* Seek clear information from BW of the costs of enforcement, provision of facilities and other relevant information that will help us to engage in the issues in a meaningful way
* Establish how changes to the provision of facilities (in particular number and sites of water taps and refuse disposal points) could ease congestion around locks - where these points are currently concentrated.
* Consider the merits of a voluntary ‘code of practice’

Our approach will be based on understanding the need for a collective and shared use of the waterways and developing a collective approach to enabling all to enjoy them.
We wish to remain within the law but on a voluntary and cooperative basis without recourse to enforcement or additional regulation *over and above* the provisions of the legislation.

**3. OFFERS**

It is our view that the proposals seek only to define and deal with liveaboard boaters on the Lee as a ‘problem’. We have therefore discussed the benefits that our community brings to the canal *and what more we can* ***offer*.**

From our discussions it is already clear that boaters provide a range of benefits both to British Waterways and the local communities in which we moor. These include:

* Maintaining water levels
* Clearing rubbish, navigation hazards and fallen trees
* Improving neighbourhood safety and making the canal an appealing place for walkers, runners and cyclists rather than an empty and threatening one
* Reporting problems with the canal, crime and anti social behaviour

In addition we would like to assure British Waterways that we will:

* Establish and maintain the Upper Lee & Stort group and London Boaters as forums to consider and represent our views, providing an open channel of communication with BW and other waterways users
* Identify activities that the groups wish to undertake to improve and enhance the waterways and engage others in our way of life
* Enter early, constructive and cooperative discussions about the need to agree alternative temporary mooring arrangements during the period of the Olympics
* Act transparently, sharing our research with British Waterways and others
* Explore opportunities to bring external funding to resource improvements such as mooring facilities, water points etc.

It is clear, from the public meetings and the group discussions, that the proposals currently being consulted on are indeed ‘draconian’(as you yourself described them in Springfield). They are also impractical, unenforceable, and will result in increased costs to British Waterways. They will result in disruption to lives and communities, as well as animosity and litigation across a range of issues relating to the differing interpretations of the relevant legislation.

**Persisting with them will leave a poisonous legacy for the new waterways charity when it is established and risk doing lasting damage to its viability.**

However, as outlined above, we believe that there are constructive alternatives which are based on a collective and inclusive approach and a mutual understanding and respect of the different needs of all river users and local communities.

Like you, we do not accept that the lack of mutual trust has to continue. We have laid out our intention to engage positively and constructively on the basis of a shared concern for our environment – provided that British Waterways is able to demonstrate a genuine respect for our way of life.

**A significant gesture of trust from British Waterways would go a very long way to helping to place our relationship on a more equal footing over the coming weeks and months.**

We therefore respectfully request that British Waterways **withdraws the current proposal** which we believe risks damaging the interests of all stakeholders and for which you are unable to produce any evidence of need. In its place we wish to work with you and other stakeholders to undertake a collaborative and inclusive process by which we can agree:

* agree the issues to be resolved and
* develop a range of mutually agreed proposals for the future which protect the interests of the communities of the Lee and Stort and the waterways that sustain us
* build the relationships between those with a common interest in the waterways that will help to strengthen the local community rather than set us against each other

Furthermore we request that such a process is entered into with a **commitment to transparency**; sharing relevant data, legal advice, and information relating to costs, resource implications and other relevant financial modelling.

We believe such a process would generate significant engagement and goodwill, heralding a much easier negotiation of similar arrangements for the Regent’s Canal, as well as any special arrangements required for the period of the Olympics.

Furthermore it would provide a template for a new understanding between the increasingly diverse waterways stakeholders that will be a positive legacy for the new waterways charity.

**Please respond to all of the direct requests made above by Friday 18th March by email.**

We look forward to your response and thank you for your commitment to working together to achieve a good result for everyone involved. We are of course happy to talk or meet to discuss these proposals at a mutually convenient time.

Yours sincerely



Mark Walton
Representing London Boaters

cc: Simon Salem, Damian Kemp