

London Assembly Investigation into Waterway Moorings

Introduction

The Inland Waterways Association (IWA) welcomes the opportunity to submit views on waterway moorings in London. However you should be aware that this is an issue that has been looked at several times and a robust solution to the “difficulties” has so far proved elusive. It remains an IWA priority that the issues are dealt with and we are aware that the Canal & River Trust (CRT) is increasing the resource to address this.

Who We Are

The Inland Waterways Association is a registered charity, founded in 1946, which advocates the conservation, use, maintenance, restoration and development of the inland waterways for public benefit. We have over 17,000 members including 350 corporate members with a combined membership representing a voice of well over 50,000 people supporting and involved with the inland waterways.

IWA works closely with navigation authorities, national and local authorities, voluntary, private and public sector organisations. We campaign and lobby for support and encourage public participation in the inland waterways. IWA also manages the Chelmer & Blackwater Navigation for the public benefit, through its subsidiary Essex Waterways Ltd, having stepped in to prevent its closure in 2005.

(continued)



General Comments

Across the waterway system people have been living on boats for many years. Some of these residential boaters do not have a home mooring but are designated as continuous cruisers many of them roaming widely across the network in a progressive journey. For many years there were no significant issues associated with this but in recent years there has been an increase in the numbers of people living on boats without a home mooring and sometimes staying within a narrow geographic area. When coupled with the general increase in boating and a historic lack of enforcement this has caused difficulties at designated visitor moorings. Nowhere is this more acute than London although similar difficulties are being experienced in the Bath area. The urban nature of London's waterways brings additional issues given the close proximity of some visitor moorings to existing and new residential properties.

IWA's general views on the issues are as follows:

- IWA is supportive of those wishing to live on their boats and encourages the provision of residential moorings
- IWA also supports the rights of residential boaters to cruise the system without a home mooring
- However IWA recognises that difficulties are created when large numbers of boaters (mainly continuous cruisers) wish, for whatever reason, to stay within a narrow geographic area
- The solution requires a clear definition of the rules and strong enforcement action. However IWA also recognises that the difficulties have been exacerbated by a lack of enforcement by the then British Waterways and those who have enjoyed this way of life without interference need to be treated sympathetically in any tightening of the rules/enforcement.

Detailed Comments

At Annex A detailed responses are provided to the six questions you raise. However you should be aware that IWA London Region has already offered views on the way forward to address the issues and that document is enclosed for your information as Annex B. Much of the quantitative information you require can be provided by the Canal and River Trust although we have used some of their data in this response.

Paul Roper

IWA Navigation Committee

Annex A: Response to Specific Questions Raised

Mooring Demand

Demand for residential mooring in London has always been high. In recent years there has been a growth in the numbers of “continuous cruisers” staying within a narrow geographic area near London to the extent that visitor moorings are now saturated. The combination of the lack of affordable housing and the better employment prospects in the south east means that the problem is only going to get worse. The cheapest studio flat in central London at today’s prices costs over a £150 a week and living on a boat without a home mooring is, at face value, a cheaper option that is now attracting those who historically had no real interest in the waterways. This is a worrying trend.

We do not have exact figures for the number of boats now “continuous cruising” in the London area. CRT’s enforcement team are reluctant to give the figure but admit to it being in excess of 400. Nationally there has been an increase and CRT quote the following statistics:

- *In 2007, we had approximately 3,200 boats licensed as continuous cruisers. In July 2012 the figure was 4,400, an increase of 37%. This compares with a 12% increase in total licences issued over the same period.*
- *Continuous cruisers currently account for c. 13% of all licences*
- *Analysis of our dataset of all boat sightings between 1st Jan and 31st Aug 2011 suggested that over 2,000 boats coded as continuous cruisers had moved less than 10km during the period.*
- *In spring 2012 we re-ran our analysis to concentrate on those boats which moved less than 5 km and we are now concentrating on approximately 600 boats which move the least and are regularly sighted on visitor moorings.*

Mooring Supply

Increase in provision of moorings in London over the past few years have all been at the high value end of the market, for example at Engineers Wharf near Northolt, Brentford Dock, the refurbished moorings at Bulls Bridge and the proposed moorings at Acton’s Lock. Most other mooring provision over recent years has been for leisure moorings, councils are reluctant to grant planning permission for residential mooring except for caretaker boats. IWA London Region has made detailed suggestions of where additional moorings could be provided and this information is in the enclosed document.

Affordability of residential moorings is an issue and IWA has long argued for the provision of affordable residential moorings. Residential moorings in the London area are typically 300% more expensive than similar ones in other areas of the country. There are difficulties to be overcome. There are planning issues associated with the creation of residential moorings and the cooperation of local authorities and land owners is necessary. Even when this is overcome, market forces would indicate that residential moorings in the London area will attract very high premiums and they will only come into the affordable category if subsidised or innovative solutions are found such as the creation of community run moorings. CRT is

currently proposing to trial a system of roving permits with the Cowley and Uxbridge areas and perhaps elsewhere whereby those boats with no home moorings who wish to remain in a narrow geographic area for reasons of work, schooling, health etc. pay a premium licence rate to enable them to stay in an area. This system is to be trialled and creates a tiered mooring system (residential moorings, roving permits and continuous cruisers). It is intended that roving permits will only be issued to existing boaters who have been subject to enforcement notices in recent time and not for new boaters. Enforcement and boater cooperation will be key.

Air and Noise Pollution

In some areas, due to the typography of the land, there have been many complaints about Litter, Noise and Air pollution. Within the CRT conditions for a cruising license there is a general statement about the need to be a good neighbour, the relevant extract being:

“Whilst the Boat is on the Waterway, you must not:

(a) do anything which will cause damage or nuisance to any other person or their property.

(b) Use any electricity generator, including the Boat’s engine, at any mooring along the Waterway between 8pm and 8am, unless you are moored in isolation, out of earshot of other people. [We do not intend this Rule to stop you moving the Boat from the mooring.]

(c) run the Boat’s engine in gear when it is moored as this can damage the waterway walls and cause a nuisance to other people

(d) discharge anything into the Waterway from the Boat except unpolluted surface water that drains naturally or water from sinks or showers, washing machines and dishwashers. [We request that only phosphate-free detergents are used on board the Boat, particularly in washing machines and dish washers.

(e) obstruct the towpath or use our land for storing items from your Boat.

(f) take a vehicle on to our towpaths or land or park on them unless we have already given our Permission.”

IWA is not aware of instances where these rules have been enforced. In some parts of the system where visitor moorings are near housing there are reminders about not running engines/generators between 8pm and 8am and in general there is believed to be concurrence. However where residential boats are moored in a narrow geographic urban area such as London these rules are widely ignored. Some laws such as the Clean Air Acts do not apply to a mode of transport such as a boat and owners can legally burn smoky fuels including self collected timber. These types of fuels are cheaper than the more refined smokeless types and are probably favoured by boaters on low incomes.

Overcrowding, Congestion and Overstaying

As already covered IWA believes that London is at saturation levels on its visitor moorings in the central area to the extent that genuine visiting boats (including continuous cruisers) are put off making the journey through London for fear of not being able to find an overnight mooring. To an extent the well policed Paddington Arm with its 24hr and 7 day moorings alleviates this concern perhaps indicating what the solution could be elsewhere. The alternative to a passage through central London on the Regents Canal is a tideway trip from up river to Limehouse. The Thames is a dangerous river, as the *Marchioness* disaster shows and this trip should only be undertaken by the most experienced boaters. The opening up of new waterways as part of the Olympic legacy is likely to increase the number of leisure cruising boats that wish to make this journey.

The provision of facilities in central London is inadequate. There are five water taps, at Limehouse, Old Ford, City Road Lock, St Pancras and Little Venice. Four Rubbish and Elsan Disposal points and three pump out facilities available for public use. The rubbish disposal and toilet waste disposal facilities in the central area are augmented by several boats providing mobile facilities. Some of these are regulated by CRT but the disposal of the waste they collect is a matter of some concern.

The number of reported thefts from boats, particularly in East London, has increased during recent years. This has had the effect of pushing boats out of the area onto moorings on Hackney Marshes and into Islington and beyond.

One other effect of the increased numbers of boats staying in and around London is an increase in the potentially dangerous practice of mooring on lock landings. The worst areas for this is around Camden, St Pancras and Old Ford Locks with the areas often blocked for weeks on end.

Mooring Rules and Enforcement

Mooring rules are covered in the CRT licence conditions and associated guidance notes. These represent CRT's interpretation of the legislation and in particular the 1995 British Waterways Act. Much has been debated about this interpretation. Boats are required to move every 14 days to another "place" but there is no specific mention of how far apart places need to be and the permitted revisit times such that some continuous cruisers oscillate between a few locations, swapping moorings in a coordinated manner with other continuous cruisers. CRT appears confident over their interpretation of the legislation quoting the requirement that a continuous cruising boat "will be bona fide used for navigation throughout the period of the licence". The small number of court cases where this has been put to the test indicates that CRT's interpretation has found legal favour.

In London, CRT's declared policy is to monitor any people with a new boat licence without having a home mooring for the first year to ensure they are complying with the conditions and associated guidance. If they do not meet these criteria their licence will not be renewed. It

is hoped that this will stop the increase in new boats arriving in the area whilst a solution to the main problem is found.

Enforcement by local (planning) authorities against the continuous use of moorings in London for residential purposes, without planning permission, is considered unlikely as the law in this area is confused and we believe local authority would consider it 'not in the public interest' to initiate enforcement action unless the number of instances make the situation untenable.

IWA is delighted that CRT has made an additional £0.5m pa provision for the next three years to provide clarity and to increase enforcement.

Views on Steps Needed To Address the Issues

The IWA views are outlined in the London Region document which is attached as Annex B.