# NATIONAL ASSOCIATION OF BOAT OWNERS

Minutes of a meeting of the Council held on 5th June, 1993 at The Port 86, All Saints Street, Hockley, Birmingham, commencing at 10a.m.

Present: Penny Barber, Phil Bland, Melanie Darlington, Jon Darlington, Dave Green, Neil Hutchinson, Stephen Peters, Christine Potter, Peter Sterry, Nikki Timbrell and Harry Winter.

- Apologies: Peter Lea, Thomas Hartney 1.
- 2. Minutes of the meeting held on 18th April, 1993
- Item 6.7: The wording of Section 14 of the Bill should read "shall give 2.1 notice" rather than "may give notice".
- 2.2 Item 6.8: Insert the word "not" before "include".
- 3. Matters arising from the minutes not covered by this Agenda
- 3.1 Item 3.1: Survey of insurance companies. Neil Hutchinson reported that his survey was now complete, and that he had obtained two quotes from each of 9 insurance companies. The Council thanked Neil for his work, and suggested that he should liase with the Editor to compose a suitable piece for the Boater to report his findings to the members.

NH/JD

3.2 Item 3.2: Questionnaire to members. A re-dreafted version of the questionnaire was circulated before the meeting. The Council considered such issues as putting more emphasis on discovering what the members want NABO to do, indicating the most important issues or putting them all in order of priority. It was decided in the interests of simplicity to ask an additional question "What issues should NABO be pursuing?".

It was agreed that the questionnaire should be sent out with the newsletter, with an addressed envelope. The idea of using Freepost was rejected. Penny Barber, Melanie Darlington and Nikki Timbrell to sort out the mechanics of PB/ sending and analysing response. MD/NT

- 2.3 Item 3.5: DoE review of BW/NRA navigation functions. Dave Green reported that he had written to the DoE, but had so far received no response. Harry Winter thought that the shelving of the review was due to a retired person not being replaced.
- Item 3.6: Contact with Waterways World. Peter Sterry had made contact with 3.4 the WW stand at the Nottingham Boat Show, and had reminded them of our existence.
- 3.5 Item 5.5.6: Membership cards. No further discussion needed. Peter Lea had sent some suggestions for a membership pack to be sent to new members, based on the comments he had received at the Rickmansworth Rally. This should include a welcoming letter, free car stickers and a list of Council members. Christine insisted that the letter was already sent, together with more application forms and a Boater. The majority of the Council thought that everyone should pay for stickers, except as an offer for shows, and there is a list of Council members on every Boater.

Neil Hutchinson suggested that we include a pull-out poster in the Boater. Penny Barber would like to see a sweatshirt application form go to every new member. Both suggestions were accepted.

3.6 Item 5.5.2: End of garden moorings. Phil Bland has been unable to get in touch with the person contesting End-of-Garden moorings in Wolverhampton.

Phil also reported that the case of a boat owner prosecuted for not having a pleasure boat licence while living on his boat had gone to Appeal, and was dealt with in the Crown Court. It appears that BW have backed down. It was agreed that we should try to obtain a transcript of the court proceedings to determine future action — a report for the Boater and/or contact with BW. PBlood

- 3.7 Item 8A.1: Lord Strathclyde's letter. Jon Darlington has not yet replied.
- 3.8 Item 5.1.2: Membership lists. Christine is as yet unable to produce the lists required.
- 4. Treasurer's report
- 4.1 The bank balance stands at £5913, an increase of £364 since the last meeting.

Income since the last report: £1533 total, from new members £692, renewals £400, family memberships £184, sweat/T-shirts £155, stickers £63, donations £28, Building Society interest £11.

Expenditure since the last report: £1169 total, comprising 5000 membership leaflets £294, 1075 stickers £221, 1000 letterheads £80, newsletter print & post £171, computer case £61, Rickmansworth show £88, Nottingham show £7, photos for shows £92, travel £54, postage £40, room hire £15, copying and printing £17, envelopes £16, telephone £13, electricity 50p.

4.2 Takings from the recent shows:

Nottingham 45 full members, takings £440.50

Rickmansworth 20 full members, takings £210.50

If we assume that £4 of the membership fee is the cost of servicing a member for a year, then both shows generated a surplus. More members may be forth-

coming as a result of picking up leaflets.

- 4.3 Although the initial cost of the letterheads and leaflets looks high, these costs include artwork and printing plates which will not have to be repeated. Bearing this in mind, it was agreed that we should only use new stock. We are trying to improve our image.

  All
- Peter Lea has suggested that the cost of the car stickers (£1.50) is too high. However, it was pointed out that about half the members have bought them, so the majority of the Council did not want to lower the price.
- 4.5 The photos produced for the shows were expensive, so they must last. Nikki Timbrell to investigate encapsulation.
- 4.6 It appears that a batch of cheques sent out by Dave Green have not arrived.
  Nikki Timbrell to investigate, and ask Penny Barber for replacements if necessary.
- 4.7 Peter Lea has spoken to Michael Stimpson about public liablity insurance, and reports that we could have third party insurance for a year for about £150, which would cover rallies, the AGM and committee meetings. The Council agreed that the premium was managable, and that we should follow this up. Peter Lea to speak to Michael Stimpson for details, and Penny Barber to get other quotes if possible, and ask the RBOA who insures them. Peter Sterry to look at the price of insuring the stand and tent. All to report to the next meeting.

PL/PB PS

JD

NIKK

### Reports from Council members 5.

#### 5.1 Membership

- 5.1.1 Total number of members on the computer is 923, but the records are not up to date as Christine Potter has been away. When Christine has had a chance to update the membership, Melanie Darlington requires lists for May -August. May and June renewals are due for second reminders and July and August renewals for first reminders. Lapsed March renewals are due for deletion.
- Peter Lea has suggested that we publicise the 1000th NABO member, partly as 5.1.2 straight publicity and partly to inform everyone of how many members we have. We could chose someone (preferably photogenic), take photographs, offer a free sweatshirt and issue a Press Release. The Council had an animated discussion on this topic, but the proposal was defeated in a vote (3/4).
- 5.1.3 Christine Potter pointed out that keeping the membership records took up a great deal of her time. She is happy to continue until the AGM, but expressed the opinion that it was becoming too large a job for a single volunteer. Dave Green suggested that after the next AGM may be the time to centralise NABO and to buy some clerical help. However, this will be a matter for the next Council.
- Neil Hutchinson asked if a list could be produced of lapsed members, and whether we could find out why they did not rejoin. It appears that overall only about 120 members have not rejoined.

### 5.2 Boater

- 5.2.1 Peter Lea's suggestions about the appearance of the Boater were discussed, and the Council agreed. Nikki Timbrell suggested that the cover should at least display the NABO logo. Nikki to design a new cover and liase with Jon Darlington.
- 5.2.2 The lack of phone numbers for all Council members as printed on the back cover of the Boater was discussed. Some members are not willing to have their phone numbers publicised, and it was agreed that permission should be sought before printing.
- The purpose of the Boater, i.e. speedy sending of information to the members, was reiterated.

#### 5.3 Newsletter

Newsletter to be produced after this meeting. Extra copies to be printed for Christine Potter to send to new members. JD/MD

#### 5.4 Publicity and Public Relations

- It was reported that 4 new members had joined after the Nottingham show. 2/3 after Rickmansworth and one each from the Ashby, Braunston and Langley Mill rallies.
- 5.4.2 Lessons from Rickmansworth Festival. Several of Peter Lea's suggestions (document 93022) already discussed. One issue raised was the desirability of standing orders. Peter reported a strong feeling among members that we should introduce standing orders, whatever the administrative difficulties, to make renewal easier. Penny Barber suggested that we would be at the



mercy of the Bank, where information sometimes doubtful. It was suggested that we could introduce standing orders after the AGM, where the next level of subscription will be decided. If the subscription goes up, it could then be held for two years. We need to look at our likely plans and costs for the future before decided whether to recommend an increase in subscription.

Other Societies produce membership renewal forms with all the details printed - all the member needs to do is sign. This would be possible, but time-consuming. It was agreed to bear this idea in mind for the future. The possibility of using the computer record number as a membership number was discussed, but there are problems accessing this number.

Nikki Timbrell suggested that although the Rickmansworth rally did very well, we might have done better to have had a more prominent outside space, preferably with a marquee.

5.4.3 Peterborough Festival. Nikki Timbrell apologised for not getting hold of the organiser, Pat Buckle, before the meeting. The Council agreed that we should go ahead and book space if possible. Penny Barber suggested a budget limit of £200, Dave Green of £300, considering the success of Nottingham. The Council voted for £300. Peter Sterry suggested that we need a space at least 3x3 meters for the tent. If we cannot book a space at the Festival, we should arrange to leaflet the boats on the way to Peterborough.

Harry Winter is going with his boat, and offered 2 spare beds.

Christine Potter suggested that we should be careful who we ask or accept to help on the stand. She indicated that not all NABO members would give the right impression. Christine to co-ordinate helpers. Harry Winter, Penny CP Barber, Phil Bland, Peter Sterry and Dave Green all volunteered.

Nikki Timbrell to phone Pat Buckle on Monday.

NT

- He attended the second reading debate in the House of Commons. His speech before the Nottingham Show was very successful, and he was invited to Radio Derby to talk for about 5 minutes about the Show and NABO. He felt that the purpose of Nottingham had been to show the flag as much as to recruit new members. One new member had been gained from his presence at Preston Brook.
- which takes place on 10/11 July. It was agreed that we should leaflet boats if possible. Dave to follow up.

## 5.5 Regional representation

- 5.5.1 Dave Green reported that he had had a letter from the Lee & Stort Planning and Amenities Forum, who have been sending minutes of meetings and reports, but who are now asking for a subscription of £15.75 if we wish to continue to receive information. It was agreed that we should pay the subscription, and the reports should be passed to the regional rep (Harry Winter) for monitoring.
- 5.5.2 Dave Green had received the minutes of the last GU (south) meeting, which he passed to Harry Winter. It was pointed out that there had been no recent user meetings in the GU (north)/Oxford canal area. Harry Winter to write to the Waterway Manager.
- 5.5.3 Dave Green has had a letter from a member in Cheshire concerning the problems

of hand pump-outs into BW sanitary stations. He claims he cannot carry a bucket, and BW claim that he cannot pump out into most sanitary stations as they are not on main sewers. Dave Green to raise in the next meeting with Jim Kelly, but meanwhile to try and obtain a list of sanitary stations which are on main drains. Dave to reply to member.

DG

- 5.5.4 Jon Darlington reported from Tom Hartney that the standards have been set for the L & L canal. The maintained channel is to be  $1\frac{1}{2}$ m deep, 5m across.
- 5.5.5 Harry Winter reported that the Broads Authority held a public consultation on 14th May. It was then pointed out that there could be 12,000 boat owners on the Broads, and that we should perhaps have a Broads representative. We should find out how many members either keep boats on the Broads and/or live in Suffolk or Norfolk, and write to them to ask if they would be interested. Christine and Dave to progress.
- 5.5.6 Harry Winter had been party to a PR exercise on the Ashby canal, in aid of trying to get the canal reopened as far as Measham. It has been proved possible by a feasibility study, but needs money. It was agreed that NABO would give its full backing to restoration. There is also a possibility of a sanitary station at Sutton Cheney. Harry to write report for newsletter. HW
- 5.5.7 Phil Bland had been on a trip from Wolverhampton to Bilston with Council representatives and BW personnel. He had discovered that 75% of BW land ends at the waters edge, and that if the edge is bricked or walled, it probably belongs to another landowner.
  - 5.5.8 Penny Barber reported that she had not heard any more about her End-of-Garden mooring case. She had received a letter from a member who was complaining to BW about obstructions on the Farmers Bridge/Aston stretch. Penny to take up.

6. BW Bill

- Dave Green, Jon Darlington and Peter Lea had attended a meeting with BW, represented by Stephen Wiggs and Carl Legge. It was a very good meeting (Carl Legge was better to negotiate with than Jeremy Duffy). The time scale (2 weeks to the Committee stage) is also concentrating minds.
- 3.2 BW are considering offering three types of compromise:
  - Changes to the face of the Bill these become law and are the best type.
  - Legally binding undertakings these are written undertakings, binding in law. But to enforce them, you must know they exist.
  - 3. Statements of intent not legally binding, but worth having in the absence of anything else.

Dave Green expressed the opinion that if BW offer everything discussed in the meeting, there is very little gap. Dave has analysed the position in document 93021, for detailed discussion. The Council was asked to consider under what circumstances NABO should drop its petition, and what negotiating parameters should be available for the final stages.

- 6.3 Houseboats determination of certificates. Number [17] of NABO petition
- 6.3.1 NABO was objecting to paragraph 3(2)(c) in Clause 13. This paragraph has now been deleted from the Bill.
- 6.3.2 An amendment now requires BW to give a Houseboat Certificate holder 28 days notice that a certificate will be determined unless contravention of any rule is put right. Use of the word "may" was discussed at the meeting, but it appears that BW will not be able to determine a certificate without notice.

6.3.3 Appeals - there is no chance of a change to the face of the Bill, but there is still recourse to the County Court and rights to be granted under the Customer Charter (due to be published in July, providing 3 levels for complaints: 1. Waterway Manager, 2. Brian Dice, 3. Ombudsman). The NABO team agreed to drop the objection to the lack of appeal mechanism providing BW give us a written undertaking that there will be an independent element in the complaints procedure. It is understood that Tony Baldry gave a commitment to the Ombudsman in early 1992, but the Secretary of State has so far refused to make an appointment. We await the BW response.

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- 6.3.4 Right of renewal BW have offered a legally binding undertaking. We await the detailed wording. Should be acceptable.
- 6.3.5 Period of notice 28 days is not enough, and BW accept this. NABO has suggested 12 months. Houseboat certificates are usually issued for 3, 5 or 7 years. The Council agreed that 6 months would be reasonable, but in any case not less than 2 months would be acceptable.

If a houseboat certificate is determined, BW may offer another in another place, but there is no requirement for them to do so. If we fight this in the Committee stage, we maygain, but could also lose the amendments so far offered.

- 6.4 Transfer of Houseboat Certificates. Numbers [17] & [19] of NABO petition
- 6.4.1 BW claim they are not trying to control people, but have control over houseboat owners as if they were tenants. However, tenants do not own the property they live in. BW have removed the reference to "sale" and "gift" so that the paragraphs now read "holder entitled to assign certificate...". They state that their approval for transfer will not be unreasonably withheld, and if they do refuse a transfer, they will give their reasons. If we get this undertaking, then this is an improvement. Note that if we had not petitioned, none of the changes would have been made.
- 6.4.2 The lack of alternative site provision could make people homeless, but it was considered that it was too late to reopen this discussion. Maybe we could go back to BW with this after the Bill is passed, perhaps in cooperation with the RBOA.
- 6.4.3 A change to the definition of the "holder" would be on the face of the Bill.
- 6.5 Changes to the rules for Houseboats. Number [18] of NABO petition
- 6.5.1 There is nothing in the Bill about consultation, so any additions are really a bonus. BW have proposed an undertaking that local houseboat owners will be consulted about changes to their terms and conditions. If this is given, it will be acceptable.
- 6.5.2 BW have inserted a new clause (36A) which requires them to take the advice of IWAAC about who should be consulted. NABO Council were not originally happy with this, but if not IWAAC, who? Note that Clause 36A is only in the Bill because of NABO petitions and representations, so it is a victory. We could perhaps ask for a statement of intent to say that whenever boatowners are involved, NABO will be consulted.
- 6.6 <u>Insurance</u>. Number [20] of NABO petition
- 6.6.1 An amendment now reads that the required insurance policy shall not, for any one accident, cover a sum greater than the sum for the time being prescribed. Penny Barber questioned whether insurance companies would in future refuse insurance on any boat which did not have a safety certificate. It was concluded that this was up to the insurance company.

- 6.7 Standards. Number [20] of NABO petition
- Will not accept our position on standards, and the Council agreed that we should not drop the principle of opposing the introduction of standards. However, BW have proposed a possible amendment (on the face of the Bill) concerning exemptions from standards. At the moment, anyone will be able to apply for exemption from certain standards for certain boats, for example on the grounds that complying would alter the historic character of the boats. This applies to individual vessels. BW's new suggestion would extend this to classes of vessels. Thus it might be possible to make a case for exemption from a certain standard which no vessel already in existence could reasonably be expected to comply with. It would give us the opportunity of getting standards changed in the future, especially if we did some reasearch into the safety justifications. Note that no other organisation has petitioned on standards, and that BW have the power to introduce standards, even without the Bill. We may be being "bought off", but the NABO team argued that the concession was worth it.
- 6.7.2 There is nothing in the Bill about a period of notice required before the application of a new standard. In practice it cannot be applied before the expiry of the current certificate, but this could be on the same day as a new standard is introduced. BW accept that immediate application is impractical, and are considering an undertaking for 28days notice. The question was raised as to how BW were to advise of changes in standards. We need to take this up with them.
- 6.8 Boats without permanent moorings. Number [21] of NABO petition
- 6.8.1 The Council has accepted the amendment concerning boats used bona fide for navigation - they must not be in any one place continuously for more than 14 days.
- 6.9 Definition of a houseboat. Number [22] of NABO petition
- 6.9.1 BW have offered a possible undertaking concerning the anomoly in the Bill concerning the definition of a houseboat under the 1971 act. They are also considering an undertaking that they will give warning before prosecution.
- 6.10 6beying BW's officers re mooring. Number [23] of NABO petition
- j.10.1 This is now OK. We should perhaps ask members to photograph BW boats tied with ropes across the towpath or floating across the canal, and send them to NABO with details.
  - 6.11 Mooring restrictions. Number [24] of NABO petition
  - 6.11.1 NABO's re-drafted clause concerning mooring restriction was not accepted by BW. We must be sure that there is a reason for a restriction, and BW are considering an undertaking that there will be no unnecessary restrictions, and that a range of stay times will be allowed at popular sites. Although this is on the face of it a local matter, it very often affects those from outside an area, e.g. weekenders.
  - 6.12 Planned works. Number [25] of NABO petition
  - 6.12.1 NABO considers that 28 days notice to move a boat should be given for planned works. BW have stuck on 14 days. However, they will consider an undertaking that as much notice as possible will be given, not usually less than 28 days. There is an example of some dredging on the GU which needed to be done in a hurry for budget reasons.

- 6.12.2 If a boat has to be moved by BW, then the Bill states that it will be at BW's risk. NABO insisted that it should also be at their cost. BW agreed that this was their intention, and are considering a change on the face of the Bill.
- 6.12.3 The part about compensating hire boats BW say is for consequential loss (e.g. loss of business revenue) and is therefore not applicable to private boats. Any damage to boats would be covered. The problems remains of whether the mooring to which a boat is moved is suitable and safe - is damage from a burglary covered?
- 6.12.4 That BW should pass information on the new location of a boat to its owner was omitted from the Bill. BW are considering an undertaking on this point.

#### 6.13 Other points

- 6.13.1 The other points in the petition have now been agreed to NABO's satisfaction. NABO will accept the introduction of criminal offences provided the amendments to Clause 18 (concerning mooring restrictions) are made.
- 6.13.2 It was agreed that we now have to wait and see whether BW really come up with all the amendments and undertakings that were discussed at the recent meeting, and that Council will leave it to Dave Green and Jon Darlington to decide whether to proceed to the Committee stage. It was agreed that it will be a major achievement if NABO can withdraw, satisfied that we have gained the best possible deal with BW. Christine Potter offered her thanks to Dave and Jon for their work, but it was agreed that we should await the final outcome. If necessary, Dave and Jon will phone round for opinions or decisions.

DG/JD

#### 7. Boat standards

7.1 BMIF want to set up a meeting with NABO concerning standards. Harry Winter to consult with Jon Darlington and get back to them as soon as possible. HW

Dave Green has had a letter from Jamie Davis of the Old Gaffers Sailing 7.2 Association concerning the European standards. He is of the opinion that the European standards will be fully retrospective, and apply to all craft. NABO does not understand this to be the case. Harry Winter to reply as soon as possible to clarify the situation. HW

### Meeting with BW on 20th April, 1993 7A.

- 7A.1 Dave Green and Jon Darlington attended a meeting with BW, represented by David Allison and Jim Kelly. A report has been circulated (93017).
- 7A.2 Concerning standards and safety, it transpired during the meeting that BW have no formalised system of recording reports of accidents on the waterways from Waterway Managers, or of analysing them. It was agreed that this was worrying, and that we should include this information in the next Canal & Riverboat article. There is no sign of the evidence for tunnel safety either.
- 7A.3 The new Customer Charter is due to be published next month. NABO should be sent a copy soon.
- 7A.4 The RBOA are trying to get the Houseboat Moratorium reopened. It was agreed that NABO should support them. It appears that the amount of trust between boaters and Waterway Managers has increased recently, and some Managers are willing to add boats to a list for residential moorings even if they are not on the Moratorium list. BW tell us that they are actively encouraging

- marinas to provide residential moorings. The problem is obtaining planning permission.
- 7A.5 Concerning moorings and the recently reported threat that a pleasure boat licence would not be renewed unless an invoice for end-of-garden moorings was paid - BW clearly stated that this should not be so. If there is clear evidence, we should take it up with Jim Kelly.
- 7A.6 Marine Safety Committees were mentioned. We need to find out more about these.
- 7A.7 BW say they have removed the requirement to state the value of a boat on the licence renewal form. Christine Potter to check on her form which should CP arrive soon. Jim Kelly claims to have no letters of complaint about the licence form, even from NABO.
- 7A.8 Consultation procedure proposed by Jon Darlington is being considered by BW. Jim Kelly thought it had some merit, and will discuss it further.

# 7B. Evidence given to the MMC

7B.1 NABO had been asked to give evidence to the MMC in person, and Jon Darlington and Peter Lea attended. Jon was rather worried that they had not made a very good job of it, and that some of the questions were difficult to answer without checking up on facts. Dave Green thanked Jon and Peter for their effort, knowing that it was a very daunting procedure!

## Representation for Broads members

8.1 Dealt with under 5.5.5. Dave Green to draft letter.

DG

## Appointments to IWAAC

- 9.1 A list of the appointments to IWAAC was published in the last newsletter. Neil Hutchinson thought we should write to the Minister to complain about the lack of representation for boating interests in the appointments, but it was agreed that we should wait for evidence that IWAAC are not doing their job before we do this.
- 9.2 Dave Green suggested that he should write to Giles Baker, saying that NABO notes with interest the appointments, that we are rather concerned about the apparent imbalance as far as boaters are concerned, and that we desire to remain abreast of their activities, and continue to receive minutes etc. DG
- 9.3 Jon Darlington reported that Giles Baker had gone out of his way to be help-ful over supplying information about the appointments in advance for the last newsletter.

# 10. Future NABO policy issues

10.1 It was agreed that the results of the questionnaire should help with this.

## 11. Co-option of Mr Roger Hancock

11.1 Jon Darlington explained that Mr Hancock was a member with a boat in Wolverhampton, who had given legal advice to him in the past. Mr Hancock had recently written to Jon to say that he now has more time, and would be

in a profesional capacity

willing to help NABO more. He would not be able to represent NABO, but could give legal advice.

Jon Darlington proposed that we co-opt Mr Hancock to the Council. This was seconded by Penny Barber, and agreed unanimously. Dave Green to write to him with an invitation.

DG

## 12. The 1993 NABO AGM

An ideal date was agreed of 20th November, 1993. There was some discussion about the location of the meeting, but it was felt the Dr Johnson House was a good venue, with reasonable access, and that nothing would be gained by moving to another part of the country. Jon Darlington to try and book Dr Johnson House for 20th November, plus or minus one week if this date is not available.

The accounts for the year ended 31st March, 1993 need to be prepared for publication at the meeting. Penny Barber assured the Council that they were on their way. Dave Green requested that a draft account be prepared for the next meeting, prior to going to the auditor. Dave Green also suggested that PB a proportion of the funds be moved into a reserve fund for fighting the Bill or a legal fighting fund, as a matter of presentation.

- 12.3 The possibility of producing an annual report, containing accounts and a list of NABO's achievements in 1992/3 was touched on.
- Any other business
- 13.1 Christine Potter suggested that we should redo the membership renewal forms using the new typeface.
- 13.2 Peter Sterry reported that he has had lots of requests for NABO pennants. Penny Barber to investigate costs, mark-up etc.

PB

- Date and venue of next meeting
- The next meeting will be on Saturday 3rd July, starting at 10a.m. at The Port 86, All Saints Street, Hockley, Birmingham.
- 14.2 Future meetings were also provisionally determined:

14th August

25th September (2 weeks before 42 day deadline for AGM)

6th November

20th November (AGM)

4th December (First meeting of new Council)