



## **All Party Parliamentary Group for the Waterways**

### **General Meeting**

Tuesday 8<sup>th</sup> June 2021 starting at 9.45am by video meeting

*“Living on the Water”*

*An opportunity to discuss the challenges and opportunities of living afloat*

**Waterways APPG members present** - Michael Fabricant MP (Chair), Lord Bradshaw, Lord German, Tony Lloyd MP, Gagan Mohindra MP, Simon Baynes MP (represented by Huw Davies)

#### **Welcome and Introductions**

Michael Fabricant MP, Chair of the Group, welcomed parliamentarians and representatives of waterway organisations to the meeting.

Paul Rodgers, National Chairman of The Inland Waterways Association (secretariat) ran through the Zoom video meeting functions and explained how attendees could raise questions later on.

Michael Fabricant MP reminded the non-parliamentarians present that APPGs do not have any direct power and advised that following this meeting the minutes would be sent to the relevant minister with some recommendations.

Michael Fabricant MP then introduced the first speaker, on the subject of “Living on the Water”.

#### **Presentation from Matthew Symonds, National Boating Manager, Canal & River Trust (CRT)**

Matthew Symonds began his presentation by giving an overview of the history of people working and living on boats. He explained that there are many reasons why people chose to live afloat today, and that there are two ways of doing so on CRT waterways – on permanent moorings or by continuously cruising. There are many different types of boat, with more people than ever choosing larger boats. Residential moorings require planning permission if used as a permanent residence and these will often have access to facilities on site. CRT only provides 10% of permanent moorings on their network – and most of these permanent moorings are leisure use not residential.

Of the 35000 boats on CRT waterways, approximately 7000 are continuous cruisers which are more likely to be liveaboard. The law requires that boats without a home mooring “will be bona fide used for navigation” throughout the period of the licence. CRT’s guidance is that boats should be covering a range of at least 20 miles over their licence period, and their pattern of movement should show a continuous journey and not involve staying in one area for most of the time. The law requires that stops during such cruising should not be “in any one place for more than 14 days”. “Place” in this context means a neighbourhood or locality, not simply a particular mooring site or

position. CRT acknowledges that there are many vulnerable people living on boats. If people have reasonable circumstances when they cannot move their boat, then adjustments are made. Non-compliance can result in restricted 6 months licences or ultimately the revoking of a licence and the removal of a boat. CRT does all it can to avoid removing boats, especially when it is someone's home – and if they have exhausted all avenues to resolve a situation they will ask a judge to make a decision as to whether they can remove the boat. Where boats are removed from the water, CRT engages local authority services to support the person whose boat is being removed.

More and more younger people are choosing to live afloat, with boats being more affordable than other places to live. There is no definitive figure of how many people live on the water in the UK, estimates range from 15,000 – 50,000. Over the last ten years CRT has seen the proportion of people living aboard boats increase from 15% in 2011 to 27% in 2020 in its annual boater survey, with overall boat numbers also rising.

In London the growth in liveaboard boating has been very significant. Boats without a home mooring make up more than half of boats in London (2208 boats) and these make up 36.5% of all the continuously cruising boats on CRT's network.

Matthew outlined a number of opportunities and challenges relating to more people living on the water:

- People living on boats can help bring waterways to life and create vibrant communities
- Younger liveaboard boaters is an opportunity to create a next generation of people who are passionate about our inland waterways
- It's a short-term option for many, resulting in quite a high churn of new boaters in some areas (in London 2-3 years seems common)
- Infrastructure and facilities were often not designed for such high levels of permanent residential use – maintaining and improving these is costly and difficult on an old and historic waterway network
- For many it's an active choice, others see it as their only choice – and they often don't understand what's involved living aboard
- There are increasing number of people who are vulnerable or facing difficulties who need support or help
- The boating community is generally very supportive and close knit, but living on a boat can still be lonely and isolating – lockdown has exacerbated this for many
- The waterways have many different uses, leisure boating, canoeing, angling – they are also important environmental habitats and heritage assets, these can cause tensions with liveaboard boaters.

Matthew then outlined what is CRT doing:

- National Welfare Officer employed since 2014, works closely with licence support teams supporting vulnerable boaters
- Working with other organisations, inc Waterways Chaplains, to improve access to healthcare and to engage and support vulnerable boaters
- Helping boaters with adjustments to cruising requirements and working with DWP around universal credit
- Regular forums with disabled boaters
- Better information and communication for boaters (particularly targeting new boaters).
- Working with wider media to try and communicate to potential new boaters before they start living on the water
- Investing in facilities and infrastructure – particularly in London
- Bringing stakeholders together to develop better guidance and information for boaters and other waterway users.

Matthew then outlined some of the things that Government could do:

- Ensure that there is a clear understanding of who, how many and where people are living on the water. The recent census grouped liveaboard boaters with those who live in caravans/mobile homes so there is no accurate data on the number of people living on boats. Those living on boats should be recorded separately.
- Help ensure that public services are available and accessible to liveaboard boaters – particularly those who are vulnerable (for example boaters without a permanent mooring often face difficulties accessing GP services)
- Ensure service providers understand and meet the needs of those living on boats (including those without a permanent mooring / fixed address)
- Support navigation authorities and boaters to adapt to meet the challenges faced from climate change – both adapting boats and the waterway infrastructure

### **Presentation from Nick Brown, Secretary & Legal Officer, National Barge Travellers Association (NBTA)**

Nick Brown started his presentation by explaining that the NBTA is an organisation that supports itinerant boat dwellers, and gave some background about who lives on boats (a diverse community of professional working people, retired people and families) and why (increase in recent years largely driven by the housing crisis). The number of people living afloat is indeterminate as many choose to stay under the radar. Nick mentioned that the benefits of living on a boat include serenity, freedom of movement, low environmental impact, engagement with waterway culture/history/heritage, a strong and supportive community, a challenging, fun and active way of life, very low carbon footprint (approx 10% of average house), enjoyment by the public of the waterway vista, and towpath safety.

Nick outlined some of the legislation that entitles people to live nomadically on boats, including the Public Right of Navigation on natural rivers since time immemorial. This is mentioned in the Magna Carta, with no distance or times specified. On Canal & River Trust waterways the British Waterways Act 1995 gave a right to live on boats. The Housing and Planning Act 2016 introduced an obligation on local authorities to carry out accommodation needs assessments for people living on boats. There is no law preventing nomadic living. The NBTA is concerned about the impact of the Police, Crime, Sentencing and Courts Bill 2021, and are still evaluating the potential impact of this proposed legislation on liveaboard boaters.

Liveaboards have a few rights, eg section 8 of the Human Rights Act, but NBTA finds that boaters report constant violation of these rights by navigation authorities, public bodies and some private landowners. Liveaboards face daily prejudice and abuse and receive the impression that they are “in the way” of profitable development. It can be difficult for families living on boats to get their children to school and for people to get to work, and the NBTA considers that stronger protection is needed.

NBTA provides casework support and advocacy for boaters who get into difficulties with navigation authorities or riparian landowners. The numbers of cases have been climbing since 2010. Cases are becoming more complex with more involvement of the courts. Navigation authorities sometimes engage in litigation for cases which could be resolved without going to court. NBTA frequently provide opinion at the request of barristers working on cases. Nick noted that NBTA wrote the job specification for CRT’s welfare officer, and was very pleased to hear that a long overdue second welfare officer is being recruited.

NBTA is seeking a parliamentary inquiry to challenge the persecution of liveaboards by navigation authorities and public sector riparians. They have written a best practice guide (*Best Practice Guide for Boat Dweller Accommodation Needs Assessments under Section 124 of the Housing and Planning Act 2016*, March 2019).

Nick concluded his presentation by outlining what NBTA would like to see happen:

- A network of 14- to 56-day liveaboard moorings on non-CRT waterways
- An end to the 20-mile range criterion on CRT waterways
- Removal of mooring restrictions and fines and stopping the incremental removal of liveaboards
- A meaningful voice in decision making processes
- no ultra vires enforcement by Navigation Authorities
- Significant and rapid improvement of facilities, towpath and dredging
- Clearly designed and enforceable accountability

### **Presentation from Charles Foster, Chairman, Residential Boat Owners Association**

Charles Foster started his presentation by giving some history of RBOA which was established in 1963 and exists to promote and protect responsible residential boating with due consideration for other waterway users and land-based neighbours. They have members across all navigation authorities in the UK and some overseas members.

Interest in living afloat continues to grow and RBOA see this as a positive bearing in mind the current national shortage of housing. There are many employment opportunities on the waterways, and waterways should be recognised as they can be money producing assets that could be self-funding.

There is a huge growth in people wanting to live on boats. Additional residential moorings are required so that people can enjoy the waterways well into the future. RBOA considers that for this to happen greater government assistance is needed in various areas, and all stakeholders need to have their say in what is happening on the waterways.

RBOA is committed to enabling the liveaboard lifestyle from the cradle to the grave, young and old. RBOA needs access to those in authority to discuss and devise the means to allow younger, older and/or health challenged liveaboards to remain on their boats (ie in their homes) rather than become reliant on the stretched availability of the inadequate social housing stock. RBOA works with the waterways chaplaincy whose work is fantastic, but they need more funding and assistance as this will save costs in the future.

A considerable problem is the shortage of suitable moorings. RBOA considers that on Canal & River Trust waterways the process of auctioning moorings (highest bidder wins) should be abandoned, as it is unfair, inflationary and often excludes access for those less well off. More affordable moorings would reduce many of the problems experienced by boaters who are required to keep moving their boats.

There needs to be a more liberal approach in the Planning system to mooring applications, and (other than in extraordinary cases) RBOA considers that moorings should be allowed with unrestricted residential use.

RBOA would like to see financial grants and/or interest free loans being made available to encourage mooring operators to develop new or additional moorings, including on-line/off-line,

unused basins, in disused wharves and arms, unused water spaces whether or not connected to the navigation system. Floating homes are a safer option when developing in potential flood risk zones. Additional funding is required from Government to deliver this.

People living on boats have a very low carbon footprint and can even be self sufficient, with solar panels charging batteries and inverters common in most boats, and heat pumps for space heating and/or cooling easy to install.

RBOA considers that the benefits of residential boating include:

- Self management community options
- Minimum cost to provide services
- Possible use of temporary sites leaving zero impact on the environment
- Floating homes do not leave any form of footprint
- Living afloat – combining affordability and sustainability

There is well documented evidence that living afloat is good for mental health, boaters use freshwater far more carefully than shore based families, they use less electricity, and they (usually) don't make a mess. But better facilities for waste disposal and fresh water are required.

Charles concluded his presentation by mentioning that RBOA has a voluntary code of good practice which they encourage all boaters who live afloat to follow. RBOA is keen to work with other organisations to progress their aspirations. With so many different ways of using the waterways, there needs to be a cohesive group of people to follow up these aspirations.

### **Questions and Answers/Discussion**

Michael Fabricant MP asked Matthew Symonds to respond to points raised in the subsequent presentations. Matthew noted that in addition to CRT's Welfare Officer who works on more complex cases, they do also have licence support officers across their network who are trained to identify vulnerable boaters and have the powers to offer interventions and support. The need for additional facilities is a balancing act in terms of how these are delivered and funded. CRT receives £40m from licence and mooring fees and for every £1 receive an additional £4 from other sources to spend on the waterways, including the provision of facilities at no additional cost to boaters. There is a balance between keeping boating affordable and supporting the people who are using the waterways. Much of the enforcement activity was suspended in the last year but in the previous year CRT removed 104 boats from the network, but most of those were abandoned and sunk. Only 13 boats were identified as having somebody living on board, the whole process will have taken 2 years, and they will do whatever they can to avoid getting to that point. Regarding the auction of moorings, Matthew noted that some moorings are available outside the auction process, but CRT has a duty to get the best income generation for the charity so they do auction the sites with highest demand.

Tony Riley, Association of Thames Yacht Clubs, asked whether there had been any progress in working towards possible solutions. Wherever residential moorings are going to be sited, land is required which needs to be paid for. Affordable moorings is the key. Lack of funding is also an issue, for EA navigations as well as CRT.

Paul Powesland, Chair of the River Roding Trust, asked how people living on the water can be encouraged to contribute to the protection and restoration of their local waterways. This has been a big part of their work on the River Roding in East London. Rivers are in an increasingly bad state and the agencies tasked with looking after them do not have the resources to do so properly. As well as stronger laws being needed, people on the ground can be ideally placed to protect their local

rivers. The River Roding Trust has pioneered this approach; at the heart of their organisation is a community of boaters who live on the River Roding and give their time, money and effort to protecting and restoring the river. In a few years, this has already produced many successes: removing tonnes of rubbish from the river, stopping sewage spills and opening up access along the river for local people. Boaters living on rivers can often be seen as a problem, but we believe that acting as river guardians they are potentially a key part of the solution. Paul asked how this approach could be encouraged in other places, and what policies could be put in place to help achieve this?

Terry Cavender, Executive Officer of Buckingham Canal Society and member of Regional Advisory Board for CRT East Midlands. Terry complimented the help he received from CRT over the last year with help for a disabled boater. Terry suggested that CRT should consider alternative ways for boaters to contribute more to the facilities that they use, such as pay for use and smart cards for accessing facilities. On the Buckingham Canal they will be creating new moorings and as volunteers are putting more back into the waterways, he would like to see a culture of volunteering and helping to maintain the waterways rather than just boating on them.

Al Cree of Surge Co-op (London) mentioned that they have been working with some planning consultants to develop community moorings on Bow Creek, but there are problems for boaters in getting planning permission. He asked how the upcoming changes in the planning system could be an opportunity for improving the process. Developers rarely consider access and moorings on waterside developments. If waterways could be included in the new planning 'growth' zones and if waterways as a whole could be separately designated planning zones in local plans this would help allow joined up waterspace rejuvenation and easier consent for moorings opportunities. The suggested CIL + S106 'Infrastructure Levy' could help with permitted developments to automatically include moorings where appropriate, but also allow waterways organisations to put together moorings proposals. In Bow Creek there used to be 40 named wharves, and there is potential for 200 moorings but there are currently only 4 boats across 2 mooring sites and it is impossible for community groups to create moorings.

Alison Tuck of Urban Moorings, a Community Interest Company in Wolverhampton noted that the money they pay for moorings goes back into improving the site. Canal & River Trust has been very supportive of their project. The main problem they have is planning and bureaucracy at a local authority level. They have recently applied for planning permission. Alison asked if there was anything that could be done, or guidelines/best practice produced for local councils to follow, in order to simplify the planning application process for residential moorings. She suggested that IWA and CRT should get together to produce guidelines for local authorities. Paul Rodgers, Chairman, IWA, said that IWA would follow that up.

Matthew Symonds said this is also an issue for navigation authorities, where they would like to put residential moorings in, but they are usually allocated as leisure moorings as the planning authorities don't understand residential moorings. CRT would be very happy to work with IWA, and Matthew suggested that the Association of Inland Navigation Authorities should be involved.

Patrick Eckersley – Bow Creek Moorings. With the demand for residential mooring space reaching unprecedented levels there is an urgent need for legislation covering marinas, their ownership and management. As private equity groups acquire marinas in search of quick profit there is no protection for longstanding communities as they find themselves priced out of their homes. An amendment to, or an act like, the Mobile Homes Act 1983 providing a legislative oversight, a degree of protection, and mediation via the First Tier Tribunal (property chamber) would be a good start.

Helen Brice – NBTA London Region noted that over the last 5 years some itinerant boaters on London’s inland waterways have worked hard to link up with the local residential community wherever they moor up, regardless of the ward and borough borders through which they navigate. They have formed CanalWatchLondon, which is like a neighbourhood watch for the towpath. Helen asked whether the APPG could advocate that itinerant boaters are part of the community too, and initiate discussions that eradicate, or at least decrease, marginalising and alienating itinerant boaters from the wider community. Signage along towpath areas would give travelling boaters the confidence to report mugging, attacks, burglaries or robberies to the police, knowing that the reports will be taken seriously and followed up.

Michael Fabricant MP noted that following the meeting the APPGW would write to Defra to suggest that they reconvene a residential boating working group that met once a few years ago.

Julian Kennard, Chair, Association of Inland Navigation Authorities (AINA), noted that re-convening the Defra led Group is something that AINA is keen to see. It met once in late 2017 and there are some important issues to follow up. Working collaboratively is essential. Navigation authorities are not housing authorities and have neither resources nor the remit to take on that responsibility. There is a notion in the media that living afloat is an easy option, but this is not always the reality and the waterways have a finite capacity. Being able to engage with planning authorities at a strategic level regarding the lack of proper moorings and facilities is really important for all navigation authorities. Navigation authorities, especially those managing rivers, often have very little land on which moorings can be developed.

### **Summary, actions, and closing remarks**

Michael Fabricant MP thanked the three speakers and all attendees for taking part. He closed the meeting by confirming that the minutes of this meeting would be sent to the Defra Minister with responsibility for waterways, along with the request that the residential boating working group should be reconvened (or a similar group set up) in order to follow up all the specific issues that have been raised. All the organisations who presented at this meeting, along with IWA, would be recommended as participants in the Defra working group.

The 3 presentations from this meeting are available on request from Alison Smedley, APPGW Secretariat by emailing [alison.smedley@waterways.org.uk](mailto:alison.smedley@waterways.org.uk).



The Inland Waterways Association provides the secretariat to the All Party Parliamentary Group for the Waterways.