

VERBATIM RESPONSES TO LICENCE FEE CONSULTATION 2011

#1

1. Although we understand the reason for an increase in the licence fee & bearing in mind the current financial constraints for everyone, we do not think any increase should be above CPI or RPI. A large amount of Boaters are on a fixed income or in the case of the employed they are likely to be facing a reduction in their income.

3 & 6 month licences; we would concur there has been a cut back on the annual licences, a good proportion of our members moor at private marinas so they don't require to have a licence if they are not using BW waters; a good proportion holiday outside BW waters, so they only need to have a day licence to leave BW Waters. We would estimate that at least 75% don't leave the marina, so are never licensed. Over the last 10 years there has been an increase in the number of craft but a decrease in the amount of cruising. By increasing the % ratio's we are of the view there will be more use of the day licenses by our members.

2. **Index Plates:** We have no issue with your proposal.
3. **Prompt & Late Payment arrangements:** We have no issue with this proposal.
4. **Changes to licence terms & conditions:** We have no issue with items C! - C10 & C 12 but we do object to the £7.50 handling charge for credit cards, by using the cards BW are saving far more than £7.50.

#2

Announcement of changes to Licence conditions for 2011

My immediate response to the published proposals is to object **very strongly** to the proposal to abolish the 10% 'Prompt Payment Discount' and replace it effectively with a discount for bringing forward by half a month the licence due payment date. The effect of this is to increase the price of a licence, bought by the date it is due, by 10% over and above the proposed annual increase. The nature of this 'hidden' increase is not in line with BW's announced intention of becoming a more trustworthy organisation, a change long overdue and something we all hoped might be a result of BW's intended move to become a third sector organisation.

#3

Why have you not thought about making it easier for people to pay; BWML can be paid monthly, spreading the pain!!!

[BW: Licence fees can also be paid in monthly installments]

#4

With regard to the changes in licensing, I would like to propose that wider beam boats are charged a higher license fee, proportionate to their width in relation to the the standard narrowboat width. So, for example, for a boat that is 10ft 3 in wide would attract a 50% fee increase. This would assist in the higher costs associated with those boats that move eg, to ensure that other craft are stopped from moving in tunnels and the extra room that these boats take up when mooring.

I have a particular bugbear regarding mooring. In my home area of Milton Keynes there appears no enforcement of 'continuous moorers' who move from bridge to bridge taking the most attractive moorings and overstaying the 14 day rule. These so-called boaters tend to have cars as well and park on and around bridges – hence their mooring habits. It is particularly noticeable at Cosgrove and around Grafton Regis. Is it possible to put double yellow lines around the bridge area to deter such action – it has been done at Stoke Bruerne.

I do note that in terms of 'continuous moorers', the Parks Trust in Milton Keynes have been very successful in deterring such action on their land by introducing a £5 per day fee on such 'boaters'. (and this has a knock on effect throughout the length of this part of the canal).

I believe the canals are for transport not just as cheap accommodation and this latter usage should be deterred.

#5

I have read the recent consultation document, and whilst there are a number of revisions which will affect some boat owners, there is one area which causes me particular concern, namely the new criteria for the prompt payment discount.

The proposal is to change the qualifying date for the prompt payment discount from the end of the month to the 15th of the month. This in itself is not unreasonable, however, unless the Licensing Department also sends out the Licence Renewal reminders at least another two weeks earlier, it will not be possible to comply with this new condition. Last year the reminder I received was dated (Wednesday)11th December, and arrived (Saturday)14th November, which meant that even if I had posted the cheque immediately, it could not have arrived before

(Monday)16th November, too late for the discount.

My other related concern is the statement that "If (a boat is) sighted on the Waterway without a licence during April (i.e. during the Month after the previous licence expires), it becomes subject to enforcement." Considering that the Licensing Department can take up to four weeks (and in some cases longer) to issue a Licence, this is an unreasonable, and under the present arrangements, a possibly unlawful condition. It also needs to be borne in mind that many people keep their boat a considerable distance from their home and it may also be a couple of weeks before they can visit it. The consequence is that those people will be unable to comply with the proposed new condition, even if they do receive the licence before the end of the month.

I hope that you will be able to take account of my observations and assure boat owners that, if you intend to introduce much stricter criteria, you are also able to guarantee a far more efficient Licence Renewal procedure. Personally, I see no reason why Licence Renewal forms cannot be sent out at least six weeks before the expiry date, thus enabling boat owners to more easily comply with the new proposals.

#6

I would be happy to have my application at BW by the middle of the month providing the payment is NOT taken until the end of the month. Otherwise you are effectively having the use of my monies without any service for a minimum of 2 weeks.

What justifies the figure of 2% above CPI?

#7

Having reneged on a promise to have no increase for 3 years,(and also angered your own licencing staff) you now have the effrontery to announce increases of 5.1% + vat in April on top of the sly increase of 1% in August. Also what you also intend in 2012 and on. Our club members are cruising less and less, and our membership renewals on Jan 1st are almost certainly going to result in some giving up. Many will now not have a years licence, and will not apply before April, if then. They will be 'static caravans' as our moorings are off BW jurisdiction. Please do not reply that you have a shortage of grant, we are all having to tighten our belts, it is a pity you cannot do likewise.

Roll on BW going, surely it cannot get worse.

[BW: no promise was made to hold licence fees for 3 years]

#8

I wish to object most strongly to your proposal to increase fees for a 6 month licence to 85% of an annual one. This is most unfair on those of us who are on the Lower Witham and who crane out for the winter as boats must leave the area in the winter months. It is already a struggle to find the money necessary to keep afloat and the reduction in boat traffic in our region in recent years is very obvious. I can point to several boats that I know of that are sitting on their trailers at home because it has become too costly for their owners to use them!

I find your argument that it will improve licence avoidance spurious, to say the least. There should be little difficulty with modern technology in keeping a check on boats that have not renewed their licences and having your people on the bank deal with them.

I call upon British Waterways to show due regard to the situation of those of us with limited availability to their local waterways and not price us off the water. Please remember that many of us are pensioners, with equally elderly boats, not the affluent Cowes set that we often seem to be mistaken for!

#9

I wish to lodge my dissatisfaction with the proposed increase in boat licence fees from April 2011 on the following grounds:

There is no justification for increasing the standard, 12 month pleasure boat licence fee by 5.1% because, as you point out this represents a 2% increase above the current value of the government's consumer price index and is therefore inflationary, at a time when the Government is trying to force organisations like your own to make savings internally and not simply assume the consumer is able to pay more.

This increase on top of the 2.5% increase in VAT which comes into effect on January first means a real increase in licence fees of 8.65%.

A boat owner with a modest 53' boat like my own, currently paying £674 for prompt payment, will have to pay £58 more next year (£732). Worse, your proposal to increase fees by inflation plus 2% in the next two years will mean

(even assuming a more modest index of say 3.5%, total 5.5%) means fees of £772 (a further £40 increase) in 2012 and £815 by 2013.

These increases come on the top of the recent increase in fuel prices caused by the removal of red diesel for pleasure boating.

What BW doesn't seem to have realised that there is a revolution in pleasure craft use on the inland waterways: more and more people are choosing, or being forced by their circumstances, to sell up their land based homes and buy live aboard narrowboats (paying no more than the true boaters who use their craft for weekends and holidays AND who also pay mooring fees). Further these same true boaters are slowly ageing.

In my club by far the majority are retired, pensioners who see their income restricted by the current recession to yearly increases well below those proposed by BW.

They all pay up on time, yet when they cruise the network they see a growing band of "gypsy" (and I apologise to true gypsies by associating them with such scroungers) boaters not displaying licences at all, mooring permanently at honeypot sites and apparently your organisation is unwilling, or unable to do anything of significance about it.

Let me give you examples: along the Coventry canal between Huddlesford Junction and Tamworth you will find boats moored for weeks on end, some stealing fallen timber from the neighbouring woodland to carve garden ornaments which they sell from the untidy towpath they have created. Others live in apparent squalor in visibility unsafe craft.

In fact I could name boats that do not have a permanent mooring which are clearly not continuously cruising but "live" on the Trent and Mersey Canal between Wolsey Bridge and Stone, moving their cars as they change position, presumably to avoid your patrols. Several boats took up station almost the day the new towpath was built between the first two Meaford locks and were still there this morning!!!!

In fact now, when we cruise almost anywhere on the network we can guarantee that beautiful overnight moorings which we used to use in the past are invariably full of these itinerant boaters. Mention any of this to your patrols and you get a smile and a shrug of the shoulders.

There will come a point in the not too distant future when these true boaters will decide they can no longer afford to pay steadily increasing fees, especially when year after year BW promises these increases will improve the service to boaters.

When that happens you will not be custodians of one of the most wonderful holiday attractions on this island, but landlords of a giant moving housing estate. How much of a heritage will that be?

#10

I think your proposal to charge up to 85% of a year's licence for a half year licence (6 consecutive months) is outrageous, even though I sympathise with every effort you make to enforce payment and cut down the cost of so doing.

How about issuing non refundable individual calendar month licence disks on basis as follows, up to 24 months in advance of the currency

1 single month disk
25% of the annual rate
ie 3 x the pro rata cost of an annual licence

batch of any 3 single month disks
50% of the annual rate
ie 2 x the pro rata cost of an annual licence

batch of any 6 single month disks
75% of the annual rate
ie 1.5 x the pro rata cost of an annual licence

batch of any 12 single month licences
125% of the annual rate
ie 1.25 x the pro rata cost of an annual licence

I'm sure it's got loopholes but your proposal is inflexible and punitive on the genuine boater who wants to pay his way but does not need an annual licence

#11

As my boat is based on the Thames I view your increase in rate for 3 and 6 months licences with dismay. From the analysis that I did for [BW] on the 2009 figures, total STLs didn't amount to much in the wider scheme of things, and I don't suppose 2010 figure show a huge change.

Unless my macros have got mangled in my upgrade to Excel 2010 the total net STL income was around £100,00, so it can't be many BW residents who are bending the system.

My concern is for visitors who like myself would not come onto BW waters with such a large increase in 1 or 3 month fees.

As "usual" it's those who stick to the rules who get hammered.

How's about modifying the scheme so that genuine visitors – those who can produce a verifiable home base registration (e.g. EA, NT customer number), can have a concession (keeps your scheme intact) if they are genuine?

I use an Explorer licence, and if I use up my annual allocation, I'd like to think I could economically top it up with the odd day/ week if my trip was a bit longer than expected.

#12

Prompt and late payment arrangements

I refer to the change whereby prompt payments must be made by 15th of the month rather than 31st.

I trust you will ensure that the form for notifying you of any amendments, sent out prior to direct debits, will arrive with the boat owner in good time, i.e. two weeks earlier than at present.

This would maintain a reasonable time for the boat owner to receive the forms even if away for a week or two – e.g. on a boat trip!

#13

In response to the above consultation I wish to concentrate on one statement:

"We are currently unable to generate automatic renewals for these shorter period licences and this increases the likelihood of boaters failing to keep the boats licensed."

The answer is simple - change your system and generate automatic renewals for shorter period licences! The DVLA can manage it, why not BW?

Boaters who are unable to pay for a 12 month licence are NOT all licence evaders. Why should they pay for BW's inability to create effective licensing systems?

#14

I am concerned that you intend to greatly increase the 3 month licence fees. As a Boater based on the Basingstoke Canal in order to visit BW waterways apart from an annual Basingstoke Canal Licence we have to pay charges to transit both the River Wey (National Trust) and the River Thames (EA and PLA lock charges) before reaching the nearest BW canal. Setting a 3 month rate that is 65% of the annual rate I believe would discourage visiting boaters to BW waters particularly if like us you end up spending much less than the three month period purchased on BW waters.

Could I make the proposal that for craft genuinely based on other waterways that the existing rates be retained. It should not be difficult to establish this by evidence of mooring and licences held.

I think it is unfair that genuine compliant boaters should be penalised by others trying to 'cheat' the system.

#15

If the proposed changes go ahead we shall probably be unable to pay our licence and will be forced to sell up. A most unfair increase on those of us who pay our way. Very sad that this will probably be our last years boating.

#16

I should like to make it clear that an increase of 5.1% to the boat licence is immoral, I am an RAF pensioner and War Pensioner, this last year I had no increase on my RAF Pension because of the state this country is in. If it would make a difference to the experience that we have on the Canals then maybe, just maybe and increase in line with inflation would be justified not 5.1%. All BW's problems could be solved with a doubling of the Environment agency Angling licence, this section of the waterways community pay little enough and leave enough problems on the bank to justify such an increase.

Perhaps other users of the canals can be licensed, how about cyclists, who are causing so much damage to our tow paths, I for one as continuous cruiser would feel happy to be a cycle licence inspector, which should be possible once BW has joined the third sector.

#17

I am disappointed to see an increase of 5.23% (5.1% plus increased VAT) in my craft licence fee but I do understand the reason for it.

However, by making this payment I expect:-

1. To be able to navigate the Board's waterways at any time between Easter and November, subject only to delay caused by short-term emergency stoppages. Say up to 48 hours. Delay beyond this time should be reflected in a % pay-back to me in the following year's licence fee. (similar, though more immediate pay-back terms apply to utility and transport services)
2. That British Waterways will better manage those who disregard formal mooring spaces by exceeding time periods, blocking access to facilities or similar actions. In the recent past it appears that little effort is made to control abuse of the mooring terms.
3. That there will be improvements at key locations where boater's safety is at risk through lack of provision of facilities required to meet basic navigational needs. Examples are to be found at some lock landings where tying up space is insufficient for the traffic density; permitting linear mooring places at congested navigational sites e.g. junctions, sharp bends, places with limited canal width, etc.
4. That the Board requires its contractors to improve the vegetation management along the canal side to provide for easier access by boaters at more rural locations.

In simple terms I am relaxed about payment for good value which delivers satisfaction. I do not expect to pay for deteriorating standards as a result of poor management.

#18

1. Payment by Annual Direct Debit

- Will you be altering the d/d Collection date, which is currently the Expiry date, in view of the change to Early Payment ?

Either way, yes or no, customers need to be aware in good time...

- Your renewal form states that if payment is to be made by Annual Direct Debit the form need not be returned unless there are changes.

But marine insurance policies are annual, which means that the insurance expiry date always changes, requiring the form to be returned.

Can the insurance expiry date be excluded from the definition of 'change' ? (it seems to be unofficially excluded already).

Or do you want the form returned even if it is the only item that changes ?

2. Displaying a Licence

- My licence expires end December, but I often do not visit the boat at all during January as it is well over 200 miles away from my home.

I am thus often unable to display my new licence until well into February at best.

By definition, this situation only occurs when the boat is on its home mooring.

I have been informed by Craft Licensing that this is accepted, and that your staff check the licensing status before starting enforcement.

Can this be acknowledged in the Licensing conditions ?

#19

i wish to express my displeasure at the thought of B W increasing the fees again above the cost of inflation

#20

Being a narrowboat owner for our first year.

We are appalled at such a high increase in license fees, compared to the current rate of inflation. And, what will this increase mean in improved services to the people who use the canal system?

We are based in Saul Junction Marina, on the Gloucester/Sharpness Canal. Some boats have licenses displayed, clearly out of date. 04/10 on one boat moored near to us.

Are you going to improve the Glos/Sharpness canal? So that we can moor up without great big rivets gouging out our side metalwork? Or stop plastic boats speeding up and down the canal.

Are you going to improve the entrance to Gloucester from the Severn, so that you don't have to hang on to chains waiting for the lock to open?

Are we still going to see a British waterways van permanently parked in Gazelle Close, Quedgeley, with obviously nothing to do all day. But as license payers we are paying for that van. Or bridge keepers, employed by you, living on wide beam boats, with garden furniture on the canal bank, permanently moored in a 48hr mooring position. If you are serious about raising revenue, after the millions you have spent on creating national cycle paths throughout the canal network. Surely you should have a licensing system for the cyclist that are now creating havoc throughout the canal towpath network.

#21

My comments on your proposed Boat Licence Changes for 2011 are as follows:

1) Your proposal for the standard 12 month pleasure boat licence fee to be increased by 5.1%.

As you are aware the (CPI) consumer price index, is the measure adopted by the Government for its UK inflation target.

The Bank of England's Monetary Policy Committee is currently required to achieve a target of 2%.

However your proposed 5.1% increase breaks this target by 3.1%, and as VAT is to rise by 2.5% to 20%, this will add further to the overall price rise.

Surely at a time of great financial hardship for many in the UK, any increase should be kept within the governments 2% target limit.

2) Changes to the prompt and late payment arrangements.

I believe bringing forward the qualifying date for the prompt payment discount rate, will not be workable (for the licence-holder).

You need a valid insurance policy for the Boat, covering the period of the licence.

To get the application to you for the 15th of the month would require an early renewal of the insurance, which will be difficult as many insurance companies do not send out renewal notices in time to achieve this.

So I recommend you keep the qualifying date at the end of the month as it is now.

3) 3 and 6 month licences

I support the monthly payment plan you are proposing to offer to customers not qualifying for the direct debit facility, and who may not be able to afford the licence fee outright.

4) Changes to licence terms and conditions

I support the changes to licence terms and conditions, and hope the credit card handling charge, and monies recouped from removing boats that are causing an obstruction, will help in the battle to keep the licence fees down.

#22

I am opposed to some of the changes described in the "Boat Licence Changes 2011" document, as follows (the headings are those of that document). I request that they be amended as described below.

3 AND 6 MONTH LICENCES

The proposed changes of pricing for these licences to 60% and 85% respectively of the fee for a twelve month licence renders the shorter term licences uneconomic. Or, to put it another way, what rational boater will forego half his access to the waterways for a saving of only 15%?

This unattractiveness clearly the intent of these changes, and it is unreasonable. Some (indeed, many) boaters require access to the waterways for a period shorter than one year. They should be able to purchase such access, and pay in proportion for it.

BW experiences a cost in processing a licence application or renewal.

It would be reasonable for the licence fee always to include an amount to cover that cost, and that that amount should be the same irrespective of the length of the licence (because the processing costs BW the same).

However, apart from that, I believe there is no justifiable reason for BW to depart from a fixed price per day in calculating the licence fee for a given boat. It is certainly not in BW's interest to offer a per-day reduction to boaters for buying access days in larger quantities.

For example.

A licence for four months (say, 120 days)

Issuance charge -- (say) £5
Price per day -- (say) £2
Total fee = £5 + (£2 X 120) = £245

A licence for 10 days

Issuance charge - £5
Price per day - £2
Total fee = £5 + (£2 X 10) = £25

The argument that the proposed change is needed to aid enforcement is not supportable. There are indeed serious problems with BW's enforcement. However, remedies to those problems are readily available, and this issue should be approached directly. To attempt to avoid doing that by unjustly charging those wishing to buy short term access to the waterways is unacceptable.

Instead of the proposed change, I suggest that 3 and 6 month licences no longer be offered at all, but that a boater be allowed to buy a licence for any number of days up to one year on the pricing basis described above.

BOAT LENGTH DEFINITION

The apparent intent of this proposed change is to increase the average length of boats used for the calculation of licence charges, and thus to increase revenue.

However, a damaging consequence of it is to cause confusion concerning which waterways a boat can use, and what the real, meaningful, length of the boat is.

BW is now completing a long-running exercise to specify the maximum dimensions of craft which can (physically) use each of its waterways.

One of the dimensions concerned is craft length. This length is taken to be the smallest length that the boat can achieve (typically the length of the hull), i.e. whether it can actually fit in a given lock.

This is the traditional approach. For example, some canals have locks sufficiently small that bow and stern fenders must be removed for a "standard" full-length narrow boat to pass through them. This has long been known and recognised.

To introduce a new and arbitrary length, defined to include certain removable boat equipment, is a needless complication.

This change is actually a way to increase licence charges without being seen to do so. If an increase is to be introduced, it should be implemented directly by adopting a new scale of charges. It should not be achieved by introducing a non-standard and subjective definition of "length".

HOUSEBOAT CERTIFICATE

BW not long ago introduced a controversial but desirable policy to ensure that it is clear to all boaters that moorings rented from it are for fixed terms and need not be renewed. Further, it was made clear that a change in ownership of a boat requires the surrendering of its current mooring (which will then be recoverable, if the new owner desires, through an auction).

Houseboat certificates are a legacy form of licence, which include additional rights with respect to the transfer of the mooring of the houseboat concerned. It has long been BW practice to issue no more of these certificates, but merely to allow the current ones to continue.

This is consistent with BW's policy of not being a housing provider, and is desirable.

However, the proposal under C10 states "... you may purchase a Houseboat Certificate." This implies that BW is now proposing to issue additional Certificates, establishing more moorings which may be sold by the tenant (often for a hefty profit, which in fact should accrue to BW). This is a needless and damaging change.

The proposal should make clear that no additional Certificates will be created.

RIVER WATERWAYS

The proposal to add the Weaver to the list of waterways covered by a Rivers Registration is welcomed. However, the opportunity should be taken to remedy other omissions from the list. An egregious example is the River Kennet.

The Kennet Navigation (Reading to Newbury) was in existence long before the construction of the Kennet & Avon Canal (Newbury to Bath). Further, the Bristol Avon (Bristol to Bath, also part of the Kennet & Avon Navigation) is already in the list.

I suggest that the Kennet be added as part of the current proposals, and that a comprehensive review of the list be completed before any further amendments of the licence conditions.

#23

1 what a no brainer length to include fenders ?

2 again no increase for widebeams maybe license should be done on square footage

3 all boats in all marinas to be licensed (then will be insured & boat safety). Marina owners to be answerable.

4 still boats on River Soar no license & long term moored (probably same in all areas need staff on the canals)

5 why river only licence still in existence [BW: -the law requires it]

6 staff reduce at top and officers not in the field Well I hope some consideration of my points is taken Mr M Evaradson.

#24

Has British Waterways gone mad fenders are the only thing between my boat and your precious lock gates. If i remove the fenders to save money will it save your gates (i don't think so).

#25

I wish to make some comments on your proposed licence fee increases, due to come into effect from April 2011.

Whereas I appreciate the need to make up a shortfall due to government cutbacks, there are some issues which, in my opinion, require further consideration.

1) 'We might be able to moderate these increases if our plans to introduce extended stay charges and transient mooring permits.....'

Does this sentence refer to the possibility of your charging boaters to moor overnight at, for example, remote sites? If so, are you considering such a fee for boaters who cruise for a week or two in the summer? In addition to the increased licence fee, this arrangement would preclude most casual boaters from continuing with the lifestyle. Surely, you do not have the staff to police all of the canals and rivers to ensure compliance? Please define exactly what is intended - the numbers of 'transients' currently occupying stretches of canal temporarily are not small in number and to ask them to pay, in addition to the licence fee, would potentially reduce numbers quite significantly. Of course, any reduction in the numbers of boaters will have an impact on your income - a vicious circle of ever increasing costs for the end users. [BW: charges only apply to people staying longer than the maximum time allowed]

2) (with regard to the proposed increase in fees for 3 & 6 month licences) 'We propose to revert to the 60% and 85% ratios from April 2011'

Whereas I fully understand your reasons for wishing to implement this rule, I have some concerns for those boaters who conduct annual maintenance via taking their boat out of the water over the winter months. Prior to owning my current narrowboat, I was the proud owner of a GRP cruiser for some 10 years and every winter I had the boat taken out of the water to a hard standing in the marina, where I could apply antifoul, repaint the hull, repair any damage to the running gear and effect various modifications as required. I was not alone in this endeavour and since I am working full time, it was essential that I had an extended period in which to undertake the work which was inevitably required. This was not an attempt to evade payment of a full licence. I feel quite strongly that you will penalise DIY boaters if you pursue this draconian measure and I would like to propose that you have a separate arrangement for those boaters who genuinely take their vessels out of the water for periods. Perhaps you could consider requiring such boaters to have written documentation from the marina (where it is most likely that the boat will be located) that the vessel is indeed out of the water for repair/maintenance. The documentation could be in the form of a certificate, similar to the DVLA 'SORN' certificate - a good example of such practice and which reduces costs for e.g. classic car users or those undertaking DIY repairs. Of course, a pro-rata reduction in your 3 or 6 month fee would be the 'payback'. Otherwise, once again you risk alienating many boaters with the inevitable 'churn' and reduction in much needed income.

3) 'The late payment charge has been very effective in reducing the number of customers leaving their licence renewal until more than a month after expiry, but one in eight of all renewals are still left until after the expiry date. We believe the time is now right to extend its application so that more customers develop the discipline of renewing on time – i.e. before the expiry of the last licence'

I would generally concur with this proposed ruling but in return, I would ask that BW (or its successor) speed up the process of sending out the new licence discs. The process seems to take at least three weeks, no matter how long in advance one applies and pays for the renewal. This is simply unacceptable in this day and age. You must make this process more efficient. I for one am so frustrated with the protracted processing of licence applications by BW, that I now routinely pay at my local marina but do not display the receipt on my boat (contains too much information) but I rigorously defend my choice if approached by an 'enforcer'. Come on BW - you can do better than this: we must have quick turnaround. Develop an online process: it seems that everyone else has this.

#26

The general public are suffering job cuts, wage freezes, redundancies, virtually zero interest on investments and yet BW proposes a 5% plus increase in licences from next April.

The BW board is top heavy with overpaid executives, few if any of which are boaters. I believe the annual cost of these personnel exceeds £1 million, taking into account salaries, pensions and other perks. The Chief Executive alone is on £242,000 plus perks. If you offered a salary of £60,000 there would be a queue at the door.

It is absurd, and completely unenforceable, to charge boat measurements to include fenders. Owners will simply remove them which will result in huge additional damage to lock gates and the like.

It is appreciated that the BW funding will be reduced but you cannot keep extracting unreasonable increases from your customers during times of austerity. Boat ownership has stalled and Marinas are desperate for customers (having overcharged for far too long).

Ten years ago, in 2001, my Boat Licence was £498.14 - it is now £690.99 - an increase of 39%. Many boaters, including myself, are retired and cannot cope with never ending increases. I am now seriously considering whether to sell my boat (or try to - there are thousands on the market).

#27

Have no problem with the principles outlined in the paper but as a low turnover roving trader the increase will be 15.6% which strikes me as excessive. Remember traders have to take out a commercial insurance rather than one for pleasure craft which already adds some £4-500 in additional expenses.

#28

Whilst it is understood that it costs a good deal of money to keep the waterways functioning and this money has traditionally come from the general tax payer since nationalisation and from those that use their boats on its waters in increasing amount, it would seem that British Waterways attitude towards those that pay is no different than any other Civil Service department.

It would seem that the tax paying world and boat owners in particular, have enormous bottomless pockets and that every time a publically own organisation needs an injection of cash all one has to do is stick the price up and as if by magic the money will be there.

In private industry, that place where real wealth is generated, competition ensures that simply increasing prices without increasing the added value to the product is a very good way to go out of business.

One has to cut the cloth according to income, something that publically owned organisations have been remarkably bad at doing, British Waterways being no exception.

In my view the overlap in functions between British Waterways and the Environmental agency if removed would bring about considerable cost savings for BW. This being just one example of 'cutting the cloth', get rid of the duplicity.

Bringing BWML back under the direct management of BW would remove the need for another separate and costly management structure resulting in yet more savings.

In my simple view as a boater of some 25 years all I want from BW is that they maintained the canals as best they can within the budget available so that traffic can move with reasonable ease around the network and find moorings before the sun goes down. It is not the responsibility of BW to involve itself in providing its services for environmental crusades. That's the function of the Environmental agency and other organisations.

When funds are running short then BW must concentrate on its core business and that, as far as a majority of boaters is concerned, is simply keeping the network working.

This year in the private organisation I work in, like so many thousands of others, I am about to take yet another pay cuts just to keep a job. For myself this will mean by April of 2011 since April 2009 my salary will have reduced by 6%, near 14% when inflation is taken into account.

To ask boaters in a similar position to pay BW increases of 5.1%, which will translate to a **12.6% price hike when VAT at the higher level is imposed**, is utterly unreasonable and I for one will struggle to pay the demand. Boaters are yet again being hammered because of the inability of BW to live within its income.

Boaters are not a bottomless money pit and thinking that we are will simply increase the rate of alienation that we feel.

As we progress deeper into this period of austerity I guess the number of threatening legalistic letters arriving in boater post bags will increase significantly as those who manage BW continue to adopted a more aggressive intolerant approach towards cash flow issues. What's new.

Simply live within your means BW and you may be surprised at the amount of other types of help you will get from the boating fraternity. The majority of us love the canals and it would be a shame to see us driven off simply because of a Civil Service mind set and an inability to think outside the box.

#29

Reference:

- a. BW Press Release: Proposed Licence Changes for 2011, dated 25th November 2010.
- b. Boat Licence Changes 2011: Briefing paper for WUSIG Members November 2010.
- c. Waterways World, Waterways News Article, Page 44, dated January 2011.

INTRODUCTION

1. At Reference A, a BW press release provided outline details of the proposed increases to Boat Licence fees and requested comment by email or post by 31st January 2011. At Reference B, BW issued firm recommendations as to the proposals, and gave detail in regards to the Licencing Terms and Conditions, however any feedback was requested by 3rd January 2011. As Secretary of Stoke-on-Trent Boat Club (SOTBC), I write on behalf of all members to table what we regard as our salient points in answer to your proposals. Although very much a Club response, I am certain that the points covered below will be common across many, if not all Cruising Clubs and User Groups. Indeed, the announcement at Reference C seems to proclaim that the changes will be brought into force no matter what feedback is received from the users.

SOTBC - BACKGROUND

2. Let me begin by giving a brief background to SOTBC. The Club is now over 50 years old and is located on the Caldon Canal at Endon Basin, which has been the Club's base since the mid 1970's. Originally moved from its home in the Stoke-on-Trent conurbation, the Club is based in an old industrial arm that formally saw the trans-shipment of limestone. The Clubhouse and moorings were constructed entirely by the Club members and all maintenance is undertaken in-house using the skills, time and labour of our members. The arm is private water and does not belong to BW, however BW does enter the arm for the purpose of licence checking. Membership for the Club currently stands at approximately 150, the majority of whom are boaters aged sixty-(plus) years old and well into their retirement. The Club holds a high number of 'lifetime' boaters, those pioneers who played a vital role in the work to open the Caldon Canal in the mid 1970's.

3. Because the Club arm is privately owned, when not on BW water, there is no requirement for Club boats to hold an in-date Boat Licence. The standard procedure for many Club boaters is to apply for a six-month Boat Licence commencing at the beginning of April to cruise the summer months. Boats return to the arm before the end of September each year and will either be lifted out in October or remain in a wet birth during the winter months. For any cruising outside these parameters, individual short-term licences are applied for via our own Club Licencing representative. The Club therefore makes great use of the six-month and shorter-term licence opportunities afforded by BW. In all matters of licensing, the Club actively polices itself and does not allow unlicensed craft onto BW water¹. SOTBC conducts its business to specific guidelines and holds its members accountable for their conduct and behaviour when cruising the system. The Club has a whole has worked in partnership not only with BW but other waterway's organisations:

- a. In collaboration with BW, in the recent past the Club has executed maintenance work on the Caldon Canal from the junction at Etruria to Hanley Park.
- b. Local Club members help out with good housekeeping practice along the waterway, removing old bikes thrown on to the ice is a typical example. Our members also promptly report boats that overstay on attractive 24-hour moorings to BW.

¹ There is one exception to this rule. The Harbourmaster will allow an unlicensed craft to turn around in the winding hole outside the entrance to the arm prior to mooring again within the arm, however this is not allowed until prior consent from been obtained from BW.

- c. The Club grounds are soon to be utilised as a storage area for gravel to be used in stabilising and reinstating the towpath on the length directly above Stockton Brook locks. During the recent breach on the Leek Arm, it was a Club member who first alerted BW and further Club members who helped to move boats away from the collapse.
- d. Club members also enable and organise work parties as part of the Caldon and Uttoxeter Canals Trust, and as part of the Inland Waterways Association, work towards reinstating the Burslem Arm of the T & M.
- e. The Club is actively involved with the Stoke-on-Trent Waterway's Partnership. This is a local incentive aimed at tidying the canal corridors as they pass through the City, the end product being a waterway that encourages boaters to stay and visit the City rather than to quickly pass through.
- f. The Clubs Licencing representative undertakes the licensing for the vast majority of Club members. In return for the work provided the Club receives a small remittance from BW, however the work undertaken saves BW the time, effort and postage of dealing direct.
- g. More recently, BW has approached SOTBC in regards to future close collaboration in maintaining our local stretches of waterway. Typically, the Club is keen to assist where it can.

PROPOSED CHANGES

- 4. **Annual Licence Fees.** An increase of 2% above inflation will have a dramatic and damaging impact upon our Club members. Those members retired and living on a fixed income will feel it worse of all. Even for the lifetime boater, owning a boat is non-essential and continued increases in running costs will have a detrimental effect upon continued ownership. Younger members of the Club are in the minority and although in employment, also have mortgages to pay. Therefore any increase in boating costs forces a renewed look at finances. In this day and age, more pressing living costs have to take priority against the will to commit to a leisure pursuit. Additionally, BW state that any further licence increases will not be announced until 1st April each year. For Club members holding a licence due for renewal on 1st April, there is no time to consider the new cost when applications for your early payment discount have to be forwarded no later than 15th March.
- 5. **Shorter-Term Licencing.** As discussed at Reference B, in 2003 BW actively sought to encourage new boaters onto the waterways by lowering the shorter-term licensing fees. Having set the bait, is it now time to spring this particular trap? *BW states* 'We are currently unable to generate automatic renewals for these shorter period licences and this increases the likelihood of boaters failing to keep the boats licensed'. How is your licensing system unable to generate six-monthly renewals when it is perfectly adept at producing renewals at 12-monthly intervals? It seems that once again, both clubs and the conscientious boater are being offered the stick rather than a carrot. A return to 85% of the full cost for a six-month licence will drive boaters from the waterways and our own Club. As mentioned in para 3, SOTBC makes great use of the six-month and other shorter-term licences. The Club makes scant use of BW water outside those parameters and a proportion of boats are lifted from the water during the winter months. Yet are we now to be expected to pay 85% of the cost for a full licence? Additionally, Reference B makes no mention of any increase in costs for those shorter-term licences that the Club's older members make use of for short day trips or week-long cruising. Any increase will undoubtedly affect those boaters wishing to use BW water from such outside waterways as the Bridgewater Canal and 'River Only' licence holders.

THE BROADER PERSPECTIVE

- 6. The spiralling cost of boating will sooner, rather than later hit a tipping point. Both those relatively new to the waterways and those longer-serving members will be forced to examine their financial options. For many Club members the purchase of a boat represents the expenditure of their life savings. Being forced from the waterways due to rising costs is not a phenomenon SOTBC will suffer in isolation; this will be reflected across the spectrum of clubs and boat owners in general. The proliferation of marinas whose births remain empty is testament to the number of boaters already giving up. For the majority of boaters, the purchase of a new boat is out of reach, and the brokerage market is already inundated and in danger of price collapse. For those selling their boat, the chances of it realising a reasonable return will be lost. And of course, the many businesses, be they canalside pubs, chandleries or shops cannot survive without the trade that boaters bring in. This coming year when, as BW put it, 'an exciting charity and 'National Trust' for the waterway's' is realised, are we as boaters, only one facet of those who use the waterways, to see further major increases?

SUMMARY

- 7. The proposed increases to licence fees, in particular those six-month and shorter-term licences is yet another nail in the boaters' coffin. With forecasted Government cuts, it is appreciated that a price rise is unavoidable in this current financial climate. However, to target conscientious boaters who abide by the rules, support BW and in

general do not require an Annual Licence, this is an increase too far. As a long established club we are highly likely to suffer a very worrying drop in membership – as will many other clubs.

8. BW has failed to establish licensing renewal protocols. Since the Government sold off BWs historical buildings and real estate, the family silver has gone. It now seems inevitable that BW seeks income generation from more readily available sources. In so doing, many Club members who take an active hand in a range of waterways' initiatives will be forced off the water. Losing valuable members from the Club is one thing, however, future potential boaters will also be lost to the waterways. With the very real prospect of diminishing future membership, the Club suffers as a whole and the new 'Trust' will lose its potential volunteer workforce. Ultimately, in charging too high a price, BW is going lose the very income it seeks, and more.

#30

Boat licence charges levied by Navigation Authorities have traditionally been based on simple, measurable proxies indicating the overall nominal size of the vessel such as hull length and beam. This has never been a very precise science because of the wide ranging nature of various craft, but it met the need and avoided unnecessary arguments. Length was regarded as being nominal metal to metal, wood to wood or plastic to plastic. For example "The Thames Navigation Licensing and General Byelaws 1993" say, "length" is overall hull length excluding moveable items such as rudder or outboard engine.

There seem to be some errors in change C1, 1.2 "Boat length".

"Navigation Rules" are defined but not mentioned in the text of the proposed change.

There is an item "fixed fenders bowsprits". I think that 2 items are intended "fixed fenders" and "bowsprits" expressed as "fixed fenders, bowsprits,....."

Bowsprits are commonly and traditionally removable, partly to improve manoeuvrability in close quarter situations in port and so as not to incur a unrealistic mooring charge based on o/a length which includes the bowsprit. I don't know whether your proposed change is intended to include just permanently fixed bowsprits or removable ones as well. It seems unreasonable to charge a navigation licence fee on an o/a length which includes a removable bowsprit.

Similarly for fore and aft fenders on narrowboats. These are not "fixed" and are designed to move or be moved out of the way in several circumstances, including if a fender should become fouled say when going down in a lock. The existing definition of length has worked well in the past and it seems unnecessary and unreasonable to change it now.

This proposed change also sets a difficult precedent for such things as BW mooring charges; private mooring charges; boat insurance; dry docking fees etc., etc.

What is the "user feedback" that has prompted this proposed change? Please clarify what is intended and say why it is felt that there is a need to change the tried and tested "nominal" definition.

#31

I am writing in complaint of the new way short term licences are going to be charged. Our home mooring is on Riparian Waters, hence we do not need a licence when we are not on BW waterways. Due to work commitments we only licence our boat 6 months of the year and we use our boat about 1 month of that period at various times. Currently we only pay 60% of the yearly licence and we never use our boat without a licence on your waters. I am appalled that we will have to be penalised for those that do not pay licences and be charged 85% of the yearly licence when we do not even moor on your waters for 11 months of the year.

On the Grand Union there are numbers of unlicensed boats that never move as they moor away from bridges in the middle of no where, it might be time to employ someone to cycle the tow paths to catch them. Instead of sending 3 men out to cut a bush down or cut the grass. Apparently you have mooring wardens on the GU but boats are very often moored over the water points so you can not get access to them. Notices are put on our boat the minute we moor at Cosgrove to advise of 48 hour mooring when we are quite aware of, this is a waste of money to employ people to do this. Some training for employees in multiskilling might be an idea. It might be an idea to talk to some who has a boat about saving money so that licences do not have to be put up so much instead of employing people who have no real idea of the cut.

As you do not have enough man power the police the new changes you propose, you are going to find with licences going up so much and the changes to short term licences that even less people are going to be able or willing to pay.

In short spend more time catching people who do not licence their boats than penalising people who are an easy catch, and already pay their licences, but this will mean someone will have to do some work.

In the consultation you advise that people will have to apply for licences 2 weeks in advance, what good is this,

when a licence is applied for it takes 3 weeks to arrive (as per the message on your telephone line to Customer Service)

We await your response to the matter of me not having to have a licence whilst on riparian water but being charged 85% of the yearly licence.

#32

I have read about the proposed changes to boat licensing in the current edition of Waterways World. Whilst I am broadly in favour of, and accept the need for, the majority of changes I do have grave concerns about a couple of the proposals.

Firstly, I note the change from a "prompt payment discount" to an "early payment discount" where, to qualify, the licence must be purchased 14 days in advance of the due date. In order for this to be fair, the renewal notice must be sent in plenty of time for the craft owner to apply and meet the deadline.

Secondly, I note the proposal to amend the licensing terms and conditions to include the measurements of bow and stern fenders in determining a boat's length. In my opinion, this is totally impractical as fenders from different manufactures vary in size and all fenders tend to get squashed over a period of time, thereby affecting the overall length of the boat. In addition, as fenders are "optional" there may be a trend for people to not renew fenders or not attach them to new boats in order to keep the cost of a licence as low as possible. Failure to fit bow and stern fenders could cause severe damage to lock gates and other structures. Fenders do, at least, cushion some of the impact!

I note that these proposed changes are expected to generate over £850,000. With respect, I would suggest that a more rigorous pursuit of unlicensed boats would go some way meet this target. For instance, why are unlicensed boats allowed to pass through manned sites as I have witnessed at Watford, Foxton Locks, various sites on the Leeds Liverpool and Harecastle Tunnel. If lock and tunnel keepers were able to refuse passage to licence evaders then evasion might be reduced.

#33, #46, #47, #51

Consultation period

BW has not followed its own procedures for direct consultation with stakeholders. BW states that these procedures follow the Government's Code of Practice on Consultation issued by the Better Regulation Executive in the Department for Business, Enterprise and Regulatory Reform. Section 2.1 of this Code of Practice states that "Under normal circumstances, consultations should last for a minimum of 12 weeks". Section 2.2 adds that if a consultation takes place over a period when consultees are less likely to respond, such as Christmas, a longer consultation period would be allowed. This paper was released on November 24 2010 with a deadline for responses of 3 January 2011. The consultation period is below the minimum period in the Code of Practice and the consultation period should be extended to a new deadline of 16 February at the very earliest.

Changes to prompt payment discount and late payment charge

The changes to the prompt payment discount and late payment charge periods will not work with BW's current administrative practices. At present, there is a 'dead period' of 15 working days when BW will not talk to its customers until 15 working days after it has received the payment for the licence. Reducing the time in which the standard licence fee is payable to a three week window between the 15th of the previous month and the 7th of the next month will mean that many customers will send the standard payment and miss the deadline for qualifying. They will incur the late payment penalty not because they are late paying but because BW's administrative practices mean that they will not be able to find out about and rectify a lost payment (if their cheque is lost in the post for example) until after 15 working days has elapsed, which will bring them into the period for the late payment penalty. This is fundamentally unfair and the changes to both the late payment deadline and the prompt payment discount should not be made while BW's administrative practices remain as they are now.

[BW: virtually all correctly completed applications are now processed on the day they are received]

Proposed changes to licence terms and conditions

C3 2.1 The Licence allows you to use the Boat in any Waterway including mooring for short periods while cruising. 'Short period' means up to 14 days or less where a local restriction applies. The Licence does not permit mooring for any longer period. Daily charges may be applied for staying longer than the maximum time allowed.

The change proposed in paragraph C3 is unlawful and should be deleted. 'Short period' means a minimum of 14 days, not a maximum of 14 days.

Section 17 3 c of the 1995 British Waterways Act states that “(3) Notwithstanding anything in any enactment but subject to subsection (7) below, the Board may refuse a relevant consent in respect of any vessel unless—
(c) either—

- (i) the Board are satisfied that a mooring or other place where the vessel can reasonably be kept and may lawfully be left will be available for the vessel, whether on an inland waterway or elsewhere; or
- (ii) the applicant for the relevant consent satisfies the Board that the vessel to which the application relates will be used bona fide for navigation throughout the period for which the consent is valid without remaining continuously in any one place for more than 14 days or such longer period as is reasonable in the circumstances.”

Boats licensed under Section 17 3 c i are therefore not bound by the 14-day time limit for mooring on the towpath. Boats licensed under Section 17 3 c ii are entitled to moor on the towpath in any one place for a minimum of 14 days and are allowed to stay longer if it is reasonable in the circumstances.

Therefore applying daily charges for staying longer than 14 days is unlawful in the case of boats licensed under Section 17 3 c i and ii – in other words, all boats with a BW licence.

C7. 4. BW’s policy for enforcing time limits is to use its powers under S8(5) of the 1983 BW Act that permits it to move boats that are causing an obstruction. A boat is causing an obstruction at a mooring by preventing other boaters from tying up. If we do need to move the boat, you agree to repay our costs.

The amendment proposed in paragraph C7 is misleading and wrong in law and should be deleted.

S8 (5) of the British Waterways Act 1983 does not empower BW to recover the costs of moving a boat which is causing an obstruction. S8 (3) of the 1983 Act allows BW to charge for removal of a boat. If BW is exercising its power to remove boats under Section 8 (5) it cannot take advantage of the power to recover the costs of removal under Section 8(3). See Roderick F H Taylor v BWB, 24 April 2001 where District Judge Davies awarded £200 damages against BW when it attempted to make a charge for moving a boat under Section 8 (5).

#34

I am writing with reference to you consultation on licence fees and would like to make three points:

First, with respect to early payments, while I would be quite happy for early payments to apply only for a period up to two weeks before expiration of the current licence, I do think that BW needs to issue its licence reminders much earlier than at present. Sometimes the licence reminder arrives barely a fortnight before the old licence expires. I would suggest that you need to issue reminders a good two months before expiry of the old licence to allow boaters to get their applications in to BW on time. Private mooring owners require applications to go through them which adds additional delay to the process.

Second, this is particularly the case with Gold licences which expire on 31st December. With delays in the Christmas post and staff on holiday, etc, it is sometimes very difficult to return licence applications and have them dealt with within a fortnight of 31st December.

With respect to late payments, I would suggest that you allow two weeks' grace before imposing a late payment surcharge - this would then be in accordance with the two week period for early payments and achieve consistency of practice. Sometimes boaters are on holiday and I think you need to allow for both holidays and delays in the post which are now a frequent occurrence.

[BW: Licences can be renewed by internet or telephone]

#35, #36

I am concerned about two aspects of the changes as they apply to those of us who are licensed on a year round basis on other waterways(in my case the Thames).How will the early payment discount apply since I would not necessarily apply for consecutive licences on BW altho I would on the Thames?The second issue is the changes to the proportion of the annual fee for three and six month licences.Certainly for a six month license this effectively means paying for an annual licence.Arrangements for BW licence holders visiting the Thames are less onerous.Why cannot the present arrangements continue for those who can show an annual licence on another waterway?Two final points-why cannot the Gold Licence scheme be administered by the EA and BW rather than as present just BW?-given that the total number of craft licensed by BW and EA are roughly similar why does BW not move to the rather simpler system used by EA of annual licences commencing on 1st Jan,this would surely simplify the system and reduce cost.

The **standard, 12 month pleasure boat licence** fee will therefore increase by 5.1% from April 2011 (before VAT is added). This represents a 2% increase above the current value of the government's consumer price index (CPI) and is expected to generate additional waterway maintenance budget of c. £0.85 million for 2011/12.

Just because Government abdicates its responsibility to fund the Waterway system does not justify passing the bill to the boaters. While the inflation rate is 3% at present the country is in the equivalent of a phony war, in other words 2011 and beyond will see the real hardships facing individuals and companies probably resulting in the inflation rate falling. The VAT will increase by 2.5% and although BW do not receive any of this it never the less puts the increase on the licence fee to 7.6% at a time when many on fixed incomes are only receiving 0.5% interest on their savings.

One of the areas BW could make substantial savings is the scrapping of the online auction site as when I check it every month there are very few bids and those listed are at the lowest amount. I suspect due to most bids at the lowest amount and the large increase in Marina berths available that the income from BW's own mooring sites is well down.

[BW: the auction system is the lowest cost method of allocating vacancies that arise at BW's mooring sites. Current prices and demand are a consequence of current market trends including increased supply of marina berths]

3 and 6 month licences

We have observed a trend in recent years for people to purchase these shorter period licences consecutively rather than buy 12 month licences. The trend has accelerated since we introduced credit checks in 2009 for new customers applying for the direct debit instalment facility. Some customers failing a credit check choose instead to buy a shorter period licence.

Without saying how many people purchase a short term licence it is difficult to judge the impact of any changes, but as a trend has been identified the implication is a reasonable number are using this method therefore there is a real danger that they will stop buying a licence so reducing income rather than increasing it.

We are currently unable to generate automatic renewals for these shorter period licences and this increases the likelihood of boaters failing to keep the boats licensed.

This is a fault with BW not the boater; if as mentioned above the mooring auction was scrapped the computer system could be used more productively.

3 month licences are currently priced at 35% of the 12 month fee, and 6 month licences at 60%. These percentages were reduced in 2003 from 60% and 85% respectively with the aim of encouraging new boaters to BW waters. However, it appears to be of marginal relevance in this respect. We propose to revert to the 60% and 85% ratios from April 2011.

I appreciate that these percentages were charged in 2003 but as BW did not propose changes for 7 years and the first paragraph states the number of people purchasing short term licences has increased the current percentages appear successful. If an increase is justified then it needs to be realistic, 3 month 40%, 6 month 65% or it will have a negative impact.

The table below sets out the regime using the example of a boat with a licence expiring on 31 March. If sighted on the waterway without a licence during April, it becomes subject to enforcement.

10% Prompt /early payment discount	£150 late payment charge
Current rule	
Applications received up to and including 31st March	Applications received after 31st April
Proposed rule	
Applications received up to and including 15th March	Applications received after 7th April

The Current Rule is correct because payment has been received before the start date, those paying in April are renewing in the correct month but do not receive the discount so are charged the full amount, those paying in May are late payers so the extra charge applies.

The Proposed Rule disadvantages those paid monthly because many companies pay monthly between 15th and 21st and some 31st of the month therefore stopping those wishing to pay in advance.

To class late payment after 7 days is ridiculous; normal terms accepted throughout the country are 30 days, anything less is discrimination and harassment.

The main effect of this change will be a reduction in workload for the enforcement team who currently make phone calls and write to several hundred licence holders each month as their boats are sighted with a recently with a recently expired licence.

The same change will apply for mooring permits, and the late payment charge implemented for permit renewals

If the enforcement team are chasing boats less than one month out of date then they are wasting time and resources as the licences are sent to the home address and have to be taken to the boat to be displayed. Many boats are miles away from people's homes plus work and family commitments mean licences cannot be displayed immediately.

Index plates

We currently charge customers £15 for replacement index plates, a price which no longer reflects the full cost of the replacement service and has remained constant for over 10 years. The price will rise to £20 (inc VAT) from April 2011. The same charge will apply for supplying an index number in advance of a licence application (typically for a new boat under construction).

Why supply a metal index plate?

A plastic transfer could be stuck on the inside of a window, plus the licence has the index number printed on it so is an index plate really necessary?

Once again BW has taken the easy option of increasing charges to the Boater when faced with a shortfall in funding from Government. In the future when or if BW becomes a Charity, the new organisation will have to become a lot more creative in the way it raises funds. The current figure quoted by Government of £39m is totally unrealistic the outstanding balance of £61m cannot possibly be covered by the Boaters.

#38

I strongly object to your proposed licence increases.

Boaters are being hit from every direction, with the government increases on red diesel fuel duty, the get rich oil companies and the VAT increase.

In fact it is becoming a hobby for only the very rich.

From years of boating and taking note of the way that BW workmen operate, starting late on jobs and finishing early, plus a lot of standing or sitting around instead of getting on with the job..

In house cost savings could easily be made from not having all of your expensive properties and reducing some of the expensive personnel out of the company. BW are just the same as the government, thinking that people will find ways of affording their very high cost increases.

Boating use to be a pleasurable hobby, however with your continued increases in licences and mooring charges it is becoming a financial burden.

Also the majority of your "maintenance budget" seems to have been spent on towpath improvements.

This has led to the towpath becoming a perfect race track for cyclists that without hesitation swear at boaters to get out of their way. If this is what my hard earned money is being spent on, then I do not wish to carry on boating.

I realise that you will still go ahead with your increases, and one voice will not change the way that BW operate.

After all it is BW that is giving you employment. We will have to see in the future what happens when boaters have been priced out of the water and your income starts to reduce.

#39

My standard licence expires at the end of February. A Gold Licence runs from the start of the year and it would seem that I am not entitled to a 2 month refund thereby raising the cost.

I suggest that the administration costs of processing a licence refund are the same whatever the period. The road fund licence on my car is refundable for any number of 'unused months' so it is possible.

As I would be exchanging a standard licence for a Gold Licence there would not be any unlicensed period to worry about.

C12.	Refund terms - percentages payable will change to reflect the change in relative price of three and six month licences.	Refunds payable after each progressive month of licence will be calculated so that it is never cheaper to buy a 12 month licence and then request a refund before expiry for the purpose of achieving a licence at lower cost.
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Please let's try and make things fair for both BW and the humble (and honest) boater.

#40

- 1) Page 1. The increase proposed is above the rate of inflation. Taking into account the increase in the rate of VAT as well, this is too high. I BW have no control over the VAT level, but this must be taken into account when setting license fees. Too high an increase will impact on the number of people who can continue to afford to boat. This will start to invoke the law of diminishing returns, with lower overall license fee income due to less licensed boats on the system. BEWARE!
- 2) The changes to short term licenses will also reduce the number of users, with the outrageous increases. To use the lack of your ability to generate automatic renewal reminders highlights your shortcomings. Customers should not be

- made to suffer because of BW's inability to overcome a simple problem like reminders. Email? You are also making people who have to terminate a 12 month license suffer by making the early termination charge higher. NOT FAIR
- 3) Prompt / Late payments. Again, you are using false interpretation to justify what is another increase for some. The current arrangement for a prompt payment discount is just – the customer has applied for a renewal before the expiry of their current license. Changing this to a pre payment discount will not affect the way your enforcement teams actually work in any significant way. They still cannot keep up with catching / spotting unlicensed boats, and would not or indeed should not put effort into chasing up licenses that are, say, only 14 days expired. There are hundreds of boats out there with long expired licenses that the teams should concentrate on. Certainly on the GU around the Milton Keynes area I have seen boats moored in the same place for months, unlicensed and still moored all that time. These boats are far more important targets for the enforcement teams than somebody whose license is 14 days out of date and who in all probability, will renew. I do agree with the late payment charge, but again, just 7 days after the license expires is not reasonable. The current period of 1 month does seem reasonable, especially since the boater will be paying £150 for the privilege.
- 4) I object to the change of license conditions C3 in respect of applying overstay mooring charges. This has the effect of legitimising the overstaying, so the mooring is still not available for use to others. It could also be applied unnecessarily. Condition C4 seems to be added wrongly. How will knowing whether a boat has or has not a home mooring save time and expense in enforcement action? If the boat is unlicensed, does it matter if has a home mooring? If the boat has overstayed does it matter?

#41

- You propose a 5.1% increase to the cost of boat licences from April 2011, with a current plan for further increases of 'inflation plus 2%' in April 2012 and April 2013. While no-one likes inflation plus rises, I suspect I am one of many who has asked you to set a formula and give an indication of your plans for the future, so I am pleased to see that you have responded. However, with the VAT increase to 20% this month, adding an additional 5.1% in April will actually result in a total rise of 7.34% which does seem a bit steep. Could you consider putting a cap on the formula? For example, 'inflation plus 2% to a maximum of 5%'.
- You state that you wish to restrict the prompt payment discount to payments received before the 15th of the month when the licence expires so as to reduce the number of boats which display out of date licences. Surely late renewal and failure to display are largely separate issues?
- It is very frustrating that, every time you consult on changes to boat licences, there is a new suggestion to diminish the prompt payment discount. I simply do not understand why you continually seek to punish your best customers for the failings of the worst.
- Failure to display a current licence can have several causes. Some owners live a considerable distance away from where they keep their boat and may visit rarely, particularly in the winter. For summer renewals, the boat owner may be out cruising when the licence is due for renewal. All year round continuous cruisers (and continuous moorers) may encounter difficulties with receiving items by post.
- I doubt many people apart from BW enforcement staff go round marinas looking for expired boat licences so the ones which are most likely to attract comment will be those on boats moored out on the canal itself. I wouldn't normally look at the licence on a moving boat and I usually only take a note of the index number (to check online) for boats displaying out of date licences if either the licence is several months out of date or something else is wrong. For example, the boat is moored inappropriately or appears to have overstayed. Personally I am far more concerned about a boat displaying a licence which is two years out of date than one which is only a couple of months late.
- I think the current timing arrangements are quite fair. Rather than reduce the time before the late payment fee cuts in, why not consider a larger 'very late payment fee' after two or three months?
- Before taking any steps to reduce the amount of time we boaters have to renew our licences promptly, I think you need to look at your own timescales. Currently, I believe, you ask us to allow three whole working weeks for you to receive, process and issue licence renewals. In December, your busiest time of year, the office shuts for Christmas and New Year causing even longer delays. Under your proposed schedule, I could submit my licence renewal by the 15th, qualify for the prompt payment discount but only receive the new licence at the end of the first week of the following month. This would mean I spend at least a week displaying an out of date licence, depending on when I can get to the boat to put the new one up. This December/January alone, I have heard of two or three boat owners who did not even receive a renewal notice and others who have waited weeks for their new licence to be issued. It is generally annoying that it is not possible to download a blank licence renewal form from your website to use if the renewal letter does not arrive. I suggest that you seek to put your own house in much better order before imposing tighter time limits on boat owners. The existing arrangement of about a month during which the prompt payment discount is paid, up to a month for BW to process the licence renewal and a month before the late payment penalty seems pretty evenly spread.

- I do appreciate that, to the normal onlooker as opposed to an enforcement officer with a computer, it is impossible to tell if a boat has an expired licence due to failure to display the new one or failure to renew at all. Is there any reason why a 'failure to display' fee could not be introduced?
- The consultation document makes mention of both transient mooring permits and extended stay charges. The term transient mooring permit suggests that it is acceptable to tie up almost anywhere and then get a permit to stay there; this sounds like a potential route to disaster. Not only should 'continuous mooring' be firmly discouraged, there are many owners who may simply decide to move their boat off a 'paid for' mooring and onto the canal bank if they believe they can simply buy a transient mooring permit (if they are asked to). In general, I think you should firmly discourage boaters from setting up home alongside the towpath, particularly on visitor moorings and lock/bridge landings, though extended stay charges, set high enough to be a fine or deterrent rather than simply a mooring fee, could prove useful in some places.
- Putting up the cost of 3 and 6 month short term licences will not resolve the underlying problem that the computer system cannot generate renewal information, nor will it help those unfortunate enough to be unable to pay by direct debit or to afford the whole 12 month fee in one go. As these short term licences are really intended for the visitor to BW waters or perhaps those with trailable boats, simply raising the price may not be the best answer though it may be the easiest. Surely you must change the computer system and then better manage, through enforcement personnel, renewals of short term licences.
- I support the proposal that the cost of new and replacement licence plates should be covered by the fee imposed; this should include all staff and admin costs as well as the plates themselves. I continue to believe that first time registration and licence plates for new boats should attract a higher fee.

Moving on to the proposed changes to the terms and conditions:

- C1. I take it that by 'fixed fender' you mean a fender integral to the boat, such as the large rubber strips down the bow favoured by some hire companies. Would it be more relevant for BW terms and conditions to reflect the boat measurement methods normally employed by boat builders and surveyors?
- C4. To encourage boat owners to correctly declare if they have a home mooring or are continuously cruising, I urge you to stop printing on the licence renewal form any previously declared home mooring information. As a boat club agent, I see a number of licence renewers each year and I can tell you that most of them forget to update their insurance details. It is just as easy for a boatowner who is now a continuous cruiser to 'forget' to update their mooring information. Requiring the box to be completed every year should provide you with better information on the total number of boat owners who do not have a home mooring.

#42

I write as the current Chair of CCNA, a small charity which operates a single boat, 'Tarpoley', based in London. We have no other assets, and we receive no funding from local or national government, our only regular income being obtained by hiring out the boat.

I am therefore dismayed and deeply disappointed to see that the proposal in **para 6.4.8** concerning 'Charity Boats' seems to have been designed to ensure that few, if any, of the community boats currently benefitting from a discount will do so in the future. If the proposals are implemented without alteration, CCNA would certainly not be considered to be a 'qualifying charity boat'. There are several observations and suggestions that I would wish to make in this connection:

Firstly, you have failed to take account of the role of volunteers who work for community boating organisations. Would it not be reasonable to acknowledge the contribution made by volunteers by incorporating a principle to link the fee to the extent to which a charitable boating organisation relies on volunteers? This would clearly be advantageous to CCNA, as we have no salaried staff at all, but it would be a principle which would be widely accepted across the boating community as inherently equitable.

Secondly, the drafting of the proposed 'eligibility criteria' is illogical, insofar as neither sub para (b) nor (c) are necessary, if (a) is really to be applied, as that clearly specifies the *exclusive* use of the relevant vessel(s) by "the disadvantaged, or people with disabilities". I'm sure that would rule everybody out very straightforwardly, without the need for further caveats.

Do you want community boats to be used, though? A boat that was used only once a year could easily meet the qualifying criteria, and a boat that was used every day but occasionally had some private use, or training for its volunteers would not: that can't be right!

Para (c) is similarly draconian, if taken literally, as not being able to *offer* the vessel to the general public on more than 30 days would presumably mean that no-one would be eligible if they were to advertise, or maintain a website, for example, as that implies the vessel being *on offer* all the time - this is arbitrary, dictatorial, and patently absurd.

Absurd, that is, unless the intention is to penalise, discourage and marginalise community boats and the many people who give their time freely for the benefit of others. Surely it would be preferable to frame the 'eligibility criteria' in a positive way which would encourage community boating, by ensuring that more of them could potentially benefit from a discounted licence fee? Rather than saying that no-one should be allowed to do 'private work' on more than 30 days, why not set a positive target and say that a discount would be available in proportion to the number of days p/a the vessel is in use for the benefit of community groups? Or set a threshold of 30 days of use "for educational purposes or for the disadvantaged or people with disabilities".

As it stands, paying more to BW would mean that we at CCNA had less money to meet our other liabilities, and, whether we were to obtain no discount as a charity, under the new rules, or tried to limit our private hiring with a view to qualifying for a discount, we would soon have to charge our community group customers at a higher rate, because currently what we earn from private hire subsidises the heavily-discounted rates we can offer to community groups.

In conclusion, therefore, I sincerely hope that BW can bring itself to ask "who benefits?" in relation to the effect of the changes proposed for community boats - and come up with fundamentally different proposals that will recognise the value of our volunteers, and benefit our 'disadvantaged' customers.

#43

I am appalled with regards the 5.1% increase in fees which you intend to implement.

As we are still in an economic crisis/recession many people find it hard enough to meet the present day costs of running a boat.

Why do you continue to squeeze people who are already struggling ?

You may say that a boat is classed as a luxury item but for many of us a boat is our home.

#44

With regard to the over inflation increase yet again of our Canal Licence.

BW seem reluctant to consider wider use of "trained" and experienced volunteers - locally (ie north west) BW indicate they have 6942 outstanding "defects" - on numerous occasions Lancaster Canal Trust have offered to do work that is within their "self supervising status" ... such things as dealing with graffiti, litter, repairs to potholes and bridges, culverts etc etc ... - nothing, or very little, has been forthcoming from BW this would save huge amounts of personnel costs and reduce the numbers of bankside staff.

Several members of the Lancaster Canal Boat Club have expressed an interest in tow path clearance so that we can enjoy our events without fear of breaking ankles, falling in or losing our boats behind head height weeds/reeds. I have managed one meeting with your volunteer co-ordinator who promised much but delivered little.

There seems to be no rolling maintenance programme for dredging and/or bank repairs - these are either not done at all (dredging last done about 6 years ago along the line of the canal) or priorities appear to be "confused" (bank erosion in popular sites which has not been touched for years, ie Bilsborrow, but expensive maintenance work done to bankside north of Carnforth etc etc). There seems little work done on off-side to reduce or restrict erosion of banking vegetation seems to be allowed to take over without any removal - in some places causing a distinct hazard to navigation

Maintenance seems to reflect the philosophy of "canals for all" but pays scant regard to the fact that it is only the boaters using the canals who pay the licence fees ... Much work done in "improving" access, ie wooden gates and steps - little usage observed. Not to mention obtaining grants for "improvements" to towpath use for cyclists.

There are numerous boats that come up on the link and "remain" longer than their return date ... there appears to be little enforcement to get these boats back, or indeed to move boats from popular moorings which have long overstayed their 14 or 7 day limited periods. There are several boats which appear to have been abandoned, these will have some cash value.

I imagine that like many government departments and huge public organisations, that there are almost as many managers as there are front-line staff who actually do the job! These managers are over paid and too many in number. Thin out the managers' managers and you will save a fortune while leaving boaters to enjoy the canals!

No doubt you will receive many other similar comments and perhaps if you paid attention to what we say, we could all have a better path through these horrendous budget cuts etc.

#45

3 and 6 month licences:

- I consider it unacceptable that the cost of a 3 month (25% of the year) licence should rise from 35% to 60% of the cost of a 12 month licence, and that the cost of a 6 month licence (50% of the year) should rise from 60% to 80% of the cost of a 12 month licence. Not only are these steep increases, they are disproportionate costs for the periods covered. I understand that a small addition over the pro-rata rate is required to cover BW's admin costs, but the current 35% and 60% already include plenty to cover this.
 - From the customers' point of view, BW's reasons for these increases just don't add up. I don't understand why BW cannot generate automatic renewals for short term licences - update the software! - and I further cannot understand why this is a reason for charging short term licence holders more, especially when they aren't getting the 'service' of a licence renewal reminder from BW.
 - There was an implication that more short term licence holders than 12 month licence holders become unlicensed at the end of the licence period. There is an assumption in the BW proposals that all those boaters buying short term licences are using them concurrently as an alternative to buying a 12 month licence. This is not the case. Boaters who keep their boats off BW waters, only using BW waters for part of the year, only need short term licences and do not necessarily need to renew immediately. Not everyone who fails to renew is transgressing.
 - It may be that a short term licence holder is more likely to fail to renew and fail to remove their boat from BW waters, thus incurring BW the expense of enforcement. Perhaps sorting out automatic licence renewal letters for short term licence holders might help reduce this?!!! I find it unacceptable that BW are proposing that all short term licence holders should be penalised to cover the enforcement expenses caused by a minority.
- **** The cost of enforcement should be fully paid for by those who are transgressing, not subsidised by those who are law-abiding ****

BW's proposals to allow customers to pay a 12 month licence in installments is a welcome formalisation of something which happens in practice for a few customers anyway. I hope this will be well publicised in order to assist customers with budgeting and potentially prevent them getting into financial difficulty and incurring BW's enforcement costs in the first place.

I welcome the enforcement-related cost savings associated with changes to the early payment discount and the late payment charge, but urge BW to heavily publicise these changes and ensure customers' renewal notices are sent out earlier than at present, in order that customers have ample time to renew and still receive their 10% discount.

#46 – duplicate of #33

#47 – duplicate of #33

#48

1. As shared boat owners we wish to register our objection to the following proposed licence condition change:
- 2.
3. "C8.
4. A standard licence will be issued for a boat owned collectively by a group of private individuals providing that all of the following requirements are met:
- 5. 3 None of the share owners has any interest in the boat other than for personal, pleasure use.**
6. Additional qualification to avoid possible loophole."
- 7.
8. As currently drafted, we feel that this clause is too restrictive, and we urge that the clause be amended to exclude shares held purely for the purposes of brokerage and/or resale.
- 9.
10. We are aware that in the past our management company has purchased and then sold on shares from members who have been diagnosed with serious illnesses. This has benefited the share owner by allowing them the opportunity to simplify their financial affairs more rapidly than could have been achieved had they been forced to market and resell their share to another individual.
- 11.
12. We feel that it is important for our management company to continue to be able to do this. If the proposed clause is adopted unamended, this would no longer be possible, without all other share owners being penalised, as the boat would then need to be licensed at the higher rate.

- 13.
14. We trust that you will consider seriously both the potential distress to owners with an urgent need to sell their shares, and the unfair penalty to other owners, caused by the proposed change, and amend the clause as requested.

#49 (AWCC)

Standard 12 month licences

Over the past few years there has been a slowdown in the number of new boats coming onto the waterways. Increasing the licence fee by 2% above CPI in the present economic climate will undoubtedly add to this effect. Associated businesses are already suffering, no doubt more will disappear. On top of BW's proposed licence fee increases, VAT and low sulphur fuel will further add to boater's costs. This is on top of the increased fuel duty already being paid by boaters.

EA which is in at least the same financial situation as BW has not seen fit inflict a large increase in licence fees.

3 and 6 month licences

I consider your argument for these increases to be spurious and the proposed increases of 84% and 52% for 3 and 6 month licences respectively to be unjustifiable.

3 month = 84% increase (VAT + 5.1% increase + change from 35 to 60%)

6 month = 52% increase. (VAT + 5.1% + change from 60 to 85%)

(DVLA 6 month = 55% of 12 month.)

Two types of boater use 3 & 6 month licences :-

1. Those who remove their boat from BW water for part of the year

These include members of boat clubs who police their members, do some of the administration attached to licensing and generally do not cost BW anything extra. In fact probably save BW money. These are the very people who you need to support the change to a charity organisation. It is the members of this type of organisation that already do a large proportion of the volunteer work. If you were trying to alienate them you could not do it better. If you are charged more for a service, you expect better service. You do not expect to have to do it yourself.

2. Those who cannot afford a 12 month licence in one hit and who cannot get credit.

This group are already paying more to BW than their better-off counterparts. These include those seeking to use the waterways on a shoestring and who have felt the brunt of many changes over the last 25 years.

Those who cannot afford to pay for a 12 month licence in one go and wish to pay in instalments but do not qualify for the direct debit facility will be paying 70% more if they take out 6 month licences and 140% more if they take out 3 month licences.

You propose to have a monthly payment plan available for these boaters. There will be a set-up cost for this (to BW) and a credit cost (presumably to boaters) which has not as yet been publicised. It would seem sensible to set up a system to generate automatic renewals for these shorter period licences instead of a credit plan and thus reduce the likelihood of boaters failing to keep their boats licensed.

Prompt (early) & late payment

We generally have no problem with these proposals. There will always be people who find loopholes in a system to their own advantage. Those who act reasonably usually subsidise these people so anything to tip the scales in favour of the reasonable majority is to be welcomed.

#50

Please accept this as the Inland Waterway Association's formal response to the consultation.

1. The increase in licence fees above the rate of inflation for 2011 with an indication of similar increases (CPI + 2%) for the following two years is regrettable. It is however accepted that there may be a short term need to increase income from boaters but such increases above the rate of inflation should not be continued indefinitely otherwise it will continue a trend of making boating unaffordable. We additionally expect there to be transparency and equitability of cost increases in licences and fees to other users so that boaters are not seen to be being targeted unfairly.
2. It is noted that you intend to revert to the older formula for short term licences resulting in greater increases for short term licences. The rationale for this is understood and no comment is offered.
3. The tightening of the eligibility period for prompt payment discounts and avoidance of late payment charges is noted. Such tightening needs to be matched by prompt and reliable delivery of renewal notices by the service team.

4. No views are offered on the increased cost of the licence plates, and also on changes to the licence terms and conditions.
5. The increase in credit card fees is a cause of concern to some users and is regrettable.

#51 – duplicate of #33

#52 (NABO)

The National Association of Boatowners would like to make the following comments to the consultation document issued by British Waterways on 7.12.10.

Licence fees for 2010

NABO understands the realities of the present economic climate and the very real possibility of reductions in services that may have to be imposed. However, this has to be balanced by the effect that the impact on individual boaters is equally severe and large increases in the licence fees year on year may well be the deciding factor in some boaters deciding that they can no longer afford to use their boats. This will inevitably reduce the funding available to British waterways via the licence fees and drive up the fees in later years to those loyal customers who continue to run their boats. We urge BW to do all it can to keep the licence fees as low as possible by exploring alternative ways of generating income from the many millions who make use of the facilities and benefits of the inland waterways without contributing one penny. In the proposal to offset increases in future years by the use of extended stay charges and transient mooring permits BW is once again increasing the load on the boater which emphasises the need to spread the load more fairly to other, non-contributing waterway users.

NABO is pleased to note the longer term commitment regarding possible future licence fee increases in 2012 and 2013 and the indication that in future years there may be opportunities to further moderate any increases.

3 and 6 Months licences

NABO does not agree with the reasoning behind the proposal to revert to the 60% and 85% ratios from 1.4.11. We find that the proposed changes are disproportionate and unnecessary. One argument put forward is that BW are currently unable to generate automatic renewals for these shorter period and this may highlight yet another deficiency in the BW licence software which has been the subject of complaints during 2010. The trend to purchase shorter term licences is an indication that hard pressed boaters may find it easier to manage their cash flow by this method and BW should make all efforts to assist them. The proposal to revert to the higher percentages will just add one more obstacle to those boaters who are already hard pressed to keep boating.

Consideration should also be given to visiting boaters coming onto BW controlled waterways who would be unfairly penalised for wishing to stay for shorter periods which may discourage them from BW waters and hence lead to a loss of revenue.

Prompt Payment Arrangements

NABO disagrees with the proposed changes to these arrangements. BW acknowledges that the present arrangements have been effective in reducing late renewals but the argument to extend this fails to acknowledge the very real need for BW's licence department to increase its own efficiency. It is our opinion that the process and systems need an urgent overhaul before any further changes are brought in, and more thought should be given to removing any elements of unfairness in the prompt payment arrangements.

Index Plates

No comment

C1 No comments

C2 Agree but otherwise no comment

C3 The principle of daily charges will be set out in the Local Mooring policy for each location and will need to be well defined and fair to avoid dispute and challenges.

C4 No comment

C5 No Comment

C6 NABO suggests rewording 6.1as follows:- "6.1 The price of the licence is published on or before 01 Feb preceding the effective commencement date of those fees (01 April) and revised each year from 1st April and you agree to pay the amount due (including, where appropriate, any late payment and/or credit card charges)

C7 NABO Strongly believes that the principle of making a charge to move a boat in these circumstances is not in accordance with the 1983 BW act and therefore ultra vires. NABO has raised this point on a number of occasions with BW during our discussions regarding our legal complaint over the last year. In correspondence in 2010 BW have been unable to provide data which show that this requirement is a reasonable response to a problem area. In NABO's view this does not justify amendment of the British Waterways Act 1983 with the use of the powers of the Transport Act 1962. We request deletion of this unnecessary requirement.

C8 No Comment

C9 No comment

C10 Agree but otherwise no comment

C11 No comment

C12 Add "The refund regime for Houseboat certificates is different and set out in statute – i.e. BW Act 1995, schedule One, Sections 8 and 9. Under this clause BW are obliged to refund the whole unused portion of the licence"

We welcome the opportunity to comment on the proposals set out in the consultation document and would be happy to contribute further in any discussion which may be necessary prior to reaching a final conclusion.

#53 (RBOA)

Draft Response to British Waterways Consultation Document, "Boat Licence Changes 2011"

The Residential Boat Owners' Association (RBOA) appreciates the fact that this organisation was given the opportunity to comment on the first draft of this document. This response is made following consideration of the latest Consultation Document, which takes account of some of the points we raised previously. We wish to make the following the current rule and the proposed rule is useful.

3 and 6 month licences:

RBOA believes that the proposal to revert to the 60% and 85% ratios from April 2011 is out of proportion to the 12 months licence. RBOA recommends a smaller increase in the licence fee, and a larger penalty for late payment.

Prompt and late payment arrangements:

Although the text immediately before the table refers to it as "the example of a boat ..." it is felt that this needs to be given greater prominence, as it is not necessarily immediately clear that the table is just one example. A number of our members interpreted it as meaning that a licence could only run from 1st April to 31st March.

The statement that "The main effect of this change will be a reduction in workload for the enforcement team ..." is to be commended.

Changes to licence terms and conditions:

C1 – 1.2 "Boat length" means the length overall of the Boat including, as reasonably required to be used when the boat is moored or underway, fixed fenders, bowsprits, ..." RBOA recommends that the term "permanently fixed fenders" should be used instead of "fenders". This would eliminate the discussions which abound on what constitutes a fixed fender. Many owners, particularly of full length craft, have to lift their stern fenders to pass through some narrow lock (Atherley Stop Lock is one example). If their fenders were "permanently fixed" (such as is the case with a large number of hire craft), they would not be able to do this.

C3 – 2.1 RBOA recommends changing the final sentence to read "Daily overstaying charges may be applied for staying longer than the maximum time allowed, as per local signage." It is felt that using the term "Daily Charges" might lead boaters to believe that it is acceptable to stay for an undefined period, as long as the daily charge is paid.

C6 – 6.1 Recommend changing the first sentence to: "The price of the licence is revised each year, to be effective from 1st April, and published in advance ..."

C10 – Houseboat Certificate – England & Wales

RBOA is concerned that no provision appears to have been made for anyone owning a (static) houseboat, which is on a non-BW mooring

Whilst RBOA understands that BW is changing the rules, following on from legal advice, subsequent to an Ombudsman ruling, the Association believes that it will cause confusion to have more than one "official" definition of what constitutes a houseboat.

HMRC Definition:

Caravans and houseboats

HMRC Reference: Notice 701/20 (February 2004)

7.1 What is a houseboat?

A houseboat is defined for the purposes of VAT as being a floating decked structure:

* which is designed or adapted for use solely as a place of permanent habitation; and

* which does not have the means of, and which is not capable of being readily adapted for, selfpropulsion.

It is RBOA's view that the value of the mooring and of the boat should be considered as two separate items when a vessel is offered for sale. RBOA wishes to avoid the situation where the asking price of a boat for sale is artificially inflated to include "key money".

#54

We wish to register our objection to the following proposed licence condition change:

*C8.

A standard licence will be issued for a boat owned collectively by a group of private individuals providing that all of the following requirements are met:

3 None of the share owners has any interest in the boat other than for personal, pleasure use.

Additional qualification to avoid possible loophole."

As currently drafted, we feel that this clause is too restrictive.

We would like the clause to be amended to exclude shares held purely for the purposes of brokerage and/or resale.

We are aware that in the past our management company has purchased and then sold on shares from members who have been diagnosed with serious illnesses. This has benefited the share owner by allowing them the opportunity to simplify their financial affairs more rapidly than could have been achieved had they been forced to market and resell their share to another individual.

We feel that it is important for our management company to continue to be able to do this. If the proposed clause is adopted un-amended, this would no longer be possible, without all of the other share owners being penalised as the boat would then need to be licenced at the higher rate.

#55

Your proposals to change the 6/3 months licence fee costs are unbelievable. The percentage as it is (35/60%) is almost fair, people expect to pay a bit more for a shorter term. What you're proposing is completely unfair and discriminates against certain users. I understand that the percentages were that high before, but that doesn't make it right, also licences cost less then.

A lot of boaters use their boats for 6 months then put them in a (non-BW) marina for 6 months, paying for 6 months of each.

In marinas where a licence is unnecessary, (they still contribute to BW/EA through their mooring fees) the short term licenses are very useful, as the majority of boats don't seem to be used that often. Mooring fees are so expensive now, that any extra cost could make boating an unaffordable expense, why should they have to pay a full years licence aswell for something they use for only part of the year. For some people the 6/3 month licences are the only option.

The increase would also discriminate against people with less money, not everyone can afford to pay in one lump sum and might not want to pay monthly.

The increases may also put off visitors from other waterways.

Short term licences are an important option and should be at a fair price, what you're proposing is in effect a penalty.

If short term licence renewals don't automatically show up on your system, then the system should be changed, boaters shouldn't have to pay extra just because you're system doesn't work properly. The phrase "tail wagging the dog" comes to mind.

If anything, the increases on the short term licences would increase licence evasion, 60% of a full years licence for three months is totally unrealistic and there are going to be people who refuse to pay it. Others may "dump" their boats on the towpath, instead of going in a marina to cut costs, as it won't be worth getting a 6 month licence. Over the last ten years BW have pushed the cost of boating to the limits and people are giving up.

(I myself pay a full years licence and pay to moor for 3 to 4 months per year)

Your plans to bring the prompt payment option forward 2 weeks is going to make things difficult for me (and presumably others), when the boat safety is due. I will have to renew it very early as runs out about 3 days before my licence. Am i still going to have to allow 2 weeks for the process of renewing? Are we going to have to pay a whole month in advance?