

Enforcement and casework updates

NBTA London Caseworkers have been continuing to support many liveaboard boaters in London during the coronavirus lockdown as CRT continue with their enforcement regime.

Among the cases and reports, distressed and worried boaters in enforcement are having to deal with many issues, including:

- Boaters already on restricted six month licences are worried that they will now lose those licences because they have not been able to complete CRT's required '20 mile minimum range'.
- CRT have introduced a new 'coronavirus special' three month licence which gives the boater three months to remove their boat from the water, find a mooring, or go unlicensed and face a 'section 8' boat seizure. Unlike the restricted six month licence, there is no option of passing the three month 'coronavirus special' licence, regardless of how far the boater moves during that time.
- London Enforcement Officers (or Licence Support Officers as they are now titled) are not flagging up their 'reasonable adjustment policy' when they become aware of a chronically ill or disabled boater.
- Licence Support Officers are not explaining to boaters why their licences have been refused or restricted.
- CRT's boat sighting data has been extremely patchy during the last 12 months, due to the pandemic and lockdowns, yet CRT are still making negative licence decisions based on their incomplete data. Many boaters who have

requested their sighting data after a negative licence decision have discovered that whole months of travelling have been missed out.

- CRT no longer sends a boater's sighting data as a matter of course when they make a negative licence decision.
- The normal appeal process against a negative licence decision has broken down with Licence Support Officers responding to requests for appeals by saying 'I ran it past my superiors and they said no'.

The NBTA London Caseworkers are a group of people who can support you if you are in enforcement. Between us, we have years of experience of saving liveaboard homes. Most recently we successfully supported a liveaboard Boater to successfully appeal a three month 'coronavirus special' licence and keep their home.

If you are in trouble with CRT enforcement and you need support and advice contact us in confidence by emailing us via:

nbta.london.caseworker@gmail.com.

We are here to help!



Photo: Mike Doherty

NBTA SUPPORT BOATER IN GETTING UNLAWFULLY REMOVED BOAT BACK FROM THE CRT

The CRT has returned a seized boat following the threat of legal action by its liveaboard owner, Paul Buga. Paul had endured more than two weeks of a hunger strike outside Downing Street as part of the campaign for the return of *Milasa*.

The licensed boat was seized without the CRT obtaining a Court Order, breaching The Human Rights Act 1998 (HRA.) HRA entitles citizens to proportionality in the removal of their home. Such a decision should have been assessed by an independent court, providing the citizen with an opportunity to defend themselves in a

fair trial after the issuing of a Claim Form. CRT's failure to obtain a Court Order meant that their actions were unlawful as the boat was a home when it was seized.



Paul Buga on hunger strike outside Downing Street. Photo: Jay Brown



OUT WITH THE NEW, IN WITH THE SAME OLD...

In the Canal and River Trust's (CRT) current statements about 'Managing Boat Numbers', statistics from 2010 are being used in comparison to today's boat numbers. However, boat numbers were still considered much too high by the waterway's authority at that time, British Waterways (BW). BW felt that there were "more boats moored along the Lea than are desirable".

In 2010/2011 a campaign was launched against boats without home moorings on the River Lea and Stort. BW proposed dividing these rivers into eight zones, six on the Lea and two on the Stort. Regulations stated that boaters needed to move on to the next zone (neighbourhood) after a set time limit (generally seven days), and not to turn round unless at the end of the navigation. If a boater didn't follow these bizarre rules, they would find themselves under enforcement actions which could eventually lead to eviction.

This outraged boaters, who packed themselves into a BW public meeting where the Head of Boating, Sally Ash, tried to sell the idea. BW's representatives were met with dismay and anger from boaters. For BW the meeting was a disaster. Many boaters realised that if BW were to get their way, it would have been the beginning of the end of our community as we know it.

The meeting was a success, though, for boaters. Boaters' unity was to prove the key antidote to BW's plans. Many flocked to the organisation London Boaters (LB) to take on

BW's plan. A massive public meeting was organised, and was attended by hundreds of boaters, all riled up and ready to take on BW's plans. Working groups were formed including press, outreach, and direct action, a regular newsletter was published and a boater-run survey of boat dwellers, local land residents, local businesses, joggers, walkers, kayakers and more was carried-out. LB's own surveys eventually showed clear majorities were against BW's proposal.

BW eventually buckled under the continuing pressure of LB. BW backed down, their plans discarded in the litter bin of history. However, we now find CRT - all of ten years later - attempting to reimpose kind of idea 'mooring zones'. Could this indicate that CRT have been rooting around in those bins?

Let's make sure CRT put these 'new ideas' back in the bin!



London Boaters action in 2011 against BW's plans. Picture taken by London Boaters

INSIDE: WHAT IF ALL THE BOATS WERE GONE?; HIGHWAY TO THE SAFETY ZONE; ENFORCEMENT AND CASEWORK UPDATES

Highway to the SAFETY ZONE?

A criticism commonly levelled at CRT is that they have failed to fully implement the measures of 2018's London Mooring Strategy (LMS), such as improved mooring opportunities and facilities, before starting the current boat cull process. While this is true, it is important to remember that the LMS was not all unicorns and stardust for boaters.

One of its more draconian measures, which was couched in CRT's language of sharing, was the introduction of "Water Sports Zones" in Broxbourne and between Tottenham and Old Ford Locks on the Lee Navigation. This was aimed at soothing the sense of entitlement held by the rowing clubs in these areas at the cost of boaters.

Now rechristened as "safety zones", CRT have rebreathed life into the proposal to introduce mooring restrictions in these zones, which will include a ban on double mooring and a complete ban on casual moorings.

As boaters currently suffering lockdown at the Walthamstow Marshes have noticed, CRT appear to have started the groundwork for introducing the mooring bans by installing posts for signage between Horseshoe and Ferry Bridges.

These "safety zones" are prefigurative of what CRT wants to achieve with the upcoming boat cull; fewer boats, and, especially, fewer of the wrong sort of boats.



Pictures taken at some of exact places where mooring restrictions are planned, it's believed these are the poles where CRT plans to put some signs stating some of the restrictions. Photo taken by Ian McDowell

WHAT IF ALL THE BOATS WERE GONE?

There are mixed feelings amongst the landlubbing community as to whether living on water is a good or a bad thing. As a boater, I can only see good things from my way of life, but I have been asked whether I go to the toilet in the canal or whether I drink out of it in the same breath. The public know very little about our lifestyle and sometimes judge us for all the wrong reasons. As such I would like to explore some of the pros and cons of our communities' impact on London's waterways.

With increased costs for disposing of non-household waste, the canal has become a target for fly tippers. A large amount is dumped out of vans and cars. This is actively frowned upon by most boaters who hold each other to account. Most boaters wouldn't dream of it, but to put it in perspective, a minority do abuse it. However, there are piles of fly-tipped waste across London that are cleared regularly by the council. The towpath does not have a 'regular' service, so any unsightly mess can last, and gets unfairly blamed on the boating community.

Litter is upsetting to conscientious boaters, and a lot clear up the towpath that they stay on. When the Lower Lee was polluted with tonnes of oil, it was the boating community that rallied and got the polluted debris out. Not the authorities, and definitely not the culprits. There are also regular litter picks set up between the boating community and towpath community groups.

There is always work to be done on boats and piles of wood and materials should not be mistaken by the public as rubbish. Every boat is an ongoing project and completely individual. This is what makes our community so diverse and unique, and is also what keeps us afloat.

Before there were a volume of liveaboard boats on London's waterways, the towpaths were a no-go

zone for most. There is still crime on the towpath, but anyone who has lived in London long enough knows that having a community on the water makes the average towpath user feel safer. Desolate stretches of dark towpath afforded criminals a degree of protection, so the very presence of boats limits this.

Boats bring in a lot of revenue, and not just through our licence fee that feeds into the council boroughs we share. The boating community creates a lot of revenue through tourism and the waterside café culture that has grown in line with it. The colourful boats bring thousands of tourists to the water each year, and we are constantly photographed and tourists often ask us questions. Anyone who has been through Camden lock can testify to this! If there were no boats there would be fewer tourists. Less tourism means less waterside business and this in turn means less income for CRT and the surrounding councils so desperate to create more revenue.

Do boats harm the wildlife? The wildlife is what brought lots of us to the water in the first place. Most boaters look on themselves as interim custodians of the waterways. The towpath is our communal garden, to share with all and be respected for what it is. An absolute treasure of nature and peace hidden in an urban jungle of traffic and deadlines.

And just to clear it up once and for all, we don't drink the water or wee in the water...

And we do not eat swans, squirrels or hedgehogs - not unless are very hungry, anyway!

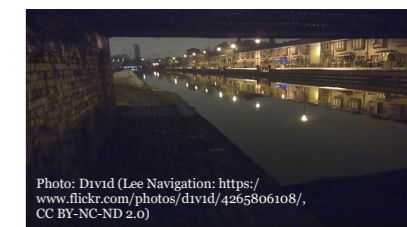


Photo: David (Lee Navigation: <https://www.flickr.com/photos/david/4265806108/>, CC BY-NC-ND 2.0)



We are the London branch of the **National Barge Travellers Association (NBTA)**. The NBTA is an organization open to all but run by boaters without a home mooring. We campaign for the rights of boat dwellers.

www.nbtalondon.wordpress.com
nbtalondon@gmail.com

We still hold a monthly meeting, but due to COVID-19 restrictions, we are using online and telephone conferencing platforms to observe social distancing.

The next meeting is at **4pm on 28 February**.

The meeting can be accessed online via: <https://8x8.vc/nbta/nbta.london>

Alternatively, you can use the dial in details:
 Dial-in: +44 330 808 1706 PIN: 121 133 06#: