

## **Canal & River Trust response to National Bargee Travelers Association (NBTA) position on the no-mooring zones proposed on the Lee Navigation.**

We have listened carefully to feedback and in implementing the no-mooring zones, wherever possible we have kept restrictions to an absolute minimum. Since the initial no-mooring zone maps were published we have reviewed these and been able to reduce the no-mooring sections by 157m from the original published proposals, for example by shortening the no mooring sections under the narrowest footbridges. However, whilst we have tried to make changes where possible, maintaining a safe environment for everyone using the water is a priority and therefore we generally we do not accept the NBTA arguments for objecting to the no-mooring sections and have set out below the Trust response section by section (using NBTA references).

We acknowledge that the NBTA have accepted that some no mooring is required to ensure a safe navigation, however, note NBTA objections to some of the no-mooring sections in the proposed River Lee water safety zones. The principal objection from NBTA appears to be based upon their view that the no-mooring restrictions they oppose make little or no difference to ensuring the safety of craft using the navigation. A wide range of craft use the Lee Navigation from the largest commercial boats<sup>1</sup> through to smaller unpowered canoes, kayaks, SUPs and rowing craft. The navigation is also used by a large number of powered narrow boars, wide beam boats and cabin cruisers. The no-mooring zones proposed by the Trust follow the existing mooring rules and guidance and reflect the need to carefully manage these very busy sections of the Lee. As well as ensuring a clear navigation channel the no-mooring zones help ensure clear sight lines for everyone, from the smallest unpowered craft through to the largest commercial barges and balance the needs of mooring space vs space to ensure access into or out of the water in an emergency. Such intense use of a limited water space requires additional measures that is not the case in all parts of the Trust's waterways where there may be fewer powered boats, little unpowered craft use and no rowing activity.

### **Public Right of Navigation**

NBTA object to the no-mooring sections as they claim this infringes the Public Right of Navigation ("PRON"). PRON gives a right to moor in the course of navigation, rather than a general right to moor. The No Mooring Zones do not prevent the exercise of this right, as there are still sufficient sections of the Lee Navigation available for boaters to exercise this right upon. Neither the no mooring zones, nor the other water safety zone proposals set down any additional stay time restrictions. NBTA have not set out how any of the specific no-mooring sections remove their right to moor as part of the PRON.

### **Existing rules and enforcement**

The no-mooring sections in the water safety zone are inline with the information within existing rules (as per boat licence terms and conditions) and guidance (as set out in the Mooring Obligations booklet and Boater's Handbook), they are not new restrictions. The areas where boats should not moor include near any bridges, under fixed bridges or by blind spots where moored boats can affect sightlines for waterway users (not just those in powered boats). In the Boater's Handbook, the no-mooring information relates to all bridges

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<sup>1</sup> Regents Barges are 75' x 14'6" - plus the 24'x5' tug on the back regularly use the river, but traditional Lee Barges also operate on the river and are 85' x 18', plus the tug at 24'x5'

and not simply traditional humpback canal bridges. Although high/wide bridges do not generally have narrow bridge holes that can cause a pinch point where navigation is physically impeded, keeping these bridges clear of moored boats ensures clear water access points in case of emergency (particularly important in areas with continuous lines of moored boats) and prevents damage to the structures in case of a craft fire or explosion, and indeed can also act as a fire break to prevent a boat fire spreading to other craft moored alongside.

Most no mooring sections have previously largely relied upon boaters understanding and following the existing rules and guidance. However, as acknowledged in our response to the Hopkins Van Mil stakeholder engagement report, with a significant increase in boats on the Lee, including many occupied by people who are new to boating, boats are increasingly being moored where they should not. The introduction of signage and maps to reinforce no mooring is intended to help boaters to understand where they can and cannot moor.

### **Response to the examples where mooring is cited by NBTA**

Trust response - The moorings mentioned (with the exception, Rickmansworth, Stonebridge South Island and a small number of moorings in Broxbourne) are in line with mooring guidance and do not contribute to making these navigations unsafe. With the exception of Broxbourne (which is inside one of the proposed water safety zones), the locations referred to do not have the intensity of water space use as we see in the water safety zone areas.

Paddington (A4206 bridge)

There is a business mooring café barge next to but not under this bridge. Mooring is not permitted under the bridge (there are no mooring rings) and when people try to moor boats in this location, we move them on.

Rickmansworth (on the outside of a bend above Batchworth lock)

This is a towpath mooring on a gentle outside bend and the water space in this area does not have the intensity of water space use as we see in the water safety zone areas.

Broxbourne Cruising Club (on the outside of a bend)

The cruising club moorings are on the inside of the bend. There are some historic end of garden moorings north of these which are on the outside bend, however they largely are single, rather than long linear lengths of moorings.

Rye House (on the outside of a sharp bend)

This is a towpath mooring on a gentle bend and does not have the intensity of water space use as we see in the water safety zone areas.

Stonebridge; South Island Marina (on a bend)

Boat moored under Wharf Road Bridge

Mooring is not permitted under the bridge on the towpath side but there is one offside historic mooring related to the Marina.

Barge East Mooring (near to a bridge)

There are boats moored near to but not under the bridge where it narrows. There is a pontoon to launch for the canoe hire business, but this is 20m from the bridge.

Burnt Mill Lock (on a bend)

This is a towpath mooring Canal Ability, accessible boating charity in Harlow is on the inside

bend but this area does not have the intensity of water space use as we see in the water safety zone areas.

#### Sheering Mill Lane

These moorings are on the inside of a shallow bend but this area does not have the intensity of water space use as we see in the water safety zone areas.

#### Brentford (Snakes & Ladders, on the outside of a bend)

These mooring are on the inside of a long meander. This area does not have the intensity of water space use as we see in the water safety zone areas.

### Areas NBTA object to no mooring (NBTA reference)

#### Areas under high [and wide] bridges

In the Boater's Handbook, the no-mooring information relates to all bridges and not simply traditional humpback canal bridges. Although high/wide bridges do not generally have narrow bridge holes that can cause a pinch point where navigation is physically impeded, keeping these bridges clear of moored boats ensures clear water access points in case of emergency (particularly important in areas with continuous lines of moored boats) and prevents damage to the structures in case of a craft fire or explosion, and indeed can also act as a fire break to prevent a boat fire spreading to other craft moored alongside.

No mooring should be retained under all road and railway bridges. However, we recognise that there are some narrow footbridges installed relatively recently where, provided there are no other navigation safety concerns, we believe that mooring underneath can be permitted without significantly impacting safety. These are Pond Lane Bridge – towpath side (LL21 F), Footbridge besides Here East (LL26 F), Footbridge beside Eton Mission Rowing Club (LL27 H), Footbridge beside Bobby Moore Academy (LL32 D)

#### Detailed response to NBTA comments

▼ Indicates no mooring area reduced      ▲ Indicates no mooring area increased

(LL4) Tottenham Lock to Markfield Park – 120m [No mooring section now reduced to 94m] ▼

Mooring now partially permitted. We have amended the no mooring section so that a small space of mooring is now permitted between bridge 21A and 21B.

(LL12) Springfield Park to Ferry Bridge – 49m [No mooring section now reduced slightly to 48m] ▼

No mooring - Boats should not moor near or under fixed bridges

(LL19) Filter Beds to Waterworks Lane Bridge – 48m [No mooring section now reduced to 47m] ▼

No-mooring offside- Boats should not moor near or under fixed bridges (Note that it isn't possible to moor under this bridge on the western side)

(LL20) Filter Beds to Waterworks Lane Bridge – 20m [No mooring section now reduced to 13m] ▼

No mooring - Boats should not moor near or under fixed bridges. We have reduced the no-mooring section on the towpath side.

(LL21) Filter Beds to Pond Lane Bridge – 43m [No mooring section now only on offside] ▼

Mooring permitted on towpath side under footbridges where there is no narrowing bridge hole or other navigation safety issues.

(LL22) Filter Beds to Daubeney Fields – 189m [No mooring section now reduced to 188m] ▼

No mooring - Boats should not moor near or under fixed bridges. Mooring on the offside as well as the towpath side impedes the navigation.

Note: The offside land is leased to Hackney Council who do not support permanent mooring in this location.

(LL24) Hackney Wick to A12 Bridge – 74m [No mooring section increased to 79m] ▲

No mooring - Boats should not moor near or under fixed bridges (Note: there is no access to the road on the west side under the A12 bridge)

(LL26) Hackney Wick to Footbridge – 43m [No mooring section now removed under footbridge] ▼

Mooring permitted on towpath side under footbridges where there is no narrowing bridge hole or other navigation safety issues. This will become part of the existing waterside mooring site.

(LL27 H) Eton Mission Rowing Club

Although mooring permitted on towpath side under footbridges where there is no narrowing bridge hole or other navigation safety issues, this site has previously been used as the launch site for Eton Mission Rowing Club. The club is not currently active from this location, so although mooring will be permitted under this bridge for the time being, it will be kept under review subject to future use of the rowing club.

(LL32) Old Ford to junction with Hertford Union – 56m

No mooring - Boats should not moor near or under fixed bridges. (Note: this was a footbridge, but is now a road bridge).

Areas with gentle/inside bends or wide sections

Mooring on bends can hinder visibility and cause an obstruction to navigation. Even where the bend may appear shallow, with a both large commercial barges and smaller unpowered craft on the water, mooring can cause navigation safety issues. While we have reduced these no-mooring sections to a minimum, the following sections should remain free of moored craft.

Detailed response to NBTA comments

(LL3) Tottenham Lock to Bridge 23 Railway Bridge – 85m [No mooring section now reduced to 67m] ▼

No mooring - Mooring in this location is on a bend where visibility is hindered, particularly for boats that are low in the water. Boats rarely moor in this location. We have reduced the no-mooring section slightly to the minimum.

(LL6) Markfield Park – 167m [No mooring section now reduced to 141m] ▼

No mooring - Boats should not moor on the outside of a bend, mooring here is not appropriate where there is restricted visibility. Prior to 2020 boats rarely moored here. Note: there is Lee Valley Regional Park permanent mooring on the opposite bank.

(LL11) Springfield Park - 67m [No mooring section now increased to 68m] ▲

No mooring - Mooring in this location is on a bend where moored boats hinder visibility, particularly for boats that are low in the water.

(LL14) Lea Bridge to Above bridge 18 (A104) – 367m [No mooring section now increased to 411m] ▲

No mooring - Boats should not moor on the outside of a bend, mooring here is not appropriate where there is restricted visibility. This bend is just upstream of the Lea Bridge Sluices and also a narrowing of the channel at the bridge; there is strong stream, or fast flow in flood events. The outside of the bend eroded and had to be rebuilt pre 2012 Olympic Games. Moored boats here are causing damage to the towpath/bank infrastructure.

(LL18) Filter Beds – 81m [No mooring section now reduced to 78m] ▼

No mooring - Mooring in this location is on a bend where visibility is hindered, particularly for boats that are low in the water. We have reduced the no-mooring section slightly to the minimum.

(LL29) Old Ford to junction with Hertford Union (59m) [No mooring section now reduced to 58m] ▼

No mooring - Mooring in this location is on a bend where visibility is hindered.

(B1) Northern section ('The Playpen') – 17m

This no mooring section – one boat mooring space closest to the road – was intended to provide access to the water, particularly for paddlers, but with the intention for new canoe portage points elsewhere, we believe this space is no longer required to be no-mooring.

(B2) Northern section ('The Playpen') to Below Nazing New Road – 161m [No mooring section now increased to 188m] ▲

No mooring - Boats should not moor on the outside of a bend, also on the approach to the bridge. ▼

(B7) Lower Main Section to Broxbourne Cruising Club – 609m [No mooring section now reduced to 599m]

No mooring - Long bend where visibility is limited to a degree and there is no history of boats mooring which is largely due to there being limited depth close to the bank and underwater restrictions which make mooring here very difficult.

Straight / wide areas of the river

If there is sufficient width and sightlines are not significantly impacted, then single moored narrow boats may be permissible, however where there are existing permanent moorings on the offside for wide craft then we need to restrict towpath mooring to ensure safe navigation.

Detailed response to NBTA comments

(LL4) Tottenham Lock to Markfield Park – 120m [No mooring section now reduced to 94m] ▼

We have amended the no mooring section so that a small space of mooring is now permitted between bridge 21A and 21B. There is now 47m of single narrow boat mooring.

(LL23\*) Hackney Marshes to Marshgate Bridge – 129m

No mooring – Permanent mooring for widebeam boats on the offside so towpath side mooring impedes the navigation. Also, no mooring under fixed bridges.

(LL27) Hackney Wick – Eton Mission Rowing Club – 44m [No mooring section now reduced to 14m] ▼

Boats should not moor near or under fixed bridges. We have reduced the no-mooring section on the towpath side.

Hackney Wick to Carpenters Road Bridge – 53m [No mooring section now reduced to 44m] ▼

No mooring - Boats should not moor near or under fixed bridges. The navigation narrows in this bridge hole which affects navigation width and sightlines

(B5) Upper Main Section to Broxbourne Rowing Club – 107m

No mooring - For operational safety reasons, mooring restricted opposite the club launch site. There remains ample mooring space either side of the restricted area.

(B8\*) Southern Section ('the cut') to Kings Weir – 163m [No mooring section now increased to 192m] ▲

No mooring - Chanel narrows past weir barrier and towards the bridge

(B9) Lock to Aqueduct Lock – 59m [No mooring section now reduced to 41m] ▼

No mooring – Lock landing

\*NBTA accept that a 20m no mooring restriction directly under narrowed bridges.