

Action notes

National Navigation Users Forum (NNUF)

Date: 12 June 2019

Time: 10:00 to 12.45pm

Venue: Mary Sumner House, London

Chair:

RG Robert Gould

Environment Agency Board Member

In attendance, NNUF members:

[redacted]	[redacted]	DBA – The Barge Association
[redacted]	[redacted]	British Marine
[redacted]	[redacted]	Thames User Group – Navigation
[redacted]	[redacted]	Medway River Users Association
[redacted]	[redacted]	National Association of Boat Owners
[redacted]	[redacted]	Residential Boat Owners Association
[redacted]	[redacted]	Association of Waterway Cruising Clubs
[redacted]	[redacted]	British Canoeing
[redacted]	[redacted]	Inland Waterways Association
[redacted]	[redacted]	Commercial Boat Operators Association
[redacted]	[redacted]	Royal Yachting Association
[redacted]	[redacted]	Royal Yachting Association
[redacted]	[redacted]	Great Ouse Boating Association
[redacted]	[redacted]	British Rowing
[redacted]	[redacted]	Historic Narrow Boat Owners Club

In attendance, Environment Agency:

AM	Alice Mayne	Deputy Director, Navigation and Commercial
AW	Andy Wilkinson	Navigation Manager
JK	Julian Kennard	Senior Adviser, Navigation
SH	Sam Holland	Senior Adviser, Navigation
CH	Chris Hazelton	Asset Manager, Navigation and Regulated Industry

Guest

[redacted]	[redacted]	Head of Inland Waterways and Navigation - Defra
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Apologies:

[redacted]	[redacted]	Wye Navigation Advisory Committee
[redacted]	[redacted]	British Marine – Inland Boating
[redacted]	[redacted]	National Association of Boat Owners
[redacted]	[redacted]	Great Ouse Boating Association
[redacted]	[redacted]	Harbour of Rye Advisory Committee
[redacted]	[redacted]	Inland Waterways Association
[redacted]	[redacted]	Residential Boat Owners Association

Agenda item 1: Welcome, introductions and notes of last meeting.

RG opened the meeting, welcomed everybody and gave a brief introduction to his career history and his role as chair of the group.

[redacted] was [redacted] of [redacted] from 2014 to 2017 and a member from 2009 to 2017. He previously managed the family farm after working in industry and property management.

ER gave a short introduction to herself, her role in Department for Environment, Food and Rural Affairs (Defra) and the recent changes for inland waterways within Defra. Inland Waterways has moved into the Floods and Water Directorate ([redacted] joining with flooding and water resources. This will put them in a better place to deliver the 25 year Environment Plan

<https://www.gov.uk/government/publications/25-year-environment-plan>

Agenda item 2: Directorate and team changes.

AW gave a short overview of his career history followed by an overview of recent team changes for Navigation within the Environment Agency (EA).

Navigation sits in the Environment and Business Directorate but has moved from Future Regulation under [redacted] to a new department called Future Funding. [redacted] is the Director of Future Funding and [redacted] has joined from the Forestry Commission as a dedicated Deputy Director for Navigation and Commercial Development. This move into Future Funding gives the Navigation team access to wider specialist resource to support us in securing a sustainable funding position for our Environment Agency Waterways.

A high level organisation structure chart for EA can be viewed [here](#).

A more focussed chart for Future Funding has been sent with these notes.

Action 1	Circulate organisational structure charts with the notes.	SH	Complete
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Agenda item 3: Future of Environment Agency Navigations

AM started by giving an overview of her career history and the skills and experience she brings to the role. **AM** added that her objective from the meeting was to understand the different perspectives in the room.

AM then gave a presentation on the future plans for EA waterways in the short and medium term (presentation slides circulated with the notes), explaining the key work areas and who would be leading them.

Key points from the presentation:

Short term

- Benefits review
- Understand short term commercial opportunities and work up plan for longer term opportunities.

Medium term – the next 9 months

- Develop a new business model for Navigation
- A business plan to be delivered from April 2020

AM explained the recent decision from ministers that management of our navigations would not transfer to the Canal & River Trust (CRT) means that we have a window of opportunity to make our waterways financially sustainable. **AM** acknowledged the significant challenges in doing this are around funding the asset portfolio and legislative barriers and explained it is about looking for the appropriate service which gives the best value for the direct users and the wider public.

Comments and questions

MS: Why is it now 5-6 years when last year they were told it was 5-10 years?

PAs: Why has it taken a year to confirm what they were told last year regarding the potential transfer to CRT.

AM response: The minister asked for further investigation into the liabilities which we have been supporting over the past year. This has now concluded and the minister has made the decision which was communicated to the group.

HP: The political decision has now been made and we need to use the opportunity to make the plan for a sustainable future of the EA waterways going forwards.

RW: Frustrated that Navigating Forwards has made no progress. He doesn't want to see the good work started in this project lost. RW also mentioned an IWA report on the value of Inland Waterways in England and Wales which you can read [here](#).

AM response: Gave reassurance that this won't be the case and that we are already looking to build on the work of Navigating Forwards.

PLB: Now the minister has made this decision, we need minister's support to take it forward.

ER response: the minister has now delegated the accountability to the Inland waterways team and the recent changes in structure and governance for inland waterways within Defra would enable us to take it forwards.

MS: Comforted by the ministers decision but he now needs to see action.

IC: Asked if we see any restrictions around opening up new opportunities.

AM response: Yes. The critical next step is to look at all opportunities for funding with broader conversations within the EA. We need to think strategically as well as keeping an eye on the operations side of the business.

HP: Encouraging words, please involve the group in developing this.

AM response: Acknowledged this and asked if there were other groups/people who we could include into the discussions.

MR: Users feel CRT has ignored them. We need to use this group. We are all in it together. The prime customers can't be ignored.

RW: We are the entertainment. People visit waterways to see boats. This is hugely valuable to the EA and must be recognised.

IC: We are all here to support the EA. More ongoing/regular engagement between meetings is needed.

Action 2	Any suggestions of other groups/people who we could include on NNUF. Feedback to navconsultation@environment-agency.gov.uk	All	Outstanding
Action 3	Send reflections and thoughts after the meeting to navconsultation@environment-agency.gov.uk	All	Outstanding
Action 4	Send copies of all slides with the notes	SH	Complete

Agenda item 4: Strategic Review of Navigation charges.

SH gave a presentation to update on progress and next steps for the Strategic Review of Navigation Charges (presentation slides circulated with the notes).

Comments and questions:

PAs: EA has only offered a 'take it or leave it' consultation in the past. Users want options and involvement. It must not be a done deal. He is not keen to hear we are using past feedback as this was tainted, not so not fair to use it; wants a clean sheet.

MS: Endorses **PAs** comments. The basis seems to be not completely correct information. We must have a wider consultation. Charging the boater full cost recovery is a non-starter. Public benefit is crucial and we must consider the service to the wider public.

SH & AM response: To clarify, we are looking at other beneficiaries, the Navigation charges work is only looking to charge boaters the cost of the service they benefit from.

KE: We need a crystal ball, to gain confidence the GiA we seek is the right amount.

RL: Have registration numbers in Anglian fallen?

SH response: It is early days with customers renewing from April but we will circulate some statistics based on the same time last year with the notes.

MR: More boaters are buying boats to live aboard, the use of waterways is changing – it's happening and the market is a younger audience.

RW: We are missing a huge income stream from the potential of residential mooring – we are ignoring the opportunity.

KE: Are we factoring in a review of Customer Charters?

AS: We should not baseline on the current service, as the current service may not be what customers expect. Managing Public Money requires that we should report annually on the level of service offered and if we are meeting it. The current approach to Customer Charters (aspirational) is therefore wrong, it should be a promise and be measured.

IC: Getting the consultation and communications right is really important.

Action 5	Circulate registration statistic for current year compared to same time last year with the notes.	SH
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Agenda item 5: Navigation Assets Strategy

CH introduced himself, his background and his role in linking between the national navigation team and area delivery teams. It's about a 'do it once' approach.

CH gave a presentation about our strategy to manage our assets in a more co-ordinated way, highlighting the key priorities (presentation slides circulated with the notes).

CH reported that we had an increased capital funding settlement of £9.9m, an increase from the expected £8m

Comments and Questions:

KE: The Wye is a major asset for paddle sport.

RW: Sunbury dry dock is an EA asset which has been out of service for 2 years and losing us money. Why are we not doing more to bring it back into service? It is a vital facility for commercial operators.

JK response: It is not a Navigation asset and the Navigation budget does not benefit from the income. We will get an update and circulate with the notes.

MS: Checked that we would not be starting from scratch in terms of the data gathered for transfer.

CH response: No, we will be using this data and building on it.

Action 6	Get updated position with re-opening Sunbury Dry Dock and circulate with the notes	JK
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Agenda item 6: Horizon Scanning and National Issues.

6.1 Clean Air Strategy

JK summarised the current approach to inland waterways from both Department for Transport (DfT) and Defra following the publication last year of the Defra Clean Air Strategy. This sets out the need to reduce emissions from all sources to improve air quality, including emissions from vessels.

DfT is to launch a widespread Call for Evidence in late June or early July to collect a body of evidence to understand more clearly the extent of emissions from vessels which do not currently fall within the remit of environmental regulations. This will help inform possible new policy measures.

Defra is exploring giving Local Authorities powers to further reduce the impact of solid fuel burning, by bringing vessels within scope of Smoke Control Areas.

JK said we would promote the Call for Evidence to members and encourage all to engage with it.

Action 7	Promote 'Call for Evidence' to NNUF members once launched.	JK
Action 8	Engage with it and encourage those you represent to contribute.	All

Comments and questions

PP: Comment that there is concern from his sector.

AS: Vessels over 20m, replacement engines need to meet new standards. Are they included?

JK response: British Marine will be feeding in the current legislative position.

BC: Maritime 2050. Need to work hard to demonstrate impact on the sector.

RW: Concern Local Authorities will put more pressure on live aboard community

JK response: This point was raised to Defra, they are not looking to prohibit use of solid fuel, it would be a case of changing to smokeless fuel and / or Defra approved stoves for use in smokeless zones.

RW: Understood but need to feed in.

6.2 Hire Boat Code

JK updated on current progress by the Association of Inland Navigation Authorities (AINA) and British Marine working group to revise and re-issue the Hire Boat Code. The draft Code sets out updated standards around the shared responsibilities between hire operators, hirers and navigation authorities for the safe operation, maintenance and use of powered self-drive hire boats.

A public consultation will be launched this summer and will run for 3 months, and **JK** encouraged members to participate. The intention is for AINA member navigation authorities to introduce compliance with the final Code as a mandatory requirement of registration or licensing from 2021, if they have the powers to do so. This will require a separate consultation by each navigation authority.

Action 9	Notify group of consultation once launched.	JK
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Comments and Questions

PLo: EA will need to have people to enforce the code.

JK response: We need an enforcement regime but is likely to be light touch for most, only focusing on the minority who don't comply.

BC: EA need to work with online platforms to make sure they are adhering?

JK response: Navigation Authorities are working to address this. We are clear that if any part of a boat is being rented they should comply with the non-private safety standards but the standards need to be reviewed. This is being done by the Association of Inland Navigation Authorities (AINA) and Boat Safety Scheme, with potential new standards being introduced.

6.3 Residential use of inland waterways, tenanted and letting boats

JK highlighted thinking around some of the current concerns, and stressed that these were being considered in a fully national context; as being of relevance to all UK navigations, not just those managed by the Environment Agency. He explained the importance of all parties working together on areas of mutual benefit, and that it was generally recognised the way waterways are being used is changing. He pointed out that navigation authorities were not housing authorities and were not seeking powers to become such.

JK explained the meeting would not be discussing local waterway enforcement issues, which were sensitive. However, he pointed out that powers were in place to allow the Environment Agency to regulate use of its own property, which it is doing.

In respect of tenanted and letting boats, **JK** confirmed that any boat being let (whether just a cabin or the whole boat) on EA waters needed to be registered on one of our commercial tariffs and comply with the Boat Safety Scheme (BSS) non-private standards.

JK also updated that an AINA and BSS working group was forming to develop an updated national standard for commercial boats collectively that represents more accurately the different types of boat within 'commercial class' including tenanted, letting and hotel boats.

Comments and questions

RW: This is a huge issue. Not just about Housing Association but different levels of people living on boats. The biggest issues is lack of mooring. There has to be a focus on more residential mooring facilities. 98% of residential mooring applications are refused. EA, Defra and DCLG need to make a difference.

AW: We are developing an engagement plan for the coming year and we will share this with the group soon.

It was agreed the next meeting will be in the autumn (Oct/Nov).

Action 12	Set date for next meeting in Autumn 2019. Think about timing of afternoon rather than 10am start.	SH
Action 13	Share engagement plan with NNUF when ready	AW

RG closed the meeting by thanking everybody for their input and comments and to the EA team and ER from Defra for attending.

Annex 1: Action log

Number	Action detail	Who	Status
1	Circulate organisational structure charts with the notes.	SH	Complete
2	Any suggestions of other groups/people who we could include on NNUF. Feedback to navconsultation@environment-agency.gov.uk	All	Outstanding
3	Send reflections and thoughts after the meeting to navconsultation@environment-agency.gov.uk	All	Outstanding
4	Send copies of all slides with the notes	SH	Complete
5	Circulate registration statistic for current year compared to same time last year with the notes.	SH	Complete
6	Get updated position with re-opening Sunbury Dry Dock and circulate with the notes	JK	Complete
7	Promote 'Call for Evidence' to NNUF members once launched.	JK	Outstanding
8	Engage with it and encourage those you represent to contribute.	All	Outstanding
9	Notify group of consultation once launched.	JK	Outstanding
10	Circulate draft new Terms of Reference and put on agenda for next meeting.	SH	Outstanding
11	Circulate draft data privacy notice for comment.	SH	In progress – draft to follow
12	Set date for next meeting in Autumn 2019. Think about timing of afternoon rather than 10am start.	SH	Outstanding
13	Share engagement plan with NNUF when ready	AW	Outstanding

PAs: Regulations are not easy to comply with which pushes people under the radar. This increases the risk to themselves and others.

IC: This is a societal issue. Need to be looked at through Government.

MS: There is an issue of unauthorised mooring. Thames All Party Parliamentary Group (APPG) has recently written to the EA Chair to ask them to take action. He was disappointed this wasn't on the agenda. MS said that as yet no response to the letter had been received by the MP. This needs to be addressed by NNUF.

JK response: We have powers to control mooring on our own land and are using them but difficult and labour intensive. It is not our responsibility on other's land.

MS: Boaters are losing confidence in EA because of the perception they are not enforcing their own moorings.

JK response: We can reassure that robust action is taking place on land we own, with a number of boats being removed and notices being served on others, but getting the legal casework right takes a lot of time and resource and there are more cases in the pipeline.

Agenda item 7: AOB

7.1 Terms of reference and data privacy

SH said that we would be reviewing the Terms of Reference for the group. We would circulate a draft for comment and put this on the agenda for the next meeting.

We are also developing a data privacy notice so all can be clear how we will use the personal data of group members. A draft will be circulated to the group for comment.

Action 10	Circulate draft new Terms of Reference and put on agenda for next meeting.	SH
Action 11	Circulate draft data privacy notice for comment.	SH

7.2 Date of next meeting

HP: There is a lot going on at the moment. We should have quarterly meetings over the next year.

MS: It would help to have working papers in advance in future please.

RG response: Agreed this is a valid point. We don't want to add additional unnecessary burden to the small navigation team but we will look at how this can be achieved in a light touch way.

AS: If there are limitations of resources, EA should look to make better use of volunteers.