


Anonymous



Department for Communities and Local Government  
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Westminster  
London  
SW1P 4DF

RE: Byelaws relating to mooring – Richmond Borough Council 2014

To whom it may concern,

I am writing with regards to the proposed 'byelaws relating to mooring' put forward by Richmond Upon Thames Borough Council made 17<sup>th</sup> September 2014.

I would like to state my objection and concerns attaining to these proposed byelaws on a number of grounds as well as express both my concern and displeasure towards certain acts committed on behalf of Richmond Upon Thames Borough Council.

I would like to object to the byelaws on the following grounds, furthermore, I request a response from both central government and The Council of Richmond Upon Thames to the questions contained within my objections;

1. The Byelaws will mean that the residents of houseboats currently moored on the River Thames within the borough of Richmond Upon Thames will, on the day of proposed implementation, become criminals. The residents of these boats are currently well within their rights and many have purchased boats to live in on this section of the River as it is affordable housing in the area where they work. These bye-laws will make it financially inaccessible to the majority of the residents to continue living on their houseboat.

Questions relating to Objection 1;

1(a) Will the council provide the residents with alternative accommodation, having constructively made it untenable for us to live in our current abode?

1(b) If the answer to 1(a) is no, Do Richmond Upon Thames Borough Council, and the Government of The United Kingdom, promote homelessness and vagrancy?

1(c) The current fees for the majority of available moorings in the area are now currently well in excess of the price somebody would pay to rent a lower quartile house in the area. Will the council be subsidising these fees to make them affordable for people like myself?

Furthermore, will the council be providing compensation to current residents for their property which they will no longer be able to afford to retain and will lose value due to the increased restrictions on usage of boats on the River Thames, incited by these proposed byelaws?

1 (d) Please could you clarify the purpose of citing extortionate penalties for something which, as of today, is legal? Has anybody thought through the potential for offering affordable official moorings to those which this byelaw is designed to demean?

1(e) Will Richmond Borough Council, or the central government, be creating new moorings for the number of people they will be forcibly evicting from the river? At the majority of marinas, residential and non-residential in the London area, there is already a waiting list. At South Dock Marina, for example, there is currently a 300 person strong waiting list, with the expectation of 1-2 becoming available per year.

1(f) Do Richmond Borough Council own all of the land on which they intend to levy these charges? I am led to believe, supported by a map of the council's principle property assets provided by the Richmond Borough Council website, that the council are not the owners of the area of towpath and extended gardens/park adjacent to Burnell Avenue (TW10 7YE). Should they be the owners, through the freedom of information act, I would like to see a copy of the certification to prove this. Should they not be, who provided them with the rights to levy taxes and penalties on this land?

1(g) In the Government's policy on 'increasing the number of available homes' dated 7/11/2012, it is noted that one of the main objectives was 'helping buyers who can't afford to buy a home because they can't afford the deposit'. I Bought a boat, to help myself to be able to afford the deposit for a home. I did not come begging to the government for support, I found and created an opportunity for myself to be able to save the money required. Through honest, hard working means whilst contributing to the nation.

In The Borough of Richmond Upon Thames, the average 'lower quartile' (We all know the standard of living 'lower quartile' defines in London) house price in 2013 was £320,000. The average 'lower quartile' rental price is £1,100 per month, or £13,200 per year. Based on the average minimum mortgage deposit of circa. 10%, that would mean I need to raise approx £32,000 before even applying for a mortgage in the borough.

Now, let's take into account my earnings. As a young professional, I currently earn £20,000 per year, a considerable increase on national minimum wage. I worked extremely hard to

gain my role, often within voluntary roles for many years. I work very hard for the salary I receive and I understand the requirements to gain vocational promotions and salary rises. From that £20,000, the government takes a minimum of £4,000 per year in income tax, leaving me with £16,000. Now, let's consider the rental prices discussed above, £13,200 per year for a 'lower quartile' property. I will admit that it is possible to find cheaper rent, so we will call that £10,000 per annum but I would be better off living in a shack in Richmond Park as opposed to the accommodation you can get for that price! This leaves me with £6,000 per annum. Until we consider transport (for work), which, In London, is currently costing me £140 per month minimum, or £1680 per annum. I am now at an expendable income of £4,320 per annum or £360 per month. Given that the government provides £72.40 per week for jobseekers allowance which is to be spent on food and essentials, we will say that my weekly expenditure for such things is the same, despite actually working for my money. That equates to £289.60 per month, or to put it another way, leaves me with an expendable monthly income of £70.40.

The bottom line then, for me to save the deposit for a mortgage, taking into account all of the fact based statistics above would take me, without considering external factors such as inflation or housing prices, approximately 38 years.

In these austere times, would this conservative government like it to be known that it is preferable for people to come to the state for handouts as opposed to innovating a way to gain reward? If not, how would you describe the implementation of these byelaws and the effect they will have on people like myself in relation to the current housing crisis facing young people in London?

2. We, the people most affected by this bye-law, have not yet been considered or had an opportunity to voice our opinion. We have neither been consulted, nor formally informed of this action by the Richmond Upon Thames Borough Council. Myself, and my close neighbours, were only informed of the 'public consultation' by a BBC reporter who wanted to produce a news story. However, without our consultation, the 'strategic cabinet member for environment, business and community' Cllr Fleming makes it very clear in her statement made on the 16/09/2014, at the meeting of the council, that any objections will not be considered by the council and that the council merely has to respond to those objections. I would like to highlight this council's lexical choice in stating that 'the Secretary of State WILL confirm the byelaw and it WILL become enforceable'

"The council has to consider and respond to any objections received. Following the councils response, the Secretary of State will confirm the byelaw and it will become enforceable"

*-Quotation taken directly from minutes of Council Meeting 16/09/2014 published on Richmond Borough Councils website. The article can be found on the following Website link – <https://cabnet.richmond.gov.uk/documents/g3502/Public%20minutes%20Tuesday%2016-Sep-2014%2019.00%20Council.pdf?T=11>*

Questions relating to Objection 2;

2(a) In Terms of a 'public consultation', do the government and local council think it is acceptable to bypass the people which hold the greatest stake in the current laws?

2(b) Are the Council and government taking a democratic stance towards this issue or merely following the whims of a few wealthy people who can afford housing next to such a natural commodity as the river? If yes, I would like to ask whether a failure to consult or invite discussion before the application for a byelaw is, in your view, democratic? May I also point out that it is a Natural commodity that is owned by the people of The U.K., not the wealthy elite and certainly not those chosen to represent them.

2(c) If both The Council and The Government, in your view, are taking a democratic stance, why has nobody consulted anybody mooring on the river in the borough at the present time? It is quite evident from the publication of the byelaws and various publishing's on the council website that they know where we can be found. We can also be contacted via The Environment Agency who hold our vessel's river licences and, henceforth, our contact details. Has anybody tried to contact us? If so, I would like specific actions, dates, times and evidence? If not, why not?

2(d) How is it possible for an individual to know the result of a 'public consultation' before the 'consultation' has taken place? Is this person working towards the needs of themselves or the people which they have been democratically charged to represent? Will 'Cllr' Fleming be removed from any decision making involved in this process as her lack of impartiality has clearly been uncovered?

3. These bye-laws are an invasion of my human rights on the following counts and I will seek to impose my rights should they be overlooked, particularly by a borough council or national government;

*Article 7: No punishment without law*

*Article 8: Right to Respect for private and family life.*

*Protocol 1, Article 1: Protection of Property*

Questions relating to Objection 3:

3 (a)(i) Do your proposed restrictions have a legal basis?

3 (a) (ii) Do you feel they have been communicated effectively?

3 (a) (iii) Do you feel they have been communicated so that people affected have been made aware with adequate time to amend their behaviour? Please consider that this bye-law will be making people homeless unless they can find and pay for a private mooring when answering this question.

3 (b) Do the proposed restrictions have a legitimate aim? If so, what is it?

3 (c) If, these proposed restrictions do have a legitimate aim, are the proposed restrictions necessary in an indiscriminate, multicultural and democratic society?

3 (d) Related to the aim and effects of your goal, is this the only way to achieve it? Is this the best way to achieve your goal? Have the effects on all members of your constituency been taken into account?

3(d) A Policy should be no more restrictive than it needs to be in order to achieve it's objective. Do you agree with this statement?

3 (e) Based on your answer to the previous question, and the aims of the bye-laws, have you considered any other approaches to the aim? If so, what were they? Why were they negated in favour of this approach? An approach which will penalise people to the extent of approx. 50% of the average monthly income in the U.K. should their vessel break down on a highway which they are paying to use?

4. As Far as I am aware, and as far as has been published to my knowledge, this is my opportunity for a public consultation. Unless, of course, the politicians and councillors in question would be willing to meet with myself and other representatives of the people who will be affected before making their decision? In my experience of British Councils, councillors, politicians and politics for that matter, I don't anticipate this to happen, so I will put forward my opinions on the matter as a local and environmental one here.

I can understand why some people around the Borough would want to support this bye-law, I can understand their concerns. The things I believe they have not considered or understand the extent of are listed below;

- Environmental impact – I can understand why the people in favour of the byelaws would be concerned by this, specifically rubbish and litter. The knowledge they do not have, is that the owners and residents of the boats are the only people who clean up the environment. In the Area I live in, a small group of us clear up after the general public once per week. I would like to make it clear, it is the general public (Most often fisherman) who leave the mess and rubbish. We all live in a beautiful place in extremely small homes, we understand the importance of cleanliness! This will be laid bare should the bye-laws force the residents of the houseboats away.
- Propaganda Pollution – I can definitely understand why people may believe that we ruin the river by living on it. I know, from regular conversation with passers-by, that there is a lack of knowledge regarding how houseboats work. Particularly in terms of sanitary facilities and running water. We do not pollute the river in this way, we make use of the facilities provided by The Environmental Agency to dispose of both sanitation and any potential pollutants. We take great care in ensuring this happens, as we, more so than anybody else are dependent on the health of the waterway. To coin a phrase, 'we do not shit on our own doorstep.'
- Crime – As with anything which is a little bit 'different' in England, the upper and middle classes develop a fear of it. I understand the concern people may have in various areas of the borough, I understand why they may see communities such as the one I live in as a threat. What they do not see, often through their own prejudices, is that the vast majority of people living on the river are average, hard-

working people. The people who serve you coffee in Starbucks on your morning commute or the Teaching assistants who support your children in school. When all of us people are eventually priced out of London, or in this case, forcibly evicted, who will do these jobs in this city? The sense of community and neighbourhood which I have experienced whilst living on a boat has restored my belief in what it means to be 'British'. Living in various areas of London, I had forgotten what it was like to live in a community, a place where people cared for the wellbeing of their neighbours. I would like to invite each person involved in this process, inclusive of those who proposed the motion and those supporting it to meet the residents of the houseboats before passing judgment. It is quite possible that they might just remember what it is to be part of a community and not just another pretty door in suburbia. I would also like them to discuss with the police the level of crime which they are required to deal with in these areas, I believe they may be very surprised by the opinion of the local police officers.

- The River – I understand the river is a thing of beauty and should be available for all to enjoy equally. The river also requires protection and great care. This care comes from The Environment agency, an agency funded by the river licences which we pay to use the river. These are not disregardable fees either, mine costs me over £800 per year. £800 which goes towards the maintenance and upkeep of the boroughs beautiful waterways. This Care also comes from the residents of the houseboats. We regularly remove litter, provide food and create bonds with the local wildlife and ensure people are using the river safely.
- Eyesore – I have heard and read this regularly over the past few weeks and I can, again, understand the views of some people. There are some people, however, who see the boats as a thing of beauty in their own right. Who is right and who is wrong? May I also question, should this be an important part of the consultation, will you be removing all of the boats from the expensive moorings not covered in the bye-laws at some point in the near future? Or does the wealth required to hold one of these moorings exempt people from being eyesores?
- Fairness and Equality – I am aware of the views of one person in the borough who believes it to be unfair that we live in the way which we do. I can understand this viewpoint, when the person is not informed of how tough our life actually is. Yes, our living costs are lower than those who live in houses in the borough, however, our standard of living is the trade-off. As an example, the majority of people now set up their central heating to come on before they return from work, returning to a comfortable temperature and ready to relax. We come home from work and need to set-about making a fire. In the morning, most people pop the rubbish in their wheelie bin on the way out of the door. We don't, I get up half an hour early to carry my rubbish to the bins provided by The Environment Agency (as part of the river licence fee). Most people freely overuse water, harming the planet, but lacking concern. We have a limited supply, despite the irony of actually living on top of millions of gallons of the stuff, with which we need to be careful as to restore this stock requires an hour journey up river to Molesey Lock, followed by an hour back. Not easy when you work 60 hours per week and it starts getting dark at 4pm. Yes, we do live relatively cheaply, No, it isn't easy and not everybody could do it.

5. I would like to draw your attention to an issue which has arisen as part of this affair. With visible agreement from both parties, Kingston and Richmond Borough Councils (Conservative led so I must assume the leaders of the council agree with their own party) printed the following excerpt on the website for the Kingston Conservative Party, <http://www.kingstonconservatives.com/news/88-illegal-moorings>

*"Kingston and Richmond Conservative-controlled councils have worked together to evict a group of boats illegally moored on the Thames for at least three years.*

*The group, dubbed "water gypsies" by people living nearby, were given notice to leave the river in July. The two Conservative-controlled councils, along with the Environment Agency and the Marine Police Unit carried out a joint operation which saw the removal of 33 boats, mainly in Richmond.*

*The group's boats had blighted the stretch of the Thames for years, ruining the river for locals and visitors alike. Richmond Council is awaiting confirmation of a bylaw which would see unauthorised mooring on public land become a criminal offence."*

Not only is this article libellous, I find it highly insulting and racist. There is nothing illegal about my boat or where I am living, that much has been made very clear by the Metropolitan Police as well as the article which later states that Richmond Council is awaiting confirmation of a bylaw to see my mooring become a criminal offence.

As far as I am aware, I am of White Caucasian ethnicity, and though my friends and neighbours stretch across many ethnicities, there are no gypsy people, Roma, Jenisch or Sinti for that matter, living in boats in the area which the article discusses.

*Note: The Picture included in the article is taken approximately 50 metres from my home.*

*Note: The article appears to have been removed since the writing of this letter, I retain an image of the article as evidence.*

Questions relating to Objection 5;

5 (a) Why are these local factions of the governing political party in The United Kingdom being allowed to go unchecked to the point where they can print political propaganda such as this?

5(b) Would you agree, it is not in the remit of these parties to create fictional laws in order to gather support for a desired policy/byelaw?

5(c) If in agreement with the statement above, what actions will be taken against those responsible?

5(d) Do the Conservative Party have an issue with people of Gypsy descent? If not, why would they allow a racial stereotyping of this nature to be published on a media outlet controlled by the party?

5(e) Why are The Kingston Conservative Party and The Richmond Conservative party clearly supporting one group, 'Reclaim our Riverbank', without ever extending an opportunity for the houseboat residents to put their side of the story across? Do you believe this to be a democratic stance from a ruling council party?

5 (f) Once again, both conservative parties are making clear their stance on the matter, before any public consultation has taken place. Do you believe this to be a democratic policy?

### **Overview;**

These proposed bye-laws and related issues are an insult to democracy, common law and the people of the United Kingdom. The fact that democratically elected councillors can forge an opinion before speaking with the members of the public which those decisions will affect is reminiscent of a medieval pre-democratic England. The fact that a Borough Council and national government, who have allowed a housing problem to become a crisis, are willing to, effectively, forcibly evict young people, women and children from their homes to satiate the bloodlust of their upper class voting communities stinks of moral corruption and an ineptitude to hold a position of power.

As a citizen of The UK, I am well aware that I no longer hold any power as to what happens in my nation, however, I can attempt to hold those who do to account and inform them of the importance of their decisions. Whether they will ever care about those they supposedly represent, is again, another matter. To pass these bye-laws will be to pass clearance on the eviction of families from their homes. It would be to pass clearance on evicting hard-working young people from their homes. The hard-working, young people that allow the City of London to thrive.



This is all a consequence of the ineptitude of a borough council and it's 'leaders' to devise ways to crack their nut without the use of a sledgehammer. If they spoke with the people they are supposed to represent on how to deal with these matters, they may find a better outcome for everybody. They would see a plethora of creativity around me on this river, with an extraordinary ability to innovate and problem solve. A plethora of creativity which they are too proud, too stubborn, too afraid and too snobby to utilise.

I would welcome a meeting with those responsible for these proposals, to provide an opportunity to right some of their wrongs, regardless of the outcome of any 'public consultation'. As mentioned previously, I lack any optimism of this actually occurring so I will make clear what I expect, and as I understand, am entitled to from both Richmond council and the MP charged with making the final decision once more;

- A response from Richmond Borough Council, before the passing of the bye-laws, to ALL of the questions above.
- A response from The MP charged with sanctioning the bye-law, before the passing of the bye-law, to ALL of the questions above.

This response can be made by e-mail to [REDACTED] As I'm sure you will respect, I would like to retain my anonymity during current proceedings. Something I will be prepared to forfeit should the recipients of this letter be willing to meet with myself.

I Thank you for your time and consideration, I await your response patiently.

Regards,

Anonymous citizen of the United Kingdom and member of your constituency

