



INVITATION TO A PUBLIC MEETING

Tues 1st March 6.30pm – 8.30pm
at Stanstead Abbott's Village Hall

Weds 2nd March 6.30pm – 8.30pm
at Leaside Canoe Centre, Springfield

PROPOSALS FOR THE MANAGEMENT OF MOORINGS ON THE RIVERS LEE & STORT, HERTFORD UNION AND REGENT'S CANALS

British Waterways is currently contacting local people in your area to discuss our proposals for managing moorings.

We have developed our proposals, aiming to balance the interests of different interest groups including boaters, walkers, rowers, canoeists, anglers, local residents, businesses and visitors to Lee Valley Park.

We want to hear your views which will help inform our final plans and how we put them into practice.

We enclose a document which sets out the proposals and we'd like to hear from you. Please:

- come along to one of the public meetings and have your say, and / or
- provide a written response (email or letter) – please read the enclosed form

For further information please contact

Damian on:

E: damian.kemp@britishwaterways.co.uk **T:** 07887 855306

DRAFT MOORING MANAGEMENT PLAN FOR THE RIVER LEE, STORT AND HERTFORD UNION CANAL (PLUS REGENT'S CANAL IN STAGE 2)

Please note: this is a draft Mooring Management Plan. BW is now seeking to engage directly with local interest groups, including the different groups of boaters in the plan area, to find out their views on the current levels of use of the waterways, on our proposals for managing them and how people will be affected. These views will inform our plans and how we for implement any new measures.

SUMMARY

Our aim is to ensure that our waterways thrive as working navigations, thus preserving the very essence of their character. We must plan and manage the water-space to ensure an appropriate and healthy mix of uses and do our best to meet the aspirations of the broad range of waterway and towpath users, along with local communities.

We believe that the use in this plan area has become unbalanced to the detriment of many users. Some 160 or so boaters reside on these waterways and depend exclusively on towpath moorings for their stops; they tend to be concentrated in several locations. This is causing concern to other waterway and park users, for example visiting boats cannot moor up, boaters' possessions and activities over-spill onto the towpath and the costs of providing local boating services, some of which are currently borne entirely by British Waterways have also escalated. It is also unfair that boaters with a long-term mooring in the area pay for that mooring, whilst the towpaths are currently occupied for prolonged periods for free.

Most of these boaters are licensed on the basis that they are 'continuous cruisers'. However, in practice, they tend to move only short distances between a few towpath locations. We propose some local short-term mooring rules, which are consistent with the spirit of the 1995 British Waterways Act, and to apply extended stay charges for people who stay in a particular place for longer than the maximum time limit. The result of this will be that some boaters may choose to cruise further distances and more progressively across the plan area to avoid charges, thus freeing up some towpath mooring space in popular areas. Others who choose to moor beyond the time limit will incur charges. This is seen as fair by the majority of boaters who do pay for a home mooring.

Subject to any modifications determined as a result of this consultation, BW is planning an implementation regime that includes daily patrol of towpaths and simple methods for collecting charges due.

We will also encourage the creation of new long-term serviced residential moorings in suitable locations, which would be subject to planning permission and therefore local consultation and decision.

BACKGROUND

The River Lee provides tranquil locations within its urban southern section and attractive stretches in the rural northern half, with close links to public transport along its length. It is a pleasant place to moor and to live aboard a boat, although legitimate residential moorings are very few.

The number of boats on the River Lee has grown significantly over recent years (from 520 boats observed in the annual boat count in 2006 to 721 in 2010, an increase of 39%) but very few long-term moorings have been created in that 4 year period.

There has also been an increase in boats mooring up on the Hertford Union and Regent's Canals in recent years. Licence evasion, which has been a major problem in the past is now largely under control following the completion of enforcement recruitment for the area.

Many **short-term mooring locations** (visitor and other casual moorings along the towpath) are continually occupied. We have seen a large increase in people who live on their boats as Continuous Cruisers¹ but simply move between a few locations. For example between July and October 2010, 167 boats without a home mooring were sighted at least three times on the River Lee over the three-month period. This is a problem because:

- These boaters are not meeting the requirements of BW's Mooring Guidance for Continuous Cruisers.
- The best locations to moor are often unavailable, particularly during the cruising season. This deters use by visiting boats and locally based boats and cruising clubs.
- There are some detrimental effects on the amenity of local people and other waterway users, such as 'spill-over' onto the towpath of boaters' possessions, fewer locations for anglers.
- The boaters are not paying to moor for prolonged periods along the towpath which creates unfairness, since other boaters pay for a long-term mooring in the plan area.
- The costs of providing boating services, for example free toilets, water supply, refuse and portable sewage disposal, at British Waterways' service stations have escalated as a result.

We have also seen **new mooring locations emerge** adjacent to privately-owned land on the offside (opposite to the towpath side of the river) without BW's agreement. This is a problem because:

- The moorings may not necessarily have BW's consent or the consent from the landowner (where BW does not own the bed of the river) – no one is managing the site.
- The site has not been assessed by BW (in relation to its online mooring policy and its suitability as a mooring site).
- The relevant contractual agreement with BW (and any fee) is not in place.

Why this area is a priority

BW has identified several locations nationally where mooring problems are intensifying and causing concern to other boaters, waterway users and local residents. This area, particularly the River Lee, Hertford Union Canal and Regent's Canal, is a priority because:

- There are high concentrations of boats moored along the towpaths and they are increasing.
- This is having a detrimental effect on many different users of the waterways and Lee Valley Regional Park.
- Research has indicated high demand for visitor moorings during the 2012 Olympics, particularly along the Regent's and Hertford Union Canals; during the summer of 2012, BW will be offering reserved berths along the towpaths in these locations and also on the lower reaches of the Lee. There will also be increased security measures and a need for close control of boat movements and moorings.

¹ To qualify for a BW boat licence, a boat must have a home mooring – somewhere where it may lawfully be kept when not being used for cruising. An exception is made for boats which 'bona fide' navigate throughout the period of the licence without remaining continuously in any one place for more than 14 days, or such longer period as is reasonable in the circumstances. Moving short distances within a limited area does not constitute 'bona fide' navigation. See BW's Mooring Guidance for Continuous Cruisers.

MOORING MANAGEMENT PLAN

BW proposals for addressing the problems

Our proposals are based on recently agreed BW policy following extensive national public consultation set out in BW's refreshed moorings policies (September 2010).

We have developed this draft mooring management plan, aiming to balance the interests of the different boaters, waterway users, local residents, Lee Valley Regional Park Authority and other partners, and we are committed to engaging with interest groups to help inform the completion of our plans.

The proposals are:

1 *Plan for unauthorised moorings adjacent to privately-owned land on the non-towpath side*

BW has recently conducted a full audit of all moorings on the Rivers Lee and Stort, with the aim of identifying sites without our authorisation.

Where relevant we will assess a site's suitability in relation to our mooring policies, navigation, safety, environment and other criteria.

We will identify land ownership and discuss issues relating to site management, consents and legal status with the landowner (where this is not BW).

2 *Plan for controlling short-term / casual moorings along the towpath*

As stated in our moorings policies, our aims for short-term moorings are to:

- Ensure that casual moorings are available where needed to meet the needs of cruising boaters and holiday-makers
- Reduce the extent of unauthorised mooring along the towpath.
- Increase local communities' involvement in decisions about the designation of casual mooring maximum stay times and about the siting of long term moorings.

In line with our mooring policies, we propose to:

1. Define neighbourhoods for the purposes of determining compliance with boat licensing rules for continuous cruisers.
2. Within the neighbourhoods, define time-limited mooring zones with associated time restrictions and terms of use.
3. Apply charges for stays longer than the time limit for free mooring.
4. Put in place the associated systems for checking compliance, collecting extended stay charges and enforcement action as required.

2.1 *Defining Neighbourhoods*

When boaters buy a licence and declare that they will continuously cruise, they commit to "bona fide" navigation without staying in the same location for more than 14 days. The legislation setting out this requirement did not define location and so BW must make an appropriate interpretation. The new national mooring policy means that from now on, this will be done locally by reference to defined neighbourhoods. For this plan area, our proposal is that there should be six neighbourhoods as follows:

1. Neighbourhood One – From the start of the Lee Navigation at Limehouse to the A406 North Circular Road and the entire length of the Hertford Union Canal.
2. Neighbourhood Two – From the A406 North Circular Road to the M25 motorway
3. Neighbourhood Three – From the M25 motorway to Fielde's Weir (junction with Stort Navigation)
4. Neighbourhood Four – From Fielde's Weir to the end of the Lee Navigation at Hertford
5. Neighbourhood Five (River Stort) – From Fielde's Weir to A1184, Cambridge Road (by Premier Inn)
6. Neighbourhood Six (River Stort) – From the A1184 to the end of the Stort Navigation

We will similarly develop neighbourhoods, time-limited zones and associated rules for the Regent's Canal as a second stage to these proposals; they too will be subject to consultation in due course.

Neighbourhood rules for boats without a home mooring within the plan area

- a) Every 14 days the boater must be in a different neighbourhood.
- b) If the boater overstays in a neighbourhood beyond the 14 days they will incur a charge for each additional day they remain (see 2.4 below).
- c) Boaters will not be able to return to a neighbourhood they have just come from unless they have reached a terminus. If they do, they will be subject to the daily charge.
- d) Between the start and end dates of the boat's 12 month licence², the boater may not spend more than a total of 61³ days in any one neighbourhood. If they do, the daily charge will apply. By cruising continuously throughout the plan area, keeping to the 14 day limits and spending an equal amount of total time in each of the six neighbourhoods across a year, it is possible to remain in the plan area for the whole period of the licence without incurring any charges.

Boaters will be encouraged to keep a log of their journeys so that they can keep track of the time they are spending in each neighbourhood. Boaters are responsible for keeping their own records and ensuring that they comply with the rules, but British Waterways will provide its record of boat sightings upon reasonable request.

Exceptions

- Boaters legitimately occupying an authorised winter mooring, should these be made available. In this case, the maximum total days permitted in any one neighbourhood within 12 months (see point d) above) would be adjusted for those with a winter mooring permit.
- Boaters prevented from moving on by circumstances arising beyond their reasonable control⁴.

2.2 Defining time-limited mooring zones within a neighbourhood

Within each neighbourhood there will be designated stretches where boaters are not permitted to moor for more than seven days. This is to facilitate genuine cruising stop-offs and the zones have been designated at popular locations. These zones are listed below and shown on the appended map. We have considered shorter time limits but ruled them out at this stage. They may be introduced if required at a later date, depending on experience gained during the first year or two's implementation of the plan.

Seven day mooring zone rules

- a) Boaters may stay for up to seven days for free in the mooring zone.
- b) Days spent on a time-limited mooring count towards the 14 days stay permitted within each neighbourhood. For example, if a boater without a home mooring in the plan area spent five days within a mooring zone and then moved elsewhere in the same neighbourhood, they would only be permitted to stay for another nine days within that neighbourhood before having to move to another.
- c) If a boater overstays on a time-limited mooring they will incur daily charges (see 2.4 below).

The proposed seven day zones are as follows:

- Bow Lock to A12
- Hertford Union Canal (entire length)
- Lea Bridge to North Circular Road A406
- Enfield Lock to Cheshunt Lock.
- Dobbs Weir Lock to Stanstead Lock
- Hardmead Lock to Ware Lock

² Or consecutive 3 or 6 month licence periods.

³ 61 days in total spent in each of the 6 neighbourhoods amounts to 366 days. Progressing from zone 1 to zone 6 and back again, spending 14 days in each zone in each direction would take 168 days, or just under half a year. Just over two such complete journeys would be required to provide a total year's cruising free of mooring costs.

⁴ The Mooring Guidance for Continuous Cruisers includes examples of reasonable exceptions. These do not include the need to stay within commuting distance of a place of work or of study.

- Hertford Lock to end of Lee Navigation
- Stort Navigation (entire length)

Rules for boats with home moorings within the plan area

The above neighbourhood movement rules will not apply to boaters with home moorings within the plan area, provided of course that they return to their home mooring regularly. For the avoidance of doubt, boaters who rarely return to their home mooring, will be required, upon reasonable notice, to comply with the neighbourhood movement rules above.

All boaters, including those with home moorings within the plan area, must comply with the seven day mooring zone rules as described in 2.2 above. They must also of course comply with the normal 14 day maximum stay time for casual towpath mooring or any other short term mooring.

2.3 Monitoring and enforcement

BW has introduced new systems for monitoring and recording where boats are moored, including automated logging of all sightings on BW's computer network. This has significantly improved records and our understanding of how heavily short-term moorings are used, along with individual boat movements. These records will underpin our enforcement of the rules proposed in this Mooring Management Plan.

We are making arrangements for the deployment of additional patrols to record daily sightings of boats moored along the waterways. These will not be enforcement officers, but staff or agents responsible simply for recording boat sightings and handing out relevant information to moored boaters.

2.4 Rules and charges for stays extended beyond the permitted time

- The neighbourhoods, time-limited mooring zones and rules will be communicated to boaters via information boards, leaflets, BW enforcement staff, boat checkers and BW's web pages. We will take all reasonable measures to ensure that boats visiting or based in the plan area receive and understand the information, but boaters are expected to make reasonable efforts to familiarise themselves with the rules by using these information sources. Whilst we recognise that signing would help with this communication, signs are expensive, all too frequently vandalised and can be detrimental to the landscape, and for these reasons our aim is to be able to run the system successfully using the other methods of communication listed above.
- A daily charge will apply for stays longer than the permitted time in neighbourhoods and time-limited mooring zones. This is proposed at £20 if paid in advance or on the day, otherwise it is £40 if paid retrospectively. It is not a fine, but a charge for the use of the mooring and contribution to our administration costs.
- The fee of £20 represents a reasonable estimate of what it will cost to implement the new rules including the necessary resource to monitor boats and ensure compliance. By way of comparison, the average cost of a simple BW long-term mooring for the year in the plan area is in the region of £1,500 - £2,000. The daily charge applies per boat and is independent of its length.
- We are making arrangements for payment by telephone, which we believe will be the easiest for most people and the most cost-effective for BW. We recognise however that some boaters may not have the facility to use this method, and are exploring the appointment of a small number of local agents able to handle cash payments for us on a commissionable basis.
- If the boater does not pay the charge on time, invoices will be issued, using evidence from records of boat sightings. Outstanding invoices will be dealt with through BW's credit control procedures and if necessary, court action.

2.5 Transient mooring permits

Our policy makes provision for us to consider offering transient mooring permits. However, given the current circumstances, we consider these inappropriate and impractical within this proposed plan area. They would add a further degree of complexity for little added benefit. We will however revisit the concept if experience in implementing the proposed plan suggests they might be useful for some customers.

SUMMARY OF THE PROPOSALS

This is a draft Mooring Management Plan and we are seeking the views of local interest groups. The plan area includes the Lee Navigation, Stort Navigation and Hertford Union Canal, with the Regent's Canal as a second stage.

1 **Plan for unauthorised moorings adjacent to privately-owned land**

We propose to:

- assess a site's suitability in relation to our mooring policies, navigation, safety and other criteria
- discuss issues relating to site management, consents and legal status with the owner

2 **Plan for controlling short-term moorings**

We propose to:

- Designate **neighbourhoods**. Boaters without a home mooring in the plan area will be limited in the total amount of time during their licence period that they may spend within any neighbourhood.
- Designate **time-limited mooring zones** within a neighbourhood. The default limit is 14 days but for some zones it will be seven days. Days moored in these zones count towards the 14 day limit in a neighbourhood.
- **Overstays** beyond the permitted time incur a daily charge of £20 (£40 if not paid on time).
- Boaters can **pay** by phone. Alternatives for those unable to access this method are being explored.
- **Unpaid charges** will be invoiced and, if unpaid, BW's credit control procedures will commence.
- **Enforcement** of these rules will be underpinned by increased frequency of boat sightings.

3 **Long-term residential moorings**

We will encourage the creation of new long-term, serviced residential moorings in suitable locations, which would be subject to planning permission and therefore local consultation and decision.

CONSULTATION ON THIS MOORING MANAGEMENT PLAN

This is a draft Mooring Management Plan and we are now seeking to engage directly with a range of local interest groups, including the different groups of boaters in the plan area, to find out their views on the current levels of use of the waterways, on our proposals for managing the use and how people will be affected. These views will inform our plans and how we implement any new measures.

We aim to consult with the groups below in February/March 2010. We will invite people to public meetings and then approach local authorities for further discussion once we have heard people's views.

Waterway users in the plan area such as boat clubs and associations, mooring operators, tourism businesses, anglers, rowers, long-term moorers etc. We would like to hear your views on the current levels of boating use and these proposals.

Boaters in the plan area without a long-term home mooring. We would like to hear your views on the proposals and understand how you may be affected.

Local councillors and authorities to ensure they understand the broad range of issues and engage with us, local residents, waterway users and boaters who will be affected by the proposals.

Please respond by Monday 4th April 2011

Please email responses to Damian.kemp@britishwaterways.co.uk, or post to British Waterways (Lee Area Moorings Plan), 64 Clarendon Road, Watford WD17 1DA.

For any further information, contact Damian Kemp, Moorings Project Officer, British Waterways Tel: 07887 855306. Further copies of this paper are available from BW customer services, 01923 201120, or download from www.britishwaterways.co.uk/leemooringplan

IMPLEMENTING THIS MOORING MANAGEMENT PLAN

Following feedback from the consultation, we will confirm the plan and put in place the practical arrangements for implementing during the summer of 2011.



British
Waterways

**FEEDBACK FORM – PLEASE RESPOND BY
MONDAY 4TH APRIL 2011**

PROPOSALS FOR THE MANAGEMENT OF MOORINGS ON THE RIVERS LEE & STORT, HERTFORD UNION AND REGENT'S CANALS

*Please use the prompts below as a guide. Responses can be submitted by email to
Damian Kemp (Project Officer) at Damian.kemp@britishwaterways.co.uk*

Paper copies should be posted Damian at British Waterways, 64 Clarendon Road, Watford WD17 1DA

If you have any questions about the consultation, please contact Damian on:

E: damian.kemp@britishwaterways.co.uk **T:** 07887 855306

Your name and contact details

*Please provide email or postal address,
depending on how you would prefer to be
contacted. Note, we will not be able to
acknowledge individual contributions, but we
may contact you if we need to clarify any
aspect of your feedback or discuss things
further. Unless you specify otherwise, we may
quote your views but they will be anonymous.*

Tell us what your interest is in the waterways in this area (please tick all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Residential boater | <input type="checkbox"/> Frequent visitor to Lee Valley Park |
| <input type="checkbox"/> Boat owner with long term mooring in the plan area | <input type="checkbox"/> Cyclist |
| <input type="checkbox"/> Continuous cruiser in the plan area | <input type="checkbox"/> Local resident |
| <input type="checkbox"/> Angler | <input type="checkbox"/> Local councillor |
| <input type="checkbox"/> Canoeist | <input type="checkbox"/> Local authority officer |
| <input type="checkbox"/> Rower | <input type="checkbox"/> Other local business e.g. cafe, pub |
| <input type="checkbox"/> Waterway / marine business | |
| <input type="checkbox"/> Other (please indicate) _____ | |

Prompts for responding

In order to respond, it may help to answer the following questions, but it's up to you.

1. What are your views on current levels of boating and mooring in the plan area?
2. What effect (e.g. good, bad, none) does the current level of boating and mooring have on your enjoyment of the waterways and park?
3. In general, what are your views on the proposals for managing moorings?
4. How will you be affected by the proposals?
5. Do you have any practical suggestions to make implementation easier / improve it?
6. Any other comments?

