
**KENNET AND AVON - BOATERS ACTION GROUP
MEETING WITH CRT AND HIREBOAT COMPANIES
IN RELATION TO ANTI-SOCIAL BEHAVIOUR OF SOME HIRE BOAT CREWS
MINUTES**

DATE: 5th April 2016, 09.30 – 12.30

VENUE: Julian House, 55 New King Street, Bath, BA1 2BN

ATTENDEES:

| | |
|------------------------------------|---|
| Canal & River Trust (CRT): | Matthew Symonds, Strategy and Planning Manager |
| | Georgina Wood, Business Boating Manager (South West) |
| Avon and Somerset Police: | Kelly Norris |
| Wiltshire Constabulary: | Mark Hough |
| Hire boat Company representatives: | |
| AngloWelsh | Rob Lawrence |
| Bath Canal Boat Company | Peter Brown |
| Bath Narrowboats | Lionel Meaden |
| Lazy Daze | Linda Johnson |
| | Mark Johnson |
| Oxfordshire Narrowboats | Tim Fisher |
| Sally Narrowboats | Keith Mann |
| Julian House: | Sam Worrall, Gypsy, Traveller & Boater Outreach and Engagement Officer |
| K&A Boaters Action Group (KA-BAG): | Tiff Gorman |
| NBTA: | Nick Brown, Secretary (also on behalf of Panda Smith for KA-BAG) |
| NLBC: | Kev Humphries |

APOLOGIES:

| | |
|---|---|
| ABC Leisure (Avelchurch) and Canal Club | Edward Helps (abroad, requested meeting off-line), John Bull |
| Avon and Somerset Police: | Sgt Will Stevens (alternative officer attended) |
| CRT | Mark Evans, K&A Waterway Manager (prior engagement) |
| Foxhangers | Russell Fletcher (CRT stated confirmed non-attendance) |
| KA-BAG | Panda Smith |
| Moonboats | Joe Bunce (unforeseen circs, written submission, circulated) |
| Oxfordshire Narrowboats | David Dare (written submission, circulated) |
| Warenford VC (Royal Navy) | (CRT stated OOW confirmed non-attendance) |
| Wiltshire Council | Ken Oliver (prior engagement, requested minutes) |

1 OBJECTIVES AND SCOPE OF THE MEETING

- 1.1 The following hand-outs were made available:
- (i) Letter from Tiff Gorman to Avon and Somerset Constabulary, 26-6-2015 objecting to anti-social behaviour (ASB) on hire boats, 160 signatures
 - (ii) Written submission from David Dare, Oxfordshire Narrowboats
 - (iii) Written submission from Joe Bunce, Moonboats
 - (iv) Copy of extracts from British Waterways General Canal Byelaws (1965-1976) inc Arts 1, 44, 57 (1965) and Art 5 (1976)

- (v) CRT leaflet "Considerate Boating" (distributed to all hire boat crews)
- (vi) CRT information card "Quiet Zone" (distributed to all hire boat crews)
- (viii) CRT information card "Be More Tortoise and Less Hare" (distributed to all hire boat crews)

(Editorial note: as a result of item (i) Avon and Somerset Police and Wiltshire Constabulary prepared a jointly signed leaflet dated 9-12-2015 relating to ASB which is now distributed to all hire boats; during the meeting Mark Hough (Wiltshire Constabulary) emailed a copy of this letter to Nick Brown for onward dissemination)

- 1.2 Matthew Symonds (CRT) confirmed the history behind the meeting. At the KA-BAG meeting 6-1-2016 he had agreed to facilitate a meeting between Georgina Wood (CRT), the hire boat companies and KA-BAG to discuss ASB on hire boats. *(Editorial note: at the meeting of 6-1-2016 Kev Humphreys was chair and Nick Brown took minutes)*
- 1.3 Matthew Symonds (CRT) confirmed the scope of the meeting to be:
 - (a) to understand boaters concerns; and
 - (b) to understand how complaints are dealt with.
- 1.4 Nick Brown (KA-BAG) added that the scope of the meeting was greater than that identified by Matthew Symonds (CRT) and also included detailed discussion of how to address ASB on hire-boats and working towards (if not achieving) specific deliverables in response. *(Editorial note: minutes of meeting of 6-1-2016: Action Item 6.6: "MS agreed to facilitate a meeting between Georgina Wood and boater representatives to develop a Code of conduct for hire boaters; procedure for live-aboard boaters who encounter difficulties")*
- 1.5 It was generally agreed by the meeting that everyone was seeking positive outcomes in order to move forward.

2 WELCOME, INTRODUCTIONS AND APOLOGIES

- 2.1 As above

3 BOATERS ISSUES

- 3.1 Nick Brown (KA-BAG and NBTA) presented the scope, from the boaters perspective, of the issues underpinning Tiff Gorman's letter (handout (i)) the starting point, from the perspective of the boater groups, for remedial action.
- 3.2 He detailed the key points being:
 - (a) The preponderance of "Stag weekends" and "Hen weekends" marketed by several hire boat companies, that these are specific for a for heavy drinking and that it was therefore unsurprising that complaints stemmed from this combination;
 - (b) The "Friday evening" effect, where large party crews, equipped with copious amounts of drink, are shown-out on a Friday afternoon and then head west towards Bath, that this then gives rise to complaints developing

- tracking the progress of these crews as they head westwards
- (c) (in response to David Dare, Oxfordshire Narrowboats e-mail referring to mooring density at locations west of Bradford on Avon) mooring habits of all canal users accentuate the problem; that dredging, attending to the decommissioned long term moorings at Avoncliff and general maintenance by CRT would mitigate this by making more space available; that many itinerant boaters engaged and were signatories in 2012 to “CoCo”, in which they agreed to avoid visitor moorings during the season so as to leave the moorings free for less experienced crews
 - (d) that ASB is a minority issue but has a major effect
 - (e) that victims ASB include multiple demographics including pedestrians on the tow path and people elsewhere (eg in pubs)
 - (f) that the consensus already was for prompt action (i.e. on the spot) in relation to reporting ASB through the agreed and appropriate channel

- 3.3 He made it crystal clear that this meeting was not an exercise in “Hire-boat-bashing” and that in fact it was intended to be exactly the opposite: to build bridges, work together and develop an approach to a common problem.
- 3.4 He also referred to the complaints statistics from 2015, that the KA-BAG web site has a form for filing complaints; that the reports generated by this forum were not many but were graphic in their content.
- 3.5 He also referred to the stark improvement on the part of hireboat crews so far in the 2016 season; that the hire boat companies were to be applauded for this; and noted that the peak period had not yet arrived; that there was a desire to get “ahead of the curve” in anticipation.
- 3.6 Kevin Humphreys (NLBC) added that his organisation was working on a menu-driven web form for filing complaints; that the web form as seeking to collate complaints to a central point; that the output from the web form was communication to CRT and the hire company; that an automatic phone-in system was in development.
- 3.7 He added that making complaints was a difficult thing to do if the offending boat was speeding past; phone signal on the canal was not always good for calling in complaints even if the boater had the respective phone numbers programmed into the phone; he also commented that there was a considerable sense among boaters of “not being listened to” when making complaints.
- 3.8 Sam Worrall (Julian House) added that behaviour (including ASB) that is dangerous can lead to death on a boat; that it would be a matter of regret if this led to someone being killed
- 3.9 Keith Mann (Sally Narrowboats) added that the canal is very busy and everyone needs to work together.
- 3.10 Matthew Symonds (CRT) observed that customers who engage in ASB does not lead to positive branding for hire boat companies and that the hire boat companies have a business interest in seeing eradication of ASB.

4 HIRE BOAT COMPANIES

Handover Procedures

- 4.1 Georgina Wood (CRT) commented that she has had reports of complaints by hire boat companies of ASB against hire-boat crews.
- 4.2 She outlined the requirements of CRT on a new hire boat company to be able to trade; that this involves
- (a) operating proposal;
 - (b) a 4-week internal consultation with Waterways, Environmental, Navigational safety, etc sections;
 - (c) after Item (b) an in-principle agreement is granted;
 - (d) subsequent to (c) conditions are levied;
 - (e) part of the conditions item (d) include definition of the handover procedure;
 - (f) (in the case of larger companies) the handover procedure is audited;
 - (g) the hire boat company is then bound by the Ts and Cs of licence;
 - (h) once the hire boat company is operating, should it wish to add to its fleet steps (a) – (g) are repeated;
- 4.3 Rob Lawrence (Anglo Welsh) observed that over the last 9 -12 months communication with other stakeholders had been improving; that meetings help; he recognised that the context was difficult; that a challenge was to identify the boundaries of responsibility (i.e. where his responsibility stopped and others took over); he saw the meeting in a much more positive light than previous meetings
- 4.4 Lionel Meaden (Bath Narrowboats) presented on his view of the dynamic of the matter:
- (a) different hire boat companies do things each their own way;
 - (b) he agreed that this was a contentious topic;
 - (c) evidence had reached him of considerable suspicious activity within the boating community (eg boat-hire, B&B, trip boats, etc) operating outside of the the scope of commercial licence (Matthew Symonds (CRT) observed that work was going on to address non-licensed commercial activity)
 - (d) historically he has been disappointed with such interactions and at a meeting 2 years ago the agenda developed into targeting hen and stag boats;
 - (e) every hire has to adhere to a very detailed handover procedure; every customer dealt with the same especially when alcohol involved;
 - (f) the handover procedure is revisited if ASB becomes involved and a prosecution undertaken: the handover sign-off is used in evidence as due diligence; he has to give evidence in person;
 - (g) he also has a responsibility to his insurers;
 - (h) he also has a responsibility in relation to his CRT business licence obligations;
 - (i) he is subject to ad-hoc on-the-spot inspections by BMF;
 - (j) he takes al these obligations very seriously;
 - (k) handovers take between 1 ¼ hrs. to 1 ½ hrs.; can take 2 ½ hours; he accepts that he is under pressure to reduce this time and the worst pressure is from very experienced boaters (some crews have returned

- between 10 and 20 times);
- (l) the contracting stage of the hire involves an e-mail stating the Ts and Cs including when the deposit will be forfeit;
- (m) a deposit of £500 is taken for all hires and held until 2 days after the vessel is returned;
- (n) both “out” and “in” handover include damage examination of the vessel in the same way as with hire cars; deposits are not returned for 1st and 3rd party damage
- (o) he operates a “2-strike” rule in relation to misbehaviour of the crew: the first violation results in forfeit of the vessel; the second requires confirmation of the location of the vessel, that the Police have been called and the vessel is being recalled
- (p) the handover policy includes provision for refusal of a client to board if the handover personnel are suspicious that the client will drink excessively or is already intoxicated;
- (q) a copy of the handover procedure is carried on board;
- (r) last year 4 user deposits were retained;
- (s) many boaters are ongoing customers with whom a business relationship has been formed: these clients will not jeopardise the relationship;
- (t) a number of clients, subject to sanction, have challenged the deposit retention by means of complaint to their credit card company: he observes that he was able to defend this by reference to video footage of ASB from 3rd parties;
- (u) he commented that the hire boat companies are working in competition but mutual respect exists between them in relation to addressing ASB.

4.5

Rob Lawrence (AngloWelsh) commented that:

- (a) they have a cohesive, structured handover procedure;
- (b) the handovers are conducted by people who are accredited and audited;
- (c) the handovers are expected to be “hard and sharp”
- (d) that the larger companies are aware of difficulties where a waterway passes into a large town or city as this inevitably leads to the crew navigating to the conurbation, mooring up and then “going drinking”;
- (e) BMF inspect hire companies (specific named person) for handover procedure competence; that the named person then tests and certificates internal auditors who in turn test handover personnel

4.6

Keith Mann (Sally Narrowboats) observed that:

- (a) they use a sign-off sheet during the handover procedure and each crew member signs the sheet;
- (b) this approach is specifically used with hen and stag groups and “a certain class of youngster”
- (c) John Inman has audited Sally Narrowboats;
- (d) raised concerns over the conduct of some live-aboards and that this work needs to operate in both directions

4.7

Peter Brown (Bath Canal Boat Company) commented that it is obvious that the hire companies are now working exceedingly hard in relation to tightening up on handovers; that it is now a question of proving that the handovers are an effective way of addressing ASB.

- 4.8 Kev Humphreys (NLBC) observed that the opinion of live-aboards is that handovers are trivial; that it was helpful for the hireboat companies to disseminate information on handover practise to the community.
MS: clear communication and how can live-aboards give hire companies assistance;
- 4.9 Linda Johnson (Lazy Daze) commented that they don't hire to hen and stag groups; they have a long handover procedure which can extend to 3 hours.
- 4.10 Keith Mann (Sally Narrowboats) commented that both Sally Narrowboats and Anglo Welsh operate an "in need of help" procedure in which a crew member and a member of engineering personnel exchange phone numbers; this system is used for engineering call out but not for addressing ASB; ASB is addressed by a manager.
- 4.11 It was recognised that specific scrutiny of parties that would otherwise be described as "single sex" was inappropriate for reasons of compliance with the Equality Act.

Skipped Hires

- 4.12 Lionel Meaden (Bath Narrowboats) commented that some day boats are hired out to hen and stag groups with a RYA-certificated skipper provided. He has also had instances where the crew had requested a skipper be provided to navigate the vessel back as they did not feel competent to do it themselves.
- 4.13 Keith Mann added that he was evaluating the business proposition of offering a skipper in response to groups who don't want to navigate themselves.

Mooring Provision

- 4.14 Keith Man (Sally Narrowboats) raised the question of attention by CRT to the shelf west of Avoncliff; Matthew Symonds (CRT) confirmed that the permanent moorings were not being re-let but the mooring restriction remained while the safety status of the presence of the ledge was being reviewed.

5 THE WAY FORWARD

Reporting Mechanisms

- 5.1 Georgina Wood (CRT) stated that complaints should not go to her.
- 5.2 The CRT leaflet (handout item (v)) was created in 2014. This is available on the CRT website. The leaflet is being updated and Mark Evans (CRT) is working with the Police in developing it.
- 5.3 Considerable discussion took place of how the reporting mechanisms of complaints should and do function.
- 5.4 Kelley Norris (Avon and Somerset Police) observed that in instances of ASB (in

particular serious ASB especially from groups of males) should be referred immediately to the Police. He commented that Sally Narrowboats had 2 instances last year of groups of army personnel on R&R causing difficulty; he also commented that he required contact for each hire boat company for onward referral of complaints; he commented that the hire boat companies have greater powers to eject offenders; in response to a request to clarify what ASB is, he observed that it is “anything that has any impact on another persons life (physical, mental, etc)”;

(Editors note: ASB is defined as “The behaviour by a person which causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the person” (Antisocial Behaviour Act 2003 & Police Reform and Social Responsibility Act 2011))

- 5.5 He requested the contact details for “who to call” for each hire company, including the role of that person within the company and what their authority is within the company.
- 5.6 Some concern was raised by some hire boat company representatives in relation to what the hire boat companies could be expected to do. There was some discussion of some past experience that the “Police were not interested”.
- 5.7 It was agreed that
- (a) a list of contact points within each hire boat company would be developed (Matthew Symonds (CRT) and Georgina Wood (CRT)) and circulated
 - (b) Matthew Symonds (CRT) will work with boating organisations in order to develop CRT's work with the hire boat companies
 - (c) the updated flyer handout item (v) would be published on the CRT website when it was finished
 - (d) the boater groups would circulate information arising from the meeting to its members
 - (e) until the reporting mechanism is further amended that people with complaints should
 - (i) promptly (on the spot) record:
 - (1) the name and number of boat, the date and time of incident
 - (2) the location of the incident
 - (3) the details of the incident
 - (4) the details of anyone involved - personal description; and then
 - (5) secure any evidence, names of any other witnesses, photographs/recordings etc.
 - (ii) promptly (on the spot) report the matter including the recorded information Item (i) either to CRT Customer service or the CRT Office in Devizes;
 - (iii) for more serious instances, promptly (on the spot) report the matter including the recorded information Item (i) to the Police
 - (iv) follow-up with a written statement of the matter including the recorded information Item (i) to the hire boat company in question.
 - (f) this information to be put on the K&A Boaters Action Group Facebook page by one of the admins;
 - (g) this information to be put on the KANDA web site by one of the admins
 - (h) this information be circulated by the representative boater organisations to the respective members and participants

- (i) items (f), (g) and (h) to be updated when the collated contact points Item (a) are available.

Availability and Access to Handover Procedures

- 5.8 Kev Humphreys (NLBC) requested of the hire boat companies that they make available their handover schedules for examination.
- 5.9 Keith Mann (Sally Narrowboats) suggested that boaters might like to attend handovers to see first-hand the rigour of the procedure.

Complaints Statistics and Tracking Improvement

- 5.10 Georgina Wood (CRT) commented that 6 complaints had reached her; some complaints had been received by the CRT office in Devizes; she commented that Mark Evans had not interrogated the system for specific statistic reporting to the meeting; 80-90% of complaints were about mooring situations (users not moving on, running generators) and few issues were in relation to ASB; significantly less than 50% were about hire boat company crews.
- 5.11 Matthew Symonds (CRT) commented that both CRT itself and the hire boat companies had received a low number of complaints. Nick Brown (KA-BAG and NBTA) observed that Tiff Gorman's letter (handouts item (i)) was not consistent with this. The implication was therefore that complaints were not being reported and propagated effectively.
- 5.12 Kev Humphreys (NLBC) suggested that this discussion was about challenging the "1%" of hirers who engage in ASB.
- 5.13 Lionel Meaden (Bath Narrowboats) commented that an open approach to complaints was required. No firm conclusions were reached in relation to establishing a system for gathering and collating public complaints statistics.

(Editors note: After the meeting Lionel Meaden (Bath Narrowboats) agreed to make Bath Narrowboats statistics available to the NBTA)

Moorings and Dredging

- 5.14 Linda Johnson (Lazy Daze) was concerned over the availability of moorings during the season and asked CRT for clarity of its intentions.
- 5.15 Matthew Symonds (CRT) responded:
 - (a) the CRT Volunteer Mooring Rangers will be assisting by monitoring the visitor moorings, in particular at Darlington Wharf, Avoncliff and Bradford on Avon; although this isn't a guarantee it assists in reducing congestion.
 - (b) Mark Evans (CRT) is responsible for moorings on the K&A and he is addressing the status of some "Permit holder" moorings including at Avoncliff including addressing several safety issues;
 - (c) Some "spot dredging" is to be undertaken on the K&A in 2017 at Crofton and on the Summit; this wont help with the 2016 season.
- 5.16 Nick Brown (KA-BAG and NBTA) commented that he had a matter before the

Waterways Ombudsman in relation to dredging on the K&A and useful actions on the part of CRT may emerge from that process.

Sanctions for ASB

- 5.17 Matthew Symonds reported on feedback from Stephen Holder (CRT Legal Department) on the availability of sanctions against crews who engaged in ASB. Stephen Holder stated that:
- (a) the relevant byelaw is Byelaw 39 (*Editors note: British Waterways General Canal Byelaws (1965-1976) Art 39: "Nuisance. No person shall commit any nuisance in or on any canal."*);
 - (b) in order to engage in a prosecution under Byelaw 39 a higher level of proof was required;
 - (c) the prosecution would take place some time after the event;
 - (d) therefore the byelaw route is not an effective way to address the problem; and
 - (d) consequently CRT would seek to enforce using its civil law powers rather than by means of relying on byelaw powers.
- 5.18 Nick Brown pointed out that Stephen Holder's advice was incorrect in this context, that Bye-law 39 is not the correct byelaw to use and that in fact Art 44 is the correct one (*Editors note: British Waterways General Canal Byelaws (1965-1976) Art 34: "No person shall navigate any vessel on any canal or take any part in the navigation, mooring or handling of any vessel on the canal whilst under the influence of drink to such an extent as to be incapable of having proper control of the vessel"*);

Next Meeting

- 5.19 Nick Brown (on behalf of KA-BAG) suggested and it was generally agreed that a follow-up meeting would take place at the end of the season to review progress through the season. The date and time was not fixed but it was agreed that "after the season" (i.e. October) would be better.

6 CLOSE

- 6.1 Thanks to everyone for taking the time to attend, contributing and working towards a positive outcome

ACTIONS

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|--|--|--|
| 4 | Develop and circulate a list of contact points within each hire boat company Matthew Symonds (CRT), Georgina Wood (CRT) | |
| 5.2, 5.7(c) | CRT leaflet to be updated and published | Matthew Symonds (CRT) Mark Evans (CRT) |
| 5.7(a) | Hire boat company contacts list to be developed and circulated to Police and Boater organisations | Matthew Symonds (CRT), Georgina Wood (CRT) |
| 5.7(b) | Boater organisations to work with Matthew Symonds (CRT) to develop CRT's work with the hire boat companies | Matthew Symonds (CRT), KA-BAG, NBTA, NLBC, etc |
| 5.7(d) 5.7(e) 5.7(f) 5.7(g) 5.7(h) | Boater organisations to circulate information arising from the meeting including complaints procedure | KA-BAG, NBTA, NLBC, etc |
| 5.7(h) | Boater organisations to update bulletins 5.7(e)-(h) when collated contact points Item 5.7(a) are available | KA-BAG, NBTA, NLBC, etc |
| 5.8 | Hire boat companies decide on release of handover schedules to boater organisations for examination | Hire boat companies |
| 5.9 | Confirmation of request by representatives of boater organisations to attend handovers (and confirmation of hire boat companies that they will support this) | Hire boat companies, KA-BAG, NBTA, NLBC, etc |
| 5.19 | Next meeting | All |