



## Report on consultation for the Waterways Partnership's Towpath Mooring Plan (TMP) proposal for the Kennet and Avon (between Devizes and Bath)

January 2014

### Introduction

In 2012, at the request of CRT, the local waterways partnership (LWP) nominated a mooring sub-group to come up with workable ways of addressing the CRT aims for moorings on the Kennet & Avon canal (K&A) as defined in the August 2012 [framework paper](#):

- A1. To protect the amenity of the waterway for widest public benefit
- A2. To improve access to popular visitor moorings by boats being used for leisure and holiday purposes, and to stretches of 'unmoored' water by anglers
- A3. To provide a means by which boaters without a home mooring currently resident between Bath and Devizes may continue with their chosen lifestyle without the need to move every 14 days.
- A4. To clarify local guidance and achieve understanding and compliance through effective, positive, communications and support, reducing dependence on requirement for exercise of legal enforcement powers.

The mooring sub-group submitted [their report](#) in November 2012. After reviewing this, CRT asked the group to further consider the following objectives (which were implied if not set out specifically in the original brief).

1. To refine proposals for visitor mooring signing, including return frequency, so that rules are clear and enforceable
2. To develop reasonable definitions for each neighbourhood between Bath and Devizes and to recommend a criterion for bona fide navigation for this area that is consistent with our Mooring Guidance and with the Bristol County Court judgment of 2010 (BW v. Davies).
3. For the benefit of those long established live-aboard boaters in the area who would find it difficult or impossible to fulfil the clearer bona fide navigation criterion, to design a flexible mooring permit that would legitimise their preferred movement pattern. (For guidance on the parameters of this design, please refer to our headings for community moorings permit terms and conditions)
4. In preparing these proposals, to be mindful of one further objective: namely to minimise the draw on the Trust's financial resources in implementing the plan. Monitoring costs in particular need to be considered in setting maximum stay times (the shorter the maximum period, the more frequent the monitoring activity required). While we are setting no specific objectives for revenue generation, we would like to see some income from the plan to support the costs of compliance monitoring and potentially to contribute to the costs of improving facilities for boaters.
5. To document the scope of consultation that the group has undertaken in developing the proposals. What is the view of the group on the desirable scope of any further consultation?

### Purpose of this report

This is a report which simply summarises the consultation and provides an overview of the responses received. The full list of comments has been shared with the Partnership sub-group and once personal information has been redacted, the full survey responses will be published on the consultation page of our website as is usual for our public consultations.

The Trust executive is considering the feedback during the remainder of January 2014 and preparing its decision response to present to the Waterway Partnership at the end of the month.

### **Consultation process**

In May 2013 the Partnership presented their report to the Navigation Advisory Group (NAG) and CRT and it was decided that the group's proposals should be put to public consultation. This step was necessary to give a final steer on the extent to which the proposals were appropriate to adopt. Members of the LWP sub-group, supported by the Boater Liaison Manager (south), developed a consultation questionnaire and invitations to take part in the consultation were sent to all boats sighted on the K&A between August 2012 and July 2013, all boats with a home mooring on the K&A and key stakeholders and organisations with an interest in the K&A. Reference copies of the consultation document were placed in five cafes alongside the canal along with some paper copies of the consultation questionnaire.

Participants were invited to indicate to what extent they agreed or disagreed with each proposal in within the TMP. The proposals were divided into two sections – those that would (subject to the consultation findings) be part of a 12 month pilot and those which should be considered longer term.

The consultation was carried out between 29 August and 29 November 2013.

438 completed response questionnaires were received as well as 19 separate submissions to the consultation, including 8 from local and national organisations with links to the canal.

The following organisations submitted comments without completing a questionnaire

- Bath and North East Somerset Council (Executive Member for Neighbourhoods)
- Inland Waterways Association
- Kennet and Avon Boating Community
- Kennet and Avon Canal Trust (Board)
- Kennet and Avon Canal Trust (Bath and Bradford on Avon Branches)
- National Association of Boat Owners
- National Bargee Travellers Association
- Valley Parishes Alliance

## Overview of consultation findings and examples of typical verbatim comments

The questionnaire responses showed a high level of support for many of the individual proposals set out in the Partnership's Proposal. Although there was some difference in support from boaters with a home mooring and those who continuously cruise, a majority of respondents to the consultation questionnaire from both these groups gave mostly positive responses to the individual questions (see tabulated summary appended). By contrast many of the responses from member organisations expressed reservations about some aspects of the proposal.

142 respondents took the opportunity to provide additional comments on the TMP proposals and these provided much more in-depth feedback with some suggesting amendments to the proposals; in particular many of the member organisations offered detailed comments reflecting their concern over the extent to which the proposals as a package would meet the stated objectives.

Recurrent themes have been identified and analysed according to the category of respondent.

	Continuous cruisers	Home moorers	Organisations
<i>Number of responses with comments received</i>	61	39	8
<i>% of commenting organisations mentioning the listed theme</i>			
The current rules are sufficient to manage the canal and should be enforced	80%	78%	-
Many of the proposals in the TMP would be difficult and/or expensive to implement	28%	35%	50%
The canal banks need to be better maintained, dredged and more service points provided to encourage boaters to moor further away from popular locations	54%	18%	25%
Stop boaters overstaying on visitor moorings	23%	49%	25%
TMP must be enforced and cannot be solely voluntary	25%	32%	37%
Suggested space to leave between moored boats for anglers/fire break is too great and would reduce available mooring space further	31%	26%	-
There is a need to create additional mooring spaces	-	-	37%
More long term moorings should be created	23%	-	-
More visitor moorings and other moorings should be created	6%	20%	-
20 km is not sufficient distance to be considered bona-fide navigation in terms of continuous cruising	-	-	25%
Opposed to self-declaration of planned movement on grounds of safety and privacy	17%	-	-
The TMP does not address the main issue of there being too many boats on the western edge of the K&A canal	14%	-	-
proposed free mooring period and 'no return' times for visitor moorings are too restrictive	-	17%	-

## Examples of typical verbatim comments

### MAKING THE PROPOSALS WORK

#### From boaters with home mooring:

*“The plan would appear to rely on best intentions rather than enforceable rules. As pressures increase good intentions do not work.”*

*“If CRT are unable or unwilling to enforce the current requirements I fail to understand how these proposals will make them any more willing to act.”*

*“I envisage that it will be expensive and almost impossible in cases where boaters live-aboard, to enforce penalties.”*

*“I think the proposed plan is completely unworkable. It is going to cause a huge amount of resentment amongst boaters. What you propose is a typical British way of dealing with a problem, you are trying to scout around the edges, you need to look at how to cure the problem from the other end [by providing more moorings]”.*

*“An additional system such as this will only increase admin, and implementation costs, and reduce efficiency.”*

*“Surely the system of voluntary implementation of the rules is a soft option and is being ignored by an ever-increasing number of unsocial boaters.”*

#### From boaters who continuously cruise

*“This seems to be a waste of your time enforcing guidelines must cost a large amount of time and money.”*

*“Adding a voluntary code of conduct will probably make things”*

*“These sorts of measures over-complicate boating, increase friction and antagonism between types of boaters.”*

*“Too complex just enforce the [existing] rules.*

#### From organisations

The VPA, IWA and K&AT express scepticism that any voluntary system relying solely on self-regulation would work;

*“We think it is unrealistic to expect that moorings and boat movements can be managed solely by a self-regulating system...[and] stress the paramount importance of CRT ensuring that appropriate compliance resources are in place before the plan is ‘rolled out’ and implemented.” – Valley Parishes Alliance*

*“IWA is concerned that by implementing a “voluntary” system there will be some boaters who simply won’t sign up to it and the problems will not go away. There doesn’t seem to be any incentive for any of the over stayers to actually sign up to the new voluntary system. IWA considers that there are serious flaws in the proposed plan and, whilst it contains some useful suggestions, the proposals it outlines are unlikely to solve the problems currently being experienced in this area.” Inland Waterways Association*

*“The LWP sub-group state that they believe a voluntary system will work to reduce the risk of overcrowding. We contend that we have in effect a voluntary system at the moment with, albeit vaguely defined criteria. This is clearly not working as the very existence of such a sub-group confirms.” Kennet and Avon Trust (Bath and Bradford on Avon Branch)*

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*"TMP MUST BE ENFORCED AND CANNOT BE SOLELY VOLUNTARY"*

*From boaters with home mooring:*

*"Actually get round to enforcing existing criteria for mooring and shift boats that moor where they shouldn't."*

*"I'm sick and tired of sticking to the rules, when others seem to have your backing to do what they like, it's about time you stuck up for those of us who pay for the upkeep of the canals with our licence money."*

*"System in place works fine if effectively carried out."*

*"Surely, all the above is already covered under current licensing agreements."*

*"Simply just implement the existing terms and conditions."*

*"The rules as they exist NOW should be implemented with vigour."*

*"We do not need more rules and regulations, just the enforcement of existing ones."*

*"Consistent robust enforcement is the only way forward but no one seems willing to do it."*

*"Better enforcement of existing rules and regulations would help."*

*"It has become an out of control no rules apply canal. If the rest of the canal networks can manage and control why can't the K&A as well."*

*"I propose that all boaters comply to the terms and conditions of their licence therefore alleviating the need for local guidance."*

*From boaters who continuously cruise*

*"There should be better enforcement of the current stay rules."*

*"Rules are in place at the moment. If these rules are enforced our canal system should work well."*

*"This is a complete waste of time and resources. There is already law in place to deal with continuous cruisers which is adequate if enforced."*

*"Why can we not enforce the current agreement which we all sign when we become continuous cruisers?"*

*"If the current rules and regulations were enforced there would be no need for this proposal, more enforcement against non licensed boats and over staying."*

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*"THERE IS A NEED TO CREATE ADDITIONAL MOORING SPACES"*

Several responses from boaters and organisations highlight the lack of/demand for moorings (both visitor and online moorings) and express concern that the Partnership's Proposal will not address this;

*From boaters with home mooring*

*"The proposals should not be implemented without a full and concurrent review of visitor moorings, with a view to increasing availability." Boater with home mooring*

*"Make it easy for us to stop and we will do so and spend money. Lots of small lengths of 24 hour moorings dotted along from the Bradford marina to the Cross Guns would help."*

*"As a visitor to the K&A this year (we spent two months going to Bristol and back to Reading) we struggled at all the best mooring spots to get a place, and subsequently weren't able to stop at places we really wanted to stop at... There weren't enough mooring places for the amount of boats using the canal"*

*"Consideration should be given to reducing the numbers of permanent moorings on this stretch and the space that is released should be converted into 48hr or 14 days moorings"*

*"We could do with more longer term moorings as not everyone is able to move every 2 weeks taking into account work / time commitments."*

*"You need to create more, reasonably priced home moorings with good water, waste and electric facilities and absolutely, essentially, plenty of parking."*

*"The real problem is the inflated cost of moorings. Most of the boats "Hogging" moorings are doing so because their occupants cannot afford to pay excessive mooring fees but are working in the local area in low paid employment. I feel the real answer is to provide cheap mooring sites for these boaters, preferably off line, freeing the main navigation for bone fide cruisers to bring in prosperity to the shops and businesses around the canals."*

From boaters who continuously cruise

*"I think there should be more visitor mooring spaces. I don't believe they all have [to be] 48 hours. Some should be longer or shorter depending on their location."*

*"There are visitor mooring sites that I think can be left open for 14 day moorings also."*

*"The crux of the matter is insufficient off line mooring space (as well as few and far flung). There are very few moorings outside of villages along the K&A (banks are generally shallow and full of reeds). If there were more "country" moorings, pressure on village visitor moorings would probably be relieved e.g. facilities to shop, take on water, and offload waste)."*

From organisations

*"It is recognised by all users that the K&A suffers from a serious shortage of residential and visitor moorings. In previous years much work was put into identifying new locations for residential moorings. This current proposal suggests this work is yet again delayed. For an area under severe mooring pressure, this seems to be a fundamental question that needs to be addressed in advance of any proposed changes." National Association of Boat Owners*

*"Ideally any boat owner wishing to stay within a more restricted geographical area should find and pay for a permanent mooring. CRT should increase the provision of permanent moorings available for this purpose." Inland Waterways Association.*

*The Valley Parishes Alliance suggest exploring " "quasi-residential' moorings on a stretch of canal adjacent to land owned by Mr Stephen ('Digger') Smith at Millbrook swing-bridge" as a possible solution to provide more moorings."*

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*"THE CANAL BANKS NEED TO BE BETTER MAINTAINED, DREDGED AND MORE SERVICE POINTS PROVIDED TO ENCOURAGE BOATERS TO MOOR FURTHER AWAY FROM POPULAR LOCATIONS"*

From boaters with home mooring

*"The K & A suffers from lack of dredging and poor depths of water at places that should be suitable for mooring, but are not."*

*"The depth of the canal is problematic in places preventing mooring safely."*

*"Not everyone needs or wants to moor at a wharf or next to a pub but we all need to be somewhere near the bank and to be able to get on or off our boat without fighting our way through reeds, stinging nettles, brambles and wild rhubarb. If these issues of canal maintenance could be addressed a little more diligently, I think there would be more than enough space for all the boats that currently wish to use the canal."*

*"better canal maintenance, dredging and towpath (non visitor) moorings would allow manor more people to moor along the K & A thus reducing pressure at the current visitor moorings."*

*"the towpaths outside VMs are often massively overgrown with weeds & not adequately maintained."*

*"In many areas of the canal, weed growth at the sides of the channel and on the banks make it difficult to moor."*

*"We have just completed a journey of the whole of the K&A, we were appalled at the lack of maintenance, condition of locks, lack of water and rubbish points."*

From boaters who continuously cruise

*"More water points, rubbish disposal points, improvements to banks and towpaths."*

*"Better maintenance is needed for the canal banks, away from the 24 and 48 visitor mooring. I believe this would encourage some people to use the poor state of the banks as an excuse for over staying along with more water points and rubbish disposal."*

*"There is no mention of maintenance of canal to improve moorings i.e. dredging and bank reinforcements."*

*"Increased provision of water points would encourage movement over a wider range and with increased frequency."*

*"I believe the Kennet & Avon should have better banking to allow 14 day mooring."*

*"we are very restricted to where we can moor now without any more enforcements, due to the non-dredging of this canal and the state of the banks which make it downright dangerous,"*

*"More space [for mooring] would be created if some of the reed beds were cleared."*

From organisations

*"What is badly needed is not more visitor moorings, but dredging and maintenance that would free up more space on the waterway where boats could moor to the bank for 14 days. This would ease any pressure on existing visitor moorings." National Bargee Travellers Association (NBTA)*

*"...there is limited choice of where to go to use water, refuse and sanitary facilities, which may mean turning back frequently" Kennet & Avon Boating Community.*

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SPACE FOR ANGLERS

The suggested space that should be left between moored boats for anglers generated lots of comments; the majority of these were opposed.

From boaters with home mooring

*"Currently not enough mooring space for a 3-5 meter gap"*

*"3-5 meters is not practical where there is pressure and shortage of mooring space & not practised in marinas and 'home moorings."*

*"The space allotted to fishing does seem to be a bit excessive."*

*"3-5 metres between boats at visitor moorings? Quite unacceptable unless you can extend them to achieve at least the same (already inadequate) number of boat lengths presently available."*

*"A 3-5 metre gap is excessive and would reduce many mooring spaces."*

*"As visitor moorings are incredibly scarce already it is unrealistic to expect boats to moor a few yards from the next one wasting space even though the theoretical benefits for fire protection are clear."*

*"No space needs to be left for anglers as they normally fish only in areas where boaters cannot moor anyway."*

From boaters who continuously cruise

*"As a former angler I have never needed more than two metres."*

*"The fishermen I know are quite capable of finding their own spots, and might indeed have favourite spots already. At Bathampton where I was moored on the weekend of 16-17 November 2013 there was an angling competition in which 50 fishermen competed in five teams of ten. None of them seemed to have any difficulty finding a place to fish in this popular mooring location."*

*"3.5m between every boat is unreasonable if this is to be recommended the canal should be dredged."*

*"If this is a requirement then visitor moorings will need to be considerably extended to facilitate 3-5m."*

*"The proposals in the section regarding anglers could increase friction between boaters & anglers & create more bureaucracy than is already proposed."*

From organisations

*"Leaving a 3-5 metre gap between boats is completely impractical to maintain on the part of the boater and impossible to enforce fairly." NBTA*

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#### SELF-DECLARATION OF MOVEMENT INTENTIONS

The proposal in the Partnership's Proposal that boaters could self-display their next move intentions generated mostly negative comments.

From boaters with home mooring

*"The suggestions that boaters could put a sign in their boat stating when they intend to move is just plain ridiculous!"*

*"Terrible idea, if you are acting in accordance with the agreement why should you have to do this?"*

*"This is intrusive and unrealistic"*

*"I strongly disagree with the idea that we should display a sign saying when we expect to move."*

*"It would feel like a massive invasion of privacy to have to write when you are going to next move on."*

From boaters who continuously cruise

*"I don't wish everyone to know my business. I don't wish to make myself/my boat vulnerable to risks."*

*"The 'notice to move' on my boat feels like an invasion of privacy; as a single female boater seems unsafe."*

*"Display notice of intent movement: All sorts of risks (assisting the timing of burglary hardly being the least) No boater is ever going to agree to this!"*

*"Self-Declare Intentions Posted on Boats -- Frankly, I think this is ridiculous. Life -- especially on boats, and even more so continually cruising -- simply doesn't work this way."*

From organisations

*"A requirement for all boats to declare this is onerous." NBTA*

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#### 20 KM INSUFFICIENT TO BE CONSIDERED CONTINUOUS CRUISING

Some organisations and boaters commented that they did not feel the proposed movement of more than 20km in the period of a license was sufficient to be considered as continuous cruising.

From boaters with home mooring

*"The 20km annual requirement is such a small distance that is not worth insisting on; how do you intend to police it?"*

*"The concept of an annual minimum distance travelled being set at 20K to count as continuous cruising is a contradiction in terms. Cruising or navigating is moving a boat."*

*"The requirement to move 20km/year is a joke and as good a definition of a "continuous moorer" as you are likely to find!"*

*"20km movement requirement does not reflect the term continuous cruising, 100km would be more appropriate."*

*"20km is not enough for a boat that is supposed to be Continuous Cruising. We have been doing up our boat this year and only been out 8 days.....we have done more than 30km!"*

*"20km/year is also not enough in my opinion to be considered compliant with Continuous Cruising."*

*"Distance moved in one year should be much more than 20k."*



From boaters who continuously cruise

*“20km per annum could be expected to be covered in approximately 1/2000th of a year - that is to say 99.95% of the time, the boat could be tied-up. This distance could easily be achieved in a short afternoon, once per year and making it a specific requirement would doubtless be seen as officialdom sanctioning it as adequate; monitoring will be of little use in rebuking any claim to have made such a distance when-you-weren't-watching. Also, this cannot be considered to amount to bona-fide navigation throughout the period of a licence and CRT should play no part in legitimising (intended or otherwise) any such suggestion.”*

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*“20KM IS MUCH TOO SHORT A DISTANCE FOR LEGITIMATE CONTINUOUS CRUISING AND MAY LEAD TO A HUGE INFLUX OF RESIDENTIAL BOATS THAT CRT HAS NO WAY OF LIMITING.”*

From organisations

*“IWA considers that boats on a continuous cruising licence should navigate considerably further than 20km range within a 12 month period.”*

*“20km it is not significantly different from the 16km (10 miles) navigation in the BW vs Davies case (2010). It would result in boats simply rotating in confined loops within popular stretches of the canal and ultimately lead to unacceptable congestion, i.e. defeat the objective of continuous cruising and damage the amenity of the waterway. This situation would be exacerbated if the number of neighbourhoods were increased to 10 or 14 (as proposed by the CRT and LWP sub-group respectively), i.e. boats would ‘inch’ their way around confined popular loops.*

*Furthermore, the combination of a 20km cruising loop with 10-14 neighbourhoods may prove extremely attractive to boats not already in the area, i.e. ‘induced demand’ may be triggered - boats attracted from other parts of the CRT canal network, resulting in increased congestion.” VPA*

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LIST OF PLACES

Although there was overall support for a list of places to be published which boaters should navigate through, some boaters and organisations objected to this proposal. Some disagreed with the principle of places, others objected to specific place locations or names. The Valley Parish Alliance put forward their own proposal which included just four places that could be navigated between as part of a permit scheme.

From boaters with home mooring

*“Disagree with ‘places’ set out in appendix 1 - there are numerous other stopping points which would still ensure boaters were moving a reasonable distance without making it impossible for commuting to work/schools/ etc. I would agree it’s the definition of a move realistic list of ‘places’ whilst allowing for some minor flexibility.”*

From boaters who continuously cruise

*“CRT cannot define places.”*

*“Places do not take in to account suitability of mooring or reality of geography.”*

*“The proposed plan splits the 19.5 mile stretch of canal side unreasonably and there should be closer to 28 x 14 day designated mooring stretches to allow boaters more choice of moorings. Alternatively, boaters could be allowed two stops per designated stretch.”*

*“Clarity is good but I am very cautious due to the definitions of ‘places’.”*

From organisations

*“CRT has no power to define ‘place’ or to prescribe which places boats without home moorings must travel between.” NBTA*

*“The list of places provided is both incomplete and inaccurate (and some of the place names are spelled incorrectly). To penalise boaters for mooring at places that exist and are marked on the map would be unlawful, and also unjust.” Kennet & Avon Boating Community.*

*"It is recommended that the canal west of Devizes be divided into four neighbourhoods which are delineated, and easily recognisable, by prominent canal features - Bath Top Lock - Dundas Aqueduct, Dundas Aqueduct - Bradford on Avon Lock, Bradford on Avon Lock - Semington Lock (15), Semington Lock (15) - Foxhangers Wharf Bridge." VPA*

*"It is considered that compliance monitoring for this number of neighbourhoods would be relatively manageable and, hence, the draw on CRT's financial resources would be minimised." VPA*

*"It is recognised that long established western Kennet & Avon Canal live-aboard boaters who have put down roots in a specific neighbourhood, particularly those who have children at local schools, would find it difficult or impossible to comply with the CRT's 'Guidance for Boaters without a Home Mooring' (May 2012). This situation has existed on the canal over the last decade or two and it is anticipated that this section of the boating community will wish to continue living on the canal. The VPA again proposes that a 'Local Mooring Permit' be made available to this section of the boating community." VPA*

*"We emphasise that our eventual advice would be for a simple return to the Continuous Cruising guidelines. An acceptance of "Special Cases" will lead only to the proliferation of Special Cases throughout the system. However we do realise that the existing position is where we must begin and a transitional period is required for any changes to occur. We propose that as, set out in the CRT objectives, a Flexible Mooring Permit be given to all owners without permanent moorings who are long established in the area. This could be either free or at a nominal charge to cover handling costs. This would be a temporary scheme to allow adjustment to the clarified CCGs." Kennet & Avon Canal Trust (Bradford on Avon and Bath Branches).*

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#### VISITOR MOORINGS

The responses to the consultation questionnaire showed strong opposition to the proposed restriction on visitor moorings - specifically the maximum days that boaters can moor at a visitor mooring in a month. Several boaters expressed concern that this would restrict their already limited leisure use of their boats or that this would disadvantage those who have shared ownership of a boat. Some respondents said that the proposed visitor mooring restrictions should also apply to hire boaters.

#### From boaters with home mooring

*"Those who have a home mooring within the region specified will be restricted by these guidelines and prevented from using their own boats regularly at weekends."*

*"Four days per calendar month is extremely restrictive - for example, if we stayed at Bradford on Avon for 2 days on the way top Bath and 2 days on the way back, we would be unable to use these moorings for another month!"*

*"There is no provision within these proposals for Shared Ownership Boats, run on similar usage patterns to a hire boat, but outside the scope of this document. 10 of 12 owners operating from a home boatyard mooring would fall foul of these proposals. I would propose they are in a 'Tourist Boat' category. Limiting VM mooring to 4 days per calendar month would be very problematic for this type of boat."*

*"I am a little concerned about the 4 days per month maximum at any visitor mooring. We use our boat predominantly for 3 months in the summer, generally going for 3/4 day trips staying for a maximum of 2 nights in one place, which limits the available range of moorings available, We could therefore potentially exceed this limit which would apply to us, but not hire boats."*

*"I strongly disagree with the proposal that boats cannot use visitor moorings for more than 4 days a calendar month. I am 61 years old and my husband is 71 years old. We have a small cruiser moored at Bradford on Avon Marina. We are retired and often go out for 3 to 4 days at a time. Because of our age and strength we don't often navigate the flight of locks so we travel between Foxhangers and Bath on a regular basis. What you are suggesting means that we can only use our boat twice a month."*

*"I am Marina based, but I could see that if I travelled out 3 times in a month I could potentially use a mooring site for more than 4 nights during the course of a month."*

From boaters who continuously cruise

*“Could be exploited by rich people. Too restrictive [and] unfair.”*

*“The no return within 28 days rule does not make sense. For example; If you visit the 48 hour mooring in Devizes on a trip down to Bath, you may also need to visit the mooring again on the return journey, which would probably be in a couple of weeks time at most.”*

*“The no return within 28 days rule does not make sense. For example; If you visit the 48 hour mooring in Devizes on a trip down to Bath, you may also need to visit the mooring again on the return journey, which would probably be in a couple of weeks’ time at most.”*

*“I’ve got a problem with the idea of paying to overstay. I think holiday-boaters will justify the extra expense and the visitor moorings near Bath will be blocked all summer by those who can afford to overstay.”*

From organisations

*“The moorings maps do not show previously identified 48hr designations. This reflects MSSG agreement to reject them in favour of 72hr zones in order to reduce (simplify) the number of moorings designations and allow boaters to stay longer than 48hrs - something which frequently happens. It is recommended that the maximum number of days within any calendar month a boat may stay at 24hr and 72hr visitor locations be limited to 4 and 6 respectively.” VPA*

*“It will be necessary to increase and change the signage. Anecdotal evidence suggests that the current system of small plates on oak posts is subject to vandalism. We would advocate larger, more permanent signs. These might be similar to those already placed along the Murhill Section which ban mooring. They are being ignored but at least highly visible and more difficult to vandalise.” Kennet & Avon Canal Trust (Bradford on Avon and Bath Branches).*

See Appendix 1 for a summary of responses to the consultation questionnaire. A full analysis questionnaire responses with listing of all the comments is [downloadable here](#).

## **Conclusion**

The consultation questionnaire findings together with the detailed comments highlight a number of areas where boaters, organisations and other stakeholders suggest that changes to the proposals are needed. Many of the commentators stressed that as they stand, the measures proposed would be unlikely to address all the stated aims.

The Trust will now give serious consideration to the findings and hold further discussions with the Waterway Partnership and Navigation Advisory Group to inform its final executive decision.

Matthew Symonds  
January 2014

Appendix 1

Appendix A

Summary of responses to consultation questions

Boaters agree to move to a new place every 14 days, unless it is reasonable in the circumstances to stay longer.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	51% (79)	67% (151)	61% (248)
Agree	38% (59)	27% (61)	32% (130)
Neither agree nor disagree	3% (5)	2% (5)	3% (11)
Disagree	7% (11)	3% (6)	4% (17)
Strongly disagree	1% (2)	1% (1)	1% (3)

Where appropriate, cases of concern which the Trust staff feel are not clearly 'reasonable in the circumstances' will be referred to a partnership sub group for review and may be subject to challenge.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	26% (40)	46% (102)	38% (152)
Agree	40% (61)	40% (89)	40% (161)
Neither agree nor disagree	13% (20)	8% (17)	11% (44)
Disagree	14% (22)	3% (7)	7% (29)
Strongly disagree	6% (9)	4% (8)	4% (18)

Boaters agree to vary the places they select to moor, and each time they move they agree not to move back to the place they have just come from (unless they are reversing the direction of travel or momentarily accessing essential services).

	Continuous Cruisers	Home Mooring	All
Strongly Agree	33% (51)	58% (129)	47% (192)
Agree	50% (77)	33% (74)	40% (162)
Neither agree nor disagree	8% (12)	3% (7)	6% (23)
Disagree	6% (10)	3% (7)	4% (18)
Strongly disagree	3% (4)	3% (6)	2.5% (10)

Boaters agree not to 'Bridge Hop' (the term used to describe when a boat moves from one place to another adjacent to it and then back to the same place).

	Continuous Cruisers	Home Mooring	All
Strongly Agree	41% (64)	70% (157)	57% (238)
Agree	44% (69)	21% (46)	30% (124)
Neither agree nor disagree	7% (11)	6% (13)	6% (25)
Disagree	6% (10)	2% (4)	4% (15)
Strongly disagree	1% (1)	1% (3)	1% (4)

A map of local Places will be published that reflects the local geography and the places determined in a consistent fashion. The places will reflect the advice provided by Canal & River Trust in the local guidance. A map of places has been produced by the working group. It is proposed that these are used during the 12 month pilot and then reviewed. The Towpath Mooring Plan will reflect the map of places.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	20% (31)	44% (97)	35% (141)
Agree	30% (47)	42% (94)	36% (146)
Neither agree nor disagree	16% (25)	9% (19)	12% (47)
Disagree	16% (24)	2% (5)	8% (31)
Strongly disagree	17% (27)	3% (6)	10% (39)

Boaters would agree that over the period spanning a boat's annual licence to achieve a range of movement that exceeds 20 km.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	26% (39)	41% (92)	36% (145)
Agree	39% (60)	29% (64)	33% (132)
Neither agree nor disagree	15% (23)	13% (30)	14% (56)
Disagree	14% (22)	8% (18)	10% (42)
Strongly disagree	5% (8)	8% (19)	7% (28)



Undertake regular, consistent and fair enforcement of the 14 day mooring rule, applied firmly and fairly to all boats, whether they are lived-on or empty.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	40% (60)	70% (156)	58% (235)
Agree	45% (67)	26% (58)	33% (132)
Neither agree nor disagree	8% (12)	2% (5)	5% (19)
Disagree	7% (11)	2% (4)	3% (14)
Strongly disagree	1% (1)	1% (1)	1% (3)

Take enforcement action against boats that have been shown to have persistently disregarded Local Guidelines.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	30% (46)	75% (167)	57% (231)
Agree	32% (48)	18% (41)	23% (91)
Neither agree nor disagree	15% (23)	4% (9)	9% (37)
Disagree	9% (14)	2% (4)	5% (19)
Strongly disagree	13% (20)	1% (2)	6% (25)

Updated signage, boundary markers (existing structures would be used wherever possible) and a towpath mooring map and information leaflets would be published to explain the local guidance.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	24% (36)	51% (114)	41% (163)
Agree	30% (45)	34% (76)	32% (127)
Neither agree nor disagree	21% (31)	11% (25)	15% (59)
Disagree	15% (22)	1% (1)	6% (26)
Strongly disagree	11% (16)	3% (6)	6% (26)

Boaters would be encouraged to self-declare their intentions with notices posted on their boats; for example an anticipated next move date (“next move before....”).

	Continuous Cruisers	Home Mooring	All
Strongly Agree	8% (12)	28% (61)	21% (83)
Agree	10% (15)	25% (55)	18% (73)
Neither agree nor disagree	17% (25)	20% (44)	18% (72)
Disagree	25% (38)	15% (34)	19% (77)
Strongly disagree	40% (61)	12% (27)	24% (96)

A summary of anonymous cruising records would be publicly available to show how boats are moving on the Kennet & Avon Canal in line with the guidance.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	7% (11)	29% (64)	21% (85)
Agree	25% (38)	32% (72)	29% (117)
Neither agree nor disagree	24% (37)	21% (47)	22% (88)
Disagree	14% (21)	9% (20)	11% (44)
Strongly disagree	29% (44)	9% (19)	17% (67)

Individual boaters would be able to access their own navigation records held by the Canal & River Trust

	Continuous Cruisers	Home Mooring	All
Strongly Agree	40% (60)	49% (108)	44% (177)
Agree	44% (67)	32% (71)	37% (148)
Neither agree nor disagree	8% (12)	15% (34)	13% (53)
Disagree	4% (6)	1% (1)	2% (8)
Strongly disagree	4% (6)	4% (8)	4% (15)



To effectively evaluate the 12 month pilot, and to determine whether it is appropriate to consider revision of the guidelines, the Canal & River Trust will work with the K&A Waterways Partnership to agree key measures that will be reported regularly to the partnership.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	24% (36)	46% (100)	37% (147)
Agree	41% (61)	42% (91)	41% (162)
Neither agree nor disagree	20% (30)	11% (25)	15% (60)
Disagree	7% (11)	1% (2)	3% (13)
Strongly disagree	7% (11)	1% (1)	4% (15)

Community Moorings should be rejected as an option on the Kennet & Avon Canal.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	61% (91)	55% (120)	57% (229)
Agree	15% (23)	26% (58)	21% (84)
Neither agree nor disagree	14% (21)	9% (19)	12% (48)
Disagree	5% (7)	6% (13)	5% (21)
Strongly disagree	5% (8)	4% (9)	4% (17)

The Canal & River Trust should continue to assess the merits of exceptional situations of need, on a case by case basis.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	47% (71)	38% (84)	42% (166)
Agree	38% (57)	43% (94)	41% (163)
Neither agree nor disagree	12% (18)	9% (19)	10% (41)
Disagree	2% (3)	4% (9)	3% (12)
Strongly disagree	1% (2)	6% (13)	4% (16)

Visitor moorings should remain free for the first 48 hours, but there should be an Extended Stay Charge for any K&A visitor mooring for more than 2 days at a time (the purpose of this would be to encourage more use by tourists visiting by boat).

	Continuous Cruisers	Home Mooring	All
Strongly Agree	18% (27)	48% (106)	36% (142)
Agree	24% (36)	37% (82)	32% (128)
Neither agree nor disagree	10% (15)	4% (10)	6% (26)
Disagree	17% (26)	5% (11)	10% (39)
Strongly disagree	30% (45)	5% (11)	16% (62)

All boats (except those registered for hire) should be limited to spending no more than four days in any calendar month at a particular visitor mooring.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	13% (19)	34% (75)	26% (103)
Agree	24% (36)	29% (64)	27% (106)
Neither agree nor disagree	15% (23)	11% (25)	12% (49)
Disagree	18% (27)	13% (28)	15% (61)
Strongly disagree	30% (45)	13% (28)	20% (79)

Debts accruing through extended stay charges should be collected via Canal & River Trust's normal consumer debt collection process.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	13% (19)	33% (72)	26% (101)
Agree	28% (41)	42% (93)	35% (140)
Neither agree nor disagree	30% (44)	15% (34)	22% (87)
Disagree	13% (20)	4% (9)	8% (31)
Strongly disagree	16% (24)	5% (11)	9% (36)

During the 12 month trial the renewal of a boat licence would not be subject to settlement of overstay debts.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	40% (60)	19% (41)	28% (109)
Agree	33% (49)	34% (75)	32% (128)
Neither agree nor disagree	9% (14)	12 (26%)	11% (44)
Disagree	7% (10)	14% (31)	11% (44)
Strongly disagree	11% (16)	21% (45)	18% (70)

No special provision is proposed for roving traders who must comply with the terms and conditions of their specific licences.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	18% (27)	32% (71)	27% (107)
Agree	36% (54)	39% (86)	38% (150)
Neither agree nor disagree	29% (44)	21% (46)	24% (97)
Disagree	11% (17)	4% (10)	7% (27)
Strongly disagree	5% (7)	3% (7)	4% (16)

To assist boat checking all hire/hotel boats under hire will be requested to display an “under-hire” notice or symbol.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	26% (39)	40% (88)	34% (136)
Agree	37% (56)	41% (90)	39% (156)
Neither agree nor disagree	27% (41)	15% (33)	20% (80)
Disagree	5% (7)	2% (4)	3% (13)
Strongly disagree	5% (7)	2% (4)	3% (13)

It would be a good idea for the location and lengths of all visitor mooring sites on the canal to be reviewed and updated to meet changing demand. Boating communities and other interested parties would be invited to contribute to this review which would take place during 2014.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	21% (32)	43% (95)	34% (136)
Agree	40% (59)	46% (102)	43% (171)
Neither agree nor disagree	13% (20)	8% (18)	11% (42)
Disagree	9% (14)	1% (2)	4% (17)
Strongly disagree	16% (24)	1% (3)	8% (31)

The need for pegging space (including for matches) for anglers should be included in any local guidance.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	7% (10)	14% (32)	13% (51)
Agree	38% (56)	41% (91)	39% (154)
Neither agree nor disagree	27% (40)	24% (53)	24% (97)
Disagree	20% (30)	10% (22)	15% (59)
Strongly disagree	9% (13)	10% (22)	9% (37)

The need for boaters to leave space (e.g. 3-5 metres) between boats to accommodate anglers is included in local guidance (as well as for reasons of fire safety).

	Continuous Cruisers	Home Mooring	All
Strongly Agree	7% (10)	14% (32)	12% (49)
Agree	22% (33)	28% (61)	25% (99)
Neither agree nor disagree	14% (21)	19% (42)	17% (67)
Disagree	34% (50)	20% (44)	25% (100)
Strongly disagree	23% (34)	19% (41)	21% (82)

Pre-payment options, for extended stay on visitor moorings, including pay and display or phone payment systems, should be introduced as a priority.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	5% (7)	20% (43)	14% (54)
Agree	18% (26)	28% (60)	23% (90)
Neither agree nor disagree	13% (18)	20% (44)	17% (66)
Disagree	22% (31)	13% (28)	16% (62)
Strongly disagree	42% (60)	19% (40)	29% (113)

When reviewed and updated, national Canal & River Trust enforcement documentation and published guidance should be amended to accommodate the existence of local guidance.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	8% (12)	24% (51)	18% (70)
Agree	38% (53)	52% (112)	45% (173)
Neither agree nor disagree	23% (32)	17% (37)	19% (74)
Disagree	9% (13)	1% (2)	4% (15)
Strongly disagree	22% (31)	6% (13)	13% (52)

When reviewed and updated, Canal & River Trust licence renewal forms should be amended to incorporate a tick box that records the boater's commitment to read and understand any local guidance that may apply to them over the forthcoming licence period.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	14% (20)	35% (74)	27% (105)
Agree	32% (46)	43% (92)	38% (145)
Neither agree nor disagree	13% (19)	14% (29)	13% (50)
Disagree	14% (20)	4% (8)	7% (29)
Strongly disagree	27% (38)	5% (11)	14% (56)

When reviewed and updated, Canal & River Trust license renewal forms should be amended to incorporate an additional tick box that enables the boater to confirm that “I understand that it is quite possible that my boat movements may attract enforcement action if I do not adhere to any local guidelines”.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	17% (25)	39% (84)	31% (121)
Agree	24% (35)	37% (79)	32% (123)
Neither agree nor disagree	10% (15)	13% (29)	11% (44)
Disagree	15% (21)	6% (13)	9% (34)
Strongly disagree	33% (47)	5% (11)	17% (65)

The UK Driving Licence points system is a widely accepted and understood concept. A points system based on this concept should be introduced to provide certainty for boaters of when enforcement action might be taken against them and could enable boaters to recover from an occasional lapse and assist the Canal & River Trust to firmly and fairly enforce rules.

	Continuous Cruisers	Home Mooring	All
Strongly Agree	11% (15)	24% (53)	20% (76)
Agree	29% (41)	35% (77)	32% (122)
Neither agree nor disagree	13% (19)	18% (39)	17% (65)
Disagree	12% (17)	9% (19)	10% (38)
Strongly disagree	35% (50)	13% (28)	22% (85)