

**Bath and North East Somerset Council
Boat Dwellers and River Travellers**

**Housing and Major Projects Policy Development
and Scrutiny Panel**

A Task and Finish Group review



July 2013

Review Panel Members

Cllr Eleanor Jackson
Cllr Brian Simmons
Cllr Gerry Curran
Cllr Dave Laming

Service Officers

Ann Robins
Samantha Jones,
Minkley Minkley

Lead PDS Project Officer

Donna Vercoe
Email: Scrutiny@bathnes.gov.uk
Tel: 01225 396053

Consultant

James Hurley
Director of Built4Life

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Foreword

The Task and Finish Group has undertaken a great deal of work since our terms of reference were formally agreed at the January 2013 Housing and Major Projects Panel. We began by consulting as widely as possible about the situation of those who live afloat, whether on the river or the Kennet and Avon canal. Due to the time constraints of delivery, the study was restricted to the Kennet & Avon canal and stretches of the River Avon between Hanham Lock, Bath and Dundas Wharf, and the panel's own restricted mandate, only considered the questions relating to accommodation and access to council services and facilities including education and healthcare. The Task and Finish Group uncovered significant evidence of how precarious life can be for boat dwellers and the potential for increasing numbers to present themselves to the council as homeless, but also learned of the joys of life afloat and how vibrant communities could be created or enhanced along the waterways. However, it is still unclear how many of the 1,000 or so B&NES residents afloat are there by choice, how many are traditional travelling families and how many are technically homeless, in sub-standard, badly insulated and unsafe boats.

A very useful piece of work undertaken by one of the Task and Finish Group members, highlighted the diverse meanings given to 'boat dwellers' by different organisations and the significance of this. It was important that the Group appreciated the differing definitions whilst also establishing what constitutes a Boat Dweller and River Traveller for this study (See p11)

Members of the Group met with senior executives from the Canal & River Trust (formerly British Waterways) and were disturbed both by their lack of awareness of equalities issues, and by their use of draconian powers to enforce the conditions of the licences they issue to the RU3 category (Page 12) for 'continuous cruising' (moving on every 14 days a distance further than from Bath to Devizes) The dialogue we attempted to establish has been compromised by their expectation that we would endorse their Memorandum of Understanding with boat users and incorporate it into the B&NES Core Strategy. We have serious questions about their MoU, of which they were informed, and consider that it would not be appropriate for B&NES officers to be policing their policies. However, the deadline for additions to the Core Strategy has now passed while their aspirations for a new marina are a matter for Development Control in due course.

One problem we have encountered in our dialogue with Boat Dwellers is their suspicion of officialdom, based on bad experiences in the past. However, a good cross-section of canal and river users came to the open session we held to hear their stories. Others have been in correspondence with us. A wide range of problems emerged from lack of information, lack of benefits (to which some of them are entitled), lack of moorings, exorbitant costs and difficulties with schooling and healthcare. We were disappointed to learn that there are only two designated disabled people's moorings on the Kennett and Avon canal. They also told us of many problems recognisable from the problems of land based tenants, and prejudice towards travelling people. We received detailed answers to our questionnaires which were distributed up and down the canal and river, and a good response from either phone or email. One thing that emerged clearly was how crucial the internet is to them.

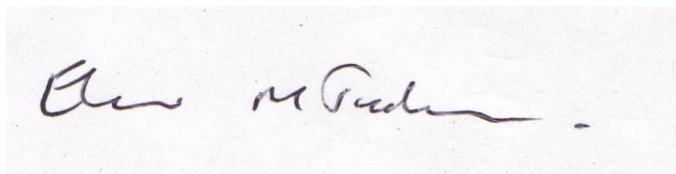
A limitation of the study is that we have not managed to address the problems that riparian residents have with boat users. We would have liked to meet Saltford Parish Council, who contacted us with their concerns, as well as the individuals who have emailed in their views. We visited moorings on the river but we were unable to fulfill our ambition of walking the Kennet and Avon canal. These limitations were a reflection of the time available to conclude the study.

All this has been balanced by excellent desk based research by officers into the existing legal position and conditions of life on our canals and rivers.

We hope that this study will provide a firm foundation for the formulation of a B&NES policy towards Boat Dwellers and River Travellers, including a code of good practice which the Council can use to support its dealings with its residents afloat and their 'landlords'. We believe that Through our research into best practice, we would also be the first Council to undertake future in-depth review work on Boat Dwellers & River Travelers.

We gratefully acknowledge the support we received from the various B&NES Departments who helped us collate the information that we needed and from all of the local Boat Dwellers and River Traveller respondents and participants. We would also like to thank the Canal & River Trust for taking the time to come and speak to the Task and Finish Group and the Kanda Boating Community for allowing us to advertise the work that we were doing though their website.

Once again, may we thank all of those who have participated in the production of this report, especially the council officers and the local Boat Dwelling Community who got in contact with us to share their views and experiences of living on the river and canal. We hope this will be only the start of a constructive dialogue with all stakeholders.

A handwritten signature in dark ink, appearing to read 'Eleanor Jackson', written on a light-colored background.

Cllr Eleanor Jackson Chair of Task and Finish Group

Housing & Major Projects Policy Development & Scrutiny Panel

Tables & Charts

Tables

1. B&NES Residential Use Categories for aligning the definitions of Boat Dwellers and River Travellers
2. Canal & River Trust Boat Owners Survey (boat dweller profile trends)

Bar Graphs

1. The Working status of Boat Dwellers and River Travellers captured through case study research
2. The Canal & River Trust Boat owner survey (2011)

Recommendations

The recommendations below have been collated in a summary format. The supporting background evidence for each can be found within the report findings.

Note: for the purposes of the Task and Finish Group findings, the term 'access' refers to the needs and issues of requiring access to facilities and services, (Social, Economic, Health & Wellbeing etc.)

Recommendation 1

The Task and Finish Group recommend that to inform future Council Policy direction a full in-depth study/ review on Boat Dwellers and River Travellers within our area should be undertaken, using the supporting evidence and findings contained within this report as a baseline for further investigation.

and as part of that in-depth study and review the TFG recommend that :-

1.1 The Definition used by the TFG as part of their investigations should be consulted on as part of the next phase of in-depth review work and for consideration for future B&NES wider policy definition. This should include conversations with all the different Authorities within the AINA (*The Association of Inland Navigation Authorities*) to agree a standard terminology.

This would ensure that all stakeholders know what and about whom everyone is talking with the consequent benefits of there being shared common language.

1.2 That the best practice methods undertaken by both Oxford Council (mooring policy and partnership work) and Wiltshire Council (who have linked its policies directed towards River Travellers with those towards gypsy travellers) be introduced in order to inform future policy direction.

The Council should work together with them and any other interested neighbouring authorities to build a consistent approach through the development of a liaison committee or similar forum. This should be co-ordinated with our current Gypsy and Traveller Strategy Group work.

1.3 That the Council investigates and identifies the barriers to services and facilities for vulnerable people along the waterways

These findings could feed into the work the Council is doing on the Joint Strategic Needs Assessment Review, the Homelessness Strategy and the Gypsy and Travellers Strategy work but would be important in their own right.

1.4 That the Council continues to establish an open- ended dialogue between boat dwellers and the Council, to establish clear communication channels.

This should investigate whether improvements can be made to:-

- a.) Our current B&NES Website, to improve access to key information for Boat Dwellers, for example; greater advertisement of the Council Connect service.
- b.) Relations with the Canal & River Trust. (such as the opportunity to use of their notice boards to advertise Council services)
- c.) The communications between local Ward Councilors and Boat Dwellers resident in their wards.

Recommendation 2

B&NES Council should not support recommendations to endorse the Canal & River Trust Mooring Strategy, until and unless we have been assured they are compliant with their legal obligations under the Equality Act and will not conflict with Council policy.

This would need to be timely to feed into the current Mooring Strategy that is being developed and before there is any endorsement of the draft Memorandum of Understanding developed between the Council and the Canal & River Trust which was presented to the Housing & Major Projects Panel in November 2012.

Recommendation 3

Future B&NES Council spatial planning requirements to deliver more dwellings, which have so far been increased through major housing developments, should also include the needs of people living on the waterways in Bath & North East Somerset.

This should include the following:-

3.1 Further Investigations to determine the feasibility of all major developments along the river or canal incorporating a pontoon landing stage with ready access to potable water and 240volt power as well as in close proximity to a public footpath, highway and waste disposal for use by River Travellers (RU3 & RU4) for a maximum 2-day stay and policed by Canal & River Trust as part of an approved Mooring Strategy in B&NES. These will also serve as short-stay visitor moorings.

3.2 Request that all off-line marina and mooring basin developments incorporate a maximum 14-day stay pontoon for River Travellers (RU3) for a minimum of three average length narrow boats as part of the planning approval process and policed by Canal & River Trust as part of an approved Mooring Strategy in B&NES. These are in addition to short-stay visitor moorings.

3.3 Determine whether all off-line marina and mooring basin developments can could reasonably be required to include a minimum of 10% of total berths to be allocated to Boat Dwellers whether or not they are RU1, RU2, RU4 or RU5.

3.4 To determine the scale and scope of the need and numbers of types of moorings and establish the current and further demands of moorings in the B&NES area.

This will need to be timed to feed into the current Mooring Strategy which is currently being developed

Recommendation 4

The findings within this report support the work of the River Corridor Group's future vision of regenerating the river. We recommend that the planned future B&NES River Strategy includes:-

4.1 The consideration of the needs and issues of our local Boat Dwellers and River Travellers within its initial evidence base.

4.2 Representation from the Housing & Major Projects Panel on The River Regeneration Trust (formerly the River Corridor Group) to ensure clear lines of communication between the Council and the Trust.

Introduction & background to investigations

At the Housing and Major Projects Policy Development and Scrutiny Panel (HMP) on 20 November 2012 the Panel received an update on Boat Dwellers from the Cabinet Member for Homes & Planning, which included a draft Memorandum of Understanding (MOU) between the Council and the Canal & River Trust. The Panel was asked to consider if they wished to undertake any policy review work on this matter and if they would support the MOU. It was agreed at this meeting that there were a number of issues that still needed further investigation and that the Panel should undertake some Task and Finish Group work to explore some of these issues further and report back to the Panel in 2013.

The issues surrounding Boat Dwellers & River Travellers impact directly on the wards through which the River Avon and canals flow; however these waterways are accessed by all sections of society and as they require schooling, medical care and utilities, their needs impact on other B&NES residents.

Anecdotal evidence suggests that there has been an increase over recent years in the numbers of people opting to become Boat Dwellers due to the lack of affordable housing available in certain areas and this has placed pressure on the River Avon and canals due to the lack of available mooring space within the district – the Canal & River Trust (CRT estimate this need to be more than 1,000 moorings. For example, a recent BBC news item focused on the problems of a family moored at Limpley Stoke and the rising costs of canal moorings. The TFG wished to verify this situation.

Purpose & Objective

The Task and Finish Group agreed to investigate the common needs and requirements of Boat Dwellers and River Travellers along the River Avon (*Hanham Lock to Dundas Wharf*) and the Kennet & Avon Canal in Bath & North East Somerset. This would provide the HMP Panel with enough information to make recommendations to Cabinet for both practical measures such as the development of a Memorandum of Understanding between the Council and Boat Dwellers & River Travellers, through their representative organisations, and for future policy development.

The study set out to support the work carried out by the River Corridor Group (now The River Regeneration Trust) and their vision for the future River Avon and also link to the current Core Strategy¹, specifically the requirement to deliver more dwellings, which have so far been increased through large housing developments and not yet by marinas and increased moorings for people living on the waterways in Bath & North East Somerset.

It is also important that work on the river is integrated with B&NES other policies, such as tourism, education, social care, health, economic wellbeing and 'housing'. For example, in Birmingham and

¹ In the 2011 Core Strategy Draft as presented to the Planning Inspector, Policy CP10 Housing Mix para 6.80 page 124 applies though river homes are not specifically mentioned and it could also be argued that policy CP7 Green Infrastructure applies par 6.58 on p 119. The findings of the Group should be useful in the further development of policy in the Local Development Framework and Placemaking stages.

Oxford the canal and river systems contribute substantially to housing students, and reducing HMO problems.

The Task and Finish Group set out to produce a report that contributes to a better understanding of the issues presented by and facing Boat Dwellers and River Travellers. It sets out information currently available and what further data and information is still needed. This will then feed into the draft MOU and future policy development including the planned B&NES River Strategy.

Methodology

The Task and Finish Group attempted to gather as much research and provide as many engagement opportunities as possible within the allocated 3-4 months. Therefore the findings within this report simply provide a snapshot of currently available data from February – May 2013. The Task and Finish Group decided to do this by means of the following :

1. By researching what work has already been undertaken by other local authorities and statutory/ voluntary bodies to use as best practice for future review work i.e. reviewing the findings from the recent B&NES Gypsy, Traveller, Boater, Showman and Roma, Health Needs Survey (2012 – 2013)
2. By investigating the different definitions used by the different bodies who are linked to the local boating community
3. By Arranging a meeting to talk to the Canal & River Trust
4. By Submitting press release to the local boating community containing an invitation to engage with the Task and Finish Group
5. By undertaking a focus group with some members of the local boating community
6. By compiling a number of case studies which invited members of the local boating community to share their issues, concerns and positive things about living along the River Avon, which has helped to inform and shape the future recommendations for this review.
7. By inviting phone calls and emails from local boaters and River Travellers to share their views and experiences.
8. By visiting were undertaken along the stretch of the River Avon including a visit to Chandos Lodge near Hanham Lock.

Equalities Assessment

An Equality Impact Assessment (EqIA) was completed as part of the scrutiny process. Adverse impacts were identified and have been justified/mitigated (See Appendix 1 for the full Equalities Impact Assessment).

FINDINGS FROM RESEARCH & ENGAGEMENT

Recommendation 1

The Task and Finish Group recommend that to inform future Council Policy direction a full in-depth study/ review on Boat Dwellers and River Travellers within our area should be undertaken using the supporting evidence and findings contained within this report as a baseline for further investigation.

And as part of that in-depth study and review the TFG recommend that :-

1.1 The Definition used by the TFG as part of their investigations should be consulted on as part of the next phase of in-depth review work and for consideration for future B&NES wider policy definition. This should include conversations with all the different Authorities within the AINIA (*The Association of Inland Navigation Authorities*) to agree a standard terminology.

This would ensure that all stakeholders know what and about whom everyone is talking with the consequent benefits of there being shared common language.

There are a number of definitions of Boat Dwellers or River Travellers to be found in many sources and with occasionally conflicting terminology. It has been necessary for the Task and Finish Group to acknowledge these differing definitions whilst also defining what constitutes a Boat Dweller or River Traveller. This is in order to make sense of future policy, services and support to those people who use a vessel in B&NES for residential use, whether or not it is permanently or seasonally moored, or they are a temporary visitor travelling along the waterways.

Our research has identified a number of relevant waterway organisations with different definitions relating to people who live on their boats, whether or not they have a permanent residential mooring or are travelling the inland waterways: For example:

- Waterways World refers to **liveboard boaters, boat dwellers, travellers** and **nomadic people**.
- The National Barge Travellers Association refer to **itinerant boat dwellers**, that is anyone whose home is a boat and who does not have a permanent mooring for their boat with planning permission for residential use, i.e. they are travelling boat dwellers without a permanent residential mooring.

- The Residential Boat Owners' Association represents **residential boaters**, that is people who have chosen to make a boat their home whether that boat is static or cruises; are based inland or on the coast; have a permanent or temporary mooring (whether residential or not) or continuously cruise.
- The Low Impact Living Aboard refers to **liveaboard boaters**.
- The Kennet and Avon Boating Community refers to **continuous cruisers, liveaboards, travellers, boaters, liveaboard boaters**.
- Canal & River Trust and Canal & River Trust Marina Limited both refer to **live aboard status** for **full residential** permanent moorings with residential planning permission for 365 days per year that may also have a CRT Houseboat Certificate. CRT also refers to **Grade 1 non-residential** moorings without live aboard status but where stays on boats summer and winter is an expectation.
- The Environment Agency (EA) only recognises recreational use of water and not for housing, residential use of vessels or residential craft. They refer to short stay and service moorings.
- The Broads Authority refers to **residential boaters**.
- The Association of Inland Navigation Authorities (AINA) refers to different types of **residential use** of vessels:

*“Although it is a minor use of inland waterways, **residential use** is recognised as making a valuable contribution to the multi-functional use and long-term sustainability of the waterway network, particularly on those navigations where it is part of the cultural heritage.” AINA, 2009*

The Association of Inland Navigation Authorities (AINA) has a membership that represents the collective views of the twenty one different navigation authorities who are responsible for navigation on the inland waterways of Great Britain, amounting to over 80,000 craft. AINA members include Canal & River Trust (CRT) and the Environment Agency (EA) which is especially relevant to the inland waterways of B&NES.

The Boat Dwellers and River Travellers Task and Finish Group believe that by adopting AINA definitions, we would be using the most appropriate terminology approved by all AINA members including the CRT and EA. This will logically differentiate between those people who live on their boats on the inland waterways as well as by temporary mooring type. It also represents the population that the Task and Finish Group are primarily interested in; ‘Boat Dwellers’ and ‘River Travellers’ whose main (primary) residence is a boat, vessel or floating structure, whether or not capable of navigation or on a designated mooring, or as a second home where they live for extended periods, or they are travelling the inland waterways continuously or seasonally.

The definitions of **residential use** that AINA refers to can be categorised into five types:

- RU1. Where someone lives aboard their vessel (**capable of navigation**) at a designated mooring base, basin or marina, who may periodically go cruising and return
- RU2. Where someone lives aboard their vessel (**not capable of navigation**) at a designated mooring base, basin or marina
- RU3. Where someone lives aboard their vessel and **continuously cruises** the network, with no designated mooring at a base, basin or marina
- RU4. Where someone lives aboard their vessel at a designated mooring base, basin or marina in winter, but continuously cruises in summer (**seasonal cruisers**)
- RU5. Where someone lives aboard a purpose-built floating structure (**not capable of navigation**) at a designated mooring base, basin or mooring

For the purpose of this review, the Task and Finish Group adopted the residential use categories above and attempted to align them with the differing definitions of relevant inland waterway organisations included in our survey:

Table 1

B&NES Residential Use Categories	Alignment of Others' Definitions
RU1	boat dwellers, residential boaters, live aboard status, full residential
RU2	residential boaters
RU3	bargee travellers, itinerant boat-dwellers, continuous cruisers, live aboard boaters, live aboards, travellers, nomadic people, residential boaters
RU4	residential boaters, live aboard boaters
RU5	residential boaters

2. Best Practice

Recommendation 1.2: That the best practice methods undertaken by both Oxford Council (mooring policy and partnership work) and Wiltshire Council (who have linked its policies directed towards River Travellers with those towards gypsy travellers) be introduced in order to inform future policy direction.

The Council should work together with them and any other interested neighbouring authorities to build a consistent approach through the development of a liaison committee or similar forum. This should be co-ordinated with our current Gypsy and Traveller Strategy Group work.

There is very little in-depth research or policy development work that has been undertaken by other Local Authorities on Boat Dwellers nationally, the only two that the Task and Finish Group could find, and use as a yardstick were the developments that Oxford Council have made within their mooring policy and partnership work, and Wiltshire Council who have linked its policies directed towards river travellers with those towards gypsy travellers:-

The developments that Oxford Council have made in developing their mooring policy for Boat Dwellers could provide some useful advice and guidance on the way forward for future policy direction within B&NES, particularly their Local Agenda 21 Mooring developed by the Boaters community which could offer some useful advice for developing our own Mooring Strategy further.

Oxford Council² proposed a submission for new residential moorings in appropriate off-river basins, after recognising that there was a demand for new residential moorings in Oxford, This was due to limited mooring space deemed suitable for permanent moorings and also a need to balance permanent residential moorings with short-stay visitor moorings, which have an important role in promoting tourism in the city of Oxford.

Oxford developed the Policy HP8 for boat Dwellers, which included an agreement that planning permission will only be granted for new residential moorings in Oxford waterways where;

- *they are provided in off-channel basins*
- *there is adequate servicing including water supply, electricity, and disposal facilities for sewage and rubbish,*
- *any car parking provision complies with the standards for residential development set out in Policy HS15, there is adequate access for emergency vehicles*
- *There will be no significant effect on the amenity, biodiversity or heritage interest of the waterway or surrounding land.*

Oxford City Council has also taken measures to tackle illegally moored boats on the Thames and Oxford canal by joining, and providing £44,000 towards, Unlawfully Moored Boats Enforcement Group -UMBEG. UMBEG is made up of Oxford City Council, the Environment Agency, the Canal & River Trust (CRT) and representatives from Thames Valley Police and landowners.³

The Oxford Local Agenda 21 Mooring⁴ (on the Oxford Canal in Oxford City) is a 'unique arrangement' between British Waterways (now CRT) and the Oxford Boaters' Co-op. These

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<http://consultation.oxford.gov.uk/consult.ti/SitesHousingProposedSubmission/viewCompoundDoc?docid=2463028&partid=2463828&sessionid=&voteid=&clientuid>

³ (see Waterway Watch (5th March 2012) article: <http://waterwaywatch.org/oxford-illegal-mooring-clampdown-boaters-form-new-group-2/>)

⁴ (Information from: https://www.crtmoorings.com/view_rules.php?id=1803)

moorings were created in order to legitimise and safeguard the way of life which has been developed by the Boaters Community already mooring in the areas covered by the Agenda 21 mooring sites. The Boaters Community in Oxford is a low impact sustainable community that has created a statement of aspirations and guidelines. It is expected that all owners and/or occupiers of Boats on the Agenda 21 moorings will respect and take up these aspirations and abide by these guidelines.

Wiltshire Council has linked its policies directed towards River Travellers with those towards gypsy travellers through including the term “Bargee Travellers” in its Gypsy and Traveller Strategy. This has been looked upon favourably by the boating community as the Gypsy and Traveller Strategy seeks to ensure that travellers have adequate access to council services and that efforts are made to keep travelling communities engaged⁵.

The Kennet and Avon Boating Community (KANDA) believe that “*Wiltshire Council is leading the way amongst local authorities in including “Bargee Travellers” in its Gypsy and Traveller Strategy⁶ (published in May 2010).* Wiltshire’s Strategy is about ensuring adequate provision of Council services – including the prevention of homelessness – and engagement with travelling communities, in line with the overall KANDA aims of creating strong and resilient communities.

The recent “Boaters’ Voices Project” undertaken by Wiltshire has helped the Council identify and meet the legally required needs of the boating community. One of the biggest concerns raised with Wiltshire Council is protection from enforcement by the Canal & River Trust, which is alleged to be designed either to force Boaters to move off the waterways by making it impossible for them to stay within reach of employment, education for their children etc. If they do not comply, they risk having their boat seized or removed from the water.

5 Demographics of Boat Dwellers within the B&NES area

The numbers of Boat Dwellers and River Travellers

National figures

Nationally there has been no comprehensive survey undertaken of the number of residential boaters as a household group, so we cannot establish the actual percentage of the total housing accommodation in England and Wales that this household group represents⁷. Findings from the Association of Inland Navigation Authorities (AINA) do suggest that there are 88,267 boats

⁵ This is explained in an article on the Kennet and Avon Boating Community (KANDA) website:

<http://kanda.boatingcommunity.org.uk/wordpress/wiltshire-council-traveller-strategy-includes-boaters/>.

⁶ Wiltshire Gypsy and Traveller Strategy 2010 states “*the Strategy therefore includes Romany Gypsies and Irish Travellers, as well as Travelling Showpeople, New Travellers, Bargee Travellers, and any other groups with a nomadic lifestyle, including such persons who on grounds only of their own or their family’s or dependents’ educational or health needs or old age have ceased to travel temporarily or permanently.*”

⁷ AINA Advisory Document on Residential Use of Inland Waterways, page 13

licensed to navigate the inland waterways operated by AINA members. However, only a relatively small proportion of these boats are used as primary places of residence⁸.

During our research we also discovered that the Government has reportedly excluded Boat Dwellers or River Travellers from the two-yearly caravan count which took place on 27 January 2011. This was due to the application of “the relevant Guidance Notes issued by Department of Communities and Local Government (DCLG)

We did find some useful data from the Canal & River Trust bi-annual Boat Owners Survey (2012)⁹ which has been created to monitor the demographic profile of boat owners assess levels of satisfaction, obtain information on boating related behaviour and Identify key areas of improvement for the future.

Profile of Boat Dwellers, (Canal & River Trust) Boat Owners Survey,

The survey was carried out using the internet for the first time, which meant they could contact many more people and achieve a much greater response than in previous years – a total of 3,588. They identified the following information:-

- Two-thirds were aged 55 or over
- Three-quarters are couples, with only 15% travelling with children
- Just under half have annual household incomes under £30k
- Make 15 trips per year
- Travel up to 15 miles per day, cruising for 5-6 hours

Table (2) below indicates some useful national boat dweller percentage profile trends between 2006=2011:

Boater profile –trends		2011	2009	2008	2007	2006
Age:	18 – 34	3	2	5	3	2
	35 – 54	27	28	36	31	32
	55+	68	67	57	63	62
	Not stated	2	3	2	3	2
Gender:	Male	79	78	79	81	84
	Female	18	21	20	17	14
	Not stated	3	1	1	2	1
Income:	Under £20K	23	23	24	26	n/a
	£20 – 30K	18	18	17	23	n/a
	£30 – 50K	25	24	24	19	n/a
	Over £50K	23	23	22	18	n/a
	Not stated	10	13	13	13	n/a
Boat is residence:	Yes	15	17	18	11	13
	No	85	81	80	89	87
	Not stated	0	2	2	0	0

Local
Figures

⁸ Association of Inland Navigation Authorities (AINA), Advisory Document on Residential Use of Inland Waterways, page 12 (September 2010)
⁹ <http://canalrivertrust.org.uk/media/library/1902.pdf>

*Note: question wording change in 2011
Base: All
Source: 2009 (Q57, Q58, Q62, Q60, Q32), 2011 (Q52, Q53, Q55, Q14)

The Task and Finish Group found it difficult to determine the local numbers of Boat Dwellers and River Travellers, due to the limited timescale and funds that we had available to achieve a detailed data collection survey. This highlights the need for further survey work to be undertaken, which could provide B&NES Council with detailed demographic data on our area, This will be required before developing any future policy work.

Therefore the Group decided to capture a snapshot of findings which were based on a number of case study forms completed by local Boat Dwellers and River Travellers, alongside emails/phone calls received and visits undertaken. The Task and Finish Group also utilised findings on the Health needs of Boat Dwellers and River Travellers which have recently been captured through the B&NES Health Needs Survey (2012-2013). All of the above provided the Task and Finish Group with a baseline for capturing the demographics of some of the individuals and families living along our rivers in B&NES.



B&NES Demographics (Snapshot Captured April 2013) based on 11 case studies completed by Boat Dwellers and River Travellers (*Hanham Lock, Bath to Dundas Wharf*)

- **Gender:** Male (8)
Female (3)
- **Age:** (Range) 34yrs – 64 yrs
(Median) 38yrs

Family structure

The B&NES Health Needs Survey (2012- 2013) revealed that most Boaters (23/30 = 77%) reported having just one generation (single or couple) living in their boat. Six (20%) respondents were living with children (aged between 4 – 21 years) of which three such respondents were male lone parents with older (teenage-21) children. One family of Boaters reported having 3 generations on board. (No other ethnicities/cultural groups reported 3 generations living together.)

Graph 1 (working status)



Duration of residence - All 11 respondents currently live on a boat and have lived on a boat for longer than a year - 18 months to 17 years. Males overwhelmingly have a longer period of residence on a boat than do women.

Accommodation status

- 7/10 do not have a mooring whilst
- 3/10 have a permanent residential mooring
- 1/10 no response was provided

Findings from the recent B&NES Health Needs Survey found only 6 Boaters (20%) had moorings. Most who responded (14/25 = 56%) said that they move every 2 weeks, while 7/25 (28%) move every 3-4 weeks. Four (all of whom have moorings) said they move throughout the summer for leisure/work purposes. Most who responded (56%) reported a high degree of nomadism by their circumstances and the Canal & River Trust legislation, of moving every 2 weeks.

Lifestyle Choice

- 9/10 said that living on a boat was a lifestyle choice

(1) *“Being able to live on the water is very important to me. The pace of life and the community help to keep me sane and the beauty of the changing surroundings means I don't have to worry that I can't afford to pay to go away on holiday, I can just go somewhere straight on the boat.”*

- 2/10 said that living on a boat was not a lifestyle choice the two reasons stated included

(1) *“Too old for Mortgage”*
 (2) *“In a sense it was a lifestyle choice but following a change in my arrangements for caring for my children, canal life became an option for me and certainly preferable to what I could afford in terms of housing in the private sector”*

Comparative results with the recent B&NES Health Needs Survey identified that amongst the Boaters that they surveyed, 16/27 (59%) who gave reasons, said they had adopted their current lifestyle as a result of the high cost of living in housing.

4. What the Council and other statutory and voluntary bodies are doing to engage with Boat Dwellers

The Canal & River Trust (formerly British Waterways)

The Task and Finish Group met with senior Executives from the Canal & River Trust (CRT) on the 20th March to get a better insight into the legal obligations, rights and responsibilities and future policy development of the CRT, which could be shared with the group to inform this review.

Some of the key findings and recommendations developed from this meeting include:-

Rights & Responsibilities

- On top of maintaining 2,000 miles of canals and rivers that are often over 200 years-old, they are responsible for an enormous network of bridges, embankments, towpaths, aqueducts, docks and reservoirs alongside everything else that makes up our waterways.
- As part of its asset management plan, the CRT will risk assess all maintenance needs.
- The CRT carries out regular audits along the canal using license numbers. Its latest estimate is that there are 1,000 boats on the canal at any time.
- The CRT has identified a problem with non-compliant boats in B&NES and has a duty of care to sort out these problems. They estimate that about 5-7% have real housing needs, living below the poverty line.

Legal obligations

- The legal status, since its transfer to charitable status in July 2012, has changed the governance structure of the CRT, as it is no longer a public body. All British Waterways' functions and property were transferred to CRT by statutory order in 2011. It has the same responsibilities but a different system of governance because it has become a charity. A significant amount of public money (central government money) has been invested in it but as a charity it can build up local relationships and raise funds.
- The Canal & River Trust revealed that despite there being no duty to have consideration of equalities, CRT considers itself to be covered by the Equalities Act.

Canal & River Trust future policy development

- The CRT is still working on a 10 year vision of the waterways, Further work is needed to relate this vision to areas within the B&NES Core Strategy.
- The CRT has set up a number of advisory groups– Angling, Conservation and Freight.
- CRT is hoping to differentiate long-standing boat-dwellers from new arrivals, issuing Community Mooring Permits to allow longer stays. These cost roughly £1,000 on top of the license (typically £750 pa).
- CRT is also aiming to define ‘navigation’ for the Bath valley area. It is likely to state that a journey of less than 10 miles in one journey is not sufficient to be regarded as navigation. There would also be a requirement to move at least every 14 days.
- Waterways Partnerships have been established to ensure balance for local communities. The partnership covering the Kennet and Avon has been tasked with producing a Moorings Strategy. The first draft of the document is expected in the summer 2013.

At the meeting, the CRT asked that the Group consider endorsing the Moorings Strategy. However, the dialogue that the B&NES Task and Finish Group attempted to establish appears to have been compromised by their expectation that we would endorse their Memorandum of Understanding with boat users and incorporate it into our Core Strategy the Group raised serious questions about the MoU, of which CRT were informed.

Recommendation 2

B&NES Council should not support recommendations to endorse the Canal & River Trust Mooring Strategy, until and unless we have been assured they are compliant with their legal obligations under the Equality Act and will not conflict with Council policy.

This would need to be timed to feed into the current Mooring Strategy which is currently being developed, and before we endorse the draft memorandum of understanding developed between the Council and the Canal & River Trust which came to the Housing & Major Projects Panel in November 2012.

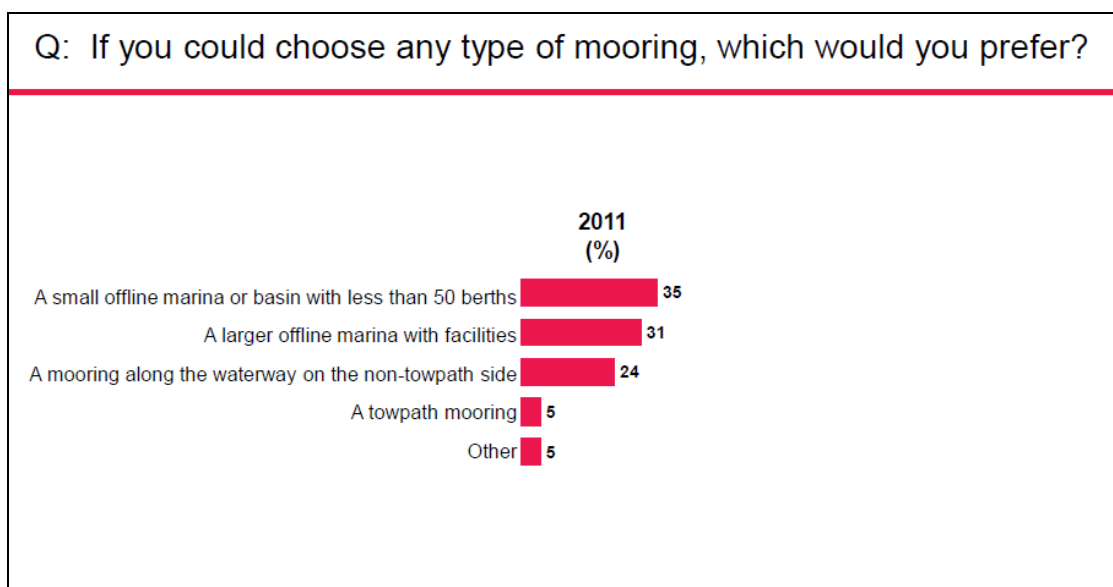
Broader issues discussed

- The CRT have over recent years, seen a significant increase in the number of people wishing to live on the canals and waterways for example, in 2011 the number of boats between Bath and Devizes grew from 434 to 534. Sally Ash (The head of Boating of the CRT) reported that they ‘do not wish to see ‘*ribbon development*’ along the canal banks. But in new marinas like those which have been built in the Midlands, though not enough to accommodate demand. Sally Ash, also explained that the CRT have the power to remove a vessel that is not navigating from their waters. This is in contrast to the 30% of boat owners who would prefer to be on a mooring along the waterway or towpath (Graph 2 below).

- Off-line (or marina) development is difficult in Bath & North East Somerset due to the Green Belt constraints and the high cost of land. This is not true, The River Regeneration Trust is working with landowners in greenbelt areas of Keynsham who are promoting an off-line flood compensation tank, marina and water ecology park in Keynsham as part of an overall sustainable community strategy that is inclusive and provides up to 150 permanent and seasonal jobs for local people.

The CRT is keen to resolve this problem and would want the moorings to be affordable (see below table of preferred mooring supplied by Boat Dwellers to the CRT Boat Dweller survey in 2011). The project being promoted by The River Regeneration Trust in Keynsham as part of the Bath Flood Conveyance Scheme includes state-of-the-art houseboats built and maintained locally that are built to passive design criteria and use a suite of affordable homes financial structures. This would take some of the pressure off the towpaths.

Graph 2: The Canal & River Trust Boat owner survey (2011)



- Long term residential moorings require planning consent; however CRT reports that most berths do not have planning consent. Water points, rubbish disposal and sewage disposal are all part of this licence. Consequently the CRT is struggling to manage demand on refuse and other services attached to their moorings.
- CRT does not have a means of communicating with boaters. Some are keen to establish a link and influence strategy whilst others are hostile to any approach that would limit their occupation of the waterways. This is not surprising given some of the approaches endorsed by CRT and their lack of commitment to the requirements of the Equalities Act.

We have included some of the comments and suggestions we received from local Boat Dwellers on improving their relationship with the Canal & River Trust, (see below)

- (1) *“Both to work with CRT and boaters on the delivery of services to better meet basic needs (e.g. hygiene) and to promote a fairer and less aggressive approach from CRT to boaters”*
- (2) *“For CRT to apply the 14 day rule, fairly and consistently, recognising that there maybe reasons for staying longer. That are covered by what they recognise as "reasonable in the circumstances" such as the need to access schools and services, disability and other reasons.”*
- (3) *“Although I initially trusted CRT, the last 2 years have demonstrated to me a combination of a genuine dislike of the whole idea of live-aboard boaters and a shocking inability to manage their place on the canal on behalf of CRT (or at least a dominant faction in CRT). I have experienced and witnessed the unfair treatment of sick/disabled boaters, including an elderly gentleman whose cruising was limited by a need to be close to his vehicle being suggested to go into care (along with threats of legal action if he stayed and could not cruise as per their expectations – despite doctor’s notes). I myself was pressured to move (again despite a note from my consultant) when I suffered a right hip fracture. Also I recently received blatant misrepresenting of CRTs terms and conditions in order to cause me loss and financial harm, which I find outrageous. Also I have noted the use of citing previous legal cases, in a misrepresented way so as to cause various individuals loss. It seems to me that CRT aggravates the situation rather than seek to promote understanding between and cohesion of the various canal users.”*

The Kennet and Avon Boating Community¹⁰

The Kennet and Avon Boating Community advertise various matters through their community boards. One in particular is letting the boating community know when Doctors surgeries are actively seeking NHS patients to register and encouraging all boaters to register with a GP to simplify their access to Health Services. The Task and Finish Group used this community site to advertise the work that we were doing and engage interest from the local boating community

The Council

During the course of this research the Group found little evidence of the Council engaging with Boat Dwellers and River Travellers, which suggests that there is a real need to overcome existing barriers and perception that some Boat Dwellers have of the Council, as was raised at our focus group.

¹⁰ <http://kanda.boatingcommunity.org.uk>.

5. Research – investigation of the needs of and issues faced by Boat Dwellers and River Travellers in our area

The findings below have been collated and analysed from a mixture of resources which include;

1. Information from case studies completed by Boat Dwellers (10) and phone calls / emails that we have received.
2. The key issues and concerns which were raised at our focus group have also been incorporated.
3. Visit to residents who live near to Hanham Lock near Keynsham
4. The recent B&NES Health Needs Survey, which investigated the needs and barriers to Health Services in our area. This was a chance for the boating community to have their say about how health services need to be changed to make them easier for boaters to access.
5. National work undertaken by the Canal & River Trust Boat Owners Survey, has provided a National overview of some issues for Boat Dwellers and has been useful in making a local comparison.

Due to the numbers of issues raised and for clarity we have grouped our findings under the following subheadings: -

- **Healthcare**

- ❖ Access to healthcare is an issue for all age groups and household types. Registration with GPs and dentists can be particularly problematical, but the ability to stay put long enough to receive longer term healthcare is a real issue for some people.
- ❖ B&NES Health Needs Survey revealed that *“Boaters in particular are likely to experience continual movement as a result of CRT regulations and in many cases GPs were in excess of 20 miles distant from the current place of residence. Boaters in particular reported experiencing numerous injuries associated with their way of life (spinal injuries, falls, cuts and chainsaw accidents)*
- ❖ *Health care staff and ambulances were not always able to identify or reach individuals at unauthorised locations and boaters in areas with limited towpath access could in effect be cut off from health care leading to ‘self-treatment’ or long journeys to A&E for treatment.*
- ❖ The B&NES Health Needs Survey has identified some of these key issues within its analysis of survey findings and has made a number of recommendations for practice some of these include:-
 - *trained community health advocates;*
 - *the development of culturally appropriate health resources for Gypsy/Traveller and Boater communities;*
 - *in-reach services to sites and towpaths;*
 - *urgent recommendations in relation to GP registration of itinerant boaters/Travellers who do not have a postcode/fixed residence; suggestions for cross-boundary working and the appointment of lead professionals for specific communities;*
 - *as well as the need to engage robustly with the Canal & Rivers Trust (CRT) to ensure that itinerant boaters/continuous cruisers are not subject to repeated movement when experiencing poor health.*

- **Children and Family needs**

- ❖ Families living on the waterways have a range of social and healthcare needs, but do not tend to come forward to access them.
- ❖ Access to education is a pressing concern as some anecdotal evidence has suggested that there can be difficulties in getting children to schools, particularly if they have to move after 14 days and every 10 miles. This often means that some local boat dwellers have to take their children out of school when having to move greater distances from schools¹¹. There is also the safeguarding risk for children, particularly if they have continually to move.

- **Housing needs**

- ❖ If people live on a boat, and their income and savings are low, they are eligible for Housing Benefit. They can claim Housing Benefit to cover the cost of the boat license, boat safety certificate and third-party insurance. If they have a mooring and/or if they rent their boat, Housing Benefit should cover the cost of the mooring fee and rent up to certain limits. However, it is the view of our housing officers that technically at least the 'bedroom tax' will be translated into a 'berth tax' if boats are rented and licensed with more berths than the family needs.
- ❖ Based on our research and consultation with Boat Dwellers there is a real concern that access to affordable or social housing is likely to increase and set to worsen with welfare reform. Therefore, the number of people resorting to living on the waterways due to financial circumstance rather than lifestyle choice is very likely to increase.
- ❖ There is a growing fear of homelessness due to the increasing pressure from CRT, the Environment Agency and with more evictions by private landlords where there is non-residential agreement and contract. The council's powers to investigate bad landlords do extend to bad moorings and accommodation, according to our officers.

- **Permanent address difficulties**

- ❖ Being able to get into work can prove difficult if one does not have a fixed address. One option available is to use a PO Box address but this is only available if you have a fixed address. The second option is to use a local point of interest e.g. pub on river or friend with a permanent address.
- ❖ There is also the risk that unlicensed and uninsured boats leads to a higher risk of boats being taken away by the Canal & River Trust.
- ❖ As Boat Dwellers and River Travellers often do not have a permanent address, it is difficult for some to register on the electoral role and vote, obtain credit, set up bank accounts etc. However, the group included people who use a post-restante address via the PO Sorting Office to overcome this issue.

¹¹ Taken from Wiltshire Council's 'Notes from Stakeholder Meeting 27 February 2012 at Corn Exchange, Devizes' for their Boaters' Voices Project

- ❖ There is also uncertainty of access to local schools, especially those popular and oversubscribed schools without a permanent address.
- ❖ Some found it difficult to register with a GP due to lack of postcode and had needed to use their parents' or other settled acquaintances post code.
- ❖ Boaters often have difficulty in getting health professionals to visit and some also claim that ambulances will not attend where they live. The major barrier was not having a postcode to give NHS services and lack of awareness of bridge numbers and location markers.

- **Mooring**

- ❖ There is an acute lack of residential moorings and moorings in general. This is commonly recognised by local marinas, Bristol Harbour managers and the Canal & River Trust (CRT) [CRT state that 1,000+ moorings are needed in B&NES]. Boat Dwellers felt that this was affected by the current CRT bidding process for available moorings which does not have a set rate but instead can go to the highest bidder, and often to someone looking for a second (holiday) home. Permanent moorings do not often become available and when they do they get taken up quickly, often debarring people in difficult financial circumstances from acquiring moorings.

There are people who do not want to move their boat far (because they need to keep their boat within reach of services and their place of employment, or because they cannot afford the cost of fuel), but who cannot get or afford an official residential mooring in their area. These individuals have to comply with the terms of the CRT licence and move location every 14 days; this makes their lives difficult.

- ❖ The cost of moorings and especially winter moorings can be expensive; £1,200 per 5 months K&AC. This is in addition to having to find the money to pay for the boat, CRT licence fee, insurance and a four-year boat safety certificate. The charge often does not reflect the quality of service provision, or lack of it. Boat Dwellers often have to make do with 'poor moorings' typically, these tend to be where there is a lack of access for emergency services, little access to public transport, no residential contract with the moorings, manager, etc.
- ❖ Marinas are often seen by Boat Dwellers and River Travellers as 'car parks' by design, because the boats are all lined up in rows without connectivity to nature and landscape, and rarely have permanent residential moorings. They can be 'unattractive moorings' to liveaboards.
- ❖ Boat Dwellers are at risk of being 'flooded off' when rivers overflow their banks. Constructing pontoons is an expensive matter as well.
- ❖ There is a conflict when landlords provide residential moorings, but require their clients to be officially 'continuous cruisers' so that they do not have to apply for planning permission for the facilities they provide.

Disabled needs and requirements: there is a lack of moorings and residential moorings for disabled people. There are only two known blue badge moorings in B&NES and no apparent provision for enabling access to moorings or facilities.

Recommendation 1.3

The Council investigates and identifies the barriers to services and facilities for vulnerable people along the waterways

These findings could feed into the work the Council is doing on the Joint Strategic Needs Assessment Review, the Homelessness Strategy and the Gypsy and Travellers Strategy work but would be important in their own right.

The Task & Finish Group asked Boat Dwellers for suggestions for improving their life along the river. 7/11 felt that we need to focus on the protection and regulation from rogue mooring operators and that of the regulations placed upon them by the Canal & River Trust. Below are some of the suggestions for improvement that we received.

(2) "Two things: 1. Increase the availability of official residential moorings to boaters, where the residential nature has little or no effect on the use of land compared to existing permanent non-residential moorings. 2. Increase regulation and prosecution of unscrupulous moorings operators who take advantage of the current weak position of boaters seeking residential moorings. The biggest problem for boat dwellers is the behaviour of some moorings operators. Stories of routine bullying behaviour, and "like it or lump it" policies directed at boaters by businesses holding a near monopoly on available mooring space, who know that the demand for residential moorings far outstrips supply leading to desperate boat dwellers compelled to bear treatment that would not be acceptable in any other sphere of residential occupancy"

(6) "I work in Bath and pay my taxes. I made a choice to live on the canal to reduce my carbon footprint. I adhere to the law and mooring of continuous cruisers policy in that I moor every 2 weeks. I respect that this is a public canal and it is used by holiday boaters, it seems to me that there is a drive to reduce the number of 14 days mooring sites so residents of the canal have to travel further each time making it harder to get to work. It seems it is very unclear what protected stretches of the canal is for residents or if this even exists."

• Service provision along the river

- ❖ On a scale of 1-10 respondents to the case study were asked to rate the importance of a number of possible daily issues. The most important were associated with Waterways Services (sewage/ Portable water), These included:-
 - Some of the waste receptors are poorly managed and often used by non-boating residents for dumping their own wastes.
 - There is a lack of service provision, of useable toilets, water stand pipes, showers and launderette services for continuous cruisers.
 - Boaters and others often misuse the services provided to boaters, such as facilities to empty their toilet cassettes and the cleanliness of the toilet blocks and shower rooms leaves much to be desired.
 - There are not enough regular points along the river to access freshwater

One solution recommended to us by a local Boat Dweller is that this could be a sense of ownership, either via actual community ownership or involvement and control through a resident's association-type set-up.

- (1) *Telephone call received: "There are not enough water points along the River, you have got to go and get a tank and fill it up (there is a distance to travel, to have a shower) There are some shower blocks along the Canal but none on the K&A. No opportunity to replace recycling, there is now an overflow and a rat problem"*
- (2) *Sewage: Sewage points (elsan/pumpout) are present at Dundas and Bradford-on-Avon). Elsan users frequently store full cassettes on their boats due to the distance to these points. Additional elsan points are much needed and should represent relatively cheap improvement. Where points exist even the provision of a simple hose for cleaning are shown to help in keeping these areas clean (this is not the case at Dundas).*

- (3) *WCs/public conveniences: "These are only present at Bradford-on-Avon. As mentioned, the boaters are somewhat restricted in their ability to store such waste so these facilities would be useful. It should also considered whether the facilities are adequate for all the walkers/cyclists and anglers (many of whom are undertaking long journeys). Perhaps at least a facility at Dundas would be useful".*
- (4) *Showers and laundry: No such facilities exist. The boaters are somewhat restricted in their ability to store water and generate the requisite power, while numerous boaters simply do not have a shower on board (due to space or costs of repairing broken boilers etc). Undoubtedly, this frequently contributes to sub-optimal hygiene. It's not by any means impossible to clean clothes and keep clean; however, it is more difficult and a larger proportion of boaters struggle to meet these needs and I know of instances where this has led to health issues. Perhaps facilities at Dundas, Bath and Bradford-on-Avon would be useful. An empty building stands at Dundas which could be used. Perhaps a small charge levied at the point of use or via a pre-payment scheme would be necessary in view of the initial outlay and running costs*

Further key issues and concerns of service provision raised by Boat Dwellers and River Travellers have been included below:

- (1) *(written statement received) REFUSE: At present boaters are required to transport refuse to the refuse facilities (Bath [Darlington Warf], Bathampton, Dundas, and Bradford-on-Avon) either by regular trips on foot/bike or by storing them on board the vessel until passing these points. There are no free collection points for waste oil/batteries etc. Certainly the sites at Bath and Bathampton are inadequate and frequently full, which is causing issues. CRT is proposing to close the site at Bath due to "abuse" of the facility, which may in part be due to fly-tipping. Sites are not secure from the public yet boaters can purchase a waterways key to provide access to facilities that are currently locked. The facility at Bath only uses domestic wheelie bins and is infested with rats. Refuse facilities need to be adequate for the needs of all canal users (e.g. walkers, hire-boaters, anglers, etc). The security, capacity, and frequency of pick-ups need to be evaluated"*
- (2) *Electricity: Boaters are off-grid and either generate power using renewable (chiefly solar) or by burning fossil fuels (usually via the engine or a generator). For solar, the initial outlay can be a challenge and for fossil fuels the efficiency makes electricity relatively expensive to generate. CRT offers a reduced license fee for electric boats but, unlike other parts of the canal network, there are no standing power-points. Such points could be introduced to improve access to power, and schemes might be investigated to produce some power in a sustainable way. Additionally, some boaters might qualify for help with the costs of switching to more sustainable forms of energy production.*
- (3) *Diesel: At the moment we pump lots of diesel and have to drive to Bristol Marina to get Diesel a more local supplier would be more economically friendly and cost effective.*

- **Growth and overcrowding of boats**
- ❖ There is a continuous growth of narrowboat tourism and associated narrowboat hire companies who compete by having more narrowboats. There is a fear amongst some Boat Dwellers that problems and incidents are going to get bigger and more frequent. This also supports the 23% increase that the Canal & River Trust have found in the number of boats recorded between Bath and Devizes in 2011.

- **Safety**
- ❖ There are particular safety needs at hot spots along the waterways, such as Widcombe where the towpath is used as a short cut by vehicles, who need to reverse back up the towpath when discovering there is no exit. This is causing pot holes, dust and danger to residents / pets, as well as drivers themselves.

- ❖ Boaters suggested that there is a need for better education for boaters and tourist boaters about how to be a 'good boater' which should be better promoted by the marinas, boat hirers and the Canal & River Trust.

- ❖ There is a distinct lack of information on safety that should be addressed by a number of Council teams and the emergency services. For example, smoke alarms are often not effective, but with advice, could be. Using gas, with open flames is a hazard which should be addressed.

- ❖ There is no stipulation for a fire detection system by the boat safety certificate (renewed every four years); this could be addressed by the Council's grant system.

- ❖ Assistance with disrepair and poor living standards could be addressed by the Council's Housing Standards team. A number of grants and loans are available and officers would be happy to discuss them with any interested Boat Dweller.

- **Building relationships & Community Cohesion**
- ❖ What became evident from the research undertaken from visits and speaking to individuals and families who live on boats is that there is a strong sense of community with a number of families with children who enjoy the lifestyle along the river. Below are some of the comments that we received:



- (1) *“Particularly when decent, affordable and secure accommodation is lacking, living afloat offers tremendous and as yet largely unrealised potential to establish vibrant small communities across a wide range of ages, families and occupations”*
- (2) *“Visitors to our community today (there’s a footpath running through the land) are likely to enjoy the sight of a well-tended garden, encounter friendly characters, inquisitive chickens, or see children hunting Easter eggs. As boaters we already have something in common with our neighbours, and the formation of a healthy and happy community can soon follow, given the right encouragement and protection. The Local Authority can help with this by recognising the value of such communities and providing practical support through various channels like amenities, education and planning.”*
- (3) *“Life on the water has a lot to offer for those whom it suits. In particular, the community spirit here is thriving and contains a genuine variety of people who find themselves in varying circumstances”.*
- (4) *“We provide a lot of bread for the ducks, swans, duckling and moorhens which is wonderful and we have learnt a lot about the wildlife and is a great environment to bring up children.”*

Above is a photo of the vegetable patch shared by many of the residents who live along Hanham Lock

- ❖ Some Boat Dwellers are nervous of contacting the Council because of the risk of paying council tax, etc. but would like to build up future confidence with the Council to overcome these issues. Assurance was given to those Boat Dwellers attending the focus group that most liveaboards in Bath & North East Somerset are not liable for Council Tax. There also exists some confusion about the relationship between B&NES Council and the CRT, of which there is currently none.
- ❖ One of the areas that the TFG would like to investigate further but were unable to due to timescales, is the concerns raised by people living adjacent to the canal and river - we only received one email from a local resident. However, this is certainly an area that requires further investigation as part of a bigger review.

Recommendation 1.4: That the Council continues to establish open- ended dialogue between boat dwellers and the Council, to establish clear communication channels.

This should investigate whether improvements can be made to:-

- d.) Our current B&NES Website, to improve access to key information for Boat Dwellers, for example; greater advertisement of the Council Connect service.**

e.) Relations with the Canal & River Trust. (such as the opportunity to use of their notice boards to advertise Council services)

f.) The communications between local Ward Councilors and Boat Dwellers resident in their wards.

- **Future policy**

Overall, some of the key issues and concerns raised through our investigations for this Task and finish Group review suggest the need for Council policy to set out its approach to the waterways and how it enhances life in Bath & North East Somerset, indeed some of the key issues and concerns raised at the focus group session suggested the need for the Council to contribute to the development of a Moorings Strategy that either aligns with or can be included in existing or developing policies or protocols.

Recommendation 3

Future B&NES Council spatial planning requirements to deliver more dwellings, which have so far been increased through major housing developments, should also include the needs of people living on the waterways in Bath & North East Somerset.

This should include the following:-

3.1 Further Investigations to determine the feasibility of all major developments along the river or canal incorporating a pontoon landing stage with ready access to potable water and 240volt power as well as in close proximity to a public footpath, highway and waste disposal for use by River Travellers (RU3 & RU4) for a maximum 2-day stay and policed by Canal & River Trust as part of an approved Mooring Strategy in B&NES. These will also serve as short-stay visitor moorings.

The River Regeneration Trust report to Policy and Scrutiny Panel which has now been approved by Cabinet as the foundation for a future River Strategy and regeneration along the River Avon in B&NES, provides the opportunity for marina, basin and on-line facilities and services for Boat Dwellers and River Travellers. The meeting at B&NES Council offices between the Task and Finish Group and representatives of the boating community identified very different needs for boaters, Boat Dwellers and River Travellers. It was also apparent in the distinct lack of places where a boat could moor up, charge its batteries, fill up with fuel, fill water tanks, drop off rubbish, go to local stores to shop and engage with communities and services. Surely any major development along the river should be asked, if not required by policy, to provide basic services and provision for peoples using and navigating our river and in the same process encourage them to engage and shop with local communities.

3.2 Request that all off-line marina and mooring basin developments incorporate a maximum 14-day stay pontoon for River Travellers (RU3) for a minimum of three average length narrow boats as part of the planning approval process and policed by Canal &

River Trust as part of an approved Mooring Strategy in B&NES. These are in addition to short-stay visitor moorings.

It is clearly evident from our initial study that River Travellers, whether permanent or seasonal, are using our waterways to navigate, explore and enjoy life. They are a vital part of a sustainable and inclusive community that we should encourage and for which we should make proper provision. . With increasing use of a strategy to apply the 14-day rule by CRT and other waterways responsible riparian landowners (including B&NES at Poultney Weir), there is an urgent need to accommodate facilities and services to facilitate navigation and movement for River Travellers. B&NES should ensure through planning policy, that any major development, marina or off-line basin along the river or canal should incorporate the basic services on a floating pontoon that are needed by River Travellers for up to 14 days so that they can navigate our waterways safely. This will naturally incorporate a responsibility of the CRT to police this activity as part of the B&NES Moorings Strategy and be governed by a River Travellers Code of Conduct to make alternative and reasonable arrangements to ensure that the stay does not exceed 14 days.

3.3 Determine whether all off-line marina and mooring basin developments can include a minimum of 10% of total berths to be allocated to Boat Dwellers whether or not they are RU1, RU2, RU4 or RU5.

The B&NES Core Strategy will form Part 1 of the Local Plan. Part 2 of the Local Plan will be defined by the Placemaking Plan, which will define where housing and jobs are to be pursued and where required, Green Belt land will be released to achieve the number of homes and employment floors pace expected by The Inspectorate. There is a requirement in the Core Strategy that any major development makes appropriate consideration for affordable homes. As a component part of the Core Strategy, the B&NES Strategic Housing Market Assessment (SHMA) shows that an increasing proportion of the total dwelling stock is accounted for by the private rented sector. The SHMA estimates that around 36% of the requirement for overall housing between 2011 and 2031 is for affordable homes. The Council also included in the Core Strategy that in making provision for affordable housing, further guidance on the tenure split between social and affordable rent and intermediate housing will be sought by the Council and the circumstances in which different tenures will be acceptable will be set out in the Planning Obligations Supplementary Planning Document. In addition, the former Housing Minister Grant Shapps has informed Councils that they can apply for New Homes Bonus for homes where people are living on boats. The New Homes Bonus matches the level of Council Tax raised by these houseboats for six years.

These intentions correspond to an increasing need to provide affordable homes through a variety of styles and financial agreements, be it private rented, social landlords or public supply. This also reflects an increasing demand in B&NES for residential moorings for Boat Dwellers (RU1, RU2, RU4 & RU5) revealed by the Task and Finish Group study; albeit their relevant numbers and types (Residential Use) requires a more detailed study and data collection. For health and planning reasons, residential houseboats should be built or refurbished to meet Inland Waterways' requirements, but should also be encouraged if not instructed to go beyond those core requirements; e.g. include a gas monitoring system. Certainly all new houseboats designed specifically for residential use should meet similar requirements of a house on land, such as Code for Sustainable Homes or Passive design. The marina project being promoted by The River Regeneration Trust in Keynsham is demonstrating this need, using Passive design for houseboats to meet energy efficiency requirements that are built and maintained locally. Other marina and off-

line basin developments, or improvements to existing marinas or off-line basins should be required to include a number of mooring spaces for residential boats and that the boats moored and lived on to meet a minimum standard; a B&NES Residential Use Code of Practice (to be defined).

3.4 To determine the scale and scope of the need and numbers of types of moorings and establish the current and further demands of moorings in the B&NES area.

Recommendation 4

The findings within this report support the work of the River Corridor Group's future vision of regenerating the river. We recommend that the planned future B&NES River Strategy includes:-

5.1 The consideration of the needs and issues of our local Boat Dwellers and River Travellers within its initial evidence base.

5.2 Representation from the Housing & Major Projects Panel on The River Regeneration Trust (formerly the River Corridor Group) to ensure clear lines of communication between the Council and the Trust.

Conclusion

In conclusion, the Task and Finish Group commend their findings for further consideration and adoption. It has been a privilege to work together with officers and respondents and boat people in this way, and we urge Bath and North East Somerset Council to make the resources available for further study. This is a situation which has been overlooked for far too long, with boat dwellers and river travellers regarded at best as marginal to society and at worse unjustifiably as nuisances and 'scroungers'. It is a sad reflection on the state of things that it is only when there is a danger of significant numbers presenting themselves as homeless, that we have undertaken this study, and we hope that the positives are evident as well as the negatives.

We are conscious that there are parallels with the situation of gypsy and travelling communities, but without the same ties of ethnicity, belief systems and community, and without the same legal protections of a minority community. Nevertheless, the needs of boat dwellers should be included in the Core Strategy in future, and the place-making process. One fact continues to amaze and delight us is the diversity of people drawn together by life afloat. However, we also deplore the failure to adhere to the principles of Equalities legislation so that this lifestyle is more accessible to the disabled and the young. We have refrained from 'purple passages' about the beauty of the canal and river and the freedom of movement some find in mobility of home ownership, but we believe passionately that it should be accessible to all. We also believe that B&NES Council must be more proactive in making council services and public health available to its river and canal dwelling citizens.

This survey can of necessity only be a snapshot of the present situation. However, we believe it is virtually unique, and we trust more work will now be done, as we have established the need for it.

Next Steps

This report and recommendations table will be submitted to the full Housing & Major Projects Development Panel at their meeting on the **23rd July** and Panel members will be invited to make amendments to this report.

A final version of the report will then be submitted to the relevant Cabinet members for discussion and response to the individual recommendations. The relevant Cabinet Members will then have 8 weeks to consider and respond to these Recommendations. The individual decision and rationale will then be presented back to the Housing & Major Projects Development Panel at its meeting on the **19th November 2013**.

Appendix 1: Equalities Impact Assessment (included as a separate document)

Appendix 2: Recommendations response table (included as a separate document)