

KENNET & AVON OPEN BOATER MEETING WITH RICHARD PARRY

Date: Wednesday, 21 May

Venue: Corn Exchange, Devizes

All comments by RP unless stated.

Other Speakers: Mark Stephens (MkS), Matthew Symonds (MwS)

1. The Kennet & Avon is 86 and three-quarter miles long. We are concerned that we only have one patrol officer. When is she going to get support? (Elaine Kirby)

We've committed to put more resource into providing an on-the-ground presence. I don't want to make a commitment here without checking with the head of the team but I think it's clear that we do need more than one officer on the K&A; I can't give you a definite answer about when that will be but I can check what our plans are.

2. Your history is in train transport, how much did this influence the people who employed you? HS2 is going to cause havoc. Were you made chief executive to deliver it? Compare the Trust's stance to the National Trust's who are vociferously against HS2. You have done consultation, but I've not seen anything from you saying 'this is damaging'. If HS2 goes ahead it won't be good for CRT's reputation (Carol Krebs)

I certainly wasn't appointed by the Trustees in any way to push through HS2, I can assure you of that. Our official position on HS2 is that we are not for or against it. This is because there are too many different views across the waterways community. Some people want it, some don't, there isn't one consistent view. So we believe it is not our place to argue for or against HS2.

But I stress very strongly that we are challenging where local impacts are too intrusive. We're about to submit our petition. It will include a strong challenge to HS2's plans at Fradley Junction on the Trent & Mersey. We have an alternative solution that is much better. Similarly we are arguing for better integration of the scheme with the canals in Birmingham and in phase 2 we will campaign for other locations too, such as the Chesterfield Canal restoration and in Leeds. We are targeting specific locations, that is the way we can be effective. If we are outside the discussion, no one is going to listen to the Canal & River Trust. It's much better to be on the inside, working with HS2 where we can educate and influence them. We are not making any money out of HS2. Our stance is to protect and enhance the canals to benefit people, not to benefit us commercially.

3. Are you happy with boating representation on council which gives too much preference to the IWA? (Geoffrey Rogerson)

We've four elected members to represent boaters. It was an open, fair election. We are starting a governance review to see how to improve Council's formation. For example, we're looking at having an elected Volunteer representative on Council, and an elected Friends representative both from 2016. It may look at boaters' representation also, but it is already the case that all boaters have a vote, and that the four most voted for were elected. Whilst all four are, I believe, IWA members, I know that they see their role as being representatives of boaters as a whole, not the IWA.

4. I am broadly very happy, but given that you are the Canal AND RIVER Trust, how do you decide how little you invest on river flooding? (A Stacey)

We have three measures from government that we are judged against, one of which is related to flooding – the assets that contribute to flood mitigation must be kept in good condition. But we have no direct responsibility for river flooding, that is solely the remit of the EA. This is the case even on the rivers we are navigation authority on, such as the Avon; we are only responsible for investing in navigation assets on rivers such as lock gate. If there is a significant spend needed on flood relief, then that is down to the EA rather than the Trust.

5. Is it true that we've been given legal advice to say that we can't implement the 12 month mooring trial nationally? If so, that is a massive oversight and waste of time from Sally Ash and her team (Pamela Smith)

I don't agree that it's been a waste of time. It is not a trial, it is a 12 month interim period – developed by the Partnership – to resolve local issues. It is not intended to be a long term plan. The default position is that we will revert to the national guidance after 12 months, but we want to see how effective this interim period is in addressing the current issues.

Where does that leave strategy of local mooring plans that you consulted on five years ago? (Pamela Smith)

The 2009 consultation has been a step in the process of finding better solutions. There is a role for local plans. It is not black and white. If a specific local policy is developed that will help address a local situation, we will try it provided it does not conflict with national policies.

Why haven't you tested the legality of it? It's the same as ongoing roving mooring permits, your legal advice said it wouldn't work? (Pamela Smith)

The advice on roving mooring permits was that by creating a new permit type it might be difficult to restrict it to specific locations. We didn't want to create a new national permit.

Why aren't you offering local plans elsewhere such as Staffordshire, the Gloucester & Sharpness, which had been earmarked? (Pamela Smith)

I don't know of examples in those areas but if people want to develop local proposals that address issues in those areas then we will look at it. The K&A is unique because it was developed by local people on the K&A.

Clearly local plans won't be and can't be supported. It's a waste of money and a waste of time for all those who've been involved - local councils, consultees etc. You are putting in place something that was unlawful, so it is an extreme waste of time (Pamela Smith)

With respect I don't think you can speak for organisations that you don't represent. I don't think we have wasted peoples' time. The discussions held going back some years have been a genuine attempt at resolving an issue. The status quo wasn't working. This was done in consultative way and the local Partnership then took the initiative. I'm happy to have a dialogue about how we go forwards from here. If there are other areas with difficulties we are happy to discuss. We have to strike a balance between national and local needs.

So Sally Ash made a massive oversight – that's why you asked Sally Ash to retire (Pamela Smith)

Sally was not asked to retire. She has made a genuine effort to create dialogue and to resolve things and her retirement is entirely her decision.

6. My question is about democracy. One Man One Vote is a good system. So why then do boater representatives need more support than other representatives when elected? It would be unfair if certain political parties needed more votes than others to get a nomination? (Craig Marshall)

I'm not fully aware of the reasons for the different nomination levels; perhaps it's because boaters are more active and likely to be well-supported; hence it may have been thought that they would be naturally more willing to put themselves forward, especially compared with other groups that are less actively involved. If we had a very low nomination threshold for boaters, we might end up with a very large number of potential candidates on the voter slip, those elected might get elected on very low numbers of votes, which isn't that representative. Choosing which system offers the best democratic outcome is not always obvious.

I emailed 35 people on the Council with a complaint. None responded to me. Not even an opinion, let alone a resolution. That's not democratic? You need to communicate better. (Craig Marshall)

Council aren't in place to deal with day-to-day issues. They have a strategic role to oversee the Trust and expect me and the executive to deal with such issues. But I accept that they should have done better to respond

7. A second question I have is about FOI efficiency re: late licence payment charge – I only got two brief emails? There was a lack of comprehensive answers – did you guess the figures? The £150 charge seems guessed, not a rigorous process. How can you work like that, especially if you are planning resources to enable you to appoint more enforcement officers? Also the hourly rate used for enforcement officers is £55 an hour. This compares £27 for a police officer. Why is CRT so inefficient by comparison? (Craig Marshall)

I have looked at this and whilst I haven't seen your response I can confirm that £150 is around the right amount when you take into account the time and effort it takes to deal with a late payment. The £55 per hour that you quote isn't a real figure that we charge for an Enforcement officer's time. I'm happy to look at the answer you were given if you think it isn't satisfactory.

8. The number of truly awful boats is increasing. Some boaters even let their chickens on towpath. What can you do to clean-up their act? (Sally Ferrers)

I understand your question, but our role is not to do that. Our role is to make sure boats are safe and licensed. Beyond that we can't get involved further.

9. My concern is stag parties? Will CRT have a look at damage caused by drunken boaters? Could you introduce a system for boat hirers? (Jackie Hays).

We've done a lot to work with holiday boat hire firms to ensure new boaters get a proper induction. We have a video on our website to give advice and guidance. But we do need to recognise the need for boat businesses to market to and encourage new people on the canals. We can't be too generalised, I've seen hire boaters navigate well and apparently experienced private boaters cause damage too. But I do recognise your concern. If we see repeated problems, we will follow up with the companies concerned, although evidence is

often difficult to get hold of. This is about encouraging people to act sensibly, rather than trying to prevent people from using the canals.

MwS: Susie Mercer from our boating business team is working with the hire trade to find protocol around single sex groups on stag or hen parties.

MkS: If someone is drunk in charge of a boat it is a matter for the police and this is something that we've seen applied in the last few weeks.

10. I want to update people on actions that CRT has contributed to, specifically the River Action Group. There's been lots of progress. The local council has now recognised the need to regenerate the water. £34,000 budget has now been secured. There is also new council policy that recognises the rights of boaters. Can you confirm you'll add money to these causes, because Wessex Water and the EA have? (Dave Lamming)

I can't give a yes or no until we know the details, but we support such partnerships to work together and bring things to the table. It's good to be responding to concerns of local groups.

11. I've experienced a complete lack of communication from the Trust. CRT is worse than the old lot? (John Boden)

My apologies if we haven't responded. We need to try harder to address this. We can talk about the specifics of your situation afterwards.

12. First a response to the previous question: I've had a lot of communication especially from the Trust – local supervisor Sam in particular. But I see you recruiting volunteer mooring rangers to check visitor moorings: who is going to do this job? (David Furness)

Let me clarify. We don't use volunteers to enforce but we do need to gather evidence to help us decide whether a mooring is heavily used. That's why we need these information gatherers.

MwS: Our volunteers do the additional things we can't. We do have volunteers who want to support us in doing this. Recruitment and induction has gone well.

13. My question is about your managerial abilities: what are you doing as chief executive? Also, regarding the structure of CRT, I believe you are too centrally orientated. And regarding processes, national contracts don't work, such as Fountains. Will you be reviewing structures and processes? (Derek Hunt)

Yes we are looking at how we are organised, to deliver our plans in the most effective way. Since the last re-structure in 2009 things have changed considerably - we have become more locally focussed and the waterway manager role is having to do a lot more. We need to respond to this and design national roles to work alongside this to support them. We also need to consider the 'culture' of the organisation where we also need to change. I agree with you that Delivery on the ground is key and our processes need to support that above all else. We want to be thorough and get any changes right. One view is that national contracts

offer us good value; others might argue otherwise and we need to balance the benefits of a national approach with local needs.

14. One quarter of 2,000 miles is river navigations that are privately owned on both sides which can cause problems. For example, someone mooring on my land is a trespasser. That's why I was asked to stand on the Partnership. BANES don't own all of the river. What is CRT doing about getting information out to people about difficulties of ownership and the problems it creates? (Alan Aldous)

I recognise that would be a useful thing to do, Matthew will look at whether we can increase information about it.

15. Semington hedge cutting: has hedge cutting been carried out by CRT, or was it the local farmer. In general where do the Trust's responsibilities stop?

It will vary. Farmers will often do it, whether it is our hedge or theirs, and some people appreciate that and some don't. Our regime will typically include 'tidying up the hedge' if it is on the towpath side and is part of our property.

MkS: Semington is a very narrow section of towpath, hedges can be a problem if they aren't managed so we do the front side, but the farmer does do the top. Ownership varies. Generally we are responsible for the hedge and front side, which we do try to keep off the towpath.

There can be issues with thorny cuttings, which cause problems for cyclists (John Gornall)

Our contractors are required to tidy up as far as they can after they have trimmed the hedge.

16. Can you put preservation orders to prevent towpaths being turned into gritty cycle ways? Sometimes you are losing a great asset (Stephen Blades)

Usually funding for towpath improvements comes from others – as it's not our money we need to work with the funder to agree the solution. But it is our towpath so we have some control. Improvements to towpaths benefit everyone so we do want to encourage more investment. There are some good recent examples, such as on the Caldon Canal where I was earlier in the week, which is sympathetic to the surrounding landscape and not too fast for cyclists which offers improvements for all. An improved surface will help people in wheelchairs or with buggies, for example. But yes, we need to be in control.

17. A BANES report says that it is very difficult to work with CRT regarding disability legislation and human rights legislation? (Carol Krebs)

I'd push back on that view. From recent meetings I've had with them I am confident they no longer hold that view.

18. There is a lack of services for boaters. Petitions have been handed in about rubbish disposal in Devizes being inadequate. There is rat infestation at lower wharf.

Why have you taken out bins and not replaced them? This is about human decency. It impacts on the reputation on the Trust (Carol Krebs)

I agree that we need to provide and manage facilities for boaters. But we need to assess the cost of improved services and how many facilities there are, in light of our finances. It will always be a balance with the money we need to invest in canal infrastructure.

19. Any chance of recycling bins being introduced? (David Schweizer)

The contract we recently signed with Biffa autumn includes recycling and sets targets for recycling. So there should be recycling where there is space.

MkS: We do recycle waste; however, rubbish all goes in the same bin and it is subsequently sorted off-site, at the waste depot. Segregated bins tended to be abused by putting the wrong waste in the wrong bin.

20. Are you happy that the powers you have are sufficient and you don't need new legislation (Geoffrey Robertson)

My approach is not to seek new legislation, which I think is unlikely; rather I'm going to work with what we've got and make sure we apply it effectively.

21. In every meeting the issue of services comes up. We pay for these out of our licences, but services are declining

I agree that it is a national issue and we need to offer a consistent service. I don't believe that we are consciously under-providing. I've seen some great facilities in some places that might be over-providing in fact. We have to get the balance between day-to-day services and long-term investment in infrastructure so that the canals aren't in a mess in five years' time. I agree that customer services need to be a priority but I'm not convinced that means spending more money on them than we do now.

22. Could you control usage of services with locks. Residents often use boater facilities, which is a problem? (David Schweizer)

You're right we should do this if and where facilities are being abused – we need everyone to adopt the old adage of leave it as you expect to find it.

23. Can you not sub-contract waste areas, so that contractors can make money out of it? Your problem is that your land has free public access so anyone can use it. (Norman Townsend)

I expect that wouldn't be viable, to be honest. The size of a facility needed to make commercial sense just doesn't exist on the waterways. But we're always happy to look at new ways to make it work.

24. I'm amazed at the number of dog bins on the canals. Why can't we have bins too (Julie Airlie)

MkS: Dog bins are important, they make a big difference. With respect of not having litter bins, we are one of the tidiest canals in the country. I think if we had more bins we might actually encourage more litter – people seem to understand they need to take it home.

25. I have a question on behalf of a boater who has approached the Equality and Human Rights Commission to request you make adjustments regarding communicating with him because of his disability. You haven't responded. You are not making adjustments to meet his needs under the Equality Act? (Pamela Smith)

I'm not aware of this case. I don't agree that we don't comply with the Equalities Act. If we don't comply we can be challenged in court. As I understand it anyone who believe they have a legal entitlement can make a request for an adjustment and we have to respond to that. As a responsible organisation we want to fulfil our obligations. I'm slightly puzzled if someone cannot communicate with us at all?

Can this boater call you personally to discuss? (Pamela Smith)

I'm not saying no, but is this the best way of resolving the issue? I'm happy to look into it. If you give me the details I will look into it.

26. There are two major restorations underway related to this waterway. It was a major disappointment that BW had to withdraw from Thames & Severn project. Can you explain your role in future? (Chris Dale)

We held a recent restoration conference where over 50 restoration groups attended, and we have been active in meeting with partners on both the T&S and Wilts & Berks projects. We have to be careful about what financial support we give because we need to focus on the waterways in our care first. We support re-opening more canals we know how much they offer to local communities.

27. There is a problem with dumped work boats on visitor moorings. One sat at Devizes all winter. What will you do about this? (Bob Naylor)

Work boats are a problem for us; we have over 400 nationally and rarely do we have anywhere to put them, so they have to be moored somewhere on the cut. We are trying to look again at how we can get best use from this expensive asset.

MkS: The one in Devizes Wharf was not on a visitor mooring, it's council land, as I understand it. But in principle we do not want to leave them in popular places. The reality is we have to put them somewhere. We also have sold some that are waiting collection.

28. Can you clarify health and safety restrictions for volunteering? (Norman Townsend)

Health and safety is not a barrier to volunteering. We need to ensure volunteer safety is a priority but it should not prevent volunteers from doing things, provided the right measures are in place.

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