



LICENCE REVIEW STAGE 3 CONSULTATION SUMMARY REPORT

12 October 2017

Stage 3 Consultation - Your views on shaping the future of the boat licensing.

Please note this is a summary of the stage 3 consultation. The Trust will be sending invites to all licence holders to take part in the survey. To request an invite to complete the stage 3 consultation call the Trust on 0303 040 404040

Introduction

The Canal & River Trust cares for 2000 miles of canals and rivers in England and Wales which are home to over 32,000 licenced boats. Our precious network of canals and rivers needs a lot of care and investment to keep it in a condition for boaters and the public to continue using and enjoying. We rely on boat licence fees for a significant amount of our funding to maintain the waterways.

We are holding an independent consultation about how boats are licensed on our waterways. We are reviewing the current licensing system which has remained largely unchanged for more than two decades and is often cited by boat owners as being complex and out of date.

The consultation is being run by Involve, an independent charity specialising in public engagement. It aims to ask boaters the fairest and simplest way to split the important financial contribution made by the different types of boats and boaters towards the upkeep of the waterways.

Stage 3 Consultation - Your views on shaping the future of the boat licensing.

This document introduces Stage 3 of our consultation on boat licensing. In it, we provide some background to Stage 3, its aims and objectives and set out the topics on which we welcome your response. We welcome any new ideas, in addition to the proposals we have presented.

The consultation is aimed at individual boaters: Business and Trade licence customers are free to express their views, but we do not intend to make any business licence changes over and above any we make to private licenses as a result of this consultation.

Aims of the consultation

The aim of the consultation is to ensure the long-term sustainability of our waterways so that boaters and other waterway users can continue to enjoy them now and in the future.

Licensing income plays an important part in achieving this goal – over recent years it has ranged from 10-15% of the Trust's income (in 2016/17 accounting for £19.6m of the Trust's total income) -

and therefore it is essential that income is drawn fairly across all boaters, alongside the other sources of income like property, utilities and fundraising.

The consultation aims to help the Trust identify an approach to licensing that is;

- More simple and administratively less burdensome than the current system;
- Robust and workable;
- Balances pricing and affordability.

The outcomes of the final stage will help the Trust to identify a future approach to its licensing framework that is:

- Fair: it aims to ask boaters how the important financial contribution made by the different types of boats and boaters towards the upkeep of the waterways can be generated through licence fees in the fairest way
- Straightforward: simple to understand and sustainable

The intention of the licence review is not to increase the proportion of Trust revenue from boat licences, rather it is to make sure that the contribution from boat licences is distributed more fairly.

This consultation has identified a variety of views summarised thoroughly in Involve's reports on the outcomes from stages 1 and 2. Both reports are [available on the Trust's website](#) or by contacting our Customer Service team. They provide further helpful background to this, the final stage of our licence review consultation.

Discussion during both prior stages considered views that ranged from the suitability of the existing licence system, and the purpose of a licence, to the principles that should underpin any future licencing framework.

At both earlier stages of the consultation customers expressed a consistent view that the licensing system should not be used to disadvantage specific types of boating customer and that any future changes should, as far as is appropriate, be transitional.

The outcome of the stage 2 report forms the basis for the focussed consultation proposals now presented at stage 3.

The Trust recognises that some may have particular views on aspects of boat licensing which have yet to be heard and may also have other proposals that they believe should be considered. Stage 3 is the opportunity for any other ideas and suggestions to be raised, as well as responding to the options set out here.

What is not included in this consultation

In stages 1 and 2 there have been some examples where consultees have identified areas where they believe the Trust should take a longer term view outside the current consultation. Most notably how the Trust manages areas of high demand and how we could use developing technologies to help monitor and manage compliance with licence conditions on the waterways. The Trust is committed to reviewing these issues in the longer term and, though there are no specific proposals on these in this consultation, we are still keen to hear customers' views.

Please note that the focus of this consultation relates to individual private boat licences. Whilst Business and Trade licence customers are free to express any views, we do not intend to make any business licence changes (i.e. those over and above private licenses) as a result of this consultation.

Annual price increases will be dealt with outside of the consultation process. We are not looking to make any wider changes to the boat licensing structure before April 2019.

The consultation process

Our consultation has followed a three stage process;

Stage 1 – Consultation with boating organisations to establish a broad understanding of different perspectives and opinions held by boating organisations representing the interests of boaters.

Stage 2 – Boat licensing customers were invited to express interest in attending nine workshops held across the country. There were 135 places available (15 at each venue) to further explore initial ideas from stage 1 along with other suggestions and debates.

Stage 3 – We are now inviting all our current licence holders/ boating organisations and other interested parties to share their views on the outcomes from stages 1 & 2 and the options presented drawn from these prior stages.

Our approach to Stage 3

At stage 3 we are asking individual licence holders, and other interested parties for their views on the ideas identified throughout stages 1 and 2. It is also an opportunity for all those who contribute to put forward views and suggestions that may not already have been considered.

Our approach is to present options for the main themes identified in previous stages of the consultation and seek views from all customers and organisations who may be impacted or have a view on changes to the licensing framework.

During stage 2, representative groups asked the Trust to consider other boating organisations who they may not engage with regularly. We have responded to these requests through our “boaters update,” asking for organisations with an interest to contact us directly to make sure they are included on the circulation list for the Stage 3 consultation.

Learning from Stages 1 and 2

The main themes identified and discussed at stages 1 and 2 included but were not limited to:

- The broad principles that should underpin a licensing system, including fairness, clarity and enforceability.

- The challenges faced by the increase in the number of and use of wider vessels on the waterways.
- The application of discounts for specific boat-types or waterways, including discounts for prompt payment or other ways of administering boat licensing that benefit the Trust
- Managing busy areas of the waterway in high demand
- Considerations of the different impacts from, and challenges faced by, those with or without a home mooring

Views were mixed on whether the current licensing system remains appropriate. The main findings are summarised in the executive summary of “licensing futures – stage 2” report produced by Involve, which can be found at:

<https://canalrivertrust.org.uk/media/original/33550-licensing-futures-stage-2.pdf>

For those customers unable to access the report electronically please contact our customer services team on 03030 404040.

The stage 3 consultation document has been consciously focussed on those aspects of the earlier stages where specific options have emerged; other ideas and issues have largely been filtered out so that this report is tailored to be short, succinct and easy to comprehend.

Consultation questions

Licence considerations for the increasing number of wider beam vessels on the Waterways

Boaters in Stages 1 and 2 of the consultation had a range of views on whether or not the licence system should change to levy a higher licence fee on wider vessels, which are increasing in number.

Views included, but were not limited to:

- Charging by length and width is fairer because having a wider boat is a personal choice and those whose boats occupy more water space – in particular use of locks and mooring space – and which afford more living space etc - should pay proportionately more for their licence.
- Taking width into account is unfair to owners of wider boats who can only navigate some sections of the canal network.

In considering the feedback from stage 1 and 2, we have identified three main options:

1. Keep the current length only criterion
2. Move fully to an area-based licence fee (length x beam)
3. Adopt a surcharge on all boats above the standard narrowboat width – charging a supplementary percentage, of perhaps 25 or 50% above the standard length-based licence fee

The latter option would acknowledge that a wider boat justifies payment of higher licence fees but also recognises that the impact of the vessel (and the benefit derived) does not rise in direct proportion to the surface area. A supplementary percentage on the licence fee for wider boats (for example an additional 25 or 50%) would also be simpler to administer than calculating the precise area (length x width) of each boat. A 50% surcharge would also offer a fair comparison with the 50% fee applied for an unpowered butty.

The consultation survey asks for views on the following;

In terms of calculating the price of a licence, people are asked to indicate in order of preference which they believe to be the most fair (1) through to least fair (5)

- a. Licence fees remain length-based using the existing bands, with all wider boats (i.e. those wider than a standard narrowboat width) - charged an uplift of 25% on their respective length-based fee.
- b. Licence fees remain length-based using the existing bands, with all wider boats - in excess of 2.3m beam - charged an uplift of 50% on their respective length-based fee.
- c. Licence fees calculated by actual area (Length X Beam)
- d. Licence fees calculated based on length only (i.e. no change) with the existing bands that increase every additional 1m

- e. Licences fees to be calculated on length only using exact length with no bands
- f. None of the above – please suggest alternative

We also asking for any other views or suggestions on charging based on the area of a boat;

Consideration of licence discounts offered to different customers

Historically the Canal & River Trust has offered discounts to several boating / waterway categories. Typically, these have related to boats that receive reduced access to the network, add value and colour to the waterways, or provide marginal environmental benefit. (Note that the Trust is legally obliged to offer the current 'River only' discount so this is not included within the consultation.)

During stage 1 and 2 consultees considered the current range of discounts in the context of creating a simple approach that was fair to all customers overall. Boaters again had varied views; many boaters appreciated some rationale for the current discounts offered, though some questioned the discount for electric boats where many participants could not see a justification for the size of discount offered; or for disconnected waterways where some felt that the choice of waterway was for boaters to make rather than to be related to the licence fee. There was a clear consensus that any discount must have a clear rationale. Some customers thought that the current discounts provide little benefit to the Trust or boaters as a whole given the small number of customers who claim them.

This section looks at the options we are considering, following the prior stages, for these discounts.

Historic Boat Discounts.

In stage 2, the historic boat discount was widely, though not unanimously, supported on the grounds that historic boats promote the historic heritage of boating on the nation's waterways, which the Trust and other waterway supporters, value greatly.

However, it is important that we ensure any discount for historic boats is targeted appropriately and helps to support the retention of genuinely historic craft on the Trust's waters.

The consultation survey asks for views on the following;

Retain the historic boat discount at 10 % on the proviso that eligibility for the discount aligns with the National Historic Ship Regulations. The criteria will be reviewed outside of the consultation.

On a scale of 1-5 people are asked how fair do they think the proposal is

1 = most fair to 5 = least unfair

We are also asking for any other views or suggestions on proposals for a historic boat discount

Disconnected Waterway discount

In the earlier phases, some participants considered that the boater on a disconnected waterway had made a personal choice to limit their travel and as such this should not warrant a discount, especially compared with other customers who choose to only navigate limited areas of the network who do not receive any reduction in licence fees.

The consultation survey asks for views on the following;

In terms of the disconnected waterway discount, people are asked indicate what they believe to be most fair through to least fair

The disconnected waterway discount should be:

- a) Retained at its current level of 25 %
- b) Reduced to 10% (potentially over 2-3 years)
- c) Withdrawn entirely (potentially over 3-5 years)

On a scale of 1-5 how fair people are asked how fair they think any proposal to withdraw the disconnected waterway discount is

1 = most fair to 5 = least fair

We are also asking for any other views or suggestions on proposals for the disconnected waterway discount

Discounts for unpowered “Buttys”

Currently, unpowered buttys receive a 50% discount provided they are used as part of a working pair with a powered boat and this was broadly supported in the earlier consultation phases. It was noted that if an area-based (length x beam) licence fee were to be introduced, then the retention of a 50% discount for unpowered buttys might seem inconsistent.

The consultation survey asks for views on the following;

In terms of the discounts for unpowered buttys, people are asked to indicate which they believe to be the most fair approach

- a) The discount of 50% for unpowered buttys remain unaltered.
- b) The discount would be removed (potentially over a period of up to 5 years)

On a scale of 1-5 people are asked to indicate how fair they think the proposal to retain the unpowered butty discount is

1 = most fair to 5 = least fair

We are also asking for any other views or suggestions on proposals for the unpowered butty discount

Discounts for Electric Boats.

In earlier stages of the consultation, participants' views on the 25% electric boat discount were often strongly held. They had particular doubts about the size of the discount and the criteria for eligibility.

Participants observed that some boaters still need to run diesel generators and / or burn fossil fuels / wood for heating even though their engines are fuelled sustainably. Some argued that the discount does not necessarily promote the use of more environmentally friendly boats, nor does it contribute to reducing emissions more widely.

Some participants suggested an alternative approach, which would offer a "green" discount for boats using any sustainable alternatives to diesel. Others raised the availability of third party grants from other sources, to sustain healthier / more environmentally sensitive lifestyles and felt that the Trust should not need to offer a discount.

The Trust is keen to encourage and support more environmentally friendly boating. We would views on the criteria for the discount, and the size of the discount.

The consultation survey asks for views on the following;

In terms of the discounts for electric boats, people are asked to indicate which you they believe to be most fair through to least fair

- a) Retain the current 25% electric boat discount
- b) Replace it with a 10% electric boat discount (a phased reduction of the discount over a potential 2-3 year period)
- c) Remove the electric boat discount entirely (a phased reduction of the discount over a potential 3-5 year period)

On a scale of 1-5 people are asked how fair they think any proposal for a new lower discount that recognises more environmentally friendly boating is

1 = most fair to 5 = least fair

We are also asking for any other views or suggestions on replacing the electric boat discount with an alternative discount that supports more environmentally friendly boating and what criteria the Trust might consider any such discount.

Prompt Payment Discount.

The prompt payment discount is 10% and presently applies to approximately 72% of boat licences. This level of take up means that most customers perceive it to be the *de facto* licence fee.

The prompt payment discount is different from the others discounts considered above. It was introduced at a time when there was a significant issue with late and non-payment of licence fees and as such, as a clear incentive for customers to pay early. It exists only to assist the Trust's administration and to reduce costs and enhance cash flow. This means that the rationale for any discount must be based on the size of benefit that the Trust receives from early payment. Since the discount was introduced, the issue of late and non-payment has largely been addressed, and there are many easier ways for customers to pay for a licence.

Some participants in earlier stages of the consultation recognised this point. Others noted that it might not be entirely fair or inclusive to offer such a discount, as people without the means to pay the full upfront licence fee are in effect obliged to pay a higher price, even though they are arguably the least able to afford this.

Eleven per cent (11%) of licences are still paid by cash or cheque and these payment methods take disproportionately more time and cost to administer. In addition, a growing number of boaters who do not pay the full amount in advance (and so do not receive the discount) use our self-service licensing facility and/or pay by direct debit, which reduces cost to the Trust.

We recognise the strong support for retaining some form of prompt payment discount. However, the current 10% discount is arguably greater than can be justified purely on the grounds of benefit to the Trust from early payment.

The Trust also benefits from and wishes to encourage customer self-service, as well as prompt payment.

Options

Whilst we recognise the strong support for retaining some form of prompt payment discount, the current 10% discount is arguably greater than can be justified purely on the grounds of benefit to the Trust from early payment.

We note that – as well as gaining some benefit from early payment - the Trust also benefits from and wishes to encourage customer self-service, as well as prompt payment, and we also do wish to recognise those on limited budgets who need to spread their licence fee payments over a year who commit to a direct debit.

The consultation survey asks for views on the following;

In terms of the Prompt Payment discounts, people are asked to indicate which they believe to be most fair through to least fair

- Removing the Prompt Payment discount entirely
- Reduce Prompt Payment discount potentially phased over a period of time
- Reduce the Prompt Payment discount and change it so that part of discount is applied for prompt payments and part of the discount is applied to encourage automatic methods that reduce administration costs to the Trust (e.g. online payments, direct debits)*

***Examples of how proposed changes to PPD could be applied**

How the proposed changes to PPD would affect different payment methods

How you pay	Discount for Prompt Payment in full	Discount for self-serve (online web licensing) and/or Direct Debit	Total discount
Pay in full credit or debit card using customer self-serve (online web licensing)	Yes	Yes	Full discount
Pay by Direct Debit using customer self-serve (online web licensing)	No	Yes	Part discount
Pay by Direct Debit using paper form by post or via phone	No	Yes	Part discount
Pay in full using cash or cheque in person	No	No	No discount

Please note that any change to Prompt Payment discount would be made carefully so that there would be no net gain in income purely arising from any change.

On a scale of 1-5 how people are asked how fair they think the idea to change the current Prompt Payment discount to one that recognises both Prompt Payment and self-service/direct debit payments is

1 = most fair to 5 = least fair

We are also asking for any other views or suggestions on the proposal for Prompt Payment and direct debit/self-service discounts, particularly on whether you think this change is fair given the benefit derived by the Trust

Application of and eligibility for multiple discounts

There was some discussion in the earlier consultation phases regarding the application of multiple discounts to an individual boat. Some argued that boaters should receive the largest discount only and should not be permitted to “pile up” discounts, (excluding the prompt payment discount and River only discount from this). It was suggested that a simpler approach would be to limit the number of discounts allowed for each licence.

The consultation survey asks for views on the following;

In terms of the multiple discounts, people are asked to tell us the option they think is most fair.

- a) Customers can receive multiple discounts as now
- b) Customers should only receive a maximum of one discount per licence in addition to the River Only Licence (as this is a statutory requirement) and the revised prompt payment and/or direct debit discount.

On a scale of 1-5 people are asked to say how fair they think it is to allow multiple discounts

1 = most fair to 5 = least fair

We are also asking for any other views or suggestions you have on multiple discounts

Discounts for charity boat licences

Participants in earlier stages of the consultation agreed that the Charity Boat Discount should be kept. Some suggested that the conditions for eligibility should be reviewed.

Some participants felt that the discount could be increased or a licence could be offered for free. Doing this would require stronger eligibility criteria, for example, passengers are not charged to go on a boat and the charitable objectives of the organisation that owns the boat are clearly aligned with the Trust.

Participants asked why charity boats needed a business licence. This is required because they are not used for personal use but for carrying groups of passengers. A business licence ensures that charity boats adhere to the increased safety and insurance requirements for passenger boats.

The consultation survey asks for views on the following;

Retain the charitable discount of 60%. Eligibility criteria will be reviewed in order to ensure that the charitable objectives of the Trust and third-party charities are aligned.

On a scale of 1-5 people are asked how fair do they think the proposal to retain the charity boat discount and review the conditions for eligibility is

1 = most fair to 5 = least fair

We are also asking for any other views or suggestions on proposals for a charity boat discount

Considerations for short term licences

Short-term licences were not discussed during stage 1 or 2. However, we would like to give people the opportunity to comment on our proposal for short-term licences and to suggest other approaches.

Short term licences are in general issued for small, unpowered or trailed boats and larger vessels visiting Canal & River Trust waterways for short periods from other navigations or coastal waters. 'Rivers Only' licence holders who wish to extend their licence to cover a short-term cruise on canals are the exception to this.

Short term licences are currently available for periods of one month, one week or one day. There is also a thirty day explorer licence for portable craft which provides up to thirty days use of all the Trust's waterways in England and Wales at any time within twelve months of issue date - the days do not need to be consecutive. Thirty, one-day tickets, are provided, which boaters can date and display for each day that their boat is on the waterways.

The consultation survey asks for views on the following;

Short term licenses can take up more time and resources to administer, especially compared to a full licence that lasts for 12 months and could be simplified.

Our proposal is for three short term licence options: one week, or one month, or thirty day explorer.

The cost of all the short term licence would be priced proportionately higher than a full licence to reflect the greater administrative costs.

On a scale of 1-5 we are asking people how fair they think this proposal is

1 = most fair to 5 = least fair

We are also asking for any other views or suggestions you have on short term licences

Licence considerations in respect of mooring status

Participants in stage 1 and 2 of the consultation discussed whether or not to vary the licence fee paid by boats without a home mooring vs those that do take a home mooring.

Mooring fees are often significantly more than the licence fee, and some boaters argued that it would be fair to charge a higher licence fee for those without a home mooring, especially as those without a home mooring would, typically (not having access to mooring facilities), be more likely to use the facilities provided by the Trust. However others made the argument that the waterways are always there for people who wish to use them, even if they choose to use them infrequently, and that the licence cost should reflect this availability.

Participants discussed the wider socio-economic pressures affecting people choosing to live on a boat, and the Trust notes the challenges they experience. Some suggested offering boaters without a home mooring a new form of licence. This would allow them to remain in a limited area (whilst meeting the requirement to satisfy the Trust regarding their bona fide use for navigation).

The consultation survey asks for views on the following;

The statements below suggest different options for how licensing might take mooring status into account. We're asking people to indicate which they believe to be most fair through to least fair

- a) Retain the current arrangement with a single licence fee whether with or without a home mooring
- b) Introduce over time a higher fee for boats without a home mooring
- c) Introduce – at a higher fee – a new licence that would permits boats without a home mooring to remain within a limited area (provided they satisfy the Trust concerning their bona fide navigation).

On a scale of 1-5 we are asking people how fair they think it would be to take mooring status into consideration as part of the licensing process

1 = most fair to 5 = least fair

We are also asking for any other views or suggestions you have on licensing considerations in respect of mooring status.

Impact of any changes following the consultation

Participants in stage 2 of the consultation emphasised that any changes should not be retrospective. They thought that changes should be introduced over a transitional period, in particular if there are large increases in licence fees for any category of boat licence holder. This would help to mitigate the financial impact of any changes on those least able to afford such increases.

Participants who thought that any changes should apply to current, as well as new boaters, suggested a transitional period of no less than three years and as many as five.

Some of the proposals we have outlined include suggestions for phasing in changes. However, we are also interested in more general views relating to the phasing of *any* changes we propose following this third and final stage of the consultation.

We are asking people to tell us from the following options for implementing changes to the licensing system, which they think are most fair and least fair.

- a) Introduce changes over a potential 1-2 year period
- b) Introduce changes phased over a potential 2-3 year period
- c) Introduce changes phased over a potential 3-5 year transition period
- d) Introduce changes all together in one go, but giving a number of years notice

We are also asking for any other views on how we might manage the implementation of any changes (including suggestions about any transitional periods for existing and new customers)

Issues discussed in Stages 1 and 2 but falling outside the current consultation

Improving the management of areas in high demand.

Participants in stages 1 and 2 discussed how to address the challenge of busy areas of the country where canals are experiencing high levels of demand for mooring and cruising. In stage 2,

participants described busy areas as a problem for mooring and navigation as well as safety and considered how best to manage them fairly.

In principle, licensing fees could be used as a mechanism to manage busy areas such as London, where many customers do not purchase a (relatively costly) home mooring. However, most of the participants in previous stages felt that busy areas are exacerbated by poor mooring provision and limited enforcement powers. They see the challenge as a moorings issue and do not think licensing is an effective or suitable way to address the relative appeal of London and other parts of the south where housing costs make living aboard a canal boat attractive.

The Trust is interested in exploring how the licensing structure might reflect the relative attraction of the most busy and popular parts of the network where the growth in boats without a home mooring, and their impact, are greatest. We acknowledge that most participants did not want to use the licence fee to address what they perceived to be a mooring or enforcement issue and as such will not consider this further with respect to this consultation.

However, with mooring inherently constrained in the busiest locations, and limitations on what can be achieved via enforcement, the Trust will undertake further work outside of the licence review process to develop possible options for how boat numbers could be managed in very busy sections of the canal network.