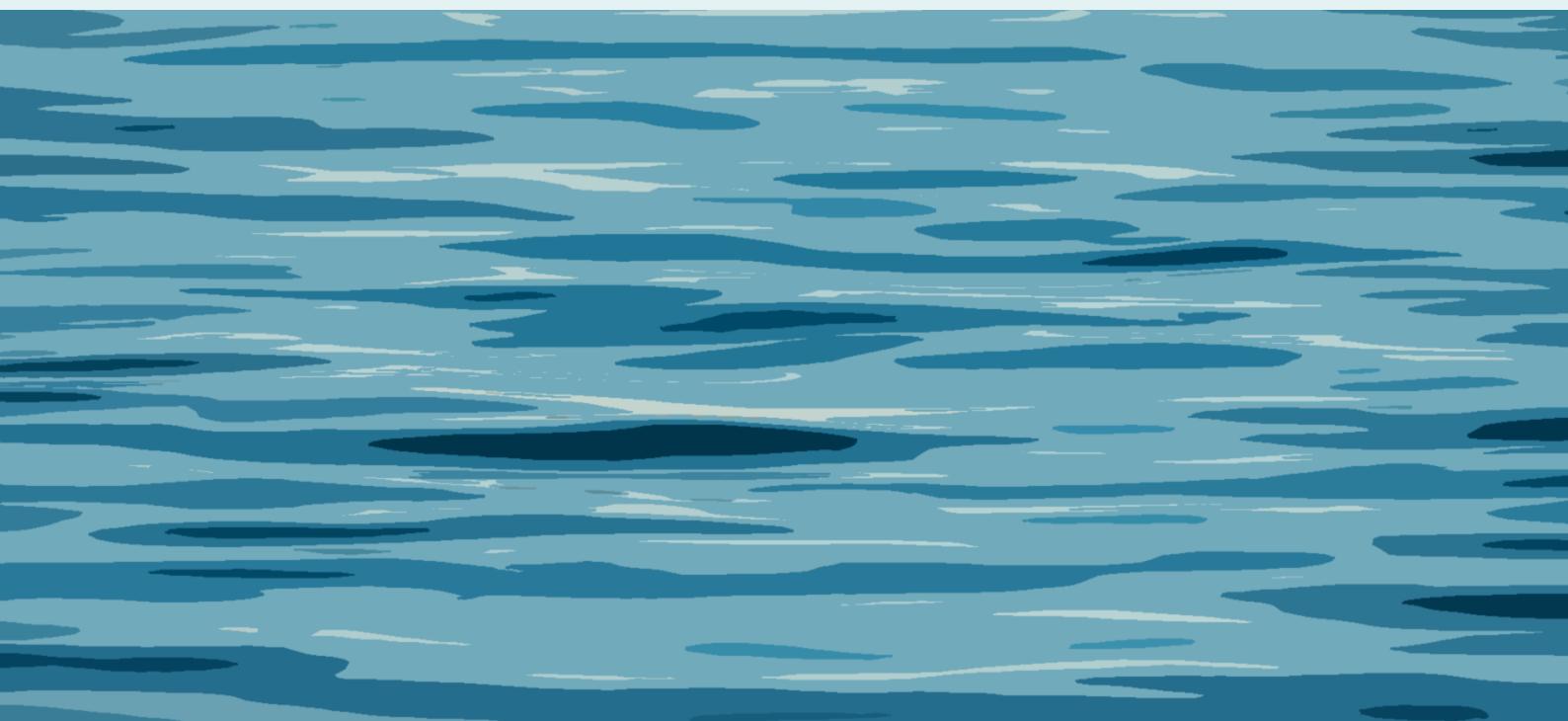


## Water Safety Zones on the Lee Navigation

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### Stakeholder Engagement



**Hopkins Van Mil  
September 2021**



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# Executive Summary

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## 1. Engagement methodology

HVM was commissioned in May 2020 to run a short-term stakeholder engagement on the water safety zones proposed on the Lee Navigation. The engagement process aimed to:

- Listen to and engage with organisations with a range of interests on the issues
- Review feedback to inform next steps after recent difficult conversations
- Understand current perceptions and give people a space to air their views to create a calmer atmosphere in which to plan and conduct future engagement.

The process involved:

1. An inception meeting with the Canal & River Trust
2. Interviews held with eleven organisations involving twenty-one individuals
3. An online form for people to share their views on the Zones completed by 655 people
4. Four bi-lateral discussions between stakeholders and the Canal & River Trust, independently facilitated by HVM.

This report provides a summary of the main findings from this process and details the proposals made by those consulted. It ends with recommendations on ways forward for engagement in the future - with the interests of all users of the River Lee in mind.

## 2. A summary of points of conflict and areas of agreement

The water safety zones were announced in March 2021 by the Canal & River Trust. An online briefing meeting was held on 22<sup>nd</sup> April to explain the purpose of the zones. This meeting exposed significant tensions about their proposed implementation. In this report we set out areas where conflict seems greatest and where there are points of agreement between constituencies.

Points of conflict include:

- On whether there is a safety issue to be considered
- Definitions of safety which vary between the different river users
- People's motives for using the river and perceptions of what other's want from river use
- That boaters feel that informal agreements with rowers would produce the required measures
- That rowers do not wish to enter into informal agreements, they believe that it is a requirement that the Canal & River Trust fulfils its obligations by implementing the Water Safety Zones as soon as possible.

Points of agreement include:

Creation of a less contested space where all users feel safe and welcome	Enforcement of existing rules and regulations	Consult and involve all users on how rules and regulations are enforced	Provide clear, visual signage and information on existing rules and regulations	Act with clarity and transparency at all times
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### 3. HVM Recommendations

The following recommendations are set out in section 8 of this report:

The Canal & River Trust are obliged to fulfil their role as the navigation authority, as such they will need to take steps to protect the safety of all those on the Lee navigation. Whilst this may not be welcome for everyone, the Trust has no choice to fulfil these obligations. How it goes about this is the focus for our recommendations which are listed below:

1. It is expected that the Canal & River Trust will as a minimum enforce existing rules and regulations in order to raise awareness that these are not optional and are a requirement for those using the Lee navigation.
2. The Canal & River Trust to acknowledge the options proposed by those consulted as shared in section 6 of this report.
3. The Trust should continue to publish evidence on safety. This should include information on past incidents, but, more importantly, demonstrate how the risk has been assessed, including commissioning new risk assessments for the two proposed Water Safety Zones. The Trust should also share information and evidence on what it is doing to improve safety on the Lee Navigation, including working with other stakeholder groups.
4. HVM will enable all those who use the river to share information and concerns on safety, including the logging of safety incidents. This could lead to regular online briefings on safety including on what each constituency is doing to improve it. Each constituency should take responsibility for contributing information and evidence on safety, initially collated by HVM.
5. Create the conditions for all those using this shared space to gain mutual understanding of each other's needs and concerns. This might include ways of enabling people to put themselves in the shoes of various river users. For example providing accessible filmed, written and or visual testimony on:
  - a. Life as a liveaboard boater and continuous cruiser
  - b. What it feels like to row on the River Lee, including in terms of navigational safety, because if people don't *feel* safe on the water there is a safety issue
  - c. A co-created series of joint communications sharing, showing, and celebrating what each constituency brings to the Lee navigation
  - d. Shared opportunities to learn from each type of river user e.g., rower spending time on powered boats, liveaboard boaters having a canoe or rowing lesson.
6. Establish a Lee Navigation Forum<sup>1</sup> with representatives from all constituencies. In the initial stages, while tensions remain high on areas of contention, it is recommended that these meetings are independently facilitated. The meetings should be publicly minuted and transparently run so that all those present have an opportunity for meaningful engagement. They should not create more tensions by providing an arena for verbal abuse or aggression. Members of the Lee Navigation Forum should use their own mechanisms to collect information and views from their own constituency, which representatives can bring to the Lee Navigation Forum.

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<sup>1</sup> The Lee Navigation Forum should act as a space for engagement and discussion on the Lee Navigation – in particular the Water Safety Zones in the first instance. It is not a decision-making body.

7. Create new signage along the relevant stretches to explain the existing rules and regulations. The information contained in the signage should also be published online and issued in email form to all those who hold continuous cruiser or home mooring licenses on the River Lee. This information should also be issued to those renewing or buying a new licence.
8. Give recognition to the safety issues which have been raised which are related to personal safety and crime prevention as well as navigational safety. This might include supporting police-led forums on personal safety on the river.
9. An acknowledgement that this process hasn't gone smoothly with an agreement from the various constituencies that a clean slate is needed to move forward and take the necessary steps to having a dialogue on the issues raised by those who have taken part in this engagement process, leading to shared understanding of each other's needs. A Code of Conduct (Code) for all river users and the Canal & River Trust is suggested to agree how stakeholders will engage with one another going forward. A draft Code has been provided in appendix 2. Stakeholders will have the opportunity to co-create the responsibilities in the Code in the first meeting of the Lee Navigation Forum.

# 1. Introduction

## 1.1 Background

Hopkins Van Mil (HVM) was asked by the Canal & River Trust to undertake a small-scale stakeholder engagement exercise in May 2021. HVM is an independent stakeholder and public engagement company which was established in 2005. We design engagement programmes for communities and public and third sector organisations so that voices are heard, learning is shared and understanding achieved.

HVM comprises a team of expert facilitators having had over twenty years experience in stakeholder and public engagement<sup>2</sup>. As such we plan for, design and deliver stakeholder engagement programmes, meetings, workshops and events. A key part of our role is to listen to those involved, develop our understanding of all sides of an issue and make recommendations on ways in which tricky and emotive issues can be untangled and solutions sought.

The Canal & River Trust (the Trust) is a charity set up in 2012 to care for England and Wales' 200-year-old waterways, holding them in trust for the nation forever. It has responsibility for 2,000 miles of navigable canals and rivers, together with bridges, tunnels, aqueducts, docks and reservoirs, along with museums and archive collections. The Trust is a navigation authority with duties in relation to safety on the water. In London the Trust cares for 100 miles of waterways, investing £2.2 million per year on maintaining and managing these important assets.

The London Mooring Strategy was published by the Trust in June 2018<sup>3</sup>. Its aims are set out in figure 1.

- For better provision and management of a range of facilities and mooring types in London
- To manage the high number of boats in London and to mitigate the environmental impacts on the waterways and neighbours
- To help ensure fair sharing of water space
- To enable a wider range of boaters to visit and navigate in London
- To protect existing, and generate additional, income to maintain the waterways in London
- To support a London waterway destination and tourism strategy
- To ensure the mooring strategy contributes to the Trust's aim that London's waterways help to transform neighbourhoods and enrich people's lives

Figure 1: London Mooring Strategy aims

The London Mooring Strategy highlights that stretches of the waterway in London are increasingly busy:

“The density of boats moored on our London waterways is higher than anywhere else on the Trust’s 2000-mile inland waterway network, and boating in London has become more challenging as boat numbers continue to grow.”

<sup>2</sup> [www.hopkinsvanmil.co.uk](http://www.hopkinsvanmil.co.uk)

<sup>3</sup> <https://canalrivertrust.org.uk/refresh/media/thumbnail/38248-london-mooring-strategy-full-report.pdf>

It goes on to stress that whilst this growth provides challenges in terms of pressure on moorings, facilities and infrastructure it has also brought benefits:

“The growth in boat numbers has also brought opportunities with increased activity making towpaths in previously quiet and isolated locations feeling safer and leading to a rise in use. Increased boat numbers have also helped support towpath businesses and create more diverse waterway communities.”

An update to the London Mooring Strategy was published as a press release in January 2021. This stated that £125k has been invested as part of the London Mooring Strategy and acknowledges there is more to do in terms of committing a further £190k to improve facilities such as water points, bin stores, boater waste facilities and putting in new mooring rings. Further work, including dredging survey work and wall inspections are also planned.

Water Safety Zones (previously called Water Sports Zones) on two stretches of the River Lee<sup>4</sup> were proposed as part of the London Mooring Strategy. These are intended to make everyone aware of the needs of all users of the waterway and to keep navigation safe. The Trust has published FAQs on their website<sup>5</sup> which explain the Water Safety Zones further. Within this they set out what the Water Safety Zones will mean for all users on these stretches of the River Lee (figure 2).

It should make the waterway safer for everyone navigating the zone. We are asking waterway users in the water safety zone to follow these simple rules:

- Rowers and small boats ahead, keep a careful look out
- Navigate slowly and keep to the right
- Display lights at night without dazzling
- Sound a horn at bends and to all boats
- Observe mooring signage

Figure 2: What the Water Safety Zones mean

## 1.2 Why this stakeholder engagement was needed

The Water Safety Zones were announced in March 2021. An online briefing meeting was held on 22<sup>nd</sup> April to explain the zones purpose. This meeting exposed significant tensions about their proposed implementation. It surfaced anger on behalf of liveaboard boaters who feel the Trust has an ulterior motive in implementing the Water Safety Zones, and that their needs are not understood or acknowledged. It led to other users, including canoeists, kayakers and rowers, to feel that their safety on the water could be compromised if the strength of views forcibly expressed at the meeting does not result in the Water Safety Zones being implemented as soon as possible. The rowers in particular see the implementation of the zones as the minimum which can be done to protect their safety whilst using the water.

As a result, the Trust proposed bringing in independent facilitators to run a process to:

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<sup>4</sup> At Broxbourne between Aqueduct Lock 8 and Carthagena Lock 7 and on the Lower Lee between Old Ford Lock 19 and Tottenham Lock 17.

<sup>5</sup> [Water Safety Zones FAQs](#)

- Listen to and engage with individuals and organisations with a range of interests on the issues
- Review feedback to inform next steps after recent difficult conversations
- Understand current perceptions and give people a space to air their views to create a calmer atmosphere in which to plan and conduct future engagement

HVM was commissioned for a fee of £4,096 to conduct a time-limited stakeholder engagement process. We are creating a fuller report than originally budgeted for to ensure that for transparency sake it can be published. It is intended to set out the views we have heard during the process and make recommendations on the value of opening up a longer-term conversation for all users of the River Lee.

### 1.3 What we did

The stakeholder engagement process involved:

1. An inception meeting with the Canal & River Trust
2. Interviews held with eleven organisations involving twenty-one individuals
3. An online form for people to share their views on the Zones completed by 655 people<sup>6</sup>
4. Four bi-lateral discussions between stakeholders and the Canal & River Trust, independently facilitated by HVM

The initial interviews were conducted using the same discussion guide so that all those we spoke to were asked the same questions:

1. Please tell me about your experience of and interest in the River Lee
2. What are the issues in your view around the Water Safety Zones proposed by the Canal & River Trust on the River Lee?
3. What would be a good outcome for you/ your organisation?

Similar questions were used for the online form. The discussion guide is included at the end of this report as Appendix 1.

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<sup>6</sup> 31% liveaboard boaters; 41% rowers; 1% Other water sports; 8% Leisure, commercial or other boater; 2% Resident along the River Lee; 12% Towpath user; 2% Multiple user; 2% unknown use.

## 2. The need for Water Safety Zones

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The need for Water Safety Zones is strongly called for by some and contested by others. Setting out the different perspectives on whether the zones are needed will help to provide the context needed for the subsequent sections of this report. In the course of this short-term stakeholder engagement, we initially interviewed:

- Liveaboard boaters
- Rowing club committee members
- Canoe club operators
- Leisure boat operators
- Land owners

The Canal & River Trust has a role as a navigation authority to provide a safe environment for all users of the waterway. The Trust also emphasises that it is the skippers have individual responsibility for the safe navigation of their own boats.

### 2.1 An urgent need

It is clear from the stakeholder engagement process that the rowing community, with support from other unpowered boaters and some landowners and towpath users, feel strongly that there is an urgent need for Water Safety Zones to be implemented as a minimum to protect the lives of rowers, canoeists, kayakers and paddle board users of the water. Concern has been expressed that on busy stretches of the River Lee rowers, being low on the water and moving at speed, are vulnerable to harm from larger powered boats. Canoeists and kayakers moving at lower speeds do not feel as at risk from larger powered boats as rowers. Whilst rowers have cited various accidents, and near-miss events in their discussions with HVM, their concern is for what has not happened yet, but they feel is likely to, namely the death of a river user. As two respondents to the online response form put it,

“I fear that if the river becomes more congested there will be a death accident at some point through inadequate access to the banks of the river or bad boat manoeuvring skills. That will be on the hands of those who proactively oppose safety.”

“It is becoming very scary at times. There have been about 6 serious incidents in the last year, all of which happened with me/us stationary, shouting as loudly as possible at the boat about to run over us, on our side of the river, touching the bank or a moored boat with one oar, the other pulled right across the boat. We were hit once, with the narrow boat going 'sorry, sorry, sorry'. The majority of the boating community may well not be aware of the seriousness of the situation, as they do not see these potentially lethal incidents. Even the boats involved, apart from the one which hit us, just dismissed the incident as unimportant.”

Rowing clubs have spoken about an existential threat to their clubs if the Water Safety Zones aren't implemented. They feel that without the zones members of the clubs will be unable to use

the water safely over the long-term given increased usage. As one respondent to the online form said,

“If rowing (which includes training to race - the main activity of all rowing clubs) becomes inviable on the Lea due to volume of boats/safety concerns, there are no other options for the club - we can't just transport our boats, boathouse and membership to another location - if we can't use the river, we cease to exist as an organisation and that would be a sad loss to the membership, the local community and to grassroots rowing and sport as a whole.”

Rowing clubs have pressed for an urgent implementation of the Water Safety Zones as a minimum measure to prevent risks, including damage to equipment and injury. They have also said that future risks need to be front of everyone's mind. While no death or life-changing accident on the water has occurred due to unsafe navigation *as yet*, they feel that it is just a matter of time before a very serious incident does occur.

## 2.2. No evidence of the need

For liveaboard boaters the case for the need for Water Safety Zones has not been made. They are not convinced that the data collected on incidents on the water is correct and have asked to see the data behind the statements made about collisions and accidents in the FAQs<sup>7</sup> on the Water Safety Zones website page (see figure 3).

Between 2014 and 2019 there were over 240 recorded safety incidents within the proposed Water Safety Zone areas. It is likely that many more incidents or near-misses have gone unreported.

57 of the recorded incidents were between unpowered and powered craft. 28 of these incidents were in the Broxbourne area and 29 in the Lower Lee section.

The number of incidents involving collisions between unpowered and powered craft has been rising.

On the Lower Lee section, in 2014, 27% of collisions were between powered and unpowered craft, by 2018 this had risen to 56%.

Figure 3: Summary of incidents on the Canal & River Trust's FAQs page

The National Bargee and Travellers Association (NBTA) has said that they feel a policy is being implemented without the standard procedures and that the evidence of incidents is slight and does not support the policy proposed. They call the data provided, “fake and biased” and exaggerates what they feel are light collisions and slight touches of oars to powered boats.

The quotations below taken from the online form responses demonstrate the perspective that there is no issue which requires addressing through the Water Safety Zones.

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<sup>7</sup> [Water Safety Zones FAQs](#)

“I struggle to understand the logic in it; supposedly it is to create more space for rowers, canoes and paddle boards, but these vessels use the centre of the river where there is already ample space for passing other boats even when boats are in transit.”

“Moored boats are not an issue here. There are no safety issues centred around moored boats. Incidents happen with moving boats! This is an insane proposal.”

“CRT claims that collisions with powered boats have risen, but in fact the number of collisions between rowing boats and powered boats dropped by 30%, from 6 to 4, in 2019. For the three years prior to that, collisions between rowing boats and powered boats were static (6 collisions per year). I do not believe there is any need to instate a safety zone as these incidents are very infrequent and can be dealt with on a case-by-case basis, rather than via a sweeping and destructive policy. There are numerous alternative measures that could be explored. CRT’s Safety Zones policy is a discriminatory policy that does not work, created without any consultation with the community it will detrimentally affect, based on an exaggerated safety issue that does not exist.”

However, liveaboard boaters also feel that there is an existential threat to their way of life. They see the Water Safety Zones as cloaking other issues including discrimination against those who make their homes on the London waterways. They feel this is the case for all boaters but particularly families, lone-women boaters, the elderly and the disabled. Several responses to the online form express the view that leisure and sporting use of the river is being prioritised above people’s homes. As one person put it,

“I feel the proposals put people's recreational choices before what is, for many, a housing necessity. I and many others are economically incapable of accessing other housing options due to prohibitive rents and an ongoing housing crisis. How can anyone ethically suggest putting the leisure needs of a handful of privileged individuals before the immediate housing requirements of license paying, live aboard boaters.”

HVM has heard in this stakeholder engagement process that liveaboard boaters feel that they have not been consulted, that their way of life is not being respected, and the contribution they make to the River Lee is not being acknowledged. A view expressed by some is that the Canal & River Trust is patronising, using a dismissive tone for any objections raised to the Water Safety Zones.

### 3. Definitions of safety

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There are two definitions of safety being used by those consulted:

- a) personal safety and crime prevention for those who live on the waterways
- b) navigational safety to protect people in unpowered craft from harm.

In this chapter we unpick these different definitions and the implications they have for mutual understanding. We also reflect on an area of common ground for all those consulted: enforcement of existing rules and regulations.

Definitions are very important here. We have seen throughout this consultation that what people class as 'safety' in the context of the River Lee affects their view of the Water Safety Zones. It has been apparent during the stakeholder engagement process that the concept of safety means different things to different constituencies. Definitions include a focus on crime prevention and personal safety by some and navigational safety on the water by others.

Some liveaboard boaters have said that in their minds the implementation of the Water Safety Zones creates an increased risk to personal safety. If boaters can't moor together the risk from crime is greater. They said that tow path safety is important for a range of communities, not just liveaboard boaters and that initiatives set up by boaters such as Canal Watch are part of a community effort to protect people's personal safety.

The view was consistently expressed that speaking of 'safety' along the Lee navigation is a cloak for other issues including the removal of substantial numbers of moorings. A campaign by the NBTA with the hashtag #stoptheboatcull has promoted this perspective. It was also raised by many in the online form run as part of this consultation. The following quotation gives a sense of the strength of feeling on this issue,

"If the 'problem' was really about "safety" then there is no justification for culling spots where static boats are. To us, the whole proposal seems like a back handed way of the CRT culling boats, whilst attempting to turn two communities who use the water (boaters and rowers) upon one another. You cannot expect to use our way of life (as cc-ers) to 'sell' the tow path to the general public and not get backlash from us when you are willing to pull up to 550 mooring spots from under out feet."

We heard from some liveaboard boaters that during the drafting of the London Mooring Strategy meetings were held between some members of rowing clubs and continuous cruiser representatives. It has been reported that safety was never discussed as a reason for mooring to be reconsidered. The focus in the discussion was on rowers being able to train to Olympic standards and to have enough space to move at speed on the water. For those involved in these early discussions in 2019 the Water Safety Zones have come as a surprise and have also contributed to the sense that 'safety' is a cloak which covers up other motives and the prioritisation of sporting use over people's living spaces.

For the Canal & River Trust and unpowered boat users, the ‘safety’ referred to in the Water Safety Zones is navigational safety. This is directly within the auspices of the Canal & River Trust as the navigation authority. The Trust has publicly stated that there is no ulterior motive for which ‘safety’ is a mask. They have re-affirmed that the Water Safety Zones are being proposed to make sure the busy sections of the Lee navigation are safe for all users; allowing clear navigation and sufficient space to reduce the risk of collisions or other incidents. Figure 4 sets out what has been said by the Canal & River Trust on the FAQs on the Water Safety Zones in relation to mooring spaces.

**It has been reported by some that you are removing 550 mooring spaces from the water safety zone, is this true?**

We understand that the 550 number has been calculated based on all mooring space being double moored and does not include any space between moored boats. Even now, not all space in the Water Safety Zones is or can be double moored, and boats do not moor without some space between them. The 550 lost mooring space figure is an exaggeration that does not reflect the current mooring space nor the proposed moorings space.

- In the Broxbourne water safety zone, there will be 1824 metres (5984 ft) of mooring space including 338 metres (1108ft) for wider craft.
- In the Lower Lee water safety zone, there will be 4529 metres (14,858ft) of mooring space including 2279 metres (7477ft) of mooring space for wider craft.
- In the Broxbourne Zone this is equivalent to towpath mooring space for over 132 x 65ft boats and in the Lower Lee zone this is equivalent to towpath mooring space for over 411\* x 65ft boats. \*Includes space for 106 double moored narrow boats in the Lower Lee section

The average number of boats we sight in the Lower Lee section is 352, maximum sighted 387. The average number of boats we sight in the Broxbourne section is 42, maximum sighted 71.

**Are you forcing liveaboard boaters out of the Water Safety Zones?**

No, liveaboard and leisure boaters are welcome to use and moor in the Water Safety Zones, but they are asked to adhere to the mooring rules to makes sure the navigation stays safe for them and all other users.

Figure 4: Responses from the Canal & River Trust on mooring space numbers

Unpowered craft on the Lee navigation involved in this stakeholder engagement process have spoken about there being little or, in some cases, no knowledge of basic river etiquette from some powered boats. This, for them, exacerbates the navigational safety problem. They have spoken about individual skippers disregarding or flouting existing rules and regulations including in relation to mooring where boats are required not to moor<sup>8</sup>:

- In locks, lock approaches or in lock flights
- Blocking taps and other services unless you are using them
- Near any bridges
- Under fixed bridges
- Near weirs
- Near sharp bends
- On the outside of bends

<sup>8</sup> The Canal & River Trust, [The Boaters Handbook](#) p.13, revision Spring 2019

- By blind spots
- In or opposite turning points/ winding holes or on the approach to these
- At junctions
- To the bank on a tidal river
- On landing places for canoes— usually near locks
- In stretches marked out for an angling match
- Where there are signs that prohibit mooring

As such rowing club members and others using unpowered craft feel that the Canal & River Trust must do more to enforce existing rules and regulations including those in the 1995 British Waterways Act – and implement the Water Safety Zones as soon as possible, before a life-threatening or fatal accident occurs. There is a sense that if the Trust had been able to be more rigorous in its implementation of existing regulations, including on mooring, there would be less surprise about the implementation of the Water Safety Zones and more awareness of the navigational safety as an issue distinct from personal safety and protection from crime. As one person on the online form put it,

*“Currently parts of the river Lee resemble a car park for boats especially close to Hackney Wick. While it is understandable that a lot of people would like to live so close to the centre, the space and infrastructure are limited. Even implementing existing mooring regulations would be a great first step.”*

However, it is clear from the engagement process that enforcement of existing regulations is a point that many river users would agree with. As a liveaboard boater said on the online form,

*“I think it would be helpful for CRT to concentrate on enforcing existing rules before adding new ones, or they are likely to alienate a large fraction of the currently rule-abiding population of boaters. Most boaters I know currently follow the rules, but it is pretty common knowledge that you can get away with ignoring them completely for several years if you want to. There are obvious examples of people doing this everywhere in London with no consequences.”*

## 4. Improved facilities

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The issue of facilities available to liveaboard boaters was raised frequently. A view was expressed that the improvements to facilities set out in the London Mooring Strategy have not yet materialised and this is a barrier to people mooring in the areas set out in the Water Safety Zones. Boaters shared that they have to travel long distances to access basic facilities which results in over-crowding around those that do exist. There is concern that without the investment set out in the London Mooring Strategy liveaboard boaters will not be able to comply with existing regulations, nor those set out in the Water Safety Zones. They emphasised the need for significant improvements to:

- Washing, waste disposal and pump out facilities
- Taps moved away from locks as the current positioning of some taps creates tension with some people blocking a lock for upwards of four hours to fill tanks
- Dredging and weed clearing, particularly around the mooring spots allocated in the Water Safety Zones.

Liveaboard boaters expressed concern that the mooring spots allocated in the Water Safety Zones needed to be prioritised for this work. They said that many of the moorings were impossible for boats to use as they are too shallow without dredging and boats could not get near enough to the bank to moor. They also felt that they were too shady for solar panels on boats to work as a source of energy generation, on which many continuous cruisers rely. As one respondent on the online form put it:

“Reducing mooring spaces, potentially causes friction along the network between all river users. Also forcing people to moor in unsafe areas (dodgy areas/towpath safety) and not improving facilities (water points, bins, recycling, composting) all has a huge knock on effect on the whole network.”

“The Water Safety Zones will make it even more difficult to moor along the Lee. The safety zones don't acknowledge that boating facilities are concentrated in quite short sections of the canal, so boaters gather along the Lee in certain places because access to water and bins is so poor along much of the river.”

There is a sense amongst a few of those consulted in the liveaboard boating community that if measures were taken to invest in facilities as a matter of priority boaters would be more able/willing to abide by existing regulations.

## 5. Mutual understanding

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Mutual understanding was called for by all those consulted. Liveaboard boaters asked for recognition of the value they bring to the Lee navigation. They feel strongly that they have invested significantly in improving the waterways, for example through the establishment of Canal Watch and litter-picking, e.g. to remove harmful plastic from the towpath and water. They stressed that they have created a vibrant diverse community on the water with strong connections with the local community and tow-path users. They also emphasised their regard for the wildlife on the river. Liveaboard boaters also expressed the view that there is some fundamental misunderstanding of boater motives by some unpowered craft river users. They gave examples such as:

- Powered boats travelling more slowly than rowers and being harder to manoeuvre quickly which has led to misunderstandings when rowers think boats aren't trying to move but they are, they just can't move quickly
- Sometimes a manoeuvre will mean that the boat is not on the right-hand side of the water – this may well mean that the boat is trying to get to the right-hand side, but the manoeuvre takes time
- Boats also get stuck in the weed and the engine has to be cut to sort to rectify the problem.

The NBTA have stressed that accessibility has to be considered to ensure that the needs of disabled people, lone women and family boaters are taken into account. This was also stressed on the online consultation by some respondents, for example,

"Although there is an absolute absence of formal accessible mooring points in the Water Safety Zones (and pretty much none elsewhere on the River Lee) there are places in the proposed exclusion zones which provide some level of accessibility for some disabled boaters. For example, between Bridge 18 and the Wilton Point Footbridge (on the west bank of the river) there are solid banks which provide a level of access. Double mooring is often the only option for many disabled boaters when they are unable to access the river bank due to a lack of rings, steep banks, etc."

Meanwhile rowers, canoeists, kayakers and paddle board users have asked for recognition of the compromises they have already made in terms of times they go out on the water and when they restrict hiring facilities which form the basis of their business activity.

Equally they would like an understanding from the boating community that the history and current demographics of their rowing clubs is not one of privilege. It was made clear during the engagement that clubs to the east of London were initially established over 150 years ago for working class people and that this has continued to be the demographic of rowers on the River Lee. They feel the sense that rowers are 'privileged' has set up an unnecessary division between boaters and rowers. As one person put it during an interview,

“Boaters are using words like ‘eviction’, ‘ethnic cleansing’ and ‘cull’ of good working class people from the water to make way for ‘affluent’ leisure users. This isn’t correct, or the point.”

And others on the online form:

“Unlike West London, our rowers don't consist primarily of white upper middle class men. We have an incredibly diverse rowing population that reflects the community that has surrounded the club for 100 years - from a Hasidic women's squad, to kids living around the block, to GB athletes in the performance squad, to helping found LGBT rowing club Otters. It's been a cornerstone of local culture for a long time”

“Safety has to be a priority for all as does fair sharing of the river for all whether leisure or home life. If safety cannot be guaranteed and craft use increases, rowing may be at risk. This is an amazing sport for able bodied and disabled people and it is not the reserve of the elite as it is very affordable (less expensive than joining a gym or swimming club).”

## 5.1 Barriers to mutual understanding

As we have heard a call for mutual understanding during this stakeholder engagement, we have also heard all those involved talk about the barriers to gaining such understanding. We summarise these as follows:

- As discussed - mistrust that safety is the reason for the Water Safety Zones
- Boaters feel targeted as part of a problem, rather than part of a range of potential solutions
- Emotive, divisive and abusive language being used by some including campaign messages calling for people not to trust the Canal & River Trust
- Aggressive words and actions which have left some of those who use the water feeling anxious about confrontation and as a result unwilling to engage in dialogue
- The view that evidence informing the Water Safety Zones has only come from rowers and is flawed
- The perception that only unpowered craft will benefit from the implementation of Water Safety Zones
- A sense of incomprehension that the Canal & River Trust have decided on a way forward which is about Water Safety Zones when boaters feel there are other, softer, solutions which could be more acceptable to the boating community
- A view that transparency has been lacking from the process of devising the Water Safety Zones and that the only group which has been consulted are rowers.

These barriers have become a block to useful ongoing discussion amongst all those with an interest in having a shared and welcoming space for all river users on the River Lee. Three contrasting views shared on such barriers on the online form are shared below:

“Why have the Canal & River Trust gone to the apocalyptic outcome first when other softer options could have been found by working with us?”

“The misinformation and emotive language circulating in the boater community is causing opposition to the plans, but this is mostly based on wilful misrepresentation of the plan.

Some sections of the boater community evidently believe they should be entitled to moor anywhere, whatever the risks to other river users. This is not a view that I can endorse.”

“I believe a fast and competitive water sport - rowing - does not want to share the space. I have a rowing friend who claims it as ‘our river’ i.e. the rowers. I have heard rowers insult people on barges, coaches shout their heads off along the tow path from early in the morning. I’ve been woken up on a weekend morning early by a coach more times in 23 years than by anything else. It’s a great sport but it can’t supersede people’s right to live on water.”

## 6. Proposals made by those consulted

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During the stakeholder engagement process we asked people to reflect on what would be a good outcome for individuals, organisations and communities. In the following chapter we summarise the ‘good outcomes’ suggested.

### 6.1 The headline proposals

For many within the liveaboard boater community the best outcomes would be to stop the idea of the Water Safety Zones altogether, particularly those that don’t acknowledge navigational safety as an issue and/ or who feel that boaters needs are not being acknowledged or their opinion sought comments such as,

“CRT feel they can bypass consultation because ‘safety comes first’.”

As we have seen, those that feel most vulnerable whilst on the water, the unpowered craft, particularly members of rowing clubs, want to see the Water Zones implemented as soon as possible - before someone is seriously injured or killed. This view is shared by a few other river users, such as commercial boaters and towpath users. The Canal & River Trust want to ensure the safety of all those using the Lee navigation, as such they would like to encourage all those who use the water to comply with existing regulations and to understand the need for the Water Safety Zones.

### 6.2 A summary of the range of proposals

For a number of people within the liveaboard boating community better outcomes would focus on:

- Setting out accurately and clearly the data that has been used to inform the policy
- Testing this research in real-life scenarios that evaluate how policies will affect all river users
- Consulting on any reduction of moorings, and for every aspect of the Zones consult, listen to and engage all river users
- Improving facilities as a priority, meeting the proposals in the London Mooring Strategy
- Do not take any action which is perceived by the boating community as leading to people having to leave their river homes.

For those liveaboard boaters who see the Canal & River Trust as directive and authoritarian there is another route to agreeing on how to use this shared river trust. They would wish to have ‘informal’ and ‘friendly’ discussions with the rowing clubs and other unpowered craft users. It is their perception that this independent stakeholder engagement process has blocked some rowing club members from entering into such informal discussions directly with boaters.

They would accept the Canal & River Trust taking ‘softer’ options, given that they do not accept that safety is an issue. These options include:

- Enforcing existing rules and regulations
- Improving signage to make these existing regulations clear to all river users

- Using flags, horns and mirrors to improve the visibility of unpowered craft
- Dredging the canal and clearing weeds to allow mooring and free movement on the right-hand side of the river
- Having allocated times for rowers to go at speed when boaters would refrain from moving on the river
- Training and education for all water uses including shadowing e.g., time on a narrow boat for rowers, time on an oar/ paddled propelled craft for boaters.

Many of these softer options are also supported by other powered boaters, including leisure boaters. For rowers, canoeists, kayakers and paddle board users of the river acceptable outcomes include:

- Implement and enforce existing rules and regulations
- Implement and enforce the Water Safety Zones
- Consult, listen to and engage all river users
- Improve facilities
- Discourage bi-lateral ‘friendly agreements’ as this work in their view must be undertaken and enforced by the Canal & River Trust as the navigation authority.

From this summary we see that the main constituencies agree on some potential ways of working to achieve a shared space, with far less tension and aggression in the relationships needed to manage this space. These points of agreement are set out in figure 5.

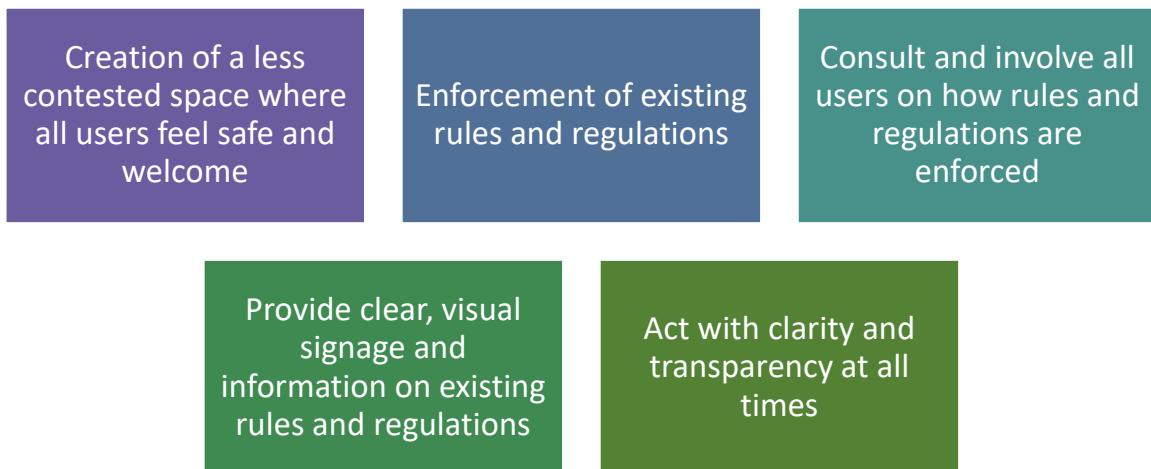


Figure 5: Areas of agreement resulting from the consultation

## 7. Recommendations

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As a result of independently facilitating discussions on these issues since the end of May 2021, Hopkins Van Mil makes a number of recommendations for the Canal & River Trust to consider. The purpose of these recommendations is to meet the aims of this engagement - to:

- Listen to and engage with individuals and organisations with a range of interests on the issues
- Review feedback to inform next steps after recent difficult conversations
- Understand current perceptions and give people a space to air their views to create a calmer atmosphere in which to plan and conduct future engagement.

The Canal & River Trust are obliged to fulfil their role as the navigation authority, as such they will need to take steps to protect the safety of all those on the Lee navigation. Whilst this may not be welcome for everyone, the Trust has no choice to fulfil these obligations. How it goes about this is the focus for our recommendations which are listed below:

1. It is expected that the Canal & River Trust will as a minimum enforce existing rules and regulations in order to raise awareness that these are not optional and are a requirement for those using the Lee navigation.
2. The Canal & River Trust to acknowledge the options proposed by those consulted as shared in section 6 of this report.
3. The Trust should continue to publish evidence on safety. This should include information on past incidents, but, more importantly, demonstrate how the risk has been assessed, including commissioning new risk assessments for the two proposed Water Safety Zones. The Trust should also share information and evidence on what it is doing to improve safety on the Lee Navigation, including working with other stakeholder groups.
4. HVM will enable all those who use the river to share information and concerns on safety, including the logging of safety incidents. This could lead to regular online briefings on safety including on what each constituency is doing to improve it. Each constituency should take responsibility for contributing information and evidence on safety, initially collated by HVM.
5. Create the conditions for all those using this shared space to gain mutual understanding of each other's needs and concerns. This might include ways of enabling people to put themselves in the shoes of various river users. For example providing accessible filmed, written and or visual testimony on:
  - a. Life as a liveaboard boater and continuous cruiser
  - b. What it feels like to row on the River Lee, including in terms of navigational safety, because if people don't *feel* safe on the water there is a safety issue
  - c. A co-created series of joint communications sharing, showing, and celebrating what each constituency brings to the Lee navigation
  - d. Shared opportunities to learn from each type of river user e.g., rower spending time on powered boats, liveaboard boaters having a canoe or rowing lesson.

6. Establish a Lee Navigation Forum<sup>9</sup> with representatives from all constituencies. In the initial stages, while tensions remain high on areas of contention, it is recommended that these meetings are independently facilitated. The meetings should be publicly minuted and transparently run so that all those present have an opportunity for meaningful engagement. They should not create more tensions by providing an arena for verbal abuse or aggression. Members of the Lee Navigation Forum should use their own mechanisms to collect information and views from their own constituency, which representatives can bring to the Lee Navigation Forum.
7. Create new signage along the relevant stretches to explain the existing rules and regulations. The information contained in the signage should also be published online and issued in email form to all those who hold continuous cruiser or home mooring licenses on the River Lee. This information should also be issued to those renewing or buying a new licence.
8. Give recognition to the safety issues which have been raised which are related to personal safety and crime prevention as well as navigational safety. This might include supporting police-led forums on personal safety on the river.
9. An acknowledgement that this process hasn't gone smoothly with an agreement from the various constituencies that a clean slate is needed to move forward and take the necessary steps to having a dialogue on the issues raised by those who have taken part in this engagement process, leading to shared understanding of each other's needs. A Code of Conduct (Code) for all river users and the Canal & River Trust is suggested to agree how stakeholders will engage with one another going forward. A draft Code has been provided in appendix 2. Stakeholders will have the opportunity to co-create the responsibilities in the Code in the first meeting of the Lee Navigation Forum.

Given the contested nature of the discussions so far there is a concern that there will be ongoing aggressions and verbal abuse in #stoptheboatcull messages and on the water. Whilst anyone is free to campaign, there is a genuine fear from river users that there will be ongoing harassment of Canal & River Trust officials and between the different stakeholders involved if the Water Safety Zones are implemented immediately. Equally there is also a clear concern about the potential harms to people and equipment if they are not implemented. We recommend that steps are taken to implement these recommendations, including enforcing existing regulations, and consult with river users to test the water in advance of any implementation of the Water Safety Zones.

It will take time to build trust between all those involved, and this too should be acknowledged. If it is decided to publish this report the Canal & River Trust should publish their response to it and invite all constituencies to also publish their own responses.

**HVM 1<sup>st</sup> September 2021**

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<sup>9</sup> The Lee Navigation Forum should act as a space for engagement and discussion on the Lee Navigation – in particular the Water Safety Zones in the first instance. It is not a decision-making body.

# Appendix 1: Water Safety Zones engagement

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## Interview discussion guide

### 1. Introduction

Thank you for agreeing to be interviewed. Your insights will help Hopkins Van Mil (HVM) to understand current views on Water Safety Zones on the River Lee.

The purpose of this short initial consultation is:

1. Listen to and engage with individual and organisations with a range of interests on the issues
2. To take action following recent difficult conversations
3. To understand current perceptions and give people a space to air their views in a one-to-one setting in order to create a calmer atmosphere in which to plan and conduct future engagement

### 2. Interview confidentiality and purpose

Our interview will last no longer than 60 minutes and will be conducted via video link. Comments you make during the interview will be confidential and used only for the purpose of understanding the current situation.

### 3. The questions

Our conversations will be open as such the following questions are a guide only.

1. Please tell me about your experience of and interest in the River Lee
2. What are the issues in your view around the Water Safety Zones proposed by the Canal and River Trust on the River Lee?
3. What would be a good outcome for you/ your organisation?

Thank you for taking part in this discussion.

# **Appendix 2: Draft Code of Conduct between users of the River Lee and the Canal & River Trust**

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This document is a Code of Conduct (Code) between all users of the River Lee and the Canal & River Trust (the Trust). It has been drafted by Hopkins Van Mil (HVM) further to the independent stakeholder engagement process (May to August 2021).

## **Purpose**

The purpose of this Code is to build a shared understanding of how all users of the River Lee and the Canal & River Trust will engage with one another going forward. It aims to provide the basis of a positive environment for future engagement between:

- The Canal & River Trust and stakeholders with an interest in the River Lee
- Users of the River Lee.

This Code will be effective from September 2021 until September 2022, to support the work of the Lee Navigation Forum. The Code, including its purpose and responsibilities, will be reassessed in the final meeting of the Lee Navigation Forum before September 2022.

## **Involvement**

This Code will be shared widely with organisations and stakeholders with an interest in the River Lee. This includes, but is not limited to:

- The Canal & River Trust
- Liveaboard boater representatives (NABO & NBTA)
- Broxbourne and Lea Rowing Clubs
- Cruising clubs along the River Lee
- Lee Valley Regional Park
- Businesses on the River Lee e.g., leisure activities and boat services
- Local community representatives.

It is the responsibility of HVM to share this with members of the Lee Navigation Forum and other stakeholder representatives in agreement with the Forum.

## **Objective**

The objective of this Code is to develop a shared agreement amongst users<sup>10</sup> of the River Lee on how the Trust and stakeholders will engage in the future. This includes methods of communication and responsibilities on the River Lee.

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<sup>10</sup> River users: any individual or organisation that uses the River Lee for housing, leisure or business.

## Proposed responsibilities

### All parties

The following responsibilities are borne by all parties who agree to this Code. They will:

- Communicate with all users of the River Lee using appropriate and respectful language and tone
- Consider the needs of all users of the River Lee
- Work with all users of the River Lee to co-create a space which feels safe<sup>11</sup> for all those who use the river
- Share information on what they are doing regarding safety for wider publication.

### Canal & River Trust

The following responsibilities are borne by the Canal & River Trust for navigation on the River Lee. It will:

- Fulfill its statutory obligations regarding river safety
- Ensure existing rules and regulations are abided by and well communicated with stakeholders
- Consult, listen to and engage all river users on developments on the River Lee
- Share evidence on any new proposals for usage and safety on the River Lee during consultation with river users
- Act with clarity and transparency
- Provide a forum for users of the River Lee to raise issues and air their views on Water Safety Zones.

### River Users

The following responsibilities are borne by users of the River Lee. They will:

- Contribute to the River Lee Navigation forum to help establish and continue effective communication and understanding between river users
- Abide by existing rules and regulations enforced by the Canal & River Trust.

### Signed by:

By signing this document, individuals and organisations are:

- not committing to legally binding obligations
- consenting to share their information (name and organisation only) in a list of signatories agreeing to this Code which may be published on the HVM website and shared with stakeholders of the River Lee<sup>12</sup>.

Name: .....

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<sup>11</sup> Where safety includes both actual and perceived safety both in and along the River Lee, including but not limited to: physical safety when navigating the waterway and personal safety from crime, anti-social behaviour and harassment along the Lee navigation.

<sup>12</sup> More information on how HVM protect personal data can be found [here](#).

Organisation or interest in River Lee:.....

Date: .....