

# ASSOCIATION of WATERWAYS CRUISING CLUBS

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## Response to the DEFRA Consultation of the Draft Waterways for Everyone (WfE) Part 1 – General Comments

We are grateful for the opportunity to comment on this draft White Paper. The Association of Waterways Cruising Clubs (AWCC) is the UK's voice for over 100 boating clubs countrywide. We represent the interests of more than 6,000 inland waterways boat owners and over 20,000 family members. We are a community of inland boating enthusiasts who for the last 45 years have campaigned vigorously on all aspects of the waterways. Our social and community activities include such things as establishing and maintaining moorings and generally looking after local waterways. We attend all national representative bodies, such as the Parliamentary Waterways Group, and have provided written and verbal evidence to Select Committees. AWCC was also a founder member of the British Waterways Advisory Forum (BWAFF). Details of our activities may be seen on our web site at [www.awcc.org.uk](http://www.awcc.org.uk)

### Background to the Draft White Paper.

In 2000, the White Paper, Waterways for Tomorrow (WfT) was heralded as a major advance in defining Government policy for the inland waterways and accepted by all major campaigning stakeholders as confirmation of their aspirations. In recent years and taking the IWAC (formally IWAAC) lead, stakeholders have accepted the need to update the WfT policy statements. The perceived aim is to broaden the scope of policy surrounding inland waterways to encompass a larger segment of society that derive direct benefit from and could provide input to the inland waterways, without discarding what has gone before.

DEFRA has taken the lead in creating an Inter-Department Committee (IDC) to co-ordinate the view of other government departments and to enhance their lead role as policy makers.

As part of the re-drafting process for the White Paper, two wide-ranging workshops were convened at Reading to engage all possible stakeholders. We are content with these initiatives and support the new direction as being potentially beneficial to both stakeholders and government.

### Updating Waterways for Tomorrow.

WfT was a major step forward in 2000. It had the personal endorsement of the Deputy Prime Minister and provided the impetus for "unlocking potential", a phrase frequently used at the time. Improvements in the waterways system in the early years of the decade were clear to see, with several major canal routes being re-opened for cruising and other activities, largely through the efforts of volunteers from the boating community. The speed of advancement has declined somewhat in recent years, probably because of a tighter funding regime, given that the energy of volunteers has not declined. Funding of inland waterways remains an issue to be dealt with in policy terms, and we will comment further upon this later, but part of the initiative to engage a wider community beyond those of boaters and anglers has to be to unlock wider sources of funding. In doing this, it is most important that the advances gained through WfT are not lost or simply overlooked, as the work of that White Paper is still to be completed. It is, in our view, vital to include within the new White Paper all of the important policy statements in the 2000 paper WfT, suitably modified with the language of the broader concept of WfE 2010.

IWAC and its predecessor (IWAAC) did much to encourage the Government with their 1996 report, *Britain's Inland Waterways: An Under Valued Asset*. WfT was a direct result of an improving chain of events and in 2007 IWAC published a further report detailing what was still to do in WfT. The "do list" in Chapter 12 needs to be fully addressed, point by point, in the new White Paper.

AWCC remain disappointed that not all the valuable points from the Reading workshops were taken up.

## **Style and Content.**

AWCC is encouraged by the general direction of the draft WfE, but is generally unhappy with the style and some of the detailed content in the draft WfE. As a policy statement, it is too long and shows an inconsistency of style that often results from multiple authors. Some parts are plainly stated, whereas others are less clear. There are other aspects that are duplicated or unnecessary in a policy paper. Having said this, we appreciate that a complete re-write is probably out of the question and would urge a radical pruning and tightening within the given overall structures to show a greater clarity of purpose.

## **Other Government Departments.**

AWCC wholeheartedly supports the efforts made by the current DEFRA Minister for the Inland Waterways, and his predecessor, to establish an effective IDC and to develop a consistent approach from Government. We would clearly prefer inland waterways policy to be Government policy, not just DEFRA policy. We accept that this will always be difficult when individual departments have their own priority targets and objectives, but we would emphasise the need for joined up government! However, we would not wish to upset any delicate balance of agreement that has already gone into the draft WfE, but simply to encourage an even stronger consensus on some of the tricky issues that will not go away, before the White Paper is finally published. Three brief examples could be given as the encouragement of partnerships with Local Authorities, development of opportunities for waterways' freight and better planning guidance on matters such as residential moorings. (We support in full the comments made by the CBOA and RBOA on these matters.)

## **Establishing and Implementing Good Policy.**

Good policy statements are derived from a clear vision of what is desirable to achieve. The vision is translated into a strategy, hopefully agreed by the majority of the people to be involved. The achievement of the strategy is then set out succinctly in a series of policy statements that must include a clear route to implementation in order to galvanise and instruct those involved, leaving them with no element of uncertainty. This is essential if the policy is to be successful in a defined timescale. If the implementation route is not clear, then the policy may be described in hindsight as less than successful, particularly as the time for implementation begins to run out. WfT was quite good on all these aspects, but the draft WfE is less clear. The IWAC report *The Inland Waterways of England and Wales in 2007*, in its review of WfT "identified some weaknesses in the design of policies and implementation of WfT" (para. 12.6). Hence, our encouragement to do even better in WfE. As examples, there are three policy areas, highlighted by IWAC as still needing progress from the WfT starting point, that must be brought out into the open in WfE. They are funding, legislation and local authority, including RDA, involvement.

### Funding.

- British Waterways has identified a £30M p.a. funding gap and the Environment Agency have insufficient funding to run their navigations as they would wish to properly pursue all opportunities. Some of the smaller navigation authorities are in a powerless position and hang-on by the skin of their teeth, unable to raise the money they require, often because of ancient and anachronistic legislation. It is clearly from the budget statements by the Chancellor of the Exchequer that public finances will be under extreme pressure in the near future. Whilst the efficiencies brought about by structural changes and greater use of volunteers may be available in the future, they should not be left as a wing and a prayer! Changes to the organisation of the inland waterways must include the consideration of how it is to be funded and in what timescale. One solution that has attracted many supporters is to attach a precept to waterside property. This idea was put forward many years ago by the IWA. It needs to be developed and WfE is the place to say that it will be done.
- AWCC is also concerned that the full implication of implementing the Water Framework Directive (WFD) may not have been resolved in the UK. It will cost money. It goes without saying that navigations need adequate water to operate. We can only point out that a failure to find the right costed water solution would close a waterway.

## Legislation.

- The Association of Inland Navigation Authorities (AINA) ran a conference a few years ago to highlight the problems and chaotic state of the legislative framework bearing down on inland waterways. AWCC contributed to the event and its outcome is on record. I can provide two brief examples. Firstly, the River Lee still has extant law that is nearly 600 years old. Secondly, the untenable position of the Middle Level Commissioners, which is briefly mentioned in the draft WfE. It should be clear to all that the Middle Level Commissioners will never be able to improve and develop this wonderful set of waterways without legislative change. We accept that inland waterways will not be at the top of the list for primary legislation. There are other means to achieve some changes, e.g. Regulatory Reform Orders, but if primary legislation is not stated as a long term aim in WfE, it will never be put on the political agenda! Yesterday's "Red Book" does leave the door very slightly ajar on this matter.

## Local Authority and RDA Engagement.

- Future funding is vitally dependent on the current navigation authorities establishing viable partnerships and foremost among the prospective partners must be Local Authorities (LAs) and RDAs. Partnerships only work well where the partners are perceived to be equal. Equality of "say" can only come from equality of contribution and this contribution has to be measured as resource contribution. This is a fancy way of saying that LAs have to contribute equitably to the funding, be it in manpower or hard cash. The previous precept suggestion is just one way of raising the extra money needed.
- LAs are responsible for all matters of local planning. The waterways community has lobbied long and hard over many years for improved central guidance on planning matters related to the inland waterways. It is felt that many LAs are either blinkered or uncertain on many of these matters and positive guidance from Central Government is long overdue. We would urge DEFRA to attempt a stronger agreement with DCLG that may be reflected in WfE.
- Developers are improving many inner city environments with new revitalising developments, which are good for all, but they are also making a considerable amount of money for their shareholders. The Section 106 planning gain requirements are well known and more could be made of this in WfE. The Chairman of the British Waterways Advisory Forum (BWAF) noted this absence in his recent letter to the Chief Executive of British Waterways (BW). (The letter is covered in greater detail below.)
- Finally, in this section we would comment that there is a difference between the clear determination of policy and the marketing of that policy. It is accepted that all White Papers have to a certain extent to address the matter of getting the message across, but this should not be confused with, or allowed to cloud the fundamental message in the policy statements. It is felt that there are important philosophical messages to be got over to LAs and RDAs and that the right place for this is not in the White Paper. However, WfE should address the matter of how to get the message across as part of the underlying policy.

## **Setting a New Course for British Waterways – The Red Book Statements.**

British Waterways announced their Twenty-Twenty Vision strategy in the summer of last year at a Palace of Westminster launch, which was supported by the three main parties, and refined it further at their General Meeting. Their consultants report, *Setting a New Course* has now been widely discussed and a clear way forward is emerging. Furthermore, the Chancellor of the Exchequer's Red Book statement this week accepts the basic tenets of "mutualising" BW, as part of its review of Arms Length Bodies, and that a charitable trust is the current preferred option. Given that this now has to be considered an official Government policy, we would make three points relevant to the drafting of WfE:

- AWCC supports completely the aspiration for the mutualising BW and the creation of a charitable trust. We wish to be involved in the process and to put forward nominations for trustees on the board.

- AWCC, IWA and SOW and others have over several years put forward detailed views to government for a rationalisation of the structure for the management of the inland waterways, with a view to achieving both increased overall efficiency and better outcomes for all those who use and appreciate the waterways. All the members of BWAf have universally welcomed the underlying proposals and suggested that in due course, the arrangements could be extended to all navigation authorities, once they have been shown to work satisfactorily. This possibility could be a stated aim in WfE.
- Whilst the above two points are important they should not be allowed to dominate, either the overall nature of WfE, or the efforts of the limited number of staff in the Inland Waterways Group within DEFRA. Publishing an agreed WfE in the near future must remain a priority.

### **BWAf thoughts.**

The members of the BWAf have met to review Setting a New Course and the results of the deliberations were sent to the BW Chief Executive in a letter, which is available for scrutiny on the AWCC web site. Robin Evans has accepted these points, which now align well with the Chancellors statement. The main concerns of the BWAf members are as follows and are consistent with general points made above:

- The proposals for BW in themselves do not solve the funding problem;
- The property portfolio must be freely given to the new trust as an endowment;
- The involvement of Local Authorities is paramount.

The full paragraph on the latter point is repeated here to place emphasis on the point and its importance in the general context – *“The idea of establishing stakeholder advisory groups for each major waterway has merit. We welcome the intention to put down stronger roots in waterside communities, and will play a full part in fostering this. We consider that, as much of the benefit from the waterways is felt in local communities, it would be reasonable for more of the new body’s funding to come from local authorities. We greatly welcome the contribution of those local authorities, which already have contracts with BW, and will encourage others. We should like to see further work on the concept of a levy on local inhabitants, collected via the local council (but not a levy on the council itself), similar to the way fire and police services are funded. We also believe that riparian developers who benefit from the waterways should make payments under S106 or other agreements. We are disappointed that Waterways for Everyone contains no commitment on this matter.”*

### **Market Research and Statistics.**

AWCC is aware of criticism of the statistics used in the draft WfE and in particular of those used in the chapter discussing freight on the waterway. Figures used in the final version of WfE must be beyond reproach and apply wherever possible to the whole system and not to just one navigation authority’s domain. However, we also appreciate that there is a problem in obtaining reliable data through proper market research. AINA is the obvious body to commission this work, but the availability of resources is likely to be an issue. Nevertheless, reliable data is fundamental to the establishment of good policy and an aspect that DEFRA should not neglect.

### **A Plan for the Next Year.**

The imminent calling of a general election will inevitable cause a hiatus in the delivery of a final version of WfE. It is now impossible to deliver it before a new government is formed. The extra time available should be used to hold further discussions with stakeholders. We proposed a working level drafting meeting with a few key stakeholders in June and a broader “Reading” style workshop to present a final draft to a full range of stakeholders in early October. We envisage that the final draft will include a plan for implementation, with timescales, along the lines of our discussion above.

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