

# NBTA LONDON

## NEWSLETTER

For the community and rights of boat dwellers

### Boat dwellers refuse to be kicked off the waterways

The national 'Boats Are Homes' demonstration on Saturday 8th April 2017 was organised in defence of the boating community who currently face the threat of the Canal and River Trust's (CRT) restrictions and actions, a result of the Trust's unlawful interpretation of distance and/or pattern of movement.

Saturday's march had a strong and diverse turnout of 150-200 boat dwellers from all over the country. Families, couples and individual boaters brought their drums, chants, whistles and loud-hailers, and most importantly, their passion. The demonstration was filled with a strong sense of solidarity and a feeling that we can make a change.



This demonstration predominantly focused on our opposition to the CRT's actions to threaten and to remove boaters from the waterways which has numerous affects on many different people in our community. Recently, the National Bargees Travellers Association (NBTA) has led a strong campaign for children in boat families to have equal access to schools. As a result, we saw a lot of support from boat dweller families on the demo.



(C) Ron Fassbender

The petition challenging CRT's intensified enforcement, which had nearly 35,000 signatures, was handed to Number 10, Downing Street. We then marched on to the Department for Environment, Food and Rural Affairs (DEFRA) to hand in a letter demanding that the Government takes responsibility to stop CRT enacting what we believe is an unlawful enforcement policy. Many believe that the heightened enforcement from CRT has a direct correlation with the continuing gentrification and privatisation of the waterways; boaters aren't as valuable an asset as an income from a major corporation is.

Yet we were unified by a sense of community, and by our opposition to CRT's threats. We heard speeches from people from all over the waterways, including Oxford boaters, who spoke about their successful campaign to stop the Council's plan to effectively make our way of life a criminal offence in Oxford. In the coming together of boat dwellers from all over the country, and in the uniting for a common purpose, many of the people attending took away a greater sense of confidence and enthusiasm to carry out further actions to defend our community.

## More public moorings to be lost at Paddington



In the latest example of gentrification of our public waterways, the Canal and River Trust (CRT) are planning to turn 140ft of the public towpath moorings at Paddington,

London, into private business moorings. This would be run by the multi-billion pound real estate investment company, British Land. British Land made a profit of £1331 million last year and its property portfolio was valued at £14.66 billion according to its most recent annual report.

If this plan goes ahead, two new 70ft business boats will be permanently moored here, in addition to the 80ft business boat they already have close by.

Losing 140ft of public mooring space in London would be another blow to the boat dweller community, all of whom can currently use that space. Thus, in response to these outrageous plans, protesters have put signs, and tied their boats to the moorings where British Land plan to moor their new boats. With CRT constantly complaining of overcrowding in London, why they are taking away yet more public mooring space?

## Boater wins appeal against CRT

Matthew Jones has won his appeal against the Canal & River Trust's (CRT) attempt to strike out the Article 8 elements of his defence against eviction under Section 8 of the British Waterways Act 1983. The case will now be remitted back to Bristol County Court where Mr Jones will be able to put his Article 8 arguments in full. Under Article 8 of the European Convention on Human Rights, the right to respect one's "private and family life, his home and his correspondence" is provided.

For more info: <https://nbtalondon.wordpress.com/2017/03/16/boater-wins-article-8-case/>

## THE GASWORKS PROTEST CONTINUES

The public moorings at the Gasworks near Broadway Market have been used by all boaters for many years. However, the Canal & River Trust (CRT) are now set to turn them into private, 'affordable' moorings. As the moorings are currently public, making them private will certainly not be considered 'affordable' by many boaters. Once privatised, many boaters will never have the opportunity to moor on this historic wharf again.

So for the last 6 weeks, in accordance with the 14 day law, numerous protesters have had their boats on the Gasworks moorings, ensuring that they are kept in constant use, and thus preventing privatisation.

One protester, Graham Ryder, said:

"Our heritage is being taken away and sold off by stealth everywhere. It makes me angry and I feel like we have to do something before our community is broken up and sold off. The community that is already here is well loved by the public and an integral part of the landscape. I won't stand by and watch whilst they sell off what we all already own."

NBTA London gives full support to anyone who uses the Gasworks as public 14 day moorings. By ensuring the use of this mooring, it is possible to stop CRT privatising them.



# Are boaters responsible for high levels of pollution in London?

This year, there have been several posts on Facebook, a lot of media coverage and a fair amount of enthusiastic discussion around the damage being done to the atmosphere and to human beings from solid fuel burners. We communicated with Professor Gary Fuller who heads up the Environmental Research Group at King's College London (KCL), which is responsible for the most intensive and current research on air pollution in London. We have also spoken to Dr Larla Kilbane-Dawe who led Parliament Hill Research about The Impacts Of Air Pollution On Health (2014).

In January 2016 New Scientist reported that “in the UK particulate emissions from wood burning stoves rose steeply and are projected to keep rising”. What Martin Le Page is talking about is the research related to domestic wood burners.

The Environmental Research Group at KCL reckons that “almost 50% of the pollution peak in January was from [domestic] wood burners”. (Prof Timothy Baker in the New Scientist, March 2016).

*But what of the impact of boaters' burners on London's air pollution?*

We asked the Parliament Hill Research team lead Dr Kilbane-Dawes specifically about the impact of smoke emitted from boaters' chimneys in residential areas, and he confirmed that the people suffering greatest impact are those in the boats that are burning the fuel.

He also confirmed that the impact smoke from solid fuel (inside and out of the boat) is heightened when there is no wind or if there is high pressure (something we experienced this January), and this results in the pollution hanging around.

When considering the claims from a few councillors and some local residents about the

polluting impact of boaters in London, let's remember these facts:-The most polluted areas of London are nowhere near the canal – see the live pollution map at London Atmospheric Emissions Inventory (laei.org); also, whilst one lorry produces fewer particulates than one solid fuel burner, **there are probably only about 5,000 boats - including those with permanent or long-term moorings, on the whole of CRT's London Waterways boaters in London, but there tens of thousands of lorries, 23,000 licensed taxis, and 2.6 million cars registered to London residents all polluting the air, and in particular, causing harm to the health of local residents and to children's lungs.**

So let's get into perspective the impact of particulate matter from vehicles, road dust, industrial diesel generators, brake pads and tyres on Euston Road and York Way, for example, when we are talking about pollution from boats.

For conscientious boaters, New Scientist gives the following tips to minimise the polluting effects of your wood burner:

**Don't burn wood from pallets. Scrap wood or painted wood can release highly toxic substances such as arsenic when burned, as can oily rags. Rather, burn wood with a moisture content of about 20% to minimise pollution. If wood is wetter or drier than that, pollution increases (inside and outside your boat).**

Here's something to consider: passing councillors and local residents in built-up areas, however, don't smell this. There is undoubtedly a psychological element that impacts on distress, and what you can't see won't hurt you. Use smokeless coal when possible.

The other solution for reducing the impact of your wood burner is to have much longer chimneys – a longer draw is good for boaters and will give particulate matter a greater chance of wind dispersement. Unless, of course, tall buildings continue to be built right on the canalside. But that's a whole other article.



# Whose Boat? My Boat!

## An NBTA Caseworker's story

As a caseworker, I have seen the incredible difference that the NBTA and members of the boating community have made to people's lives. In particular, a case that really fuelled my work was that of Maggie's\* case. Without these practices, this was a fate that could very well have befallen me.

In 2013, Maggie found herself stranded on the towpath, handbag and bicycle in hand. She stood rooted to the spot, watching her home and worldly possessions towed away. The canal had become a safe haven, holding the romantic promise of a healthier happier future that would free her from the demands of the world beyond the canal. Reality had now hit home and towed it away. Her licence had been terminated and she had landed herself a Section 8 (1). Maggie had always done what she could to keep to the Guidance (2), but had suffered for many years with some severe health concerns that left her struggling to move on time or meet CRT requirements. It seemed less like guidance, and more like threats, which worsened her health and lost her her home.

A fellow boat dweller, by the name of Simon Greer, had known Maggie for some time and had tried to help her. Simon witnessed Maggie's eviction and it was his concern which sparked the campaign that followed. The law states that you can remain in one place for more than 14 days if 'reasonable in the circumstances'. It was because of Simon's participation in the House of Commons Select Committee who drafted the British Waterways Act 1995, and his arguments that the then British Waterways should not be the arbiters of what is 'reasonable in the circumstances', that boaters without a home mooring have this right. Simon maintains that only a Judge can define whether a particular boater's circumstances are 'reasonable' and justify a longer stay.

Armed with over 6,000 signatures from the petition 'Stop evicting disabled, elderly and vulnerable boat dwellers' (3), and the Equality Act (4), two banner drops took place, including one in the presence of Princess Anne. Then, at the Canal and River Trust's 2014 Annual Public Meeting, some NBTA committee members presented Richard Parry with the petition, much to his surprise.

Meanwhile, two other NBTA committee members (one of whom uses a mobility scooter) were making the first demand for 'reasonable adjustments' within CRT's enforcement policy. As a consequence of such honourable acts, a policy was drawn up for 'reasonable adjustments' (5) to be included in CRT's enforcement policy for the benefit of disabled boaters. In November 2014, a Welfare Officer (6) was drafted in to assist on such cases thanks to the aforementioned campaign, which had led to demands from other boating organisations such as NABO, ACC and the Canalworld Forum, for CRT to appoint a welfare specialist. Pamela Smith (Chair of NBTA) helped CRT's Navigation Advisory Group write the job description. In autumn 2016, the NBTA invited the Equality and Human Rights Commission to monitor CRT who look as though they are changing for the better.

Please do get in touch if any of the above issues relate to you. Contact us on:

**[nbta.london.caseworker@gmail.com](mailto:nbta.london.caseworker@gmail.com) or 07974 298 958.**

\*Please note that the name and circumstances of Maggie have been changed for reasons of privacy.

1. Section 8: The boat will be removed after 28 days if it is sinking, deemed to be abandoned, even if hired/letting or deemed to be moored unlawfully (including any part). This includes any parts of the boat, furniture etc.

2. Guidance For Boaters Without A Home Mooring <https://canalrivertrust.org.uk/media/library/633.pdf>

3. <https://you.38degrees.org.uk/petitions/stop-evicting-disabled-elderly-and-vulnerable-boat-dwellers>

4. Equality Act 2010 – Outlines that a person with a protected characteristics has the right not to be disadvantaged or discriminated against in their access to using their boat on the waterways.

5. A Reasonable Adjustment is an adjustment to your cruising pattern, depending on the difficulties you face and what impact your protected characteristic has on your life on the boat. This can be a reduction of range, the need to spend time in a specific area for medical treatment or be allowed to moor in specific areas for easy access to your boat. A Court of Appeal Judgment, *Moore v British Waterways* [2013] EWCA Civ 73, states that 'reasonable' cannot be defined in advance.

6. Welfare Officer: Sean Williams: [sean.williams@canalrivertrust.org.uk](mailto:sean.williams@canalrivertrust.org.uk)

### Next NBTA London Meeting

We hold a monthly meeting to discuss ongoing and new actions. Everyone is welcome. The next one will be held on **Monday 5th June** in the Studio Room, Star of Kings, 126 York Way, London, N1 0AX.

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