

Report to the Committee

Re: Draft Statutory Instruments, the British Waterways Board (Transfer of Functions) Order 2012

1. I am concerned that the transfer of British Waterways to a charity status will result in hardship and homelessness for legitimate licence holders. Boaters with a mooring, and those classified as continual cruisers, are equally at risk. With respect, I recommend that the Committee does not approve British Waterways transfer of functions to a charity until the Government has put in place sufficient measures to safeguard the rights of boaters, as laid out in Article 8 of the Human Rights Act, and protected the rights for boaters to reside in their boats, their home, without fear of harassment or discrimination.

2. The Government professes to be concerned for the “excluded” in society, the “broken society”, and “we are all in it together” society. In 2010, Labour passed the Equality Act. Its intention was to obtain an Impact Assessment pertaining to the effects on a community if major changes were planned in an area.

3. British Waterways failed to comply with the Equality Act 2010. No impact assessment was undertaken with respect to its 35,000 customers. i.e. the boat licence holders. Unaffiliated boaters, have been excluded from the process. We are anonymous, a dark statistic.

4. The Canal and River Trust claims to be interested in diversity; working with the impoverished and minority groups. The failure of British Waterways to undertake an Impact Assessment on its customers, 35,000 boat licence payers, is a failure to obtain statistical data on the demographics of this community. This community is diverse in age, gender, education, poverty, health, race and religion. Many have young children, some are ex-military, others elderly with health problems. British Waterway’s draconian plans will have enormous social consequences. It appears that the Canal and River Trust fall far short in assisting boaters to live a happier, fulfilled life.

5. I enclose a copy of a letter of complaint that I sent to the Commission for Equality and Human Rights. It is typed and explains more succinctly my position. (attachment 1.) [*Not printed*]

6. I am concerned that the business plans for the Canal and River Trust does not conform to the protocols of the Charity Commission. i.e. eradication of poverty, equality and human rights.

7. The E.U have issued two directives.

1. All toxic waste should be transported by water

2. Waste products should be incinerated.

The Government has an aim for 50 incinerators to be built by 2015. A survey of the planning application indicates that the vast majority will be built where there is an intersection of road, rail and water.

8. On the Kennett and Avon Canal, incinerators are planned, or in the process of being built, in Clevely, Aldermaston (Mr Benyon’s seat), Semmington and Bristol. The proliferation of incinerators,

with their high level of dioxin emissions, plus dirty old rubbish barges, is hardly conducive to the Canal and River Trust's plan for outdoor, leisure activities and healthy lifestyle. Ecologically it's disastrous.

9. The Canal and River Trust's board of trustees are hardly conducive to the leisure-pleasure industry. They are reflective of a big corporate business. The recent addition of 3 more trustees (attachment No 2)[*Not Printed*], one, Mr Chanda, is a property developer does not auger well for the future. The new planning legislation and the Canal River Trusts aim to develop land to provide income, marks the demise of rural England and presents a threat to agriculture and the security of food supply.

The EU directive limits the vision of the Canal and River Trust. They are not free agents but agents of the E.U

This does not rest easily with the so-called charity status.

A search of Companies House shows that Canal and Rivers Trust is a private company. (No 78072760) incorporated on the 12-10-2011 and yet, the Charity Commission recently informed me that they have not received an application for charity status from the Canal and River Trust. It is assumed that British Waterways are being transferred to a private company, not a charity.

Sect. 5.17 and 5.18 of the articles of the Canal and River Trust Co., show that it has unlimited power to dismember and dispose of the waterways system for cash, piecemeal, whether directly through sale, or by default through failure to pay loans.

In effect the waterways can be split into a multitude of private businesses.

In conclusion, I would respectfully remind the committee that British Waterways is a publically owned asset. It is only at this late stage that the transfer of British Waterways to a charity is being debated in Parliament. This process has been conducted in haste with little reference to the desires of the general public. British Waterways is a public body and a natural asset. Its future should have been transparent and various options for its future put to the public.

Unfortunately, the media have shown little interest in the transfer of British Waterways to charity status: a forensic examination has not taken place. The public are largely unaware of the changes that are planned for the waterways.

To sum up my objections to British Waterways functions being transferred to a charity.

A) British Waterways failed to adhere to the Equality Act 2010 by not doing an impact assessment on its 35,000 boat licence holders.

B) The Public Bodies Bill has failed to make provisions to safeguard the rights of boaters and, in particular, "liveaboards", continual cruisers. The "liveaboards" have a right to family life, Article 8, Human Rights Act. British Waterways are in breach of this Act.

C) The British Waterways Board are inefficient, profligate and unable to engage with its customer base. This "mob" of overpaid, bonus grabbing individuals are now back in place in the new venture, the Canal and River Trust. Why bring the detritus of the old regime into the new unless to act as

hatchet men. Boaters are subject to bullying and harassment from British Waterways. There is no customer service and no policy of equality and diversity. I enclose a list of complaints that I have made to BW (attachment)[*Not printed*]

D) British Waterways arrogance extends to trusts. I attended the British Waterway's last AGM. The closing speech, made by Tony Hales, Chairman, ended with this comment - This is a rough recall. The Trusts have done a magnificent job restoring canals and raising funds. However, we are entering a new age. The old methods of doing things have let go to the ideas, energy and enthusiasm of the new paid or volunteer workers. I am a member of the Kennet and Avon Trust and I was appalled by these comments. I did in fact, make my feelings known to Mr Hales and the other trustees – I did point out that most of them were past retirement age and should retire in order to let in a “breath of fresh air”

I enclose a copy of an article written by a Kennet and Avon Trust member. The problems and lack of engagement between the Trust and the Canal and River Trust is clearly defined (attachment 4)[*Not printed*]

D) I have scrutinized the Protocols of the Charity Commission. Its core values are the (attachment 3)[*Not printed*] alleviation of poverty, equality and working with diversity. It embraces the Human Rights Act. British Waterways is in breach of the Equality Act 2010. Its draconian actions towards boaters breach Article 8 of the Human Rights Act.

Without firm safeguards in the form of legislation, the Canal and River Trust will hound people from their homes – i.e. boats. This constitutes a right to a family life.

The Charity Commission protocols place value in safeguarding the environment, ecology and public health. The growth of transportation of toxic waste by water, and the building of incinerators with dioxin emissions, place these protocols at risk.

British Waterways is registered as a limited company and has vast business plans. Business will always take centre stage over individual needs. It is not a charity.

With respect, I recommend that you deny British Waterways charity status until boaters are granted legal protection in law.

Also, forensic investigation should be done on the registration of the Canal & River Trust as a company, the future disposal of assets and the constitution of the trustees.

Thank you

Carol Y Krebs