

# FAQS

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24 May 2021

## CONSULTATION ON PRIVATE BOAT LICENCE T&CS

### What is happening?

Following a review of the terms & conditions of its private boat licence, the Trust carried out a 12-week consultation with licence holders, inviting feedback from boaters on the proposed changes. Most of the terms and conditions remain the same, but in a number of areas they have been made clearer or strengthened to protect both boat owners and the Trust.

The consultation took place between September and December 2020 and the feedback has now been reviewed and incorporated into the final terms & conditions.

The new terms & conditions will be in place from 1 June 2021 and will be applied to renewals and new licences from that date.

### Why have you reviewed the licence terms & conditions?

It is important that our Licence Terms and conditions are as clear as possible to protect both boat owners and the Trust, and are kept up to date with any changes in legislation.

The terms & conditions are there to ensure that the waterways are used fairly and safely by every boater who travels on them, and to help us with the smooth running of the canals and rivers in our care. We want them to be as clear as possible so that everyone understands the part they play in making the waterways a pleasant place for all boaters.

### What changes are you making?

The changes will strengthen the terms & conditions in some areas to protect both boaters and the Trust. We have also used this opportunity to ensure that the language used in the terms & conditions is clear and consistent throughout.

1. Requirement to travel on a journey whilst away from home mooring (to better manage 'ghost moorings'/moorings of convenience where a boat spends an extended period on a small part of the network away from its home mooring);

2. Obligations for larger dimensioned boats (to protect our network and boats from damage and avoid navigation difficulties to others caused by boats unsuitable to narrow waterways);
3. Consequences for making false declarations when licensing (to ensure that we are able to take effective action in respect of false declarations);
4. Obligation on behaviour towards Trust colleagues (to protect our people);
5. Additional requirements regarding insurance (to help ensure that boaters have the required insurance);
6. More clarity around obligations to Boat Safety Scheme certification (to improve safety);
7. Clarity added to our licence termination condition (to strengthen the effectiveness of our enforcement process and add clarity);
8. Clarification around our obligations and refunds (to clarify our legal position around refunds);
9. Requirement for better information regarding change of ownership (to ensure that we have the correct information for those responsible for licenced boats).

### **Why have you created a new separate licence for Continuous Cruisers?**

We haven't created a new licence – the standard licence can be taken with or without a home mooring as before. When a licence is taken without a home mooring, licence holders are referred to as continuous cruisers. We've included that term in the T&Cs as it's well known and is clearer than referring to "boats with or without a home mooring" when identifying the different licence requirements.

### **What was the response to the consultation?**

We received considered and helpful responses to the consultation from waterway organisations, individual boaters, and the Trust's own navigational advisory group. The consultation received widespread support, with 78% of respondents in agreement across all nine proposals, ranging from 63% to 88% for individual proposals. The consultation was completed by over 3,300 individuals, around 10% of the Trust's boat licence holders.

### **Have any changes been made to the proposed terms & conditions as a result?**

As a result of the feedback, we have rewritten the terms & conditions to improve their 'readability', re-wording some of the proposals to make them simpler. The final wording was assessed using the 'Flesch-Kincaid ease of reading tool' and showed vast improvement versus the original statements. Several other minor amendments were made to the proposals based on feedback received.

### **When will the new terms & conditions come into effect?**

The new terms & conditions would take effect with all new licences from 1 June 2021.

### **Will all boaters be required to sign up to the new terms & conditions?**

Yes, anyone wishing to take a boat licence from the Trust from 1 June 2021 will need to sign up to the new terms & conditions.

### **Who made the final decision on the updated terms & conditions?**

The Trust's Executive team have signed off the new terms & conditions in consultation with the Trust's Board of Trustees and Council.

**Where can I find out more?**

[You can find the consultation report here.](#)

[You can find the new Private Boat Licence Terms & Conditions here.](#)