

## **EBA Position Statement**

### **Transfer of Inland Waterways from State to Private Ownership or Operation**

#### **Executive Summary**

The European Boating Association<sup>1</sup> (EBA) is aware that in recent years the financing of State owned inland waterways has come under scrutiny. Increasingly consideration is being given to whether users of inland waterways should pay for the upkeep of the inland waterways rather than them being state funded.

Recreational Boating<sup>2</sup> is one of many activities which utilise inland waterways. There are many users of the waterways, and infrastructure is in place for the benefit of all of those users. Whilst boaters may be the most obvious and often the easiest users to charge, the EBA seeks to ensure that any charges which may be imposed on recreational boaters for the upkeep of previously state funded inland waterways, are proportionate and take into account that there are many users of the inland waterways.

#### **Background**

Inland waterways include both rivers and canals. Their dimensions can vary considerably, and the larger waterways facilitate the movement of significant quantities of freight across Europe. In years gone by smaller waterways were also used to transport goods, but many now see little traffic other than recreational craft.

Maintenance is essential for inland waterways and their infrastructure, both to keep them in a navigable condition and to ensure that other users (that are not navigating the waterways) have a clean and safe environment. In order to ensure the future of the inland waterways, transfer from the state sector to private ownership or private operation may be being considered.

#### **Regulations**

In the event that a transfer from the state sector to private ownership or private operation is considered, the EBA urges Governments to avoid fracturing of regulations. Boaters frequently travel great distances both within a country and across national borders, whilst doing so they often make a significant contribution to the local economy of the places they visit. Arbitrary changes in rules, make such travel unnecessarily difficult. Wherever possible harmonised regulations should be retained rather than new regulations, which differ from the rest of the network, being developed for newly privatised inland waterways.

#### **Access**

When considering a transfer from the state sector to private ownership or private operation, the

EBA believes that guarantees should be given that access for recreational boating will be retained under the new regime. Provisions must be put in place to ensure that rights of navigation are maintained and that the waterways are kept in a navigable condition. Governments should consult with national and local boating associations and clubs to ensure that recreational boaters' interests are fully considered.

Closing waterways following their transfer from the state sector to private ownership or private operation, for the benefit of investors or developers is in the EBA's view unacceptable where waterways are navigable and are used for navigation.

## **Charges**

Recreational boaters expect inland waterways to be in a navigable condition. It is therefore not unreasonable to expect recreational boaters to contribute towards their upkeep. However, charges need to be proportionate to use and need to apply to all users of the waterways and everyone that benefits, not just recreational boaters.

Charges should also take into account the reasons why structures around waterways exist and maintenance activity is undertaken. Dredging and the maintenance of buoyage and signage which aids navigation can be directly attributed to navigation. However, rather than being for the benefit of navigation, installations such as weirs in rivers are for regulation of water levels and bridges are needed to facilitate crossing. The cost of the maintenance of such structures should not be attributed to navigational users of the waterways.

Boaters expect to pay for services such as water, pump out of waste water and the provision of mooring places.

## **Waterways in commercial use**

Where waterways are used by both commercial and recreational users, it is unreasonable to expect recreational boaters to pay for infrastructure and maintenance which primarily benefits commercial users. For example, significant investment has been made in many European countries in recent years to install the infrastructure needed for Automatic Identification System (AIS). Recreational boaters should also not be expected to fund schemes which are intended to separate small and large craft for safety reasons, such as special locks for small vessels.

## **Recreational use of waterways which were previously used commercially**

Waterways which have no future commercial benefit can frequently be given a new lease of life through water tourism. Over time manmade waterways and inland waterways installations such as locks, dams and weirs become part of the landscape and should be preserved to maintain the landscape. Keeping such waterways viable for navigation, benefits both the landscape and the local economy through the contribution made by tourist.

## Communication with users

Any inland waterway which charges recreational boaters for the use of the waterways, or structures (e.g. bridges, locks) on the waterway, should have a mechanism by which it consults with these paying users. The relevant national or local boating association or club should be given as voice within the management structure, such as a seat on the advisory or user committee.

## The EBA Position on Financing Inland Waterways

When considering the transfer of inland waterways from the state sector to private ownership or private operation, the EBA urges Governments to consider the interests of boaters and the potential impact changes could have on recreational boating. Rights of access to navigate on inland waterways should be safeguarded.

Changes to charging for use of inland waterways should be carefully managed to ensure that boaters are not 'priced out' of their hobby. Fees should be commensurate across all users of inland waterways and it should be clear how the revenue raised from such fees is being spent.

Caution is needed to ensure that regulations do not become unnecessarily fractured across the network at a time when there is significant work being undertaken within the European Commission and the United Nations Economic Commission for Europe to increase the level of harmonisation.

Recreational boaters, can make significant contributions, to the local economy through water tourism and to the landscape. However, this is dependent on the right environment, making inland waterways attractive to them. Regulations and charges that are difficult to understand or unfair may drive boaters away.

## Notes

### **<sup>1</sup> European Boating Association**

The European Boating Association, Europäischer Sportschiffahrtsverband, Association Européenne de Navigation de Plaisance, is a civil, not for profit association of recreational boat users' organisations, founded in 1982, and established as an Unincorporated Association whose members agree to be governed by its constitution. The EBA currently comprises 28 organisations from 18 European states, which collectively represent in excess of 1.5 million recreational boaters and an estimated 20 million active participants.

The purpose of the EBA is to represent the mutually agreed common interests of national recreational boat users' organisations in Europe, and in particular to:

- Coordinate and develop recreational boating activities in Europe by exchange of information, and action on matters of mutually agreed common interest.
- Promote the practice of all activities on the water, promoting and exchanging knowledge and experience between recreational boat users' organisations in Europe.
- Represent EBA members in environmental, regulatory and technical matters affecting their safe enjoyment of recreational boating activities on the water.
- Encourage the safe, unhampered and environmentally sustainable use of recreational boats on all European waters.
- Provide the link between the European institutions and EBA Members for consultation and information on proposed EU directives and regulations.

Provide the link between other relevant global and regional organisations and EBA Members.

### **<sup>2</sup> Recreational Boating**

The EBA is the European representative organisation for recreational boating.

There is no general consensus as to the terminology used to describe the types of boat used for "recreational boating", with expressions such as "recreational craft" or "private pleasure craft" being used to describe only subsets of such types of boat for the purposes of specific pieces of EU legislation. "Recreational boating" also includes the use of beach- or slipway-launched water toys such as wind surfers, sailing dinghies, inflatable boats and personal watercraft.

Boats used for "recreational boating" may be small or large, propelled by sail and/or power and used on inland waters and/or at sea. "Recreational boating" at sea can range from close-to-shore to trans-oceanic.

"Recreational boating" also includes the use of such boats privately owned and operated by the owner, hired (on bareboat or skippered charter) or used to provide a service (such as training or race participation).

In this context of this document, therefore, the EBA considers "recreational boating" to mean using boats that are designed or adapted for sport or leisure, whether propelled by sail and/or power, for the purposes for which they are designed or adapted.