



Inland Waterways Association of Ireland

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Dear Chair.

I would like to introduce you to the Inland Waterways Association of Ireland (IWAI). IWAI is a voluntary body of waterways' enthusiasts, founded in 1954. It was formed to promote and encourage the use and development of Ireland's navigable waterways. IWAI is also a registered charity.

In its early years the association was a campaigning organisation ensuring that the Shannon was navigable for pleasure boating and helping to guarantee the development of the river as a national asset for waterways tourism.

The early campaigns were extended to include the drive to prevent the threatened closure of the Grand Canal in Dublin. The Association has worked hard to assist the improvement of the Barrow and to focus interest and activity on the restoration of the Royal Canal, the Shannon-Erne Waterway, the River Boyne, the Kilbeggan Line of the Grand Canal, the Ulster Canal the Newry canal and other closed navigations.

With 1800 members, IWAI is the voice of waterways users and enthusiasts. It represents the views of members to governments (NI & RoI), to the cross-border navigation authority Waterways Ireland, and other navigation authorities, to local authorities and the range of statutory and state-sponsored bodies whose activities impinge on the waterways in one way or another. IWAI has been a campaigning organisation for 70 years with a track record of success.

We were therefore disappointed not to have been invited to address the Joint Oireachtas Committee when hearing submissions in relation to the proposed draft byelaws for the canals and the River Shannon.

However, we have engaged extensively with Waterways Ireland in relation to the draft documents in both phase 1 and phase 2 of the public consultation. Waterways Ireland management have addressed many of the issues we raised during the phase 1 public consultation period, however some issues remain outstanding, and we would like to bring these to your attention.

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Honorary Secretary: Graham Bartlett **Honorary Treasurer:** Alison Maddock **Membership Sec:** Bríd Joly

Directors: Denis Baker, Colin Becker, Kevin Clabby, Peter Maxwell, Chris McCarney, Matthew Daniels, Darragh Dolan

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Draft Shannon Byelaws

- Reg 9(b) All angling boats should be required to register and display a registration number on their hull, even if they are not required to pay the registration fee. This would enable ALL boat owners engaged in antisocial or unsafe behaviour on the waterways to be identified.
- Reg 17(3)(a) – IWA is strongly of the opinion that Waterways Ireland consider a 6-day allowable mooring time in public harbours to accommodate working boat owners. This would allow them to cruise the system on their days off, bringing much needed footfall to towns and villages on the waterways and contributing to domestic tourism revenue.
- Regulation 17(3)(b) – IWA welcome the retention of the winter mooring period but feel it is essential if boat owners' avail of these moorings at the €300 fee, then essential water and electricity services are maintained over this period, when weather conditions allow.
- Regulation 23(1)(a) re commercial operations on the Shannon – Waterways Ireland must provide a schedule of proposed fees as an appendix to these byelaws, as any incremental increases will be passed on to use the boat owners.
- Regulation 28(2) Protection of water quality – In order to ensure boat owners can comply with this regulation Waterways Ireland must provide and maintain pump out facilities at more regular intervals along the waterways and where possible facilities for emptying chemical toilets etc.
- Regulation 28(4) Prevention of waste - in order to ensure waterways users can comply with this regulation, WI in conjunction with the local authorities must provide and maintain waste facilities at regular intervals along the waterways. For users who are spending a week or more on board their boat, it is unacceptable to expect them to store rotting waste on board. In fact, it could become a health hazard.

Draft Canal Byelaws

- Regulation 11(4) – width of boats restricted on the Royal Canal to 3.9m beam. Our beautiful heritage fleet, many of which are the Guinness barges or M boats, are greater than 3.9m width and have always been able to navigate the Royal Canal. Both the Royal and Grand Canal should have the same beam restriction of 4.4m
- Regulation 22(1)(d) – restriction of mooring to 5 days in harbours on the canals. The 5-day restriction in this byelaw applies only to boats; canoe and polo clubs have unlimited use of these harbours; as such it unfairly discriminates against boat owners. With no private marinas available on the canals system, adhering to this rule is incredibly difficult. If you cannot return to your boat for a week, there is nowhere else to leave it. The canal is a shared space, but this shared use must be equal. Long stay boaters should be entitled to stay in a specific area of a harbour while canoe clubs etc. can have greater access to another area.

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- Regulation 22(1)(e) – Waterways Ireland should be encouraging boat tourism in the city. With the introduction of the Fixed Penalty Notice Waterways Ireland have the power to regulate illegal liveaboards in the area. This time period should be extended to 40 days and this byelaw should also include a provision to allow for overwintering in Grand Canal Dock
- Regulation 21(f)&(g) – restriction of mooring for boats except houseboats from Grand Canal Dock to outside lock 16 on both canals. This is unacceptable as it will result in the collapse of leisure boating within these zones and will empty these stretches of the canals. This will decimate slow tourism in the area and could negatively impact canal-side businesses. Targeting leisure boaters in this way is unacceptable. In the same way that legislation generally cannot be enforced retrospectively, this Bye law should follow the same premise. Leisure boaters who have kept their vessels in good order for many years in these locations must not be penalised. Boaters who use these areas as a winter base (in the absence of private marinas) and cruise the system for the rest of the year must not be penalised. If leisure boaters are forced out of these areas and they become liveaboard only, there will be very little living traffic on the canals; leisure boats will move to the Shannon (increasing the carbon footprint of the user) or be sold. If boating becomes a chore, especially for senior citizens of which there are many on the canals, they won't bother. This flies in the face of the wellbeing and holistic benefits of leisure boating for the individual and the communities in which they do their boating. There needs to be a balance of houseboats, long term leisure boats and short-term visiting leisure boats. This has always worked, and the introduction of any new regulations should support and not destroy this status. Limits on numbers may need to be considered but we believe with careful negotiation and discussion an acceptable compromise position can be reached. IWAI welcome any plan to establish viable liveaboard communities at locations along the canals to bring life and security to different areas, but leisure boaters cannot be excluded. The Byelaws should be seen as an opportunity to reinvigorate canal traffic and boat tourism.
- Regulation 35(2)&(5) Protection of Water Quality and Prevention of Waste - The facilities must be in place to enable boaters to comply with this byelaw. It is essential that there is significant investment into sewage and waste disposal on the canals, with as rapid a roll out of these services as possible.
- Regulation 36 Tolls and Charges - The proposed annual houseboat charges, the number of permits that will be issued and the services which permit holders will receive in return for their payment, are the most contentious issues in these draft byelaws for most. The minor amendments from the original draft to this draft are simply not enough. This is one area where Waterways Ireland seems to have dismissed the genuine concerns raised by IWAI and many others in the first consultation phase. These increases are

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simply excessive. In addition, the lack of clarity over numbers and locations means that residential boat owners are fearful of losing their homes and / or of being forced to move from communities where they have built connections and put down roots. The incremental increases must be reduced, the length of time for the introduction of new fees increased and all of this absolutely must be linked to the provision of services and the improvement of existing services. An alternative compromise would be to maintain the status quo for the most part, set limits on the numbers of serviced berths in any given location and only issue new permits at the new fee when berths become available. Anything that falls short of these solutions is unacceptable.

- Regulation 37 Waterways Ireland's non-liability for delays and stoppages – Waterways Ireland's statutory remit is to ensure a working navigation. We reject this clause outright.
- Regulation 39(2)(A) – moor at a soft bank location on the canals. As worded, this byelaw means that a leisure boater can only moor on a soft bank unless they have a houseboat permit. A simple fix would just be to remove all references to the type of mooring and just leave it as 'to navigate the canals and pass through locks and more at locations on the canals and Barrow navigation....

IWAI thank you for taking the time to consider our concerns and we hope you will keep them in mind when making your representations to the Minister before these byelaws are finalised and signed into law.

Yours

Kay Baxter
IWAI President

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