

From Mr John Cale (John Cale Canal Cruises)

- 1. What disciplinary procedures do the JMC have in place for errant tenants / stakeholders of Surrey / Hampshire C.C / BCA? What protocols need to be followed by both parties & what appeals process is in place?**

Response:

The JMC is a joint committee of the constituent local authorities. Its role is to set the policy, strategy and budgets for the management of the Canal and to monitor the work of the managing agent - the Basingstoke Canal Authority. It has no role in disciplinary procedures.

Officers of the BCA or owning County Councils can take action where they believe actions of a licensee are in breach of the licensee's specific terms and conditions, or are in breach of the rules of navigation, or the law; for example, by interfering with water management, or damaging the Canal. There is no proscribed procedure or appeals process for dealing with these matters, officers' actions will vary depending on the nature and facts of the issue at hand. The rules of navigation (formed of the bylaws, boating terms and conditions and boaters handbook) are attached; commercial and quasi-commercial operators however currently have a variety of different individual licences with differing terms and conditions.

Complaints about the handling of a particular issue will be dealt with through the formal complaints procedures of the owning County Councils. Where concerning the actions of BCA staff this will usually be through the Hampshire County Council complaints procedure.

If there is a dispute between licensee's using the waterway that doesn't involve harm to the Canal, BCA or County Councils that will generally be a matter for those licensees to resolve between them - there are no tenants nor exclusive occupation of any area of the waterway. Neither the BCA nor County Councils can act as an arbiter in any such dispute.

- 2. What is the JMCs policy / views on procedural protocols pertaining to boat reclassification by the BCA?**

Response:

The JMC is a joint committee of the constituent local authorities. Its role is to set the policy, strategy and budgets for the management of the Canal and to monitor the work of the managing agent - the Basingstoke Canal Authority. It has no role in reviewing individual issues.

The BCA as the owner's agents may issue a licence which is the most appropriate for the current use of the boat in question. The decision to issue or not issue a licence was delegated to the Canal Director for the whole Canal; the Canal Manager and Countryside Client Officers have now taken over the duties contained in this former role. Estates Officers from each County Council also have the delegated

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authority to set rents, licence fees and issue licences within their own authority's jurisdiction.

Keith Chapman

Chairman, Basingstoke Canal Joint Management Committee