

## **IWAI Heritage Bill 2016 News Release No 3**



**Date of Issue: 8 November 2016**

### ***Dublin City Council calls on Minister Humphreys to defer the introduction of the Heritage Bill 2016 - Canals Act 1986 (amendment 2016)***

**Dublin City Council unanimously passed an emergency motion proposed by Labour Councillor Dermot Lacey and seconded by Labour Councillor Mary Freehill on Monday night.**

The motion calls on “the Minister for Arts and Heritage to defer the introduction of the Heritage Bill 2016, in so far as it proposes to amend the Canals Act 1986, which would see the right of Local Councils to have a meaningful input on the operation and Bye laws regarding the Canals to allow dialogue with Dublin City Council, the Association of Irish Local Government and the Inland Waterways Association of Ireland in relation to same”.

Some further information:

The Heritage Bill 2016 is due to be reintroduced to Seanad Éireann at 2pm Wednesday November 9th for Stage 3. Section 2 of this Bill proposes considerable amendments to the Canals Act 1986. The introduction of the Heritage Bill 2016 as drafted will create significant differences between the Canals and other Irish Navigations, the bill if passed will result in reduced usage of the canals and thus impact on the local community through the loss of revenue of the visiting boaters and canal users.

If this Bill passes there will be no opportunity through monthly Council meeting to discuss proposals and engage in consultation on Canals legislation and future Byelaws, as the proposed consultation period will last for just 21 days. Councillors will have no input into legislation that will not put user requirements, tourism development & your communities at the centre of the regulations.

IWAI have called for a consultation period of 90 days to safeguard against this eventuality. The precedent for this has already been established by Waterways Ireland, (the North South Body charged with managing our Inland Waterways), through the Public Consultation on their Corporate Plan in 2014.

In relation to the overall canal section of the bill, IWAI believes that it is a negative and imbalanced approach to introduce legislation that penalises 99% of waterways communities to address the problematic area of 1% (due to unlicensed boats, harbour hogging). These matters can be legislated for without effectively penalising the other less populated areas.

IWAI believe that any proposed legislation should

- promote the development of the tourism potential of the canals and supports tourism initiatives on the canals, such as the IWAI Green and Silver circle trip through Dublin via both canals
- equally provide for the regulators and the **users** requirements
- in the absence of alternative private marinas on the canals provide for boaters moving through these linear waterways in safe areas, not isolated known problematic areas and without having to risk €150 per day fines after five days
- allow for the introduction of bye-laws that put user requirements, tourism development and local communities at the centre of the regulations in a manner that allows adequate consultation
- ensure that the enforcement & penalties regime governed by these bye-laws include a suitable independent appeals mechanism
- protect and maintain navigation heritage and usage for future generations

IWAI advise that while it would welcome and support proper regulations the proposed Heritage Bill does not put user requirements, local communities or tourism at the centre of the regulations. Rather it is a heavy handed approach that will result in a detrimental reduction of boat traffic on the canals.

The proposed Heritage Bill (2016) gives Waterways Ireland, the authority to appoint “officers” to carry out stop and search and seizure activities on boats and personal property on the Grand Canal, Royal Canal and River Barrow.

In the Republic of Ireland, search and seizure acts are limited to a number of specially trained and professional groups such as the Gardaí, Health a Safety Inspectors and Customs Officers. The boats affected by this new act include residential barges, hire boats and barges, restaurant barges, motor cruisers and fishing boats.

Boats will opt to move to the other Irish Waterways, managed by the same regulator, Waterways Ireland, where the regulations and facilities are more user friendly and where there are no oppressive fines and penalties.

The powers proposed within the new Act will affect those on the waterways of Carlow, Dublin, Kildare, Kilkenny, Laois, Longford, Meath, Offaly and Westmeath.

**Who to contact for further information**

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## Notes to Editor – the IWAI

The Inland Waterways Association of Ireland (IWAI) is a voluntary body representing over three thousand five hundred enthusiasts, with 23 branches across the island of Ireland.

The Inland Waterways Association of Ireland (IWAI) is an energetic, fun, voluntary organisation with members from all corners of the Island of Ireland, all sharing a keen and passionate enthusiasm for the waterways of Ireland.

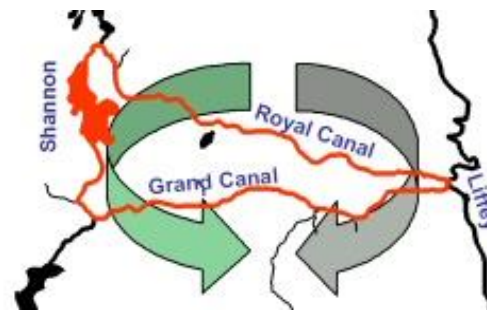
The IWAI advocates the navigation, use, maintenance, protection, restoration and improvement of the inland waterways of Ireland. It was formed in 1954 to promote the development, use and maintenance of Ireland's navigable rivers and canals.

When the Shannon was almost totally undeveloped for pleasure boating, the IWAI campaigned against the building of low bridges, thus ensuring the development of the river as a national asset. In the 1960s IWAI successfully campaigned to stop plans to close the Circular Line of the Grand Canal in Dublin. Later the Association campaigned for the re-opening of what is now the Shannon - Erne Waterway (formerly the Ballinamore & Ballyconnell Canal) and the Naas Line of the Grand Canal.

IWAI played its part in the restoration campaign for the re-opening of the Royal Canal between Dublin and the Shannon in recent years. IWAI assistance to the campaign to re-open the Ulster Canal has also borne fruit with the announcement that work is to begin on re-opening the section from the Erne to Clones. Currently, IWAI members are active in restoration projects on the Boyne, Newry and Lagan Canals.

IWAI Branches hold approximately 200 events each year across inland navigations with the wider communities in many locations. These events include Boat Rallies, Harbour Festivals, Walks, Social Gatherings, Heritage Activities; Family activities and Youth focused events.

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Green and Silver Route - Dublin.iwai.ie

National Website Details [www.iwai.ie](http://www.iwai.ie) [www.facebook.com/IWAICanals](https://www.facebook.com/IWAICanals).