

Rights of Boat Dwellers Bill [HL]

[AS INTRODUCED]

CONTENTS

- 1 Overview
- 2 “Boat dwellers”
- 3 “Relevant authorities”
- 4 Right to access public services
- 5 Report: security of tenure for boat dwellers
- 6 Boat dwellers without a permanent mooring: cruising patterns and licensing conditions
- 7 Seizure of boats
- 8 Right to safe passage
- 9 Priority of boat dwellers’ rights
- 10 Extent
- 11 Commencement
- 12 Short title

[AS INTRODUCED]

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B I L L

TO

Recognise the rights of boat dwellers on Britain’s rivers, canals and coastal waters to have their dwelling recognised as their lawful home with the rights and protections attached to that; to make provision for a system of temporary moorings that recognises those rights for those without a permanent mooring; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Overview

- (1) This Act establishes a framework of rights and entitlements of boat dwellers.
- (2) Relevant authorities must have regard to the rights and entitlements established by this Act when exercising functions that may affect boat dwellers.
- (3) The rights and entitlements under this Act apply to “boat dwellers” (within the meaning of section 2) and the duty to have regard to such rights and entitlements apply to “relevant authorities” (within the meaning of section 3). 5

2 “Boat dwellers”

- (1) For the purposes of this Act a “boat dweller” is any person, of any age, for whom a boat on a British river or canal or in British coastal waters is their primary residence. 10
- (2) For the purposes of this Act, a “boat” includes any—
 - (a) craft,
 - (b) vessel, 15
 - (c) ship,
 - (d) barge,
 - (e) lighter, or
 - (f) raft,which may or may not have a permanent mooring. 20

3 “Relevant authorities”

- (1) The relevant authorities to which the duty under section 1(2) applies are –
- (a) the Canal and River Trust,
 - (b) the Environment Agency,
 - (c) corporate riparian owners, 5
 - (e) mooring operators,
 - (f) navigation authorities,
 - (g) port authorities,
 - (h) riparian authorities, and
 - (i) riparian owners. 10
- (2) For the purposes of subsection (1) –
- “corporate riparian owner” means a corporate body that owns or manages riparian land;
 - “harbour authority” has the meaning given in section 313 of the Merchant Shipping Act 1995; 15
 - “mooring operator” means an individual or body that owns or manages moorings, marinas and other places where permanent moorings are sold or rented to the public;
 - “navigation authority” means a public or private body with statutory powers and duties to manage an inland waterway; 20
 - “port authority” means a public or private body with statutory powers and duties to manage a port;
 - “riparian authority” means any public body that owns or manages riparian or coastal land, such as a local authority or national park;
 - “riparian owner” means a private individual or body that owns riparian or coastal land. 25

4 Right to access public services

- (1) The Secretary of State has a duty to ensure that boat dwellers have equal access to –
- (a) healthcare and social care, 30
 - (b) education,
 - (c) financial services, including banking, universal credit and state pensions,
 - (d) driving licence and vehicle registration,
 - (e) voting in elections and referenda, and 35
 - (f) any other public services the Secretary of State considers appropriate, to that of people living on land with a permanent address.
- (2) In order to fulfil the duty under subsection (1), the Secretary of State must, by regulations made by statutory instrument –
- (a) amend the definition in section 99 of the Housing Act 2004 (meaning of “house” etc) and other relevant primary legislation as far as they consider necessary to ensure that boats on Britain’s rivers, canals and 40

- coastal waters are considered lawful homes for the purpose of accessing public services, and
- (b) ensure that boat dwellers are able to use Poste Restante or care-of-addresses to access any public service which requires proof of address. 5
- (3) Within one year of the day on which this Act is passed, and every year thereafter, the Secretary of State must publish a report setting out what steps they have taken to fulfil their duty under this section.
- (4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament. 10

5 Report: security of tenure for boat dwellers

- (1) Within one year of the day on which this Act is passed, the Secretary of State must publish a report to assess the extent to which boat dwellers with and without permanent moorings have security of tenure within the meaning of the Landlord and Tenant Act 1954. 15
- (2) In preparing the report under subsection (1), the Secretary of State must consult—
- (a) boat dwellers whose boats are licensed with a permanent mooring,
 - (b) boat dwellers whose boats are licensed without a permanent mooring, 20
 - (c) relevant authorities (as defined in section 3), and
 - (d) any other such persons the Secretary of State considers appropriate.
- (3) The report must include an assessment of whether, in the Secretary of State's view, boat dwellers' right to security of tenure is regularly infringed upon by relevant authorities, including but not limited to— 25
- (a) unlawful eviction proceedings,
 - (b) fines,
 - (c) charges, and
 - (d) enforcement action.
- (4) If the Secretary of State considers that boat dwellers' right to security of tenure is regularly infringed upon as a result of actions by relevant authorities, they must set out recommendations in the report to support the protection of this right. 30
- (5) Recommendations under subsection (4) may include proposals to establish an ombudsman or regulator to protect boat dwellers' security of tenure and to provide a route for boat dwellers to seek redress. 35
- (6) The Secretary of State must lay the report before Parliament.

6 Boat dwellers without a permanent mooring: cruising patterns and licensing conditions

- (1) When interpreting provisions in the Transport Act 1962 or the British Waterways Act 1995 which apply to boat dwellers without a permanent 40

mooring, relevant authorities must not require boat dwellers to follow a specific cruising pattern in order to comply with the conditions of boat licences or registration including licences issued under section 17(3)(c)(ii) of the British Waterways Act 1995 (conditions as to certificates and licences) in relation to their primary residence, including—

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- (a) mandating any specific distances or range to be travelled,
- (b) requiring periods of non-return to a location, or
- (c) discounting certain journeys by deeming them not to be a valid part of a boat dweller's cruising pattern,

if doing so might infringe on the boat dweller's right to a secure home or right under section 4.

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(2) Relevant authorities must not—

- (a) restrict licence renewals to shorter periods than 12 months for boats without a permanent mooring, or
- (b) make licence renewals conditional on cruising patterns,

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if doing so might infringe on the boat dweller's right to a secure home or right under section 4.

(3) No eviction proceedings, fines, charges or enforcement action by any other means shall be imposed or taken against a boat dweller without a permanent mooring whose home has been moored in any one location for less than 180 days, if doing so might infringe on the boat dweller's right to a secure home or right under section 4.

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(4) If it is reasonable in the circumstances for the home of a boat dweller without a permanent mooring to be moored in any one location for more than 180 days, no eviction proceedings, fines, charges or enforcement action by any other means shall be imposed or taken against that boat dweller if doing so might infringe on the boat dweller's right to a secure home or right under section 4.

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7 Seizure of boats

(1) Relevant authorities must not—

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- (a) seize, detain or place a lien or charge on a boat, or
- (b) issue any form of injunction which has the effect of restraining a boat entering the relevant authority's waterways for any period,

if that action would have the effect of infringing on boat dwellers' right to a secure home.

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(2) Debt collection agencies must not obtain payment of a debt owing in respect of a boat by seizing or making a charge on the boat if it is a boat dweller's primary residence, but may pursue the recovery of money owed as a civil debt.

8 Right to safe passage

- (1) Boat dwellers have a right to safe passage where a failure to grant safe passage might infringe the boat dweller's right to a secure home or right under section 4.
- (2) Relevant authorities must not infringe on the right established by this section, including through encouraging, persuading, instructing or otherwise pressuring a boat dweller to navigate on waters or in conditions that the master or skipper of the boat considers to be unsafe. 5
- (3) It is an offence for a person to infringe on the right under subsection (1).
- (4) A person guilty of an offence under this section is liable on summary conviction, to imprisonment for a term not exceeding 2 years or a fine (or both). 10

9 Priority of boat dwellers' rights

- (1) Where, in the exercise of any function under this Act or otherwise relating to Britain's waterways, a relevant authority is required to consider the rights of boat dwellers alongside the rights of persons who use vessels solely for commercial, sporting, or leisure purposes, the authority shall give greater weight to the rights and interests of boat dwellers where there may be any infringement of the boat dweller's right to a secure home or right under section 4. 15
- (2) In this section, "rights of boat dwellers" includes, in particular, rights arising under –
 - (a) this Act,
 - (b) the European Convention on Human Rights, and
 - (c) any enactment, retained European Union law, or international agreement to which the United Kingdom is a party, so far as it is reasonably capable of affecting the rights or interests of boat dwellers. 20 25

10 Extent

This Act extends to England, Wales and Scotland only.

11 Commencement

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This Act comes into force on the day on which it is passed.

12 Short title

This Act may be cited as the Rights of Boat Dwellers Act 2026.

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Baroness Bakewell of Hardington Mandeville

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