NATIONAL BARGEE TRAVELLERS ASSOCIATION

CONSULTATION RESPONSE:
RESELLING GAS AND ELECTRICITY: MAXIMUM RESALE PRICE (MRP) DIRECTION
OFGEM
2nd DECEMBER 2025

1 INTRODUCTION

1.1 This consultation response is from the National Bargee Travellers Association (NBTA). The NBTA is a volunteer organisation formed in 2009 that campaigns and provides advice and support for itinerant boat dwellers on Britain's inland and coastal waterways ("Bargee Travellers"). This includes anyone whose home is a boat and who does not have a permanent mooring for their boat with planning permission for residential use. The NBTA is the only national organisation in Britain dedicated to upholding and defending the rights of itinerant boat dwellers.

1.2 The NBTA has over 2,200 members spread across all the major navigation authorities' waterways and beyond. The NBTA is a widely recognised 3rd sector organisation, has a casework team of 25 volunteer caseworkers and and deals with at least 200 individual casework cases each year.

1.3 The navigable inland waterway system in Britain is home to an estimated 15,000 to 50,000 Bargee Travellers. There are as yet no accurate statistics for the number of people living on boats either with or without a permanent mooring in the UK. In spite of the fact that people have been living on boats since the late 18th century even as recently as the National Census of 2021 did not properly engage statsistics-gathering of the boat-dwelling demographic and the above population figure is a very coarse number.

1.4 There are at least 21 inland navigation authorities in the UK. Canal & River Trust ("CRT") is the largest, with around 80% of the UK's inland waterways. Other significant navigation authorities are the Environment Agency; the Broads Authority; the Conservators of the River Cam; the Middle Level Commissioners; Peel Holdings (the Bridgewater Canal) and British Waterways Scotland (trading as Scottish Canals). An unknown number of Bargee Travellers live in coastal harbours and estuaries, some of which are controlled by harbour authorities.

2 MARKET REVIEW – BOTTLED GAS vs MAINS GAS

People who live on their boats and are itinerant have no fixed relationship with the canal bank or river bank and so all energy products are delivered to the boat as follows:

FUEL TYPE	DELIVERY METHOD	SOURCE
Diesel: red or white (for propulsion, generation and heating)	barrels pumped	local garage / other retail outlet; “coal boat”, marina / boat yard
Gas: propane or butane / LNG / LPG (for water heating and cooking)	self-filled bottles replacement (refills) bottles	“Autogas” retailer (petrol station); “established” retail outlet (eg garden centre, petrol station); “coal boat”, marina / boat yard
Coal (for water heating	sacks	retail outlet (eg petrol station, garden centre); coal merchant “coal boat”, marina / boat yard
Wood	sacks self-delivered	retail outlet (eg petrol station, garden centre); coal merchant “coal boat”, marina / boat yard tree surgeon self-foraged

2.1 95% of boats now have solar panels. At times when the sun is not shining and in particular in winter when light levels are low electricity generation is achieved by running the ships engine (very common), running an external generator (common) or by use of a wind turbine (less common).

3 ANALYSIS OF MARKET PRICE – BOTTLED GAS vs MAINS GAS

An analysis of (a) the spot price for LNG futures, (b) the OfGem price cap (c) the cost of retail gas supplies (19 data points) and (d) the retail cost of AutoGas (4 data points) has revealed some stark comparisons as follows.

1 The spot market price for LNG now shows a price of approximately £0.8204 / Therm or £0.02799 KWh. This equates to between £0.36108 / Kg equivalent and £0.38907 Kg equivalent (relying on a calorific content value of LNG of between 12.9 and 13.9 KWh / Kg)

2 The OfGem cap for mains gas stands at between £0.8114 / Kg and £0.8743 / Kg (the Ofgem cap for mains gas currently stands at £0.0629 / KWh). This amounts to a gross margin of 125% on the part of the energy suppliers. In a normal retail context this is obscene but not uncommon.

3 Off-mains-gas-grid households (including inter alia park homes, static caravans and caravans used by the travelling community but specifically not boats) usually use 47Kg bottled gas. The price of propane gas in retail 47Kg bottles ranges between 1.5x and 2.6x that of the OfGem cap for mains gas (5 data points).

4 A full 47Kg bottle has a gross weight of nominally 70Kg which is too heavy for an average person to lift. Deliveries of 47Kg bottles usually involve a flat-bed truck equipped with a Hiab and the bottles are lifted off onto a trolley. This is not feasible on the towpath. This mass also dramatically affects the trim of a boat. Further the bottles stand too high to be of practical use on a boat.

5 LPG is heavier than air so sinks in the atmosphere. In a boat, in normal circumstances, escaped gas will sink into the bilge and present an explosive atmosphere. The mandatory Boat Safety Scheme regulations therefore specify that gas bottles must be kept in a gas locker that includes a drain to the outside of the boat (and must therefore be above the waterline) which in practical terms means in a location that is higher than the waterline but below the line of the roof. In practical terms this precludes the use of 47Kg bottles which stand over 1.5m high.

6 It is far more usual to see boats equipped with 13Kg propane (orange) bottles. Caravans and camper vans regularly use 3.9Kg bottles (and have similar gas lockers with external drains but for this size bottle) but this size exacerbates the price / Kg metric.

7 This study found that the ratio between the illicit Autogas filling of 13 Kg propane bottles ranged between 1.2x and 2.3x that of the OfGem cap (6 specific data points and use of the filllpg.co.uk website, that is country-wide).

8 Retail supplied exchange / refilled 13Kg bottles ranged between 3.7x and 5.1x the OfGem price cap (11 datapoints). These multiples are also obscene.

9 The lower end of this range in Item 8 above is occupied predominantly by specialised retailers, some coal merchants and some marine retail locations (eg boat yards) whereas the upper end is occupied by the higher cost marine establishments (premium chandlers). In the boating world we refer colloquially to “marine tax”: the premium prices for items sold through some chandlery establishments.

10 What also stands out is that the supplier that features predominantly in the upper part of this subdivision of the data set Item 8 above is Calor. In the marine environment “coal boats” (that sell diesel, gas, coal and wood, for retail delivery in their “patch”, to boat customers as they pass by) sell almost exclusively Calor bottles. Therefore, because of the effect of the £60 deposit per bottle, boat dwellers are essentially locked into the purchase of Calor 13Kg bottled gas.

11 The NBTA holds a database of the contacts of 63 coal boats that work the inland waterways throughout England, Wales and Scotland. While these have not been contacted for current spot prices for their gas supply past experience has shown that the large number of coal boats, that have been used by members asked, are selling exclusively 13Kg Calor bottles at a retail price mid-way up the band identified in Item 8 above.

12 In Item 7 above reference is made to “illicit filling” of gas bottles. This is done by using a “bayonet to UK-POL” converter that is screwed into a conventional propane bottle and the bottle is then filled using a conventional bayonet-mating forecourt LPG pump. Calor prohibit the filling of their bottles by anyone other

than themselves. As Calor owns AutoGas (which is the company that supplies the majority of forecourt LPG) in what is ostensibly a monopoly Calor also controls how the forecourts operate.

13 About 2 years ago there was a major shake-up in retail LPG supply imposed by AutoGas (on Calor's say-so) and a large number of retailers withdrew from LPG sales. AutoGas then removed their bulk storage tanks from these forecourts.

14 A relatively small number of forecourt operators then installed their own bulk tanks and secured contracts directly with importers bringing LNG into inter alia Immingham. The basis for this shake-up appears to stem from Calor's restrictive commercial practice.

15 In particular it is possible to purchase (not from Calor) a 13Kg gas bottle referred to as "SafeFill" fitted with a control valve that prevents overfilling. In contrast and in accordance with the HSE requirements, someone filling for example a Calor bottle must be trained so as to not overfill the bottle. The NBTA has seen notices in forecourt kiosks forbidding the forecourt attendant from authorising LPG pumps for the filling of Calor bottles (which are distinctively orange in colour) but are supposed to authorise the filling of SafeFill bottles. There is plenty of anecdotal evidence on social media that suggests that the filling of SafeFill bottles is also being prevented which is thus a restrictive and anticompetitive practice.

16 A SafeFill bottle retails for approximately £150. Assuming a gross margin in the supply chain of 150% on the manufacturing cost (in itself excessive) this assumes a production cost of in the order of approximately £60. This is consistent with the value of the deposit on a Calor bottle.

17 Calor claims that its "premium" retail price (although it never discloses in clear terms exactly how much the premium is) covers the capital cost of producing the orange bottles and refilling them. The NBTA estimates that the average cost of a 13Kg Calor bottle refill is £48.79 (from the above data set). If these bottles were filled at an LPG pump the average fill price would be £19.89. This gives rise to an average superprofit of £28.90 per fill / swap. Assuming a bottle life of 10 years and 5 fills a year (or more – Calor regularly embargoes sales of 13Kg bottles because it claims that it has "run out of empties") this implies a lifespan profit of £1,445 or a rate or return on the capital cost of 24x the production cost. This is not "covering the cost of production" but is gross profiteering.

18 Approximately 10 years ago the NBTA brought to the attention of the Competition and Markets Authority the gross profiteering conduct of Calor. No action was taken that had any form of real effect on Calor.

3 RESPONSES TO SPECIFIC QUESTIONS

3.1 These responses are specific to the scenario of (a) itinerant boat dwellers living off-grid and (b) (to a lesser extent) boat dwellers living in a boat on a mooring either in a marina or on an "in-line" mooring (ie in the main flow of a river or canal). Where comments are made that relate to matters outside of this locus appropriate comment is made highlighting that.

Q1: Does the Maximum Resale Price ("MRP") deliver fair pricing?

3.2 From the analysis of Calor in section 3 above, a resounding "no" but this is not because of the failure of the policy objective of the MRP to control retail prices per se but because bottled gas appears to fall out of scope. This failure has led to the gross inequality that is outlined in section 2 above.

3.3 The NBTA recommends that the retail of bottled gas falls within scope of the MRP and the price cap.

Q2: Does the MRP adequately protect consumers?

3.4 Also a resounding "no". During late 2022 the NBTA engaged with BEIS and latterly ESNZ in relation to the Energy Bill Support Scheme ("EBSS") and the Energy Bill Support Scheme – Alternative Funding ("EBSS-AF"). The way that BEIS and ESNZ proceeded with that exercise was farcical and included the NBTA making representations to the Minster via the DG which were rejected by the Minister. A number of boat dwellers were preparing to engage in judicial review, had secured legal aid (implying a more than 50% probability of success) through four different law firms, counsels opinion obtained and were only unable to proceed because they fell out of time. In the end a small proportion of the demographic received the EBSS-AF 6 months after the end of the winter and 10 months after the start of the winter and this was only because the Minister had to report to the Select Committee on the success (or otherwise) of the schemes.

3.5 One of the issues that emerged in the negotiations over EBSS-AF involved the resale of electricity by marina operators to mooring users. Moorings in marinas usually have "power piers" associated with each mooring or small groups of four moorings that are furnished with individual circuit breakers, card-based meters and "commando" sockets for shore hook-up of power delivery. Each mooring then has its own individual metered supply. The difficulty is that the provider of the cards (or other metering mechanism) is the marina that regularly (if not invariably) charges a premium over retail market rates and in particular the OfGem cap.

3.6 As the supply is by the marina operator the consumer has no direct relationship with a retail energy provider and so this demographic was excluded from EBSS. This was identified by BEIS as a known problem and was the starting point for EBSS-AF.

3.7 However when it became clear in Q1 2023 that EBSS was not going to be made available to boat dwellers including on moorings the advice of BEIS was to "make a small claim against the marina operator".

3.8 Navigation licences issued by CRT fall into two categories: (a) those issued under s.17(3)(c)(i) of the British Waterways Act 1995 ("people with a home mooring") and (b) those issued under s.17(3)(c)(ii) of the 95 Act ("Continuous Cruisers": people who move to a new place every 14 days). There are approximately 29,000 "home mooring" licences in issue and 5,400 "Continuous

Cruiser" licences in issue. 95% of the "Continuous Cruiser" licences are held by people who also live on their boat (source: CRT National Boat Count).

3.9 Many of the "home mooring" licences are held by people who also licence a mooring from CRT (as opposed to a private sector marina / mooring operator) and these are controlled by the CRT business unit referred to as "Waterside Moorings". The vast majority of the Waterside Moorings moorings are leisure only and the standard contract excludes the ability to live on the boat.

3.10 The NBTA estimates that between 15 and 25% of the "Home Mooring" licence holder nonetheless illicitly live on their boats (thus in breach of contract and usually planning consent) on a Waterside Moorings mooring and are thus "under the radar" and thus vulnerable to exploitation by the Waterside Moorings management. There is no shortage of anecdotal evidence held by the NBTA Casework Team that this takes place.

3.11 In the case of private sector marina operators, also with very few residential moorings in their stock and consequently no planning consent for residential use, there is plenty of anecdotal evidence that their policy is to "not police how people use their boats" (ie turn a blind eye to residential use) but also engage in the conduct of rogue landlords (in the absence of any form of security of tenure). Periodic "sweeps" by the local planning authority enforcement personnel take place to root out unauthorised residential use – although these seem to be less frequent in the era of the housing crisis.

3.12 The NBTA has also helped several groups of boaters where a marina has been taken over by a new, gentrifying owner and evicted wholesale the live aboard community present. The NBTA is also aware than many marina operators operate a policy of selling water to passing itinerant boats (to fill the potable water tank) in spite of the fact that this is illegal. This conduct is symptomatic of the business practises of these operators. In an effort to try to rein in this conduct Lord Cashman, Lady Miller of Chilthorn Domer and Baroness Bakewell of Hardington Mandevillle put forward (with the assistance of the NBTA) amendments to the recent Renters Rights Bill to try to provide security of tenure to marina mooring users used on a residential basis. The Executive persuaded them to withdraw the amendments.

3.13 Taken together these effects lead to no possibility of a mooring licensee "taking a small claim against a marina landlord" and the proposition on the part of BEIS / ESNZ was essentially fanciful and grossly uninformed.

3.14 Further the position of the NBTA is that mooring licensees have no leverage whatsoever over marine suppliers of electricity and by the same logic bottled gas.

3.15 Given the captive market within which itinerant boat dwellers exist there is equally no leverage that this demographic can bring to bear over either coal boats or bottled gas retailers such as specialised suppliers, petrol stations, garden centres and other retailers.

3.16 Not only is this a captive market but it is controlled by what is prime face a cartel. If the policy objective of the MRP was to control retail prices it follows

that the existence of a cartel means that the policy has singularly failed in its essential objective. More than this the NBTA argues that in relation to bottled gas and marina-delivered electricity the policy has not so much “failed” as “is absent”.

Q3: Does the MRP enable investment into low-carbon infrastructure?

3.17 We remain in an era where the smallest of minorities of boats are electric-propelled. A large number of boats have inboard diesel engines and a similar number of smaller boats propelled by petrol engine powered outboard engines.

3.18 The statistics of the relevant split between these three groups is a matter for the Boat Safety Scheme (“BSS”) Team (hosted by CRT) and CRT itself (in terms of the statistics of the total number of navigation licences in issue in round terms is 34,000).

3.19 One of the conditions precedent to obtain a navigation licence includes a valid BSS Certificate and so every licenced boat holds a BSS Certificate, the audits of which include recording the fuel type used by the boat.

3.20 CRT has initiated an experimental scheme to provide charging points on pontoons in Oxford and Camden in London. However it is understood that these are “16A blue commando” shore hookup points and not related per se to electric traction. This type of connector only provides for extremely low charging rates.

3.21 To the best of knowledge of the NBTA there are no marine-arranged (ie on a charging pontoon) charging stations equipped with CCS2 Type 2, Tesla or Mennekes (Type 2) outlets. Nor are there traction sets that include a charger equpped with these connectors. It follows that electric marine traction is barely into its infancy.

3.22 The Electric Boat Association shows on its website a showcase of 51 members’ boats. Of these there are 6 “inspection launches” (usually of value inconsistent with live aboard use) 5 narrowboats, 3 cruisers and 2 barges of a size that mean they could be live aboard boats although their actual use is unknown. In addition there are several boats not featuring in this list that are known to be electic-powered live aboard boats.

3.23 In terms of traction the predominant factors are:

(a) an extremely limited number of low cost traction sets suitable for marine use on the market;

(b) an absence of effective fast-charge charging points in a marine setting; and

(c) an extremely limited number of boats with electic-power traction systems.

And yet the opportunities are enormous given the possibilities that the use of solar panels present. No grants are available for the installation of solar panels on itinerant boats.

3.24 The MRP is not a factor in this market. The predominant factors are (a) the absence of deployment of charging installations and (b) a market almost devoid of battery traction set products.

3.25 As described in paragraph 2.1 above almost all boats now have solar panels. They naturally fall outside of the scope of the MRP in the context of electricity delivery.

3.26 LPG might be regarded as a “clean” fuel but it is nonetheless a hydrocarbon that combusts to a greenhouse gas. The other fuels used on itinerant live aboard boats are coal, diesel and wood (also all hydrocarbons). These fuels fall outside of the MRP as previously discussed. In particular it is common for itinerant boat dwellers to forage for wood as firewood.

3.27 The only alternative to these fuels is to use electricity for electric hearing and cooking. This has been done but is very rare. In any event for anyone who is itinerant this is power generated by solar panels and stored in batteries. The only alterative would be to install power piers at mooring locations such as “visitor moorings” (CRT water) or EA-controlled moorings.

3.28 CRT is highly unlikely to deploy the necessary plant and the EA is equally so budget-limited that it is unable to entertain such deployments. The author of this submission sits on the EA National Waterways Advisor Group as a consultant (and is a Chartered Engineer and a qualified Electrical Engineer). He also sits on the EA Thames Waterways Forum. Again the MRP plays virtually no part in this policy development.

Q4: Does the MRP enable consumer flexibility?

3.29 Given that the MRP is not currently engaged it follows that the MRP plays no part in customer flexibility for itinerant boat dwellers when this is sorely needed.

3.30 As a consequence the NBTA postulates that the cartel that has been described in section 3 above (in relation to Calor and Autogas) and the conduct of marina and other mooring operators in relation to electricity supply has been allowed to prosper.

3.31 In the opinion of the NBTA OfGem has been deficient in not developing this subject and the minsters in question potentially discriminatory in relation to their policy development.

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