



To: **Executive Councillor for Arts & Recreation**

Report by: Head of Active Communities

Relevant scrutiny committee: COMMUNITY SERVICES 25/03/10

Review of River Moorings Policy Non Key Decision

1. Executive Summary

- 1.1 In March 2009, the Executive Councillor for Arts & Recreation took a decision that the pricing structure for River Mooring Licences (RML) should be reviewed. During 2009, the Council commissioned research to consider the extent to which the current policy was fair, accessible and comparable. The research report is available as a background paper.¹
- 1.2 Findings from the report informed a consultation exercise with stakeholders during February and March this year. Almost 300 responses were received and these were collated and externally analysed by an independent research consultant. The analysis report is available as a background paper.² This analysis forms the basis of the justification for the recommendations detailed below.
- 1.3 This report highlights feedback from the consultation and proposes recommendations for the amendments to the Council's River Moorings Policy.

2. Recommendations

The Executive Councillor is asked to approve the following recommendations:-

- 2.1 Subject to consultation and agreement with stakeholders, retain mooring in Area B and change the use to permit visitor mooring only. Re-designate Area C for use by mooring licence holders only. If this option is not viable, then mooring for licence holders will be retained in Area B and the Council will manage the area to ensure boats keep to the 75 metres of permitted bank allocated in the River Moorings Policy. Area C will be retained for visitors.

¹ 'Tales from the riverbank' – Mooring Policy and Charging in Cambridge; Phil Back Associates (Oct 2009)

² River Frontage Management Moorings Review 2010; Phil Back Associates (February 2010)

- 2.2 Subject to planning permission and necessary permissions from statutory agencies that secure mooring points are installed for a trial period on the visitor moorings and between Victoria Avenue bridge up stream to the Pump Out at Jesus Green for RML holders.
- 2.3 Consult and implement on a pricing structure for 1st April 2011 onwards, which will replace the existing flat fee pricing structure and replace it with a pricing policy relating directly to the length and beam of a boat.
- 2.4 From 1st April 2011, remove the following categories for discount from the full RML fee:-
 - Single person occupancy;
 - Students; and
 - People aged over 60.
- 2.5 Retain discounts from the full RML fee at a level of a 50% discount for people on low incomes.
- 2.6 To note the current approach to the waiting list, and to instruct officers to work with Camboaters and the Conservators of the River Cam to make improvements to the allocation of RML's and improve efficiency, particularly the time taken to allocate a RML.
- 2.7 To note information relating to mooring at the Riverside area and continue to offer support and cooperation to the County Council and other agencies involved in addressing concerns raised by local people.

3. Background

- 3.1 The River Mooring Policy came into effect on the 1st April 2006 and subsequent adaptations to the policy have been made since that time. The City Council meets quarterly with stakeholders from the boating, rowing and wider river community to discuss issues and concerns.
- 3.2 Mooring Licence holders apply for a licence each year. Originally the Mooring Licence Fee was set at a level comparable with Council Tax Band A, but in January 2008 a decision was taken to establish an independent basis for charging, albeit using the existing level of fee as a starting point, and to raise this annually in accordance with the Retail Price Index (RPIX). In 2009/10 the full fee was £794.00 plus VAT; this can be paid in one amount or in monthly instalments. Concessions are currently available for people on low incomes (50%), single occupancy (25%), as well as older people and students (50%). The flat fee structure has the benefit of being simple to operate.
- 3.3 In 2006, the Council approved a local Council Tax Discount under Section 13A of the Local Government Finance Act 1992 as part of the

Mooring Policy.³ This means that licence holders compliant with the policy's terms and conditions are eligible for a 100% discount of the amount liable at Council Tax Band A.

- 3.4 The Council's Mooring Policy prioritises available licences to people who will use their boat as their sole residence. Licence holders register vessels with the Conservators of the River Cam or the Environment Agency in categories that assume a vessel is mechanically propelled and capable of propulsion under its own means. The Association of Inland Navigation Authorities (AINA)⁴ classifies such vessels as 'Residential Craft'. The Council's Mooring Policy simply provides permission to moor such a specified vessel on any of a number of designated areas of the riverbank.⁵
- 3.5 The application requires boaters to provide a relevant boat safety certificate and public liability insurance as well as proof of boat registration with either the Conservators of the River Cam or the Environment Agency. Licence holders are required to sign a Licence Agreement with the Council, which outlines a range of Terms, Conditions and Prohibited Acts.
- 3.6 A range of mooring-related improvements have been proposed and subsequently implemented, including more bins, an improved pump-out station at Jesus Green, a water point at Stourbridge Common and a new riverbank to Midsummer Common
- 3.7 Following a decision in 2009 to review pricing policy, the Council commissioned a research report to explore access, fairness and comparability of the current pricing approach.
- 3.8 Findings from the report informed a consultation exercise which also incorporated proposals arising from requests from boaters for installation of secure mooring points, and the review of a mooring area which had been the subject of a number of complaints and observations. The Council briefed Camboaters⁶ and made some adaptations to the survey prior to the start of consultation with stakeholders and members of the public on 20 January 2010.
- 3.9 The consultation questionnaire was posted directly to all stakeholders and was available via the City Council's homepage throughout the four weeks of the survey period. Almost 300 responses were received and

³ <http://www.cambridge.gov.uk/public/councillors/agenda/2006/0327csr/06.pdf>

⁴ 'Number of Boats on the Inland Waterways'; AINA (2008)

⁵ Map of mooring areas: <http://www.cambridge.gov.uk/ccm/content/leisure-and-entertainment/boating-and-the-river-cam/boat-mooring-map.en>

⁶ [Camboaters Community Association \(CCA\)](#), an organisation representing the interests of boaters on the River Cam

these were collated and externally analysed by an independent research consultant. The analysis report is also available as a background paper.⁷

3.10 The analysis highlights that the council received the following types of response:

- 137 completed questionnaires, many of which include detailed comments
- 40 letters or e-mails that did not accompany questionnaires but which offered comment and observations on the issues included in the questionnaire and beyond
- 121 e-mails generated through a campaign via the Camboaters website. This offered a template email that could be adapted and sent direct to Council officers. Many of these reiterated the same key points and use the same language and construction, in response to the issues raised in the questionnaire, with some variations, and also some additional commentary on observation

3.11 A total of 299 responses were received. The consultant's approach to analysing the results is highlighted on page 2 of his report, but the guiding principle used was that each response merits due consideration, regardless of how it was communicated. However, the analysis enables distinction to be made between different interests also in local and non-local people. The views of representative organisations were also separately identified to allow comparison with the responses of individuals. Other comments and observations made either through the questionnaire, other correspondence or the e-mail campaign, were also considered alongside the results of the appropriate questions in the survey, so as to highlight areas of consensus, but also to illuminate views and clarify differences of opinion.

3.12 The consultant draws the following conclusions and these form the basis for the justification of the recommendations contained in Section 2; -

a) 'Licence holders, waiting list applicants and non-local people want to retain mooring at area B, but local residents oppose this. Most of the representative bodies support retention, but for different reasons, some of which are linked to the impact elsewhere on the river of abolition here.

b) Secure moorings are favoured by most people, but a significant number of people would prefer to see mooring rings, rather than posts, as less obtrusive and safer, and more secure for boaters. Secure moorings are supported at all points along the riverbank. Most representative bodies support the proposal but some do so with reservations; Camboaters prefers mooring rings.

⁷ River Frontage Management Moorings Review 2010; Phil Back Associates (February 2010)
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c) *Licence holders and residents from outside Cambridge favour retention of the single person discount; waiting list are also in favour of retention but to a lesser degree. Local residents oppose the retention of the discount. Representative organisations differ: Camboaters wants to keep the discount, but others expressing a view want to remove it.*

d) *Licence holders favour retention of the discounts for students and over 60s. The waiting list is evenly divided on this; local residents favour abandoning both discounts. Representative organisations differ: Camboaters wants to keep the discounts, but the others expressing a view want to remove them.*

e) *There is more support for retaining the over 60s discount than for the student discount.*

f) *Opinion is evenly divided on the proposed fee increase for wide beam craft, but this has strong support from rowers and local residents, and from representative organisations, and strong opposition from licence holders and people living outside the city. Several representative organisations support the Council's proposal, but Camboaters opposes it and the Rowing Association have no strong view.*

g) *There is support from Camboaters, to consider a fairer pricing scheme based on floor space of the boat rather than just its width. 38 other respondents made comment on some aspects of the relationship between boat size and charging.*

h) *The email campaign results overwhelmingly support the views of the licence holders on single person discount, Area B mooring, and widebeam charges.*

i) *There is also an overwhelming view that mooring charge reviews should be carried out less often and the position for moorers stabilised, and that the Council should speed up the process of allocating vacant mooring licences to the waiting list.*

j) *The email campaign makes no observation on discounts for students or over 60s other than opposing fee increases generally.*

k) *There are two consistent patterns of response here. Firstly, people responding to either the questionnaire or the campaign who live outside the Cambridge area generally support the view taken by the majority of boaters. Secondly, residents living close to the river generally take a view that is the opposite of boaters. This is oversimplifying, in that there are exceptions to both these rules, but does indicate the general pattern'.*

3.13 Mooring in Area B

3.13.1 Currently mooring is permitted for 75m on Jubilee Gardens upstream of the Jesus Green Lock for Mooring Licence holders only. Individuals and representative groups have raised concerns about the loss of amenity and visual impact caused by mooring in this area. The recently completed consultation asked whether to continue to allow mooring in Area B, or whether to prohibit it.

3.13.2 Camboaters, RML holders and those on the waiting list are overwhelmingly in support of retaining mooring in this area along with those respondents that live outside of Cambridge. Rowers are more equivocal and around half are in favour of retaining mooring here, with a quarter having no strong view. Local residents are generally opposed to retaining mooring in this area.

3.13.3 Conservators of the River Cam accept retention of mooring here but suggest that there would be social, recreational and aesthetic reasons for discontinuing residential mooring at this area.

3.13.4 Officers believe that this issue may be addressed in one of two ways:

a) Option 1

Retain residential mooring in Area B and the Council will manage the area to ensure boats keep to the 75 metres of permitted bank allocated.

b) Option 2

To retain mooring in Area B but change the use to allow visitor mooring only, with Area C then being used for residential mooring for Mooring Licence holders.

This change of mooring type would provide the follow benefits: -

- Help address issues raised regarding loss of amenity and visual impact as visitor mooring is more sporadic and infrequent at certain times of the year
- Overcome the difficulties the Conservators documented in moving boats when they need to lower the river for maintenance
- Deal with concerns regarding the relatively static nature of licenced vessels moored in this area
- Offer the potential to create a bespoke visitor mooring area upstream of the lock, a position which would be less likely to be abused by other non-visitor mooring vessels
- Free up visitor mooring that is currently difficult to manage to ensure that resident boat owners do not stay longer than permitted
- Increased use of Jesus Green lock would be welcomed by the Conservators of the River Cam
- Provide better access for mooring licence holders currently moored in Area B to navigation and pump-out facilities

3.13.5 There is supporting evidence that this approach is agreeable, subject to consultation and agreement with stakeholders. It is therefore recommended that mooring is not banned in area B, and that option 2 is pursued. If option 2 is not viable, then option 1 would be the default position.

3.14 Installation of secure mooring points

3.14.1 Camboaters have previously expressed their view that the present practice of tying up boats to metal pins driven into the riverbank is inadequate, with boats liable to work loose and possibly coming adrift. This concern was raised at and considered by Community Services Scrutiny Committee in January 2008 and officers were asked to assess the viability of fixed mooring points.

3.14.2 A detailed assessment of the riverbanks, good practice elsewhere and other technical considerations have led the Council to favour the potential installation of mooring bollards with rope lugs. The assessment has involved members of Camboaters and although their preference for mooring rings attached to the revetment, has been acknowledged, the technical advice received by the Council is that mooring rings attached to an aging revetment will cause damage to it; there are also concerns that mooring rings will be concealed within long grass and cause a trip hazard.

3.14.3 The recently completed consultation asked about the installation of secure moorings points along the riverbank and provided an illustration of the type of bollard favoured by the Council.

- The overall response is strongly in favour of the installation of mooring bollards, with a distinct minority (about one in five) respondents opposing this idea.
- Camboaters oppose the Council's proposals, favouring mooring rings instead.
- Work with the Friends of Stourbridge Common and Camboaters to determine a suitable design for secure moorings on Stourbridge Common.

3.14.4 The need to provide secure moorings forms the basis of the recommendation that (subject to planning permission and necessary permissions from statutory agencies) secure mooring points are installed for a trial period on the visitor moorings and between Victoria Avenue bridge up stream to the pump-out at Jesus Green.

3.15 Review of pricing policy

3.15.1 The research report arrived at the following general conclusions:-

- The City Council is one of the largest providers of moorings for residential craft in the country;

- The Mooring Licence Fee is priced at a lower level than many other sites, and that the difference is particularly marked for larger vessels;
- Mooring Licence holders in Cambridge have lower levels of amenity than moorers at other sites;
- The current charging policy favours those with larger boats in that they receive the same service for the same fee, whilst occupying more space;
- Cambridge is one of only a very few inland areas offering online moorings (i.e. part of the waterway⁸) for wide beam vessels;
- Cambridge Mooring Licence holders have an almost unique advantage in the exemption from council tax;
- Most Mooring providers operate pricing policy via a market-led approach which generally does not respond to people's means and ability to pay; Cambridge is unique in this respect; and
- It was noted that the single person occupancy discount is reliant solely upon the integrity of the applicant and without considerable intrusion and resource is extremely difficult to monitor and enforce.

3.15.2 The research report considered an equality impact assessment of the current pricing policy, and concluded that the preferred fee structure might well be a flat fee with a means tested reduction for people on low incomes.

3.16 The consultation process asked stakeholders whether the **single person occupancy discount** of 25% should be retained.

3.16.1 A majority of respondents favoured retention of this discount, although the following observations were noted:

- Mooring licence holders are strongly in support of retention, with a small number of dissenters; waiting-list people are also supportive, but a substantial minority (about 25%) favoured dropping this discount;
- Rowing organisations are generally opposed to the single person discount, and 66% want to see it removed;
- Local residents are strongly opposed to the single person discount, with only a small handful in favour of retention;
- People outside Cambridge are more supportive of the discount than those living locally;
- Camboaters wish to retain this discount; and
- The Conservators of the River Cam⁹, the Jesus Green Association, the Canoe Club, the Riverside Area Residents Association, and the Friends of Midsummer Common would prefer the discount to be abolished.

⁸ Offline moorings refer to a Marina or similar, i.e. somewhere not directly part of the waterway

⁹ The River Manager provided input on behalf of the Conservators of the River Cam

3.16.2 This discount has no link to an ability to pay and can be claimed by any mooring licence holder, irregardless of financial circumstances. It originated from a period when the mooring licence fee was set at a rate linked to Council Tax, and offered similar discounts.

3.16.3 Unlike other discounts currently offered (i.e. people on low income, students, older people) this concession is almost impossible for the Council to adequately evidence.

3.16.4 At present, of 62 current RML's, 43 claim single person occupancy discount. The subsidy costs the Council approximately £8,500 a year.

3.16.5 It is recommended that the discount for single person occupancy is withdrawn, as it does not reflect the RML holders' ability to pay. It cannot satisfactorily be evidenced without intrusion by the Council and people on low incomes will be protected by other recommendations in this report.

3.17 The consultation process asked stakeholders whether the **discounts to older people and students** of 50% should be retained.

3.17.1 The results are evenly split between those who want to keep both discounts and those who think there should be a change. However, those who want change are more inclined to support withdrawal of the discount from students than from people aged over 60.

- Mooring licence holders are strongly in favour of retaining the discount of both groups. People on the waiting lists are more equivocal with 60% wishing to retain the discount entirely; 40% want to remove the discount from one or both groups;
- Rowers are also divided, with an even balance between retention and withdrawal
- Local residents are strongly in favour of withdrawing the discount in its entirety, although there are small numbers of advocates for both students and people aged over 60;
- People living outside Cambridge who express a view on this tend to support retention of the discount for both groups;
- Camboaters wish to retain both discounts;
- The Conservators of the River Cam support withdrawal of both discounts; and
- The Jesus Green Association, the Canoe Club, the Riverside Area Residents Association and the Friends of Midsummer Common agree the discount for both groups should be abolished

3.17.2 It is recommended that the discounts for students and people aged over 60 are withdrawn. It is believed age and educational status should not be determining factors when applying a discount. Students

and Pensioners on low incomes will be protected by other recommendations in this report.

3.18 The consultation process asked stakeholders about proposals to impose a 50% increase in the Mooring licence fee for **wide beam vessels** on the basis that they create a greater impact and loss of amenity to residents and other river users. The Mooring policy permits a maximum of 15 wide beam vessels.

3.18.1 Overall, a very slight majority of respondents to the questionnaire favoured no increase to charges for wide beam vessels. The email campaign was overwhelming in its opposition to an increased charge on the grounds that providing services to wide beam vessels costs no more than doing so to any other vessel, and that wide beam vessels do not occupy more bank space than narrow boats. The following observations were also noted:

- The majority of licence holders are against the proposed increase; although there is a minority view in favour, they are outnumbered by a factor of nearly three to one;
- People on the waiting list are equally split between those in favour and those against an increase;
- Rowers strongly support an increase in fees for wide beams;
- Local residents strongly favour an increased charge for wide beams;
- People who live outside Cambridge are more likely to oppose the fee increase;
- Camboaters oppose the proposal and suggest instead a pricing scheme based on the floor space of the boat rather than its width. They also raise concerns about the potential cumulative impact of price increases;
- The Conservators of the River Cam support the proposal for increased fees on the basis of complaints received from members of the public and other river users about the impact of wide beam vessels;
- The Canoe Club support the proposal for increased fees, suggesting that charges should be based upon length of vessel with a supplementary charge for those in excess of a certain beam;
- The Cambridge Rowing Association have no strong views either way on the proposed fee increase, although they do raise concerns about the location of wide beam vessels and the impact of these upon navigation; and
- The Jesus Green Association, the Friends of Midsummer Common, and the Great Ouse Boating Association support the proposal for increased fees for wide beam vessels

3.18.2 It is recommended that the increase in fees for widebeam vessels is not taken forward as charging by length and beam is deemed more equitable.

3.19 **Charging by Length and Width (Beam)**

3.19.1 Charging by length and width of a boat is a favourable option for the City Council and would bring it into line with most other riparian mooring providers. The following advantages are identified with this approach: -

- Ability to compare with policies of other riparian mooring owners;
- The amount payable is readily verifiable;
- It may over time encourage the use of smaller boats, potentially widening the gap between moored boats, or even releasing additional moorings space; and
- Mitigation of the issues raised regarding wide beam boats detailed in 3.18.

3.19.2 By retaining the discount recommended at 2.5 the following advantages are identified:-

- The fee payable will be directly related to the size of vessel and ability to pay, and may encourage people to consider the size of their vessel and create opportunities and flexibility for RML holders.

3.19.3 There appears to be considerable support for this approach and it is therefore recommended to consult on and implement a pricing structure for 1st April 2011 onwards for a pricing policy that links to length and beam of boat.

3.20 **Waiting list**

3.20.1 The current approach to management of the waiting list for a river mooring licence was approved in January 2008. One list is now in operation and anyone who now wishes to be added to it is included at the bottom of this list, regardless of whether they have a boat or not.

3.20.2 Although this topic was not covered directly in the questionnaire, a majority of respondents provided a view that the process of filling vacant licences should be speeded up.

3.20.3 However, in practical terms, as many applicants on the list now do not have boats, this considerably slows down the process of awarding new licences. At present, following a notification of an available licence, a person on the waiting list without a boat has 28 days to respond, then is given three months in which to secure ownership of a boat in relation to the offered licence.

3.20.4 To illustrate this, in addressing 8 vacancies in the last year, officers have so far contacted 22 applicants, 9 of whom rejected offers, 1 was accepted without boat, 2 were accepted with boat, and 10 did not reply.

3.20.5 There is agreement that the process is undeniably slow, and it is proposed that stakeholders work together to propose ways of improving allocation turnover. It is recommended that any improvements that result in changes to the policy will be brought forward for scrutiny and approval.

3.21 **Mooring at Riverside.**

Cambridgeshire County Council owns Riverside Retaining Wall and as such mooring in this area is not covered by the City Council's Mooring Policy.

4. Implications

a) Equal Opportunities

A stage one Equalities Impact Assessment has been completed on the proposed amendments to pricing policy. Concessions are focussed on evidenced low income. Future improvements will address access for visitors with restricted mobility.

b) Financial

There are no financial implications in relation to the recommendations set out in this report.

c) Staffing

There are no implications for staffing in the report.

d) Environmental

The Terms and Conditions of the Moorings Licence highlight requirements for Licence holders in connection to environmental considerations.

5. Background papers

The following background papers were used in the preparation of this report:

- 'Tales from the riverbank' – Mooring Policy and Charging in Cambridge; Phil Back Associates (Oct 2009)
- Mooring consultation questionnaire
- Consultation analysis report; Phil Back Associates (February 2010)
- Map of mooring areas
- Licence Terms and Conditions (2010/11)

6. Appendices

None

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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