

Tales from the Riverbank...

Residential mooring policy and charging in Cambridge



**A research report by Phil Back on behalf of
Cambridge City Council**

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1 Background and objectives

For many years the River Cam in Cambridge has been a popular location for the mooring of residential houseboats, as well as for visitors to the city travelling by narrowboat. Residential moorings within the city boundary are primarily under the control of the City Council, which permits a total of 70 residential houseboats in the areas of the river under its management, of which up to 15 can be wide-beam craft. A charge is payable for the licence permitting mooring and this is renewable annually; at present Cambridge City Council collects around £46,000 per annum from mooring charges levied on 65 boats, but the income is not hypothecated and although some riverbank improvements and maintenance are planned each year, this is not necessarily or directly linked to the income from mooring charges.

Charges are always a difficult area and the Council has always been aware of the need for charges to be fair, and to be seen to be fair. In the 1990s, the Council's policy on moorings allowed free visitor mooring at Jubilee Gardens and Jesus Green. However, over the years the popularity of boating generally, and levels of boat ownership had increased to a point where the Council saw a need to intervene to regulate the mooring of both visitor and residential boats, to ensure the amenity of other river users, and thus to resolve what was becoming a challenging situation between the conflicting needs of different user groups. An extensive consultation took place with different interest groups before the publication in 2005 of a new approach¹, whose key elements included:

- Designation of areas permitted for residential mooring
- The provision of a maximum of 70 residential licences for mooring in these designated areas of the river
- The introduction of an annual fee for residential mooring "comparable with Council Tax Band A"

Although the mooring charge has this historic association with Council Tax (and was in its first few years increased each year in line with the approved Council Tax increase imposed by the city), it has more recently been distanced from this association and has changed in relation to retail price indices rather than the Council Tax charge. Nevertheless, the current scheme of charges offers very similar concessions to those available to Council Tax payers in relation to low income/benefits entitlement, single occupancy, and full-time student status. There is at present no concession for pensioners specifically, although pensioners entitled to benefit support would qualify for a concession under that heading. In practice, relatively few moorers qualify for existing concessions. The charge has always

¹ River Moorings, report to Community Development and Leisure Scrutiny Committee, Cambridge City Council, March 2005

served as a regulatory measure that allows the Council to provide effective administration of the use of the river moorings, and is predicated to cover this cost rather than to produce revenue for the Council generally. Any review of charges is expected to achieve a similar outcome and not to generate additional revenue per se; the Council has also indicated that it has no desire to complicate its moorings policy or to create additional demand on its limited resource to manage and administer the scheme.

In the past, consultation has taken place on the possibility of linking charges to the length of the boat and to the beam, both of which are determinants of the space required and the potential to disrupt other river users; the current limit on wide beam boats reflects the limited capacity of the river to accommodate these boats whilst allowing free movement of other river traffic, including visitor boats and rowers for instance. A scheme incorporating elements linked to size of boat has not been ruled out.

There is no desire on the part of the Council to increase its revenue from mooring charges, but the authority is concerned to ensure that its charging policy is fair. It also wants to keep the charging regime as simple as possible, to keep the administrative burden at a reasonable level and to avoid the need for intrusive enforcement measures such as checking occupancy levels.

The Council therefore asked us to explore:

- The reasonableness of its current charging regime. The authority has no desire to alter the overall financial footprint of its moorings policy, but does want to check that its charges are reasonable and that it does not either overcharge or undercharge for the right to moor.
- How the Council's charges compare with those of other authorities and what benchmarks exist that may be helpful for future comparability.
- Issues of affordability and equity, and the importance in this context of concessionary reductions in mooring licence fees.
- Large vessels. Some vessels moored on the Cam are large, particularly as regards their beam. The Council is challenged by some stakeholders who would wish to discourage, over time, the mooring of larger vessels and the charging policy is one tool that could be used to tackle this issue. Charging by location is not a priority, but charges dependent on size may be, and could be introduced in a way that allows time for existing owners to consider changing their vessel (or moving away from the Cam) whilst actively discouraging new owners from acquiring larger boats.

2 Our approach

Our approach to this commission has included:

- An exploration of the different management arrangements that pertain to different types and groups of moorings on different waterways and under different navigation authorities;
- An extensive review of relevant literature and other material describing the market for residential moorings specifically, and exploring market trends for this type of mooring;
- An analysis of the fees and charges levied by suppliers of residential moorings, including local authorities, navigation authorities and a selection of private sector providers, respecting the variation in facilities and other benefits between different mooring locations;
- A review of commentary, including the response to consultation, on pricing and provision from representative groups and organisations representing the users of the waterways, including those occupying residential moorings.
- The preparation of a comprehensive bibliography of reference material and organisations, to assist with any future consultation and to promote a better understanding and awareness of the national moorings marketplace.

3 Terminology and context - A national perspective

3.1 *Types of mooring*

There are several different types of mooring, and as might be expected the designation is not always clear from one mooring site to another. The main types of site are:

- *Visitor moorings* (sometimes referred to as short-term moorings); these are designated for visiting boats to use, and are normally made available for short periods of time, sometimes overnight or for a maximum of 48 hours, for instance. Some visitor moorings are well-supported by infrastructure such as utility supplies, toilets and showers; some have restaurants, pubs or cafes nearby; others are more basic and do little more than provide a berth and access to dry land.
- *Permanent moorings* are designated for the mooring of boats for a longer period of time, typically up to 12 months, and provide a place where a non-resident owner can keep their boat when it is not in active use. Permanent moorings are not therefore residential in nature, although it is clear that some are treated in this way (these are sometimes referred to as “pied-a-terre” moorings); they also include some static boats that are rented out in the same way as holiday cottages on weekly or fortnightly lets. Some marinas have policies that prevent full-time residence by closing the site for a month each year, as is also done with caravan parks in some parts of the country.
- *Residential moorings* are moorings where a licence is granted to allow a boat and its occupiers to live on board, at the specified site, for specified period which can range from one to over twenty years, depending on the mooring owner’s policy. Residential moorings are, in effect, sites for homes and are treated as such in planning law; a residential mooring requires planning consent, and sites for moorings should therefore be identified in the Local Plan. Because they are permanent homes, residential moorings have a designated address, and are also liable to be assessed for Council Tax by the local authority.
- *Commercial moorings* are berths let to private companies so that water-based businesses can operate from that point. Commercial lets include lettings for

pleasure craft for short-term hire, and also operations such as cruise boats which are increasingly common in historic cities. Commercial lets can also include boats used as floating restaurants or clubs.

In addition, there are also “unofficial moorings” that include overstaying a temporary or visitor mooring (usually in a less attractive location), mooring against disused land, or being used (in a marina for instance) as a “security boat” to provide a night-watchman facility for non-resident owners. All of these effectively provide residential status without the liabilities that normally accompany this - particularly Council Tax, but also mooring fees - but there is often a significant cost for this type of mooring in the absence of basic facilities such as water and waste disposal.

3.2 Types of customer

There are also different types of moorer, or customer, for these facilities. Visitors include those using their own boats for leisure purposes, and travelling around the waterway network, and also the customers of commercial moorings, who hire boats for a week or two for holiday purposes. Users of visitor moorings, however, also include an important group known as “continuous cruisers” who live aboard their boats, but have no permanent mooring at which they are based. Continuous cruisers include both those who have genuinely chosen a wandering lifestyle (and whose personal circumstances allow them to move freely from place to place) but also include others who use this status as a means to avoid the financial and other liabilities of residential moorings, or who are adopting this status whilst waiting for a residential mooring to become available. In theory, continuous cruisers have permission to stay for a limited period (14 days on British Waterways moorings) but some exploit a lack of rigorous enforcement to overstay, sometimes for substantial periods.

Residential moorers have permission to remain at a designated mooring site for a designated period of time, and thus acquire a degree of permanence that is not available to continuous cruisers. Sites vary, but many sites designated for residential use have facilities such as water, electricity, waste disposal and sewerage, and even postal services to support those in residence. Residential sites include both city centre and suburban moorings as well as some in more rural areas; some urban sites are vulnerable to anti-social activities which can victimise boaters.

3.3 *Types of location and site*

And there are different types of location. Riparian moorings are those which are offered along the banks of rivers and canals, usually (but not always) associated with a towpath and providing access away from the bank to neighbouring land and services. Harbours and basins, and wider waterways, allow for different configurations of mooring that can mean that several boats can share land-based services. Boatyards are a feature of the waterways and many offer berthing of different types, including some residential moorings, as well as repairs and chandlery services.

An increasing number of berths nowadays, however, are offered through marinas which can vary widely in size; the geography of a marina means that services and facilities can be concentrated at particular points without undue inconvenience to boat owners and they are popular for this reason as well as for the normally improved security that they can provide. Marinas do nevertheless seem to cater more for the well-heeled boater, and marina services tend to be at the higher end of the scale, with restaurants and bars on site to cater for customer needs, in contrast to the more basic and functional services available at a boatyard.

These types of mooring are also referred to as “online” and “offline” moorings respectively; an online mooring is one in the waterway itself, whilst an offline mooring is one in a marina, a basin, a boatyard, or a disused branch off a main waterway.

Finally, there are “end of garden” moorings where land ownership is usually in the hands of the homeowner with the river frontage; here the mooring rights may still be in the control of the navigation authority but because of the restrictions on land access a reduced mooring licence fee is normally payable. In some locations, private moorings such as these are enormously valuable and properties offering this possibility are priced accordingly.

Although each of the main licensing authorities has its own terms and conditions attaching to their moorings, the system seems to function largely on goodwill; in practice, enforcement action is rarely taken, and it is therefore possible for boats to overstay their permitted time without penalty, sometimes for protracted periods, before the authorities catch up with them. We came across one situation where boats had overstayed at a 48 hour visitor mooring for around two years before being served with eviction papers.²

² Surrey Comet, 15th April 2009; one of the boat owners in question is reported (8th September 2009) as having lived on the river for 25 years before being evicted from a local boatyard.

3.4 *Types of vessel*

The different types of boat are too varied to be described usefully in this report³, but one distinction is important. The law recognises two types of residential craft, as follows:

Houseboats are boats that do not have power, and which cannot be readily adapted for powered operation, but which are equipped for (among other purposes) habitation.

Residential craft are power driven craft which are used for habitation for 28 days or more in a year, regardless of whether or not the vessel is kept stationary.

It is also important, especially in online mooring, to note that the beam of the boat (its width) is of significance in terms of mooring. Navigation authorities have obligations to maintain navigation for a variety of river users and there is a view that **wide beam boats** (typically those over 2.15m or 7 feet width are considered to be wide beam) create a degree of obstruction on narrower waterways, such that restrictions on beam may be in place in some locations. Wide beam boats and other watercraft of significant width are popular in some boating communities, though, as they mitigate some of the constraints of living aboard a narrowboat.

3.5 *Mooring geography*

Moorings in the UK also divide into three broad groups by location. The canal network is heavily concentrated in the midlands of England, and the vast majority of canal mileage open to waterway traffic lies between a line drawn from London to Bristol and a second line between the Humber and the Ribble. There are nevertheless smaller canal stretches open to boaters in other parts of the country, though these are mostly standalone canals no longer connected to the wider waterway network. Most canals are managed by British Waterways (BW) as the Navigation Authority, and BW itself provides a substantial number of canal moorings, online and offline, augmented by boatyards and marinas in private ownership, and by private end-of-garden moorings.

Navigable rivers provide mooring and boating opportunities, and many of these link to the canal network as well. The main navigable rivers available for boating activities are the Thames, Medway, Severn, Great Ouse/Nene /Cam and their tributaries, Wye and Yorkshire Ouse, but there are also standalone networks such as the Norfolk Broads, and also lake boating on the main lakes of the Lake District and Scotland. The principal Navigation

³ Full definitions of different types of craft are provided in AINA, "Number of Boats on the Inland Waterways", 2008

Authority for navigable rivers is the Environment Agency (EA), and moorings are provided online and offline by EA and by other public or privatised public bodies (such as Southern Water), and by privately owned marinas and boatyards, and also by some local authorities.

Elsewhere in the country, most boating is concentrated on putting out to the open sea, and the south coast in particular caters widely for seagoing craft, with marinas along the coast and in natural harbours and estuaries. Very few coastal moorings are available on a residential basis (though this does not mean that they are not used as such).⁴ Coastal moorings are provided by the private sector, by local harbour boards, and by some coastal authorities; many are “swinging” moorings, where access to the mooring itself is by boat, and there are also substantial numbers of “half tide” moorings where the boat is only afloat at high tide, and is otherwise left to rest in shallow water or on mud.

3.6 Management arrangements

This complexity implies a similar complexity in relation to governance, and this is in fact the case. The inland waterways are managed by no fewer than 21 different authorities, ranging from the major players such as British Waterways (with most of the canal mileage) and Environment Agency (with the main navigable rivers) to more localised bodies including the Broads Authority, harbour authorities (many of which include local authority representation), and (in the Cambridge case) the Conservators of the River Cam. The scale of these authorities (and by implication their capacity to act and enforce) also varies widely; from BW with over 5,000 directly managed moorings, and over 18,000 provided by others, to enterprises such as the Basingstoke Canal Authority with just seven directly managed moorings and only 21 provided by others.⁵

The Cam is a mid-table navigation in this scheme of things, with 184 moorings in total, none of which are directly managed by the navigation authority.⁶

This complexity of definitions and choices, and differences in governance, is reflected in the way moorings are delivered to customers. Our starting point for this study was to try and compare mooring in Cambridge with mooring in other historic British cities with strong river heritage - York, Chester, Oxford, Lincoln and Exeter were on our list of potential

⁴ We came across references to residence on the Exe, for instance, although the official line is that this is not permitted.

⁵ AINA, “Number of Boats on the Inland Waterways”, 2008, page 17

⁶ AINA, “Number of Boats on the Inland Waterways”, 2008, page 17

comparator cities for Cambridge. We quickly found that like for like comparison was much more than just a matter of comparing facilities for moorings; these paragraphs, describing moorings provision in these and other localities, illustrate the complexity of the moorings market in the UK.

YORK: York City Council has no moorings under Council control. Management of the River Ouse was transferred to BW in 1989, and the only riparian moorings within the city boundaries are 48-hour visitor moorings in the heart of the city, along with some commercial moorings used by pleasure craft for hire and by cruise boats. A marina at Naburn, 3 miles south of the city, offers permanent moorings but residential mooring is not permitted here either; the only residential moorings in the vicinity of York are privately owned sites in Fulford, a southern suburb, and in two small villages downstream. We did find an informal reference to residential mooring at the marina for 11 months a year, but this is unofficial.⁷

CHESTER: Chester City Council became part of the new unitary authority of Cheshire West and Chester in 2008. The Council has no moorings either on the River Dee or on the Chester Canal. Such moorings as do exist in the vicinity of Chester are provided by the private sector in the form of a canalside pub that offers visitor facilities; very little else is available in the vicinity of the city, in spite of the fact that Cheshire is a renowned centre for narrowboating, with several private companies offering boat hire for the Grand Union canal and its associated network.

OXFORD: Oxford has a long historic connection with boating through both the Thames and the Oxford Canal. On the Thames itself, the Environment Agency offers visitor moorings from Godstow, in the northern suburbs, as far south as Osney lock near the railway station. Oxford City Council provides some visitor moorings, and also some commercial moorings for pleasure and cruise traffic, along the city centre stretch of the towpath between Osney and Iffley, a couple of miles south of the centre, where responsibility is picked up again by the Environment Agency which also provides visitor moorings to Sandford, just outside the built-up area. Residential moorings are concentrated on the canal, with BW providing two online sites, one of which is a Hythe Bridge, in the city centre, and the other a more recent development in the northern suburbs known as Agenda 21 moorings.

KINGSTON-UPON-THAMES: Kingston is west of Teddington and therefore falls under the aegis of the Environment Agency, but here the Borough Council provides several small mooring sites including a small group of residential moorings close to Kingston town

⁷ The reference is deliberately suppressed so as not to compromise the source.

centre. The site itself is unprepossessing and rather basic in nature, and has a history of anti-social behaviour towards boat occupiers. The Council retains ownership of the moorings, but has transferred operational responsibility to the developer who owns the access to the site, although it still manages two mooring berths of its own further along the river. All other mooring sites in the borough, including visitor and commercial moorings, have been outsourced to agents who manage the facilities on behalf of the authority, and remit part of their fee to the Council. The local paper reports controversy over alleged “squatting” houseboats using temporary moorings for permanent residence; two boats were evicted from moorings after overstaying their temporary permits for over two years. A local River Users Group has proposed amendments to charging to discourage stays of over 48 hours.

BRISTOL: Bristol City Council is one of very few Councils to publish a formal moorings policy, which covers the entire harbour area from the Cumberland Basin in the west to the Upper Reaches in the east of the city. The policy recognises a value to be derived from providing residential moorings as part of the general provision in the harbour, and riparian residential moorings are offered in a designated area including the Harbour Arena and the Welsh Back, both close to the city centre. Some moorings are however subject to temporary relocation at particular times when the Arena area is being used to stage other activities. The Council also has a deliberate policy of scattering its residential moorings in these areas so that permanent occupiers can provide an informal “neighbourhood watch” role over unoccupied vessels and the activities of short-term visitors. All residential moorings in the city are full and there is a very long waiting list; it appears, though, that boats are sometimes sold along with their moorings.

EXETER: Exeter City Council provides moorings through a local Harbour Board as part of a partnership with other authorities in the area, but the Council’s present policy is not to offer residential moorings as part of this service. The Council has looked at this possibility in the past as a possible means of raising revenue and even went so far as to explore market rates for residential moorings, but has determined (for the time being at least) not to proceed with this. Facilities on offer at present at the Council’s berths are quite limited and it may be that the investment is not considered worthwhile at present. There are some privately owned residential moorings on the Exe and on other local rivers, and “end-of-garden” moorings are especially valued, and seen as greatly increasing the value of a property should it come to market.

POULTON-LE-FYLDE: Wyre Borough Council owns around 100 mooring berths at Poulton-le-Fylde, which are well-located both for Blackpool and for seagoing craft. The Council makes none of these moorings available for residential purposes, but admits that its enforcement is not sufficiently strong for them to guarantee that residential use is not actually occurring - though the facilities to support this are extremely limited.

LINCOLN: The Brayford Wharf area on the River Witham is at the heart of historic Lincoln. Berthing in this area is managed by a voluntary trust. The trust provides no residential moorings, however, and has been criticised for removing some unsafe visitor moorings rather than making them safe and available. All residential moorings in Lincoln are managed by British Waterways, and residential berths are provided on the Fosdyke Canal to the north west of the city centre. There are no residential berths on the River Witham to the east of Lincoln.

MAIDSTONE: There is a public right of navigation along the Medway from Allington, near Maidstone, southwest to Tonbridge, and this stretch of the river is managed by the Environment Agency. The river is a popular one with narrow-boaters but is also extensively used for other purposes including rowing, especially on the Maidstone stretch. Maidstone Borough Council provides short term overnight moorings in the town centre, while Tonbridge and Malling Council also offers short stay moorings in Tonbridge. Private moorings are also available on this stretch and there is free overnight mooring on some stretches, albeit with no facilities. Permanent moorings are provided by the EA and by private companies, and also by Southern Water which owns some riverside land. No residential moorings are advertised at all.

3.7 Arrangements on the Cam

This diversity of approach creates significant difficulties in making genuine like for like comparisons between the residential moorings offer in other historic cities (or anywhere else, for that matter) and Cambridge. A further complication, though, is the uniqueness of Cambridge's own situation.

The navigation authority for the river Cam is the Conservators of the River Cam, whose role includes maintaining the balance between the needs of a number of different communities wanting to make extensive use of quite a narrow navigation, with limited capacity. Residential mooring is well established on the Cam, but the area is also a popular one with visiting boaters and links to other Anglian waterways such as the Great Ouse and the Nene through the Middle Level channels. Cambridge also has a long history of rowing and the University in particular creates a demand for sporting use of the river, including the twice yearly Bumps, which can involve over 170 crews and around 1,500 participants.⁸ Cambridge University is also, of course, one of the traditional participants in the annual Varsity Boat Race on the Thames. In addition, the river is used by pleasure craft including the *Georgina*, which offers short river cruises in Cambridge and also longer

⁸ First and Third Trinity Boat Club, www.firstandthird.org/tables/rowing/bumpsintro.shtml, accessed 25 Oct 2009

trips to Ely and back,⁹ as well as by riverbank users such as anglers, recreational walkers, cyclists, and visitors to the city's parks and open spaces.

A total of 184 moorings are available on the River Cam, almost all of which are online (just 18 are offline moorings).¹⁰ Seventy of these moorings are residential moorings managed by Cambridge City Council, making this authority one of the largest providers of residential moorings in the UK, and one of only a small number of Councils offering facilities of this type on anything other than an incidental level. Residential mooring is permitted at three locations: Jesus Green (a location close to the city centre) and Midsummer Common and Stourbridge Common, which are further from the city.¹¹ The narrow configuration of the Cam requires the authorities to limit wide-beam mooring to designated areas and just 15 berths are available for wide beam boats.

Uniquely, though, Cambridge City Council does not offer permanent residential moorings as such, but rather "permission to moor" in certain areas of the river. This means that moorers do not have permanent tenure of the space occupied by their boat and makes owners reluctant to move their boats unless absolutely necessary.

Unlike licences in some other mooring areas, licences to moor on the Cam are specific to the licence holder and not the boat. The licence is not transferable if the boat is sold, so any new owner would have to remove the boat and, if necessary, join the waiting list for a vacancy. If, however, a licence holder replaces their boat, the licence can be transferred to the new boat. In other areas, where the boat and licence can be sold as a package, the licence to moor is an extremely valuable asset to the boat owner, and is priced accordingly.

Facilities available to residential craft are limited; water is provided at a couple of sites, and there is a pump out facility at Jesus Green, but these are not readily accessible to the majority of boaters¹². There are no electric hook-up points, and no mooring rings (though active consideration is being given to the provision of bollards for mooring). Waste is collected from the boats, however.

⁹ www.georgina.co.uk, accessed 20th October 2009

¹⁰ AINA, Numbers of Boats on the Inland Waterways, 2008, page 17

¹¹ Residential Boat Mooring Licence Guidance, Cambridge City Council, <http://www.cambridge.gov.uk/ccm/content/business/licensing-and-permissions/residential-boat-mooring-licence.en;jsessionid=03A0AC165D90787A91E0C01B0ACBA004>, accessed 20th October 2009

¹² Camboaters indicate that it can take up to an hour to get water: "They Pollute the Environment"

Residential moorers on the Cam are, according to Camboaters (the group that represents boaters' interests in Cambridge) an eclectic mix of people, including professional people, tradespeople, and people in low paid jobs in the city.¹³ They suggest that "Cambridge needs people who cannot afford to live in Cambridge."¹⁴ Camboaters engages actively both with the City Council and the Conservators, and also actively support activities such as the 'Cam Clean Up'.¹⁵

In addition to the official moorings, a small number of residential craft moor unofficially at a site called the Riverside, which is in the ownership of Cambridgeshire County Council. These craft moor without a licence in a location which offers no facilities at all, and where access to the riverbank is difficult due to a high retaining wall topped with railings. The mooring is controversial because the river is relatively narrow at this point and there have been discussions between the conservators and the boaters' representatives about the safe passage of rowers in competition on this stretch.¹⁶ However, and in spite of the absence of facilities, some residents have moored at the riverside for many years.¹⁷

Visitor mooring is also permitted on the Cam, and there is pressure to increase provision in this respect, not least from the Great Ouse Boating Association which represents boat owners on the Ouse, including the Ely area.¹⁸ Visitor mooring in Cambridge is free, but is limited to 48 hours; visitor moorings are at Jesus Green and Midsummer Common in front of the Fort St George Public House, close to the historic heart of the city.

Enforcement on the Cam is undertaken initially by a river bailiff employed by the conservators, who also advises the Council in respect of breaches of licence conditions or other issues such as boats moored in prohibited areas and excessive noise or smoke to enable appropriate enforcement.

¹³ Camboaters, "They Pollute the Environment"

¹⁴ Camboaters, "They Pollute the Environment"

¹⁵ See, for instance, www.cambridge-news.co.uk/cn_news_home/DisplayArticle.asp?ID=411770, accessed 25 Oct 2009

¹⁶ Camboaters, Riverside Mooring Review, report to Cam Conservators Quarterly meeting, July 2009, page 2

¹⁷ Camboaters, Riverside Mooring Review, report to Cam Conservators Quarterly meeting, July 2009, page 12

¹⁸ See http://www.goba.org.uk/main.php?section=Campaigns|Cambridge_Visitors_Mooring, which (as at 25 October 2009) rehearses the problem from 2006 and GOBA's part in resolving it.

4 Residential moorings: Supply and demand

Interest in and demand for space on Britain's waterways is growing across the board. AINA carried out a study of boat licences and registrations across its members in 2008; this shows an increase in all classes of boat other than hire boats, and a 10% increase overall in craft on the waterways (this includes rowers, punts and other unpowered boats as well as powered boats).¹⁹ Among individual authorities, British Waterways notes that interest in residential boating, including continuous cruisers, is a significant contributor to growth in their waterways, which represent two thirds of the total navigable rivers and canals in the country.²⁰ AINA concluded that the number of powered boats on inland waterways rose from 47,000 in 2002 to over 54,000 in 2007, an increase of over 15% in this class of vessel alone.²¹

The Residential Boat Owners' Association (RBOA) estimates that there are around 25,000 boats currently being used for residential purposes,²² and suggests that around 10% of these are "legal" moorings,²³ with most of the balance using leisure moorings inappropriately. The RBOA draws attention to the enormous shortage of residential moorings, a problem which is worse in coastal areas but nevertheless also acute inland. The RBOA also suggests that applications from mooring owners such as private marinas for residential status are, more often than not, refused, so attempts to address the shortfall by increasing provision are frustrated. It is estimated that around 11,000 new berths will be needed on Britain's Waterways over the next ten years, to keep pace with demand for residential moorings.²⁴ At least one boaters' website advises would-be liveboarders to find a mooring before committing to purchase a boat for the first time - and Cambridge City Council no longer gives priority to owners of boats in its waiting list administration.

¹⁹ AINA, Numbers of Boats on the Inland Waterways, 2008, page 15

²⁰ AINA, Numbers of Boats on the Inland Waterways, 2008, page 6

²¹ AINA, Numbers of Boats on the Inland Waterways, 2008, page 15

²² RBOA, Response to All Parliamentary Group Coastal and Marine Inquiry into deprivation and disadvantage in coastal rural areas, November 2008, published at www.rboa.org.uk/consultations, accessed 15 Oct 2009; RBOA acknowledges that the absence of official figures makes this statement difficult to verify.

²³ By which it means a mooring with planning consent to be used for residential purposes; by this definition, Cambridge's moorings would presumably not be included.

²⁴ Josh Sims, "New Wave", Financial Times, 5 September 2009

British Waterways, as a major provider of residential moorings, is also under pressure from its other users to reduce the presence of online mooring on its canals. BW estimates that around one in four of its own moorings are being used for unpermitted residential purposes, a figure that implies a total of 1,000 unauthorised residential moorings;²⁵ BW also admits that, for London and the South East, this figure is probably significantly understated. BW also acknowledges a strong unmet demand for residential moorings, and notes that this demand is increasing,²⁶ and expects this to continue even in recessionary economic times.²⁷ In spite of this pressure, though, only 41 of BW's designated long term mooring sites offer residential places, and these vary widely in the quality of facilities to support residential occupancy.

However, BW has survey feedback from leisure users of canals that they dislike long lines of moored boats, which reduce their enjoyment of cruising; this feedback also suggests that a limit of 15 boats at any one online site, with a six mile interval between sites, is called for.²⁸ The survey data also suggest that the most active boaters are even more demanding and signal a desire for a maximum of ten boats in any moored line. Moreover, a quarter of those currently moored online would prefer an offline mooring.

Whilst BW has reaffirmed its commitment to increasing the supply of moorings to meet demand, it has also stated that it intends to do this by increasing offline supply through encouragement of the private sector. The impact of this approach will also be reduced by withdrawal of online moorings where offline supply permits, or where online provision is thought to be interfering with other users' enjoyment of the waterways.²⁹ New online moorings will only be permitted in specific situations where there is no current pressure, and where no private sector solution is thought to be possible.³⁰

This approach is also endorsed by the Inland Waterways Association, which has a stated policy promoting the creation of new offline moorings and resistance to the creation of any new online provision.³¹

²⁵ BW, Draft Residential Mooring Policy, 11 August 2009, para 12

²⁶ BW, Draft Residential Mooring Policy, 11 August 2009, para 6

²⁷ BW, Re-pricing of 12 month Mooring Contracts, February 2009

²⁸ BW, Policy relating to offline and online long term moorings, December 2006, page 1

²⁹ BW, Policy relating to offline and online long term moorings, December 2006, page 2

³⁰ BW, Policy relating to offline and online long term moorings, December 2006, page 3

³¹ IWA Policy Statement on Long Term Offline Moorings and Facilities, January 2006

Overall, therefore, whilst BW recognises the pressure for increased residential provision, and is supportive of measures to improve supply, its own capacity to act is constrained by its perceived obligations to other customers, which means that BW is unlikely to be able to significantly affect levels of provision in the short term. The BW approach to pricing, strongly influenced by private sector offline pricing, tends to disadvantage lower income boaters who cannot afford marina-type prices. BW's own evidence is that offline moorings, such as marinas, are preferred by ABC1 boaters and those on higher incomes.³²

Whilst acknowledging that customer requirements for facilities vary, and that some residential boaters deliberately choose lower-impact living ahead of larger scale facilities provision,³³ BW also recognises that its pricing policy has the potential to undermine private sector provision, and is therefore committed to a pricing policy that reflects local market pricing, particularly in the private sector; the result of this policy is the requirement, each year, for BW local staff to carry out a market assessment as part of their annual review of charges.³⁴ BW has also introduced minimum standards for residential moorings, including sewage holding facilities.³⁵

The Cam's contribution to this level of change is also significant in the local context. Between 2002 and 2007, there was an increase of 37 powered boats (an increase of 16% over five years) and of 426 unpowered boats (an increase of 67% in numbers of boats; this figure includes punts as well as rowers) bringing the totals for each group to 265 powered boats and 1,064 unpowered craft respectively. Conservator figures show sustained increase over the last ten years in unpowered rowing craft, with an overall uplift of 32% in the number of rowing craft using the river in the period 2000-2009;³⁶ this is important because of the difficulty of accommodating all the competing interests wishing to use a finite amount of river space.

Numbers of moorings, however, do not keep pace with this change. On the Cam, a total of 184 moorings are provided, for 265 powered boats, raising the question of where all the other powered boats are stored, but also indicating the background to the pressure for space being experienced at the moment. This helps to explain the Cambridge waiting list,

³² BW, Moorings Market Briefing Notes, continuously updated, accessed October 2009.

³³ BW, Draft Residential Mooring Policy, 11 August 2009, para 6

³⁴ BW, Policy relating to offline and online long term moorings, December 2006, page 2

³⁵ BW, Draft Residential Mooring Policy, 11 August 2009, para 23

³⁶ Cam Conservators figures, quoted by Camboaters, Riverside Mooring Review, report to Conservators' Quarterly meeting July 2009.

which currently stands at 78, for a total of 70 licences to moor - in other words, there are enough applicants waiting for a berth to replace every single current occupier, and still leave a waiting list after that. The Council indicates that no more than 3-4 berths a year actually become available.

5 Pricing of residential moorings

Pricing information for comparison with Cambridge has been obtained from three main sources:

- British Waterways' own prices for residential moorings in different settings and with differing levels of facilities. These prices reflect, insofar as local BW personnel are able to judge, market rates in the vicinity - though in fact BW does not make public the market rates to which it relates its own prices, as it believes it does not have permission to do so from private sector operators.
- Some private sector providers do make public their prices and the facilities available.
- Similarly, some local authorities publish mooring fees and facilities (though others are more coy about this than might be expected in the public sector).

BW's pricing policy has been the subject of extensive, and highly controversial, study in recent years. The organisation has clearly found it very difficult to reconcile its differing obligations, as it sees them, to its three groups of stakeholders:

- Boaters, who want to see good supply at fair prices;
- Private businesses which want a level playing field on price, without the undue influence of grant support from BW affecting fair competition;
- Government, which demands pricing based on prevailing market conditions.³⁷

In spite of a somewhat tentative approach to its pricing policy, BW has managed over the period of its reflection on this issue to create significant alienation with its main customer base. The debate that BW has been through in establishing its new policy is not especially helpful to this report, except to note that both its ideas and its approach seem to have created unnecessary and unhelpful uncertainty among its customers in particular. There has been a strong perception that BW is favouring the more well-heeled boater, and promoting a policy of maximising income against the interests of lower-income moorers.

The outcome of this consultation, at least for the present, is a compromise. BW will be moving towards an auction-based approach to the allocation of vacancies when and if these arise, using an approach based on that used by e-Bay, and based on open auction. Pricing for existing customers will for the time being continue to be based on local market appraisal, which will now be undertaken every three years (they are annual at present) with RPI increases in intervening years. Effectively, BW prices will reflect those charged in nearby private sector residential moorings, as judged by local staff.

³⁷ BW, Directly Managed moorings: Pricing and Vacancy Allocation, Public Consultation Summer 2008, Page 2

The most recent market appraisals were carried out in 2009, and the prices reported in this section are based on those appraisals. BW prices are mostly based on the length of craft; beam is not considered (in most instances, restrictions of waterway width would make wide beam craft irrelevant anyway) but there are some locations on the BW network where a flat fee is applied regardless of vessel length. BW believes that many of its prices remain below prevailing rates but has capped increases (at 7%) to protect the interests of existing moorers³⁸; it argues this increase from the need to comply with fair trading law, but the discussion implies that further increases above inflation will follow in years to come.

It is much more difficult to ascertain the Environment Agency's pricing policy for its residential moorings. However, the Agency's funding strategy indicates a large and growing gap between waterways asset maintenance requirements and funding, a gap which in 2009 stands at £12 million.³⁹ The Agency is committed, however, to meeting the AINA Waterways Standard, which would mean significant investment in some rivers and increased spending of some degree on all of them. It proposes to shelve this commitment but to meet a lower minimum standard across all its waterways, whilst at the same time increasing charges across the board by an amount in excess of inflation. EA pricing is thus led by the agency's current funding situation, rather than by the market or by customer choice; in a marketplace where demand exceeds supply, the agency seems likely to be able to carry these increases.

In the private sector, it is not usually obvious how prices come to be what they are, but it is reasonable to suppose that they are based on two factors; the demand for the particular facilities on offer, but also the social policy of the site in question - it is clear from advertising (especially of on-site services such as restaurants and shopping) that some sites are targeting a particular socio-economic class of customer, and pricing to exclude those who could not aspire to that class. Private sector comparators must therefore be viewed with some circumspection. BW's local managers must be assumed to be taking due account of this in establishing local marketplace conditions.

The table that follows shows, as far as it is possible to do so, comparative prices for selected different locations, showing not only the prices but also (where known) the level of facilities on offer. Local authority fees are those that apply to official residential moorings. As most moorers pay VAT, prices shown include VAT at 15%. All prices shown are the most recent published fees (BW fees are those for 2009-10). The boat sizes used for illustration are for two typical residential boats, though it is acknowledged that smaller boats than these are used for residential purposes both on the Cam and elsewhere.

³⁸ BW, RE-pricing of 12 month Mooring Contracts, February 2009, page 1

³⁹ Environment Agency, 2020 Vision for funding our Waterways, para 2.3

Table 1: Prices and facilities for residential moorings

Location	Type of site	Type of ownership	No. of moorings	Basis of charging	Annual fee for residential mooring of a 17.5 metre boat, inc VAT	Annual fee for residential mooring of a 21 metre boat, inc VAT	Facilities available for moorers (not necessarily included in price)
Cambridge	Online, city centre and suburban	Local authority	70	Flat fee	£1,050	£1,050	Limited; water supply by standpipe, refuse collection; pump out available
Oxford Agenda 21	Online, suburban/rural on edge of city, close to village centres	British Waterways	41	By length	£1,490	£1,788	Elsan, water, refuse disposal
Exeter	Online, former ship canal	Local authority and Harbour Board	None at present, though prices have been set	By length	£1,617	£1,940	Toilets (no pump out), electricity, showers
Wakefield, Fall Ing	Offline, former wharf area, close to city centre	British Waterways	7	By length, but double berths offered	£1,623	£1,948	Toilets, showers, electric, lighting, water, secure parking, storage; close to local amenities and services

Location	Type of site	Type of ownership	No. of moorings	Basis of charging	Annual fee for residential mooring of a 17.5 metre boat, inc VAT	Annual fee for residential mooring of a 21 metre boat, inc VAT	Facilities available for moorers (not necessarily included in price)
Lincoln, Fossdyke	Online, canalside	British Waterways	20	By length	£1,798	£2,158	Toilets, laundry, electricity, showers, water, pumpout, car parking
Long Eaton, Trent Lock	Online and offline, semi-rural site near Nottingham	British Waterways	3	By length	£1,884	£2,261	Electricity, water, car parking, elsan, toilets, refuse collection, pubs and cafe nearby
Birmingham, Hockley Port	Online and offline, close to city centre	British Waterways	34	By length	£1,911	£2,293	Electricity, water, toilets, showers, laundry, waste disposal; car parking, security, close to city centre amenities and services
Market Harborough	Offline, canal basin	British Waterways	16	By length	£2,162	£2,595	Not stated, but basic facilities present for most berths`

Location	Type of site	Type of ownership	No. of moorings	Basis of charging	Annual fee for residential mooring of a 17.5 metre boat, inc VAT	Annual fee for residential mooring of a 21 metre boat, inc VAT	Facilities available for moorers (not necessarily included in price)
Burton-on-Trent, Barton Turn	Offline, marina, edge of town	Private	20	Flat fee	£2,700	£2,700	Water, electricity, car parking, security, boatyard services, shops, restaurants and cafes
Ware, Tumbling Bay	Online linear moorings at redundant weir, close to town centre	British Waterways	4	By length	£2,449	£2,939	Electricity, water, elsan, gardens
Oxford Hythe Bridge	Online, linear in city centre	British Waterways	18	By length	£2,472	£2,966	New sanitary station, electricity, elsan, water; close to all city centre services and amenities
Gravesend	Offline, marina, close to town centre	Private	Not known	Flat fee	£3,000	£3,000	Electricity, water, car parking, showers
Gillingham	Offline, tidal basin	Private	Not known	By length	£2,853	£3,423	Electricity, water, showers, toilet, laundry, security patrol; access limited by tide. Access also to marina leisure and restaurant facilities.

Location	Type of site	Type of ownership	No. of moorings	Basis of charging	Annual fee for residential mooring of a 17.5 metre boat, inc VAT	Annual fee for residential mooring of a 21 metre boat, inc VAT	Facilities available for moorers (not necessarily included in price)
Port Werburgh, Medway estuary	Offline, purpose-built residential marina	Private	100	By length	£2,985	£3,582	Water, electricity, telephone, car parking, marina shops, surgery, sports facilities
Leeds, Clarence Dock	Offline, canal basin in city centre; new site not fully taken up	British Waterways	6	Flat fee	£3,910	£3,910	Electricity, water, lighting, pump out, shower and toilets close by, bin store
Kingston upon Thames, Ash Island	Online, close to suburban area	Private	Not known	By length	£3,300	£3,960	Water, electricity, telephone, boatyard services
Kingston upon Thames, Charter Quay	Online, town centre	Local authority with managing agents	2	By length	£4,524	£5,429 ⁴⁰	Electricity, water, refuse disposal; close to town centre shopping redevelopment, but moorings reported to be in poor condition and subject to anti-social activity

⁴⁰ Officially, this charge should be higher, as it is supposed to have increased with inflation since being set in 2003; however, this has apparently not happened.

Location	Type of site	Type of ownership	No. of moorings	Basis of charging	Annual fee for residential mooring of a 17.5 metre boat, inc VAT	Annual fee for residential mooring of a 21 metre boat, inc VAT	Facilities available for moorers (not necessarily included in price)
Brentford, Brentford Island	New site in new basin redevelopment	British Waterways	31	Flat fee	£5,628	£5,628	Electricity, water, telephone, car parking, pump out, showers, laundry, postbox

Cambridge is the least expensive residential mooring site uncovered in this study. Although the difference narrows for smaller boats, because of Cambridge's flat fee policy, the charge for a typical 57 foot (17.5 metre) liveaboard boat is still 33% cheaper at Cambridge than at the next cheapest site listed here, the Agenda 21 site on the edge of Oxford. For a larger boat of around 70 feet (21 metres), the difference is even more marked, with most of the sites listed here charging at least twice as much, and up to five times as much, as Cambridge does. In contrast, to achieve the same level of fee at the next cheapest site (Oxford Agenda 21) a moorer would have to be living aboard a 12 metre boat, a relatively small vessel to choose for a permanent residence; it must be noted, though, that there are around 14 such small residential boats on the Cam, around one in five of the total.

This differential increases even more when the uniqueness of Cambridge's licence is taken into account; other residential moorers are also liable for Council Tax as well as mooring fees, but Cambridge moorers are not liable because their moorings are not fixed and permanent but can vary with each re-mooring.⁴¹ It increases still further when Cambridge's discounts are factored into the price; single occupancy, student status and means tested benefits all entitle the boat occupier to a 25% discount on the fee shown in the table. These discounts rely heavily on the honesty of moorers, as they are difficult to enforce without intrusion; the Council has no right of entry to any boat, and cannot readily contest or verify any assertion that a second person on a boat is a guest rather than a permanent resident there.

On the other hand, Cambridge's facilities are quite basic in comparison with those on offer elsewhere. Moorers in Cambridge have access to water, at some distance from many of the boats, and to a pumpout facility on Jesus Green, which may or may not be nearby depending on where they happen to be located at the time. The facilities appear similar, though, to those at the Agenda 21 site in Oxford, a less advantageous location in terms of access to city amenities and services, where a charge of £1,500 a year applies to a 57 foot liveaboard (a charge which is set by reference to local market conditions).

Exeter is a little anomalous, in that it has set charges for moorings but currently does not offer this service. Wakefield and Lincoln, however, are both historic cities with residential moorings close to the centre, and both charge around £1,800 a year for mooring 57 foot liveaboard boats, and £2,000 for 70 foot vessels, at locations that have admittedly better, but not exceptional, facilities. BW's local managers, however, believe the Lincoln site to be underpriced in relation to its local market, and this would normally lead BW to increase prices to avoid accusations of undercutting the private sector. Oxford's Hythe Bridge site is certainly comparable, in terms of location, to mooring at the

⁴¹ Council Tax Manual - Practice Note 7 - Appendix D - Circumstances where boats used wholly as living accommodation may or may not be regarded as part of the hereditament, example 4

Jesus Green end of the Cam, and BW levies a charge of £2,500 to £3,000 here, whilst offering only quite basic facilities. Oxford is also interesting in that BW, sensitive as always to prevailing market rates, charges differently for its two sites here.

Marina-type sites offer far more in terms of facilities, and might be expected to be at the upper end of the pricing scale. Marina fees start at around £2,700 to £3,000 depending on location and rise to £5,600 at the new Brentford Basin site managed by BW. It is also noticeable that, as in the property market, London has a scale of fees all of its own; prices in London are consistently high in both the public and private sector, and yet remain in very high demand. Even at the somewhat run-down Kingston site, the Council can carry fees of £5,400 a year without protest (although a planned increase to £6,500, argued from nearby marina rates, was rejected on appeal to the Council in 2003).⁴²

It is also noticeable that the majority of sites charge by length of boat, in contrast to Cambridge where each licence attracts the same fee regardless of vessel size. The only other sites charging flat fees in this table are marina or basin sites, where one boat occupies one berth and is charged accordingly. All the online, linear sites charge by length, on the basis that the space required should be the determinant of the fee charged.

No reference has been found to charges based on the beam of the boat, though at Wakefield a wide beam boat is moored in a space that would otherwise be two berths, and is charged accordingly. In the south-eastern marinas, width of beam would seem not to be an issue; on the canals, such boats would not normally be able to gain access due to waterway restrictions. However, in its response to BW's proposed changes to annual licensing fees, the RBOA comments that "both length and width are relevant for levying mooring charges; they should have no place in determining licence fees"⁴³, suggesting a willingness on the part of at least some boat owners to accept an argument for width-based charging.

In spite of these apparently high costs, demand for residential moorings is strong and growing, especially in the south. Private sector sites charge fees at these levels because they can carry them in the marketplace, and BW's policy means that it follows in the wake of the private sector. However, this pricing does not seem to be inhibiting demand at most of its sites; Leeds is an exception in a city with no tradition of residential moorings. Most would-be moorers without sites are forced either into continuous cruising, unofficial mooring, or non-permitted mooring, with the uncertainty, insecurity and lack of amenity these options present.

⁴² Royal Borough of Kingston-upon-Thames Development Control Committee Minutes, September 2002 and September 2003

⁴³ RBOA, response to BW Licence Proposals, November 2008

What is clear from this analysis, therefore, is that

- Cambridge City Council is one of the largest providers of residential moorings at a single site in the country, and could therefore reasonably be expected to lead on issues such as pricing and mooring policies;
- Cambridge's moorings are priced at a lower level than other sites, particularly other city sites, and the difference is especially marked for longer vessels; comparable fees can only be achieved elsewhere with smaller craft of no more than 12 metres in length;
- Cambridge moorers have further advantages in having an exemption from paying Council Tax, and by virtue of discounts on mooring fees that may be difficult to monitor;
- Cambridge moorers have lower levels of amenity than other moorers;
- Cambridge's 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 limited number of inland navigations offering online berths for wide beam vessels;
- Other mooring providers are pricing at verifiable market rates for their localities;
- Mooring prices are almost universally market-led, rather than responsive to people's means and ability to pay; Cambridge is unique in this respect.

6 Moorings in Cambridge - charging policy

Given this comparison, and the underlying imperative that the charging regime should be both fair and proportionate, some different charging options exist (all figures in this discussion are INCLUSIVE of VAT and thus represent what the cost would be to the licence holder, and are based on a requirement to generate £46,000 net of VAT to the authority).

6.1 Current licences and boats

The existing situation is that all boats pay a flat rate irrespective of their length or width, but discounts are offered for single occupancy (25%) or for low income/student (50%); only one of these discounts is applicable to any one licence.

The current distribution of different lengths of boat is as follows⁴⁴:

Table 2: Current moorers on the Cam

Length of boat	No. of boats currently licensed
Under 12m/40 feet	12
12m - 15m/40ft - 50ft	16
15m - 18m/50ft - 59ft	18
18m - 21m/60ft - 69ft	11
21m/70 feet and over	8
Wide beam vessels included above	15

At present, licence holders break down as follows:

Status	No. of licences
Standard fee (double occupancy)	18
Single occupancy	38
Concessions	9

The flat fee might be expected to encourage longer boats, but in practice does not seem to be doing this to any significant extent. The number of wide beam vessels is controlled

⁴⁴ Data supplied by Cambridge City Council on 65 mooring licences, anonymised to protect confidential personal data

and is related to the section of river which is considered wide enough to accommodate these craft (though this has been disputed in the past).

On the other hand, it is noticeable that just 18 licence holders are paying the full fee chargeable for a standard double occupancy licence. Nine licence holders claim the full 50% discount, which may be because of low income, or by virtue of being a student or pensioner. This leaves 38 licence holders who claim the 25% discount for single occupancy, a discount where entitlement is difficult, if not impossible, to verify without undue intrusion into a boat owner's privacy.

The impact of these discounts is that a potential total fee income to the Council (net of VAT) of £59,350 is being reduced to £46,568, a reduction of 22% in a figure that is already among the lowest in the country for a residential mooring.

The current mix of boats and licences has been used as the basis for the charging comparisons which follow, so that they are as "like-for-like" as it is possible to make them.

6.2 *Retain flat fee*

The advantages of the "flat fee" option are

- It is clear, understood and by and large accepted by the boating community;
- It has a logical basis in that the cost of administering the scheme is the same regardless of the size of the boat

Its disadvantages are

- It is distinctively different from other charging policies which normally reflect the amount of space occupied by each vessel;
- It may in time encourage boat owners to occupy larger boats, since there is no discouragement to do so;
- Entitlement to the single person discount cannot be verified and leaves the Council vulnerable to possible fraud.

Were the discounts to be removed, a lower flat fee could be applied (since there would be no need to offset the discounts); this would be £824 per licence (incl. VAT) and would represent a significant reduction on the current flat fee of £1,050, but would still achieve the current level of income for the Council. The main beneficiaries of a change of this nature would be those who currently pay the full flat fee; discount holders would of course be penalised, but the biggest losers would be those on concessions. The Council

would have difficulty justifying an approach where the biggest losers are those least able to pay.

An alternative flat fee approach would be to remove the single occupancy discount (which is hard to prove anyway) whilst retaining the concession for low income. The flat fee would then be £885 inc. VAT for a standard licence and £443 inc. VAT for a 50% concession. Many licence holders would benefit from a change of this nature; both full fee payers and concession licences would be reduced in cost, but there would be an increase in fees for those currently enjoying the single occupancy discount, though they would still be paying less than the current double occupancy rate.

6.3 Charging by length

Charging by length of boat must be an option for the authority, and would bring it into line with most other riparian mooring providers. Within such an approach several sub-options exist, including

- Straightforward charging by length with no discounts allowed
- Retention of the existing discount structure
- Banding of charges so that boats up to a certain size pay at one level, whilst those above that size pay a premium that reflects their occupancy of a greater amount of space.
- Banding of charges to create (say) three bands, where the average size boat pays a basic charge, with smaller boats receiving a discount and larger boats paying a premium.

Advantages of charging by length are

- The parallel with the policies of other riparian mooring owners;
- The amount due is readily verifiable;
- It may over time encourage the use of smaller boats, potentially widening the gap between moored boats, or even releasing some additional mooring space.

The disadvantages of a move to length-based charging are

- The inevitable creation of “winners” and “losers” among the existing boating community, who may not be able easily to change their arrangements and who may experience a significant change in the amount required from them;
- The need for an individual calculation of the amount due, creating a small increase in administrative work at the time of licensing;

- If banding is adopted, the arbitrary, and therefore potentially contentious, distribution of charges between the different bands.

Straightforward length based charging, based on generating the current revenue of £46,000, would require a charge of **£49.86 (inc VAT) per metre**, calculated by reference to the current total length of boats licensed at present. Although the current boats licensed do not occupy the full length of riverbank available for mooring, it is unlikely that the boat lengths will change in the short term and thus this level of charge is necessary to maintain current revenue levels.

Winners under such an arrangement would be the occupants of shorter boats, losers would be those with longer boats. The equivalent no discount flat fee of £824 would be paid by a boat of 16.5 metres length.

Retention of the discount scheme that currently operates would require the per metre fee to be increased to **£63.92 per metre**, to offset the overall effect of discounts which reduce the total income by 22%. Deleting the single occupancy discount, but retaining the low income concession, would require a per metre fee of **£53.62 per metre incl. VAT**.

The options are summarised in this table, which also shows how each one would impact on boats of different sizes and occupancies:

Table 3: tabulation of alternative charging structures

All figures include VAT at 15%; length-based fees are calculated using the average size of vessel within each banding. Blue cells indicate a potential fee reduction of over £100 per year, while pink cells indicate an increase of over £100 per year, compared to current fees.

Boat size	Occupancy	Concession entitlement	Current flat fee, both discounts	Current flat fee, concession only	Current flat fee no discounts	Length based fee, both discounts	Length based fee, concession only	Length based fee, no discounts
Small (under 14m)	double	none	£1,050	£ 885	£ 824	£ 778	£652	£ 607
		conc	£525	£ 443	£ 824	£ 389	£326	£ 607
	single	none	£788	£ 885	£ 824	£ 583	£652	£ 607
		conc	£525	£ 443	£ 824	£ 389	£326	£ 607
Medium (14m-18m)	double	none	£1,050	£ 885	£ 824	£1,087	£912	£ 848
		conc	£525	£ 443	£ 824	£ 543	£456	£ 848
	single	none	£788	£ 885	£ 824	£ 815	£912	£ 848
		conc	£525	£ 443	£ 824	£ 543	£456	£ 848
Large (over 18m)	double	none	£1,050	£ 885	£ 824	£1,346	£1,129	£ 1,050
		conc	£525	£ 443	£ 824	£ 673	£564	£ 1,050
	single	none	£788	£ 885	£ 824	£ 1,009	£ 1,129	£ 1,050
		conc	£525	£ 443	£ 824	£ 673	£564	£ 1,050

6.4 Conclusions on charging

The option with the least impact on existing fee levels is the retention of the flat fee with the elimination of the single occupancy discount. The main beneficiaries of this change would be those currently paying the full fee, though it may be noted that existing concession holders would also benefit to a small, but significant, extent. Losers under this option would be those on single occupancy discount, whose fees would rise by just under £100 a year. A flat fee with no discounts benefits those paying the full fee, but creates significant penalties for both single occupancy and concessionary owners, and we suspect the Council would not wish to adopt a scheme that created such a significant increase for those on low incomes.

A length-based fee with the current discount scheme tends to benefit those with smaller boats, at the expense of those with larger boats; people on low incomes in larger vessels would pay significantly more under this arrangement. If only the concession were retained, the number of losers reduces substantially but owners of larger boats, including those with concessions, still pay a little more than at present.

A length-based fee with no discounts benefits most small boat owners and penalises most medium and large sized vessels. It also penalises concession holders.

Although there is plenty of precedent elsewhere for a length-based scheme, and recalling that the present fees are among the lowest in the country, we suspect that the impact of this change would be too great, especially as boat length is not something owners can easily adjust in the short or medium term. We also draw attention, though, to the difficulty of verifying a single occupancy scheme and suggest that this may, in some instances, lead to the Council and the public purse being defrauded with no possibility of challenge by the authority. The Council's commitment to support those on low incomes argues against the elimination of a means tested discount.

A survey of moorers in 2007⁴⁵ explored attitudes to some of the changes considered here. It noted that most owners would be receptive to a scheme based on length and width of vessel; 61% of owners who responded supported charges based on length, or width, or both, while 39% supported the flat fee. Two thirds of owners (63%) who responded said they would support retention of a scheme linked to ability to pay, and around half (49%) said that lower fees should apply to older residents. A majority of owners (55%) said they supported a charge that was not linked to occupancy levels. Most owners (60%) said that they thought charges were "about right".

⁴⁵ Cambridge Moorings Review 2007, Phil Back Associates

This leads us to conclude that the preferred fee structure might well be a flat fee with a means tested reduction for low incomes. Whilst this would not meet all the preferences expressed in the 2007 survey, it is consistent with many of them while protecting existing interests as much as possible. The Council would then have to decide whether to maintain current levels of income (enabling a reduction in fees that are already low, and also acceptable to many boat owners) or to maintain current fee levels, which would mean a substantial increase in fees for those currently claiming single occupancy. We suggest also that there is little or no justification for a concession to pensioners, who may well be wealthy, and should be based exclusively on low income, which poorer pensioners would still be eligible to claim.

7 Policy issues

Some other issues regarding mooring in Cambridge also require consideration. These include the acceptability or otherwise of wide-beam vessels on the river, and the adequacy of the licence to reflect the Council's desired policy and the status of these moorings.

7.1 *Wide beam craft*

Wide beam boats offer several advantages to owners; in particular, they permit different configurations of internal space and allow for more spacious kitchens, bedrooms and living space generally. They are popular as residential boats and also as cruisers, but can be controversial by virtue of the amount of space they occupy laterally on the waterway, and because their size and scale can be a more significant visual intrusion into the river aspect than that posed by a narrowboat. The Council has received complaints about wide beams linked to visual intrusion and obstruction of the waterway.⁴⁶

Not all waterways in the UK can accommodate wide beam craft, and the narrow canals of the Cheshire/Staffordshire region impose a significant obstacle to wide beam craft seeking to move from the north to the south and vice versa⁴⁷. Wide beam craft may also be higher, as well as wider, than the traditional narrowboat and this may mean that some waterways can only be navigated by collapsing the wheelhouse when low bridges are encountered. They may also have a deeper draught than a narrowboat but are profiled so as to be able to cope, on the whole, with the shallow draft close to riverbanks.⁴⁸

Cambridge City Council provides a maximum of 15 licences for wide beam craft to moor on the Cam. There have been discussions about the availability of wide beam moorings in the past and a recent Conservators' meeting considered the issue in depth.⁴⁹ This discussion seems to have originated in issues of congestion on the river which were in turn causing accidents or raising the risk of accidents; a "traffic management perspective" is mentioned, as is the suggestion that wide beam craft are part of the problem, especially

⁴⁶ Information provided by the Council

⁴⁷ www.barging.co.uk has a map showing waterways navigable to wide beams, though online forums suggest that two wide beams meeting on some of these waterways would be unable to pass one another!

⁴⁸ www.barging.co.uk/nb-comparison.htm, accessed November 2009

⁴⁹ Minutes of Cam Conservators meeting, 9th July 2009

at Riverside (not a Council mooring area). Conservators discussed the possibility of restricting vessel beam, and also limiting the numbers of rowers on the river; they concluded that wide beam craft should be moved to the wider reaches of riverside, and that further information on the congestion issue, and on wide-beam craft, be brought back to a future meeting of the Conservators.

7.2 *Mooring licence*

The current licence⁵⁰ allows mooring in designated areas of the river, and the use of stake posts in the riverbank to secure those moorings⁵¹. Among other things, it requires licence holders to maintain their boats in a clean condition⁵², restricts occupancy to the licence holder and “members of his/her immediate family only and no other persons whatsoever”⁵³, and prohibits certain acts including discharge into the river, parking of vehicles, or use of generators at certain times⁵⁴. The Council retains a right to inspect the mooring to verify that the licence is being observed, but expressly forbids itself from entering the boat.⁵⁵ The licence also expressly states⁵⁶ that it does not confer a sole right to use any part of the riverbank, nor does it guarantee the availability of space, and in so doing implies that this is a licence for a temporary mooring rather than a permanent residence. The licence also provides for the Council to give 14 days’ notice of an intention to inspect the riverbank and to require the licence holder to move their vessel.⁵⁷

We make the following observations on the Licence without any claim to legal knowledge or expertise, but suggest the document is reviewed to see whether amendment is required.

⁵⁰ Cambridge City Council, Agreement for the mooring of boat...on the River Cam

⁵¹ Licence, clauses 2.1 and 2.2

⁵² Licence, clause 3.9

⁵³ Licence, Clause 3.11

⁵⁴ Licence, schedule of prohibited acts

⁵⁵ Licence, clause 4.8

⁵⁶ Licence. Clause 4.1

⁵⁷ Licence, clause 4.8.2

The licence does not expressly state that it does not grant to remain in any particular site on the river (only that that there is no sole right to do so), and does not require the vessel to move from time to time so as to justify its status as a continuous cruiser (and thus not a residential mooring requiring planning consent and liable to Council Tax). It might be helpful to the Council's position to assert this status more clearly. Continuous cruiser licences would normally require regular movement of the vessel, and limit occupancy of any one site to a specified period, but there is no such obligation here.

The licence does not require boat owners to move their vessels for events that may take place on the river or riverbank. They are known to do so, but it may be helpful for the licence to require this rather than leaving it as a matter of goodwill. The Conservators specifically requested that this amendment be made to the licence⁵⁸ as regards Midsummer Common, but we are not aware that a change has been made.

The restriction of occupancy to "immediate family" seems archaic and would seem to imply a traditional view of familial relationships. It is not at all clear why occupancy should be restricted in this way, and why two friends should not share a licence; it may also be implied that same-sex relationships are not as welcome as more traditional family ties, and that co-habitation is frowned upon. The wording might usefully be reviewed here. It might also be helpful to owners and to the Council if the licence indicated whether temporary guests are permitted and for how long they are permitted to stay.

The clause that prohibits access to the boat is reasonable (other than perhaps in emergency, and this might need to be amended) but its effect is to deny the Council the opportunity to verify a claim for single occupancy discount.

⁵⁸ Cam Conservators, minutes of meeting 9th July 2009, p58

8 Equity and equality

Cambridge City Council is implementing an Equalities Impact Assessment across all services to ensure that services are delivered equitably across all the key equality strands. We understand the current priorities in relation to moorings to include a commitment to fair and equitable pricing. It is therefore important to assess how the current moorings policy and pricing might stand up against such an assessment.

Issues of equity potentially arise at three different levels:

- Within the policy itself: does the policy offer equality of access to all sections of the community?
- Within the city: does the policy treat boat owners and Cambridge residents, or specific groups of residents, fairly in relation to each other?
- Within the national framework: does the city's policy deal fairly and equitably with residential boat owners in comparison with other mooring authorities elsewhere?

Within the policy itself

This aspect of equality needs to explore whether all sections of the community have equal access to the benefits of the city's moorings policy, regardless of their age, gender, ethnic origin, disability, sexual orientation, or religious belief.

There are no aspects of the present policy or charging regime that give rise to specific inequality or discriminatory concerns as regards the statutory equality strands of race, gender or disability, or the additional equality strands of age or religion. The licence wording, however, only permits the licence holder and members of their immediate family to occupy the vessel, and this may discourage or even prohibit occupancy by same-sex couples, particularly if they are not in a formal civil partnership.

Some disabilities would make life aboard a boat difficult, but it is hard to see that the Council should do more than ensure a reasonable level of access to the riverbank, to water and to the pump out facility. Similarly, there may well come an age when living aboard a boat becomes an inappropriate choice of lifestyle, but this is essentially a matter for the individual and the policy does not preclude the perpetuation of this choice for as long as the individual wishes.

Within the city

The issue here is whether the Council's mooring policy and charging regime advantages or disadvantages moorers in comparison to the treatment of other groups of residents.

The absence of a permanent location to moor saves residential boat owners from paying Council Tax, but residential moorers still take advantage of many key services provided by the two local authorities and funded in part through Council Tax contributions. Moorers make use of universal services such as roads and pavements, schools, leisure and arts services, social and care services, public transport, cleansing and so on. They do not receive some services delivered to land-based properties such as kerbside recycling (though they do receive waste collection services), or street lighting. They also receive other public services such as policing, health care and justice services provided through central government taxation, which they are liable to pay, but do not receive basic services such as electricity supply, water supply, or sewerage that are standard provision on land.

It is therefore arguable that residential moorers receive services in disproportion to the taxation they pay, and therefore the policy operates to the disadvantage of land-based residents - though the counter to this argument is that, were they to be charged Council Tax, they ought to be provided with an increased level of Council service than they currently receive. Similarly, if charges were to increase to a level more in line with those charged elsewhere, moorers would be entitled to expect facilities and amenities in line with those provided elsewhere as well.

On the Cam, residential moorers have no permanent mooring right at a specific location. In theory at least, this would require them to relocate periodically. The policy thus forces them to become "continuous cruisers" although they have increased rights over other cruisers in that they can moor on the Cam for prolonged periods. Their status is a somewhat anomalous one that is clearly far from permanent, but equally different from the position of (say) Travellers, the land based equivalent of the typical continuous cruiser. Travellers on authorised sites pay Council Tax (usually at the lowest rate, and with means-related concessions) but receive basic facilities including electricity, water supply, showers and toilets.

The occupancy discount in particular also creates inequalities between moorers and other local residents. It is not available to those renting land-based properties from the Council or from registered social housing providers, and is less well enforced than occupancy in relation to land based properties with occupiers receiving Council Tax discounts. As a result, a wealthy single moorer will pay less than a modest-income couple living on the river, for essentially the same level of service and amenity. This is inequitable.

The essence of these issues is the discount scheme, which in trying to assist moorers on low incomes, seems to favour moorers to the disadvantage of other occupiers of Council property, including Travellers. The discounts originate in the wish to base mooring fees on the Council Tax Band A payment, and this causes some confusion both because they perpetuate the myth that the mooring fee *is* the Council Tax (and therefore moorers get a raw deal in terms of services, but on the other hand occupy the river free of charge) and because most other residential moorers in the country pay both a mooring fee *and* the appropriate Council Tax.

It may also be observed that the current policy as regards the waiting list for licences, which is in strict chronological order, means that an applicant who has been on the list for some time will qualify for a licence earlier than someone else who may be considered more “deserving” by virtue of being a local resident, or in housing need, or both. Any variation of the current policy, however (such as the creation of a points based system to favour certain applicants) is likely to create inequalities that do not exist at present.

Within the national residential mooring context

Here we need to consider whether the City Council's policy is fair and equitable in relation to the national picture; are Cambridge's moorers treated fairly in comparison with their counterparts elsewhere?

The Council does not wish at present to maximise, or even necessarily to increase, the revenue it derives from moorings, but it does wish to ensure that its fees are adequate in the context of comparable charges elsewhere. This contrasts with the policies of British Waterways, which sees itself as obliged to pursue market pricing, and the Environment Agency, where pricing appears to be driven by funding requirements to secure infrastructure improvement.

Cambridge's policy is more favourable to moorers than either of the two main providers of residential moorings. The flat rate favours larger boats, whilst the absence of Council Tax liability places moorers on the Cam at a considerable financial advantage, albeit at the cost of a level of amenity that is much lower than that obtainable elsewhere. The argument is however a little academic in a context where alternative mooring sites are so limited in availability and where choice cannot be readily exercised.

However, the policy may be less favourable to private sector providers on the Cam, in that they are unlikely to be able to compete with the Council's charges. It may also be discouraging private sector investment in developing offline provision, for the same reasons. However, demand is so high for this type of provision that there would seem to

be room for private competition in spite of the absence of a level playing field on price; the inhibitor may be the capacity of the river.

There is also a potential inequality in the application of a flat rate regardless of boat length, in that occupiers of larger boats pay the same as those in smaller boats. However, the amount of space available for moorings is not adjusted to reflect this, so this policy does not act to reduce availability of space for any size of boat, nor are services provided unequally for different sizes of boat, so there is no inequality in practice. Were length-based charging to be introduced at any time, it might be appropriate to also adjust the number of moorings available, so as to indicate that the length of riverbank available for mooring is the determinant of the total number of moorings available.

Similarly, there is a potential inequality in that wide beam vessels are charged the same as narrower craft, whilst occupying a larger water space. This would be more relevant if wide-beam vessels inhibit the use of the river by other users, which does not seem to be the case. The needs of other users justify the restriction on location of wide beam craft. It may be noted, though, that length-based charging would create an inequality in relation to wide-beam craft which would then be charged less, whilst occupying as much (or more) water space as a longer, and more highly-rated, narrowboat.

9 Summary and conclusions

1. Cambridge City Council is one of the largest providers of residential mooring opportunities in the country, and few providers offer this number of opportunities in a single stretch of waterway.
2. Cambridge is unique in that its permission to moor does not grant a permanent mooring; this allows the residential moorers to escape liability to pay Council Tax, which is payable in most other official residential mooring settings. In practice, many moorers occupy their mooring in the same way as those with permanent moorings, and may move their vessels rarely and reluctantly.
3. Cambridge mooring fees are low in relation to those charged by other providers of residential moorings. Moreover, fees can be further reduced by the availability of discount for single occupancy and low incomes, as determined by eligibility for means-tested benefit.
4. Most online (i.e. river or canalside) mooring operators charge fees based on length of vessel, on the basis that the amount of space occupied determines the number of boats that can use it, and hence the overall income generated. Cambridge charges a flat fee that means that larger boats can moor on the Cam at a much lower fee than would be charged elsewhere. Few operators seem to charge based on width/beam of vessel, though a representative organisation concedes that this would be justifiable.
5. On the other hand, the services and facilities provided to moorers on the Cam are very basic indeed, and are at a lower level than most other mooring operators. Basic services such as water supply, sewerage, and electricity, that are universally available on land, are not easily available to moorers.
6. Residential moorings are in very short supply, especially in the south of England; demand exceeds supply by a considerable distance, and many mooring owners have been able to take financial advantage of this situation. It is estimated that there is a shortfall of 11,000 moorings over the next ten years to satisfy demand nationally.

The market trend is one of increasing value, and moorings change hands for high fees, as valuable assets in their own right.

7. The other main operators of residential moorings have adopted policies that reinforce relatively high pricing. British Waterways plans to auction any available residential moorings to the highest bidder through an e-Bay type, transparent auction, and to charge existing moorings at a price that reflects local market conditions (including those in the local private sector). This seems likely to raise prices by significantly more than inflation. The Environment Agency has determined to use mooring revenue to assist it in meeting a significant funding shortfall, and this too seems likely to increase prices. Neither BW nor the EA is likely to have difficulty letting moorings at these higher prices in the present marketplace, however much occupiers protest the charges. Cambridge is already an exemplar (from one viewpoint) of lower pricing for residential moorings and will increasingly be so as prices elsewhere rise.
8. If Cambridge City Council wished to do so, there is little doubt that it could generate significant additional revenue from the Cam moorings, although it would need to invest in facilities to enable this.
9. The present mooring policy and charges could be argued to create inequalities in that Travellers, who occupy their sites in much the same way as moorers (albeit not in law) have to apply for means-tested exemption from Council Tax, whilst moorers are exempt as of right under the present arrangements. Also, moorers are entitled to a single person unoccupancy discount as well as exemption from Council Tax, while land-based renters from the authority do not qualify for occupancy discounts. The licence wording could be clarified in terms of its applicability to same-sex couples and co-habitation, and also in relation to guests.
10. The discount system seems unnecessary in that it creates inequalities (not least between honest boaters and those who fail to declare shared occupancy) and is rooted in the myth that the mooring fee is a charge in lieu of Council Tax. Most other moorers pay both, and apply for means tested assistance for both housing and Council Tax costs; in Cambridge, a wealthy single moorer qualifies to pay a reduced fee for mooring and no Council Tax at all.

11. Similarly, moorers make extensive use of universal provision paid for by the Council tax, without paying the tax itself. Land-based occupiers using these services must pay Council Tax or apply for means tested relief. Although moorers receive a lower level of service at their properties than land-based occupiers, they do receive some services such as waste collection. On the other hand, facilities and services provided to Travellers at their sites are greater and more extensive than those afforded to moorers on the Cam.

12. The single person occupancy discount seems anomalous. It has no parallel elsewhere in the charges levied by other providers; it reduces an already low fee still further; and it cannot be satisfactorily evidenced without intrusion by the Council and thus leaves the public purse vulnerable to the possibility of fraud or deception with very limited recourse to the authority. The discount is thus a weak arrangement from an audit perspective and may potentially deny legitimate revenue to the public purse.

13. The pensioner discount also seems anomalous. Many pensioners are on low incomes and may be considered as deserving a concession; but many others are persons of considerable means. Age should not be a determinant of entitlement to a discount; retention of a low income, means tested discount such as benefit entitlement would ensure that pensioners on low incomes would be protected whilst those of means pay their way in full.

14. It may be appropriate to review some of the terms of the present licence agreement to clarify exactly who may occupy a vessel, and to require demonstration of status as a continuous cruiser rather than a permanent moorer.

15. Options for the authority drawn from the evidence in this report suggest a number of possible courses of action for the authority. These include:
 - The development of a mooring policy, in conjunction with boat owners' representatives, the Navigation Authority, and other stakeholders, to guide all parties for the future on the Council's approach to its residential

moorings, not only financially but also in terms of numbers, facilities, and restrictions on boat length;

- The adjustment of the existing basis for charging so as to eliminate the single occupancy discount, and the concession for pensioners, whilst retaining the concession for those in receipt of means tested benefits, so as to protect the interests of low-income occupiers;
- Reconsidering the authority's policy in relation to wide-beam vessels and the need for a restriction in width of vessel to ensure adequate maintenance of the navigation along the length of the river; this requires further discussion with the Conservators;
- A review of the existing licence to ensure that it does not inadvertently permit permanent mooring, perhaps by requiring licence holders to move their boats regularly, for events, for riverbank inspection and maintenance and so on. The licence should be written so as to indicate that licence holders do not hold a permanent right to a specific mooring and are, in effect, continuous cruisers;
- The licence should also be reviewed to ensure it complies fully with the Council's equalities policy and to clarify other aspects of the contractual relationship;
- The institution, through the mooring policy, of sanctions to enable the Council to remove a licence after a specified series of violations of the terms of the licence (in simplistic terms, a "three strikes and you're out" policy), with safeguards in terms of right to appeal;
- Consideration of the introduction of a restriction on length or width of vessels allowed to moor, so as to protect the riverbank and the navigation for other users of the Cam and its surroundings.
- If the Council wished to discourage wider-beam craft from the Cam, it could do so by imposing an outright ban, introducing a higher rate of fee to discourage their presence on the river, or phasing in either of these options over a longer period so as to ease the impact on existing owners. It should be noted, though, that this issue is also still under consideration by the Conservators and would need to be agreed policy between both organisations.

10 Bibliography and reference

Several sources have informed this study, and they are listed here as a possible resource for any future examination of pricing policies. For convenience they are grouped into broad areas of reference.

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Environment Agency: moorings on the River Medway, www.environment-agency.gov.uk/homeandleisure/recreation/boating/38245.aspx

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General boating and liveaboard reference and guidance

www.Canal-boats.org/residential-mooring.htm is a website with background on living aboard a boat, and discusses briefly different types of mooring

Canal Boatbuilders Association website has articles on different types of mooring as well as boats, www.c-b-a.co.uk/buy-a-boat/finding-a-mooring.html?Itemid=33, accessed 20/10/09

www.Barging.co.uk provides background on different options for boats and moorings, and links to several mooring providers.

www.canaljunction.com includes guidance on choosing a boat and locating a mooring

Several boat owners publish blogs; one of the useful ones for this study has been Simon Marshall's at <http://myweb.tiscali.co.uk/simonmarshall/mooring.htm>, accessed 12/10/09

www.canalcuttings.co.uk includes material on moorings and costs for liveaboard lifestyles

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