



To: Councillor Richard Robertson, Executive  
Councillor for Finance and Resources

Report by: Strategic Director

Relevant scrutiny  
committee: Strategy & Resources Scrutiny  
Committee 20/3/2017

Wards affected: Abbey Castle East Chesterton Market Newnham  
West Chesterton

## **REVIEW OF RIVER MOORINGS POLICY 2017 to 2023**

### **Key Decision**

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#### **1. Executive summary**

- 1.1 This report details the work completed towards, and sets out proposals for an updated River Moorings Policy (RMP) to ensure the effective operational management of the moorings within the control of the City Council, for 2017 to 2023.
- 1.2 The updated RMP, as set out in appendix A, outlines the principles with which the Council will follow, to manage its moorings effectively, including allocation of annual mooring licences, fees, charges, and enforcement policy.
- 1.3 The policy also brings forward a detailed scheme to develop new, safe, accessible moorings at Riverside to meet the needs of boaters and to address concerns about the safety of the current moorings.
- 1.4 Extensive public consultation on a draft RMP has been carried out between November, 2016; and January, 2017, including meetings with a number of groups of river users and local residents. Over 800 responses have been received. Consultation feedback has been used to determine and shape the RMP.

- 1.5 Following approval, the RMP document will be made available on the Council's website and accessible to the public for information and referencing purposes.

## 2. Recommendations

The Executive Councillor is recommended:

- a) To approve the proposed River Moorings Policy for use as the guiding document for management of the Council's moorings for the period, 2017-23;
- b) To instruct officers to proceed with actions to ensure the successful implementation of the approved policy, including
  - i. Taking forward the proposed Riverside Moorings Scheme, in order to develop up to seven safe moorings, subject to necessary consents and a detailed implementation plan to relocate boats on the Council's Regulated Waiting List as set out in RMP;
  - ii. Adoption of a fee policy which sets charges in accordance with realistic costs of managing the moorings, including necessary enforcement;
  - iii. Development of a capital investment programme for the improvement of the Council's mooring facilities;
  - iv. Further investigate options for charging for visitor moorings; and
- c) To note the principal outcomes of the public consultation as detailed in appendix B to this report, and
- d) To endorse continued engagement with boat-dwellers and their representative organisations in working up recommendations on
  - i. the River Moorings Licence terms and conditions;
  - ii. a Housing and Planning Act 2016, Welfare and Needs assessment;
  - iii. Council Tax exemptions and the City Council's means tested Council Tax Reduction scheme and
  - iv. Further moorings investment and improvement options from future income and savings.

### 3. Background

- 3.1 The Council has been considering the issues concerning moorings, and Riverside in particular, for some time, and has considered several previous reports on this matter, that have not resolved the issues. In particular, previous reports have identified the Council's responsibility for Health and Safety, and its duty of care at Riverside, whilst highlighting the financial difficulties associated with making changes to the site.
- 3.2 Although the County Council installed and owns the railings along Riverside the ownership of the land along Riverside Wall was unclear until 2011. In a decision at Community Services Scrutiny Committee on the 12<sup>th</sup> January 2011 it was agreed to register the freehold of the land in the City Council's name (completed 2012<sup>1</sup>).
- 3.3 There have previously been four gates, ladders and sets of mooring rings at points in the railings which were installed when the bank and railings were constructed in their present form. The four gates were welded shut some years ago for the safety of the public because they were being left open by people accessing boats moored along Riverside.
- 3.4 Recent dialogue with the County Council has enabled development of new proposals to create safe moorings at Riverside, in a way officers had previously thought impossible.
- 3.5 At Community Services Committee on the 11<sup>th</sup> July 2014 the Executive Councillor instructed Officers to regulate moorings at Riverside from the 1st October 2014.
- 3.6 In the same report it was detailed that:-

*“City Council River Moorings Licence holders currently have a local exemption for liability to pay Council Tax. It is recommended that this exemption does not apply whilst the moorings of Riverside currently remains outside the Council's River Moorings Policy. Therefore Council Tax liability may continue to be applied depending on individual and personal circumstances”.*

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<sup>1</sup> Title no. CB368081, dated 17 Feb 2012

- 3.7 The Council offers a Council Tax discount to RML holders and some respondents to the consultation sought clarification on Council Tax liability. The Council proposes to review this issue further with boat dwellers and their organisations, but first give priority to addressing other issues in the consultation and this report.
- 3.8 In March, 2016, the Executive Councillor for City Centre and Public Places instructed Officers to:-
- “d) review the existing Moorings Management Policy and report back to Scrutiny Committee in October 2016 with further recommendations.”*
- 3.9 Officers reported back to Scrutiny Committee with recommended draft policy for public consultation. This draft contained some areas that proved highly contentious, even before consultation began, including an option for significant fee increases without an investment plan, and a further option to remove boats from Riverside.
- 3.10 A consultation process was launched in November 2016, and during the consultation period, extensive further work has been carried out on options, resulting in the new proposals as detailed in this report. Constructive dialogue with representative groups has been very significant in developing not only a new policy, but potentially the opportunity for much better joint working in future.

#### **4. Consultation**

- 4.1 The consultation document used on the proposed changes to the RMP contained a number of specific issues and options which the public and key stakeholder groups were invited to comment upon and state their preferences for. The consultation document is available in appendix B.
- 4.2 The consultation ran for a period 12 weeks, and was made widely available through the City Council’s website and supported by news releases and social media. The consultation was also targeted at stakeholders who broadly included those with a River Moorings Licence, those on our waiting lists, local resident groups,

national and regional boat organisations and the Cam Conservators.

- 4.3 Paper copies of the consultation were directly delivered to all boats on the river and electronically where the council had contact emails.
- 4.4 The consultation had over 800 responses and was independently tabulated by MEL Research Ltd.
- 4.5 The consultation options were developed for the purpose of addressing a range of management issues and needs, including:
- a) The method by which the cost of annual mooring licences are calculated;
  - b) The level of financial penalty charges to be applied within the Contract Law Model<sup>2</sup> for temporary and visitor moorings;
  - c) The management of unregulated moorings at Riverside and the extent to which existing moored boats could be managed within the future policy;
  - d) The introduction of a revised enforcement policy for visitor and temporary moorings with delegated officer powers;
  - e) The type and number of mooring locations, including reducing future availability and a temporary increase to support the possible relocation of boats currently moored at Riverside;
  - f) The establishment of short term winter moorings;
  - g) The management of the closed waiting list including consideration of how to accommodate existing Riverside moorers should there be a requirement to do so;
  - h) The opportunity for those consulted to state any additional items which they wished to be considered.
- 4.6 In addition to responses from individuals, submissions were also received from the following stakeholder groups: Camboaters, Cam Conservators, National Bargee Travellers Association and Cambridgeshire Rowing Association.
- 4.7 The collated responses to each of the options, the number of responses to each option and the percentage in favour, or against, a particular option are provided in Appendix B to this report.

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<sup>2</sup> Community Services Scrutiny Committee 17<sup>th</sup> March 2016

4.8 In summary, respondents to the consultation are as follows:-

- a) Preferred modest increases to fees and charges (81% in favour :19% against);
- b) Felt that the £100 per day penalty charge was disproportionate (45% in favour of the £100 charge against: 55% requesting change);
- c) Were divided on charging by length (49% in favour of charging by length : 51% against) and beam (55% in favour of charging by beam : 45% against)
- d) Did not support the ending of moorings at Riverside (72% against ending of moorings : 28% for ending of moorings)
- e) The priority allocation of licences to those displaced at Riverside was not supported (43% in favour : 60% against);
- f) Supported the current location, number and types of moorings (70). (70% in favour of retention);
- g) There was support for not establishing winter moorings; (60% in favour of not)
- h) There was support for the introduction of a revised enforcement policy (64% in favour)
- i) By a small margin there was not support for waiting list to remain closed (45% wished for the lists to remain closed : 55% wish to open the lists)

4.9 The representations expressed within the consultation have, where considered appropriate, been incorporated into the revised RMP.

4.10 Appendix A and B consider a range of issues raised during the consultation, where common misconceptions apply including previous use of capital budgets allocated to a moorings scheme, the link between moorings fees and Council Tax, and the commonly held view that moorings are equivalent to social housing.

## **5. Riverside Moorings**

5.1 During consultation, the strength of feeling of local people about retaining moorings at Riverside was evident, and therefore we re-opened negotiations with the County Council to seek to deliver a safe moorings scheme.

- 5.2 Officers have considered the possibility and options for creating safe access from the river level onto the pavement adjacent to the river.
- 5.3 This took into consideration several factors including:
- the parapet railing's purpose as a road vehicle containment barrier,
  - the function of the bankside wall as a structural supporting wall for the roadway,
  - the safety of boat dwellers accessing and egressing from river level to the pavement and
  - the safety considerations of riverbank users' pedestrians, cyclists and vehicle occupants.
- 5.4 Officers have developed a proposed scheme that, they believe, is technically feasible and financially viable and utilises the gates that are currently welded closed. The developed scheme can create moorings for 7 boats without impeding the navigation, re-establishing the gates. The County Council has specified that with the exception of the four established gates, there is no scope to provide any new additional gates within the parapet railings. A full report is available as Appendix D.

## **6. Income and Expenditure on Moorings by the City Council**

- 6.1 Work on analysing detailed costs and income on moorings has continued, including responding to information and questions arising from the consultation. This further work has established that the cost of managing and maintaining moorings has been running at a loss for some years, contrary to a view of some respondents. The fees and charges collected are used to contribute to this discretionary service. The current annual income to the Council is around £55,000 per annum from 70 licensed boats but the costs have been around £30,000 more than income each year.
- 6.2 The full licence fee is currently £1000 per annum (plus VAT). The Council has been allowing a 25% discount on this fee for single occupancy and this applies to about ~45 of the current 70 licences. Vacant licences (during changeover of licence holders) account for some of the variances in the income levels.

6.3 During the consultation the council provided information about the cost of providing the mooring service and this appears to have been misinterpreted by some. The following table 1 sets out a summary of income and expenditure since 2013 and shows that moorings have higher costs than income.

Table 1 - A summary of income and expenditure since 2013

	2013/14	2014/15	2015/16	2016/17
	Actual	Actual	Actual	forecast of outturn
Direct costs	53,335	54,941	52,545	64,378
Cleaning & enforcement	26,640	27,020	27,320	27,850
Overhead charges	0	3,950	4,010	4,070
	79,975	85,911	83,875	96,298
Income	51,170	51,015	54,117	60,200
Deficit	28,805	34,896	29,759	36,098

6.4 Through further consideration of the alternative charging options, I and the views expressed within the 2016/2017 consultation exercise, it has been determined that the existing annual licence fee, updated annually by the prevailing Retail Price Index level, will be retained.

6.5 The Council also considered the option of charging annual licence fees, based on boat length and width, rather than a flat fee for each boat. After further consideration of this option, it has been concluded that the Council will charge on the basis of boat length but not beam. The Category/Tariff class which will be used to apply the bracketed boat length charges will be based on the Annual Registration categories published by The Cam Conservators for Power Driven Vessels – Private Class ‘C’, classes 32-39.

6.6 The change to charging by length of boat enables the council to offer smaller fees for smaller boats. Given the heavy demand for moorings, and the limited space available, this is considered to be fairer and it is proposed that the discount for single occupancy should not continue to be made available as occupancy rates should not be a determining factor in setting the fee charged for the mooring space occupied.

6.7 The following table 2 over the page sets out the proposed charges for 2017/18, which includes an increase of 2% on the 2016/17 fee.

Table 2 - Charges for 2017/18

Tariff Class	Description of Tariff	% composition of <u>existing and new licence holders based on 77 capacity (number of boats)</u>	Fee <sup>3</sup>
30	Vessel up to 5 metres less than 4hp engine	0	-25% (£765)
32	Vessel under 3 metres	0	-25% (£765)
33	Vessel 3 to 5 metres	0	-25% (£765)
34	Vessel 5 to 7.5 metres	0% (2) <sup>4</sup>	-20% (£816)
35	Vessel 7.5 to 10 metres	2% (1)	-15% (£867)
36	Vessel 10 to 12.5 metres	10% (8)	-10% (£918)
37	Vessel 12.5 to 15 metres	17% (14) <sup>5</sup>	-5% (£969)
38	Vessel 15 to 20 metres	43% (32) <sup>6</sup>	£1020
39	Vessel over 20 metres	25% (19)	+10% (£1122)
41	(Houseboat)	Not used as all boats must be capable of self-propulsion	
51	Any other vessel by agreement with the Conservators	2% (1)	£1122

<sup>3</sup> Assumes

- 77 licence holders (7 new from Riverside);
- no 25% discount for single occupancy;
- Tariffs and categories as per Cam Conservators;
- Fees do not include VAT which chargeable at the standard rate;

<sup>4</sup> Assumption that 2 no. from Riverside become Licence holders

<sup>5</sup> Assumption that 3 no. from Riverside become Licence holders

<sup>6</sup> Assumption that 2 no. from Riverside become Licence holders

## **7. Investment in further mooring facilities and improvements**

- 7.1 Previous consultation and feedback from river users has detailed the view that there are a range of improvements that could be made to our existing and future moorings provision. The most recent consultation has repeated this need.
- 7.2 It is, therefore, recommended that commitment and priority is made to the investment in the Riverside adaptations (detailed in appendix D) in 2017/18, to support the implementation of the RMP.
- 7.3 The investment plan, must be subject to further collaboration with stakeholders and set in the context of a wider review of revenue spend, income from fees and charges and for those items that are financially justified and technically feasible, to determine the available investment budget and how best to use it.
- 7.4 In addition, it is also recommend that during the lifespan of the RMP (2017 to 2023) a wider mooring investment plan is developed.

## **8.0 Updated River Moorings Policy**

- 8.1 The purpose of the RMP is to enable the City Council to effectively manage the provision of its mooring facilities, as the riparian owner of the land adjacent to the river bank at defined locations within the River Cam corridor. The Council acknowledges that boats are also homes, however the intention of the RMP is to specify how the Council manages visitor, commercial and residential moorings under its ownership.
- 8.2 As such the RMP has to have due regard to all other legitimate users of the river and its environs and anyone else who may be affected by the decisions it takes, including neighbouring residents and commercial interests.
- 8.3 As a moorings management policy it does not attempt to deal with the full range of City Council statutory responsibilities such as planning, social care, housing, or the full range of ambitions expressed for the future of the River Cam.

8.4 The following table 3 over the page summarises and groups the individual which form the basis of the proposed new RMP as detailed in Appendix A, together with the supporting rationale and explanation and the other options considered for each policy.

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<b>Item 1 - Riverside Moorings</b>		
<p>a) Establish up to 7 licensed moorings at Riverside where they are technically feasible having regard to safety, navigational needs and financial viability.</p> <p>Appendix D sets out the proposed implementation plan for this policy.</p> <p><b>Change to policy RMP 3.3</b></p>	<p>The Council has established that we have a duty of care and liability for Health and Safety at Riverside, and must take reasonable steps to reduce the risk of accidents.</p> <p>During consultation, the Council has heard the strength of feeling of local people about retaining moorings at Riverside, and have therefore re-opened negotiations with the County Council to seek to deliver a safe moorings scheme.</p> <p>Council now proposes to work with local residents of boats and houses, to finalise scheme design, obtain necessary consents and implement the changes.</p>	<p>We had previously been advised by the County Council and its contractors that there were no feasible schemes for Riverside.</p> <p>At present this is the only option under consideration, due to constraints posed financially and technically.</p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<b>Item 2 - Allocation of Available River Mooring Licences (RML)</b>		
<p>a) The Council continues to allocate moorings in a chronological order from a waiting list.</p> <p><b>No change at policy RMP 4.2</b></p>	<p>Allocation by chronological order is established practice and is deemed fair and proportionate.</p>	<p>Some consultees proposed allocation on the basis of housing needs.</p> <p>Moorings are not managed to provide or are considered social housing, in that the Council owns no boats, and does not intend to provide boats for people in need.</p> <p><i>Housing Advice is available through <a href="https://www.cambridge.gov.uk/housing-options-and-advice-service">https://www.cambridge.gov.uk/housing-options-and-advice-service</a></i></p> <p><i>Or 01223 457918</i></p>
<p>b) Waiting lists remain closed until the expected waiting time is less than 18 months</p> <p><b>No change to policy RMP 5.1</b></p>	<p>Closed waiting list prevents creating new expectation, and encouraging people to buy boats without a realistic chance of mooring.</p>	<p>Open the waiting list to new applicants – <i>this creates expectation unless large numbers of people on the list currently are to be removed by a new policy</i></p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<p>c) No permanent change is made to the number of licences on Commons and remains as 70.</p> <p><b>No change to policy RMP 3.1</b></p>	<p>The Council does not have the capacity to create further permanent moorings on its Commons without environmental damage and impact on other uses of the river.</p>	<p>Once the proposed needs assessment set out in RMP 6 is complete, the guidance states that needs can be met in a variety of ways, ‘through the socially rented or commercially rented sectors (be it for sites or bricks-and-mortar accommodation), or through private ownership of sites or bricks-and-mortar housing, moorings and houseboats’</p>
<p>d) For a limited period, additional temporary moorings be allowed on the Commons and also that priority be given in allocation of River Moorings Licences to the relocation of any regulated boats displaced from Riverside by the improvement works</p> <p>That visitor moorings on the Commons may be used for Riverside relocations during works, and for a limited period thereafter if necessary until all relocated boats on RML are appropriately moored.</p>	<p>In establishing permanent, safe mooring spaces at Riverside, there will be a need to reduce the number of boats moored there from approx. 20 (Regulated Moorers) to 7 (depending on final consents).</p> <p><b>Change to policy RMP 3.2 &amp; 3.3</b></p>	<p>Allocate the 7 newly established Riverside moorings according to waiting list and delay moving boats from Riverside until they are allocated RMLs under the main policy - Whilst many consultees do not want to see any allocations to people not at the top of the waiting list, the Council cannot improve Riverside without relocations.</p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<p>e) That allocation of newly created RMLs at Riverside is carried out on the basis of –</p> <p>Those currently on the regulated moorings list who meet the criteria for holding an RML ,</p> <p>and within this priority to identify moorings (at Riverside or suitable commons locations)</p> <ul style="list-style-type: none"> <li>• that can accommodate wide beam boats;</li> <li>• Then further allocations will be based on time spent on the Council’s waiting list.</li> <li>• A ballot system may be used for boats not on the waiting list</li> </ul> <p><b>Change to policy RMP 3.3</b></p>	<p>In accordance with normal policy, RMLs will only be offered to boats which meet the normal criteria for a RML including</p> <ul style="list-style-type: none"> <li>a) Having a current Cam Conservator or Environment Agency navigation licence;</li> <li>b) Having a valid boat safety certificate; and</li> <li>c) Being a live-aboard boats and sole permanent residency.</li> </ul>	<p>Spaces could be allocated by ballot alone – however, wide beam boats might then be left with nowhere to moor.</p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<b>Item 3 - Fees and Charges</b>		
<p>a) Mooring fees should rise by 2% from 1<sup>st</sup> April 2017 and thereafter in line with RPI inflation as published the previous September.</p> <p><b>Modification to policy RMP 6.1</b></p>	<p>81.5% of consultees supported the proposal to have a modest annual increase in annual licence fees.</p> <p>RPI differs from the Consumer Price Index (CPIX) as it includes the effect of mortgage rates or council tax.</p>	<p>Licence fee could be subject to a real terms increase each year so as to create an investment fund for moorings improvements</p> <p>An additional tariff (of ~20%) could be charged for wide beam boats; the consultation was divided on the approach, however it is currently not recommended. This can be reviewed later and this is</p>
<p>b) The fees should be charged in proportion to vessel length but not breadth, which will meet the direct costs incurred by the Council in the provision of the Moorings Service.</p> <p><b>Change to policy RMP 6.2</b></p>	<p>Opinion on charging by length was divided with 48.5% of respondents in support of mooring fees based on length of vessel.</p> <p>Charging by length is the industry standard mechanism for charging for permanent moorings and is the basis for the setting of the Cam Conservators licence fees. Given the limited space available for moorings, charging by length is the fairest option.</p> <p>Most boats fall within a small range of lengths however the wide beam boats are nearly always amongst the longer vessels and will pay more under the policy of charging by length.</p>	<p>because increasing demand for moorings for wide beam boats which provide greater living area, but also impede use of the river by others to a greater extent. The current tariff class used by the Cam Conservators does not consider boat beam.</p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
	RMLs are to be charged different rates according to length, based on the same categories as the Cam Conservators Navigation Licence category and tariff class 32 – 39	
<p>c) Over time, budget should be proactively managed to reduce the costs to the service and create capacity to invest more in the provision of moorings improvements</p> <p><b>Change to policy RMP 11</b></p>	There may be occasions where fees and charges are increased or decreased depending on the budget pressures on River moorings, for instance capital expenditure with the need to increase revenue contributions or where there is a reduction in direct costs.	

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<p>d) Discounts such as the 25% for single persons should no longer apply</p> <p><b>Change to policy RMP 6</b></p>	<p>The introduction of a length tariff allows the Council to offer reduced fees for smaller boats. It is therefore recommended that the current 25% discount for single occupancy on the River Moorings Licence is replaced by length tariffs.</p>	
<p>e) Promote awareness and take up of Housing Benefit re moorings fees</p> <p><b>No change to existing policy</b></p>	<p>Mooring fees are eligible for Housing Benefit subject to the usual means testing. During the consultation it became apparent that not all boaters were aware of this.</p>	
<p>f) The visitor mooring overstay penalty to be charged at £50 per day and not £100</p> <p><b>Modification to policy RMP 6.3</b></p>	<p>£100 was deemed disproportionate by consultation respondents.</p>	<p>The consultation provides a range of fees and charges from £0 to £500.</p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<p>g) Introduce a visitor moorings charge during the life of the policy.</p> <p><b>Change to policy RMP 6.4</b></p>	<p>Visitor charges have not been levied due to difficulties of collection. The Council will consider whether new parking machine technology can be applied to collection of a visitor charge.</p>	<p>None</p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<b>Item 4 - Moorings Management</b>		
<p>a) Visitor moorings should not be amended to create winter moorings.</p> <p><b>No change to policy RMP 2.2</b></p>	<p>Such moorings would limit access for visiting boats and create false expectations of permanency</p> <p>The consultation was divided and the comments received highlighted the possibility of over stays and the creation of boats mooring without permission for prolonged periods.</p>	None
<p>b) Develop and publish an enforcement policy.</p> <p><b>Modification to existing policy RMP 8</b></p>	<p>The policy on enforcement should be fair, well publicised and applied even-handedly.</p> <p>64.25% said Yes they support the introduction of a revised enforcement policy with powers delegated to Council officers. This would follow our published enforcement concordat</p>	None

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<b>Item 5 - Financial Management</b>		
<p>a) To review and publish income and expenditure on Moorings.</p> <p><b>Change to policy</b></p>	<p>The consultation raised several requests for information relating to spend.</p> <p>It is recommended to review revenue to aid setting fee levels and prepare an investment plan for agreed improvement to moorings.</p>	<p>Some consultees suggested creating a ring-fenced account, so fee income is only spent on moorings scheme but this would currently lead to under investment in the service as improvements are made</p>
<p>b) To prepare and cost an investment plan</p>	<p>Previous consultations have identified a range of improvements all with varying degrees of technical and financial constraints. An investment plan requires further work to determine costs and relative priority.</p> <p>Initial priority will be given to the Riverside Scheme, but further works might include</p> <ul style="list-style-type: none"> <li>• A second pump out facility</li> <li>• Re-fuelling site ;</li> <li>• Additional fresh water supplies ;</li> <li>• Additional paid toilet/shower provisions ;</li> </ul>	<p>Investment could be limited to amounts raised through fees, but this would limit capacity to deliver improvements.</p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<b>Change to policy RMP 11</b>	Any investment strategy must be considered in the context of the Housing and Planning Act 2016 Needs Assessment and would link to the off line facility identified in the draft Local Plan Policy 54	

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<b>Item 6 – Items identified in the consultation that need further development</b>		
<p>a) The Council will carry out an assessment of the needs and demand for moorings in conjunction with surrounding authorities and analyse this within the next two years</p> <p>Following this assessment, we will work with surrounding authorities, and boaters representatives, to identify how to meet the identified needs/ demand</p> <p>We will consider the findings of this assessment when we review the RMP</p>	<p>The Housing and Planning Act 2016 section 124 requires an assessment of need for moorings, but does not dictate the methodology for this, nor how any needs should be met.</p> <p>Whilst an assessment is required, the Council is already aware of very significant levels of demand that far outstrip supply within the city and needs to balance demand with other uses of the river and environmental considerations.</p> <p><b>Modification to existing policy RMP 1.4</b></p>	<p>Delay moorings policy until an assessment has been carried out – this is unfair on those currently moored who need issues addressed sooner</p> <p>Conduct a moorings assessment for City Council area alone – this would be inconsistent with Government guidance to assess housing and caravan site needs over a wider housing market area.</p>
<p>b) Review the current terms and conditions of the River Mooring Licence;</p> <p><b>Modification to existing policy RMP 7.2</b></p>	<p>The RML has not been reviewed for some time, and a periodic review of terms is considered proportionate.</p>	<p>None</p>

Policy area with description with RMP Reference from Appendix A	Rationale and explanation of policy	Other options considered
<p>c) Review and consider the introduction of the Council Tax Reduction Scheme with Camboaters and other stakeholders.</p> <p><b>No change to existing policy</b></p>	<p>During the consultation the issue relating to the Council Tax discount that is currently awarded to boat dwellers that have a responsibility to pay the Mooring Licence Fee was raised.</p> <p>In 2012, Government Regulations were amended to provide the framework for each Local Authority to create its' own Council Tax Support Scheme and also provide for a discretionary scheme to reduce the amount of Council tax a person would otherwise be liable to pay.</p> <p>The City Council has introduced a Council Tax Reduction Scheme where Council Tax payers can receive up to 100% relief and for those that do not qualify for full relief a person can be considered for discretionary relief on a case by case basis.</p> <p>The Council will continue to offer a 100% discount to RML holders.</p>	<p>The immediate or phased removal of the discount scheme. <i>The Equalities Impact Assessment has identified the negative impact of this change.</i></p> <p><i>Officers will ensure information on Housing Benefit (for RML fees and navigation fees) and Council Tax reduction is made available with the objective of enabling those entitled to reductions to be able to claim.</i></p>

## 9 Implications

### (a) Financial Implications

The RMP includes proposals for the setting of fees, charges and penalty fines.

The overall aim of the proposals is to reduce expenditure within the cost centre by re-examining direct costs, in order to create a moorings service that can be delivered within the fee income achievable at the current level, but maintain the current level of service.

The introduction of a category and tariff based fee for boat length has been calculated from average boats lengths to protect the levels of income required to cover the current costs of the service.

It is also recommended that officers complete a review to consider the costs to the service to include salary costs, enforcement, and waste to seek to reduce annual service costs and thereby create a surplus to generate a repayment to capital for re-investment in mooring improvements.

Capital spend must be considered in the broader context of Policy 57 detailed in the Local Plan and subject to the Housing and Planning Needs Assessment .

The future budget is recommended to be on a full cost recovery model based on direct costs.

Some respondents to the consultation requested that the moorings cost centre was hypothecated. This is not recommended at this time as moorings related capital investment could not be met from Council funds.

The necessary approvals for capital expenditure to support an investment programme will be sought once the details and options have been developed.

Future capital projects would be subject to capital bids and will be linked to future fee increases to provide the necessary net budget surplus for re-investment.

**(b) Staffing Implications**

There is a requirement for staffing dedicated to the operation of the moorings management function, to improve oversight, further develop the plans, and work with the community. This resource will be created by reorganising existing posts, which are already funded in part to cover this work. There is no impact on staff as posts are vacant.

**(c) Equality and Poverty Implications**

No disproportionate negative impacts have been identified at the principal stage. Further consideration to equalities issues can be given during the implementation and delivery stages.

We have now clarified the position in relation to assessing and meeting housing need for dwellers and potential dwellers of houseboats as set out in the report at RMP 6 page 17.

Councils have a duty to periodically assess housing needs, including need for houseboats/moorings. This includes not only needs of those who have reasons for needing that type of accommodation due to race or origin, but also those who have a personal preference for that style of living. It is hoped that, subject to resources and funding being agreed, this can be included completed in 2017/18.

In carrying out a needs assessment it recommends close engagement with the communities throughout the process, and suggests some potential sources of data.

Once needs are assessed, City Council can plan for how those needs can be met.

**(d) Environmental Implications**

The project is rated as net low positive impact.

**(e) Procurement**

There are no current procurement related issues associated with the recommendation in this report.

All capital improvements are subject to Capital Project Board approvals after consideration of feasibility and affordability.

**(f) Consultation and communication**

A report setting out a summary of the consultation is an appendix B to this report.

The online survey approach provided the opportunity for a wide range of people to provide feedback on the council's proposals. However, this methodology is self-selecting; participants are free to choose whether or not to participate and invariably it is those with the strongest views (either positive or negative) that choose to do so. As such the use of the data for quantitative data is unreliable. The data is influenced by campaign and this was identified in the responses collected.

Responses to self-selection surveys and consultations are usually non-representative of the wider area, typically with greater levels of response received from older residents (55+) and from women. Those less likely to participate in self-selection surveys are busy workers with families and younger residents (under 35's – and particularly men in this age band).

From the consultation responses officers have identified greater levels of response from those aged 35 to 54 compared to the City population estimate. There is also a greater response from those with an interest in river activities (53%).

The consultation data does however provide excellent qualitative data and has allowed Officers to consider a range of opinions and feedback when formulated policies.

## **(g) Community Safety**

Implementation of a Riverside scheme would produce safer access to moorings, and increased regulation of boats moored at Riverside. This would make enforcement of RML conditions more possible, and thus make it easier to tackle anti social behaviour if it arises.

## **10. Background papers**

These background papers were used in the preparation of this report:

- An Update Report on Riverside Moorings – 11th July 2014;
- Changes to the Moorings Policy – 16th January 2014;
- Progress on the Review of the River Moorings Policy – 8th October 2015;
- River Moorings – An Update on the Contract Law Model consultation - 17th March 2016;
- Review of the River Moorings Policy – Consultation proposals 10<sup>th</sup> October 2016;
- Practice Note 7: Application of Tax Discount to Caravan Pitches and Moorings;
- Data sets from the consultation;
- Housing Advice Briefing Note;

## **11. Appendices**

Appendix A –River Moorings Policy 2017 -2023, Technical Document

Appendix B – River Moorings Policy Consultation Summary report

Appendix C – EQIA for proposed changes

Appendix D – Riverside Adaptations Feasibility

## **12. Inspection of papers**

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

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