

Record of Cabinet portfolio holder decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor Mike Murray
Key decision?	Yes
Date of decision (same as date form signed)	21/4/17
Name and job title of officer requesting the decision	Suzanne Malcolm Economic Development Manager
Officer contact details	Tel: 01235 422217 Email: suzanne.malcolm@southandvale.gov.uk
Decision	To approve the Abingdon moorings policy for management of moorings on Vale Council owned land in Abingdon (attached). To authorise the relevant head of service in consultation with the relevant cabinet member, to make any future amendments to the policy, deal with the day to day management, implementation of the policy and setting of the fee for long-term mooring at Wilsham Road.
Reasons for decision	<p>The Vale Council has for several years made its moorings available to visiting boaters and has taken informal action to make sure that boaters do not overstay and restrict the space available for new visitors. However, the Vale Council has not, until now, had a formal policy that sets out the terms and conditions for the use of its moorings and therefore officers' ability to move overstayng boats has been limited.</p> <p>The primary objective of the moorings policy is to encourage more visiting boaters to moor at Abingdon and peacefully enjoy the moorings, the town and surrounding area. This will be achieved by a policy that allows boaters to moor their boat free of charge in Abingdon for a reasonable amount of time but discourages overstayng or any misuse of the moorings.</p> <p>The secondary objective of this draft mooring policy is to provide suitable moorings for residents of the district to moor their boats. This will be achieved by a policy that allows boaters to pay an annual fee to moor their boat at Wilsham Road.</p> <p>In 2014, two consultation meetings were held (on 12 May 2014</p>

and 4 November 2014) to discuss issues with Abingdon moorings following complaints regarding overstay on Vale Council owned moorings.

Both consultation meetings were attended by representatives from the boating community, River Users Group, River Thames Alliance Moorings Group, Environment Agency, Abingdon town council councillors and officers, Vale of White Horse district councillors and officers, Choose Abingdon Partnership, Abingdon Chamber of Commerce and various individual businesses and boaters.

It was agreed at the workshops that a formal policy would be an effective way of dealing with the issues that have arisen on the river. As a result research was undertaken on best practice in managing moorings and an initial draft policy was produced.

Since 2014, the Vale Council has employed a moorings inspector on a casual basis to monitor the moorings and a dedicated email address moorings@southandvale.gov.uk has been established for reporting issues and concerns about the moorings. This has been effective in reducing the problem of overstay in the main. However, the area at Wilsham Road has been more problematic due to poor signage and a number of boats refusing to move on, creating anti-social behaviour and a nuisance to local residents.

Following the last workshop in November 2014, it was agreed to establish a small working party to take forward actions from the meeting. This group involved representation from Abingdon Town Council, the Environment Agency, the Abingdon Chamber of Commerce and the Vale Council. This group identified the need for improved signage and a leaflet to promote the new policy.

The delay in finalisation of the policy has been due to the delay in registration of the Vale Council owned land with the Land Registry which has been ongoing since 2013. However, the relevant areas associated with the moorings were confirmed by the Land Registry in August 2016 as being registered to the Vale Council, enabling the policy to be finalised.

Abingdon Town Council has been consulted during the development of the policy, most recently at the meeting of its Planning, Highways and Consultations Committee on 8 August 2016 when the draft policy was discussed.

In September 2016, Scrutiny committee considered the draft policy. At this point it was considered that there was a need to establish a bylaw under S235 of the Local Government Act 1972 in order to implement the policy. However, subsequently legal advice was provided that determined that by making minor changes to the wording of the policy that it could be implemented without a bylaw in place. This means that the policy will be enforced using the Vale Council's powers as landowner.

	<p>In December 2016, the draft policy was published on the Vale Council's website. Feedback from members of the public following the publication of the draft policy on the website highlighted the need to make the long-stay moorings on Wilsham Road available not just to the residents of Wilsham Road. As such the policy has been updated to open the application process to all residents of the Vale district.</p>																												
<p>Alternative options rejected</p>	<p>The Vale Council could choose not to adopt the policy and continue with the current arrangement. However it is felt that it is appropriate for the Vale Council to have a policy in place in order to deal with any overstayng boats in the future. It also offers residents of the district the opportunity to have a long-term mooring which is regularly requested by members of the public.</p>																												
<p>Legal implications</p>	<p>By implementing this policy there will be legal implications in respect of enforcing overstayng boats and those who return within the three day window. The policy represents a legitimate means of enforcement.</p>																												
<p>Financial implications</p>	<p>The policy offers the Vale Council the opportunity to generate a new source of income, particularly in relation to the Wilsham Road area. On an annual basis, a fee needs to be determined as to how much the Vale Council will charge for these residents' moorings.</p> <p>The current cost for employing the services of a casual moorings inspector is around £1,000 per year. However with the new policy there will be an additional cost for more regular monitoring and any legal enforcement. In addition, there will be the cost of officer time to manage annual bookings for the Wilsham Road area.</p> <p>There will be a cost associated with replacing and implementing new signage. It is hoped that delivery of the new signage will be support by Abingdon Chamber of Commerce and Abingdon Business Improvement (BID) board.</p>																												
<p>Other implications</p>	<p>n/a</p>																												
<p>Background papers considered</p>	<p>n/a</p>																												
<p>Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?</p>	<p>n/a</p>																												
<p>List consultees</p>	<table border="1"> <thead> <tr> <th data-bbox="1890 970 1921 1129"></th> <th data-bbox="1890 778 1921 970">Name</th> <th data-bbox="1890 331 1921 778">Outcome</th> <th data-bbox="1890 146 1921 331">Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="1921 970 1953 1129">Ward councillors</td> <td data-bbox="1921 778 1953 970">Katie Finch</td> <td data-bbox="1921 331 1953 778">No comments received</td> <td data-bbox="1921 146 1953 331"></td> </tr> <tr> <td></td> <td data-bbox="1953 778 1984 970">Helen Pighills</td> <td data-bbox="1953 331 1984 778">No comments received</td> <td data-bbox="1953 146 1984 331"></td> </tr> <tr> <td></td> <td data-bbox="1984 778 2016 970">Alice Badcock</td> <td data-bbox="1984 331 2016 778">No comments received</td> <td data-bbox="1984 146 2016 331"></td> </tr> <tr> <td></td> <td data-bbox="2016 778 2047 970">Mike Badcock</td> <td data-bbox="2016 331 2047 778">Concern over effect on fishing rights</td> <td data-bbox="2016 146 2047 331">07/03/17 & 15/03/17</td> </tr> <tr> <td></td> <td data-bbox="2047 778 2078 970">Margaret Crick</td> <td data-bbox="2047 331 2078 778">and design of map</td> <td data-bbox="2047 146 2078 331"></td> </tr> <tr> <td></td> <td data-bbox="2078 778 2110 970">Sandy Lovatt</td> <td data-bbox="2078 331 2110 778">No comments received</td> <td data-bbox="2078 146 2110 331"></td> </tr> </tbody> </table>		Name	Outcome	Date	Ward councillors	Katie Finch	No comments received			Helen Pighills	No comments received			Alice Badcock	No comments received			Mike Badcock	Concern over effect on fishing rights	07/03/17 & 15/03/17		Margaret Crick	and design of map			Sandy Lovatt	No comments received	
	Name	Outcome	Date																										
Ward councillors	Katie Finch	No comments received																											
	Helen Pighills	No comments received																											
	Alice Badcock	No comments received																											
	Mike Badcock	Concern over effect on fishing rights	07/03/17 & 15/03/17																										
	Margaret Crick	and design of map																											
	Sandy Lovatt	No comments received																											