

**Salcombe Harbour Board – 6 June 2007****MOORINGS POLICY****Report of Head of Service Salcombe Harbour****Statutory Powers: Pier and Harbour Order (Salcombe) Confirmation Act 1954**

**Financial Implications:** None in the preparation of the Moorings Policy other than officer time although there will be financial implications for Harbour Income following the implementation of the Moorings Policy.

**Purpose**

To appraise Members on the progress with the review of the Moorings Policy and to seek approval of a time table for full public consultation through to adoption of the revised Moorings Policy.

The Moorings Policy supports South Hams objectives of good jobs (CP2), retention of the district's character (CP3), an accessible council (CP5) and value for money (CP6).

**Recommendations****That the Harbour Board RESOLVES to:**

- a. **Endorse the work completed to date on the Moorings Policy.**
- b. **Agree the timetable for development of the Mooring Policy**
- c. **Publish the first draft of the revised moorings policy for public consultation.**

**Background**

1. The moorings policy has to date, been an integral part of the Salcombe Harbour Policy Document. The most recent Policy Document, which is published on the Salcombe Harbour Web page omits some fundamental areas of moorings policy that were within the Policy Document dated January 1993. In practice, the Harbour staff has been using the 1993 Policy Document as the authoritative policy document, in the absence of any other policy guidance.
2. Not having an authoritative document is clearly unsatisfactory, therefore this revision of the Moorings Policy is proposed to update current practice and provide a reference document to ensure that Harbour Board policies regarding moorings can be administered fairly for all harbour users.
3. An Equalities Impact Assessment (EIA) of the policy has been conducted.

4. Harbour Board members have reviewed two iterations of the current draft at workshops on 27 February and 1 May 2007. The resultant 1<sup>st</sup> draft is at Appendix 1.
5. Summary of revisions from previous policy:
  - An introduction has been added to set the context for the moorings policy within the Harbour Board's Vision and Strategic Objectives (1.0).
  - An explanation of the ownership of the fundus and the relationship with the Duchy of Cornwall has been added (2.0).
  - The moorings usage within each of the different areas of the Estuary has been added (4.0).
  - An intention to review the policy every five years has been introduced (5.0).
  - Clarification over the fact that a mooring facility is not transferable has been added (6.2).
  - Clarification of the operation of the "A" and "B" waiting lists has been added (6.3).
  - There are a number of changes to the provision of moorings for visitors (6.4):
    - The normal maximum length of stay for visiting yachts is one month.
    - Between mid October and 1 April mooring charges are waived, thus only harbour dues are paid.
    - Promotions to encourage visiting yachts to stay longer are introduced.
  - Clarification has been added to the arrangements for vessels absent for more than 2 years on extended cruises has been added (6.5).
  - Deep water pontoon berths will be charged for the facility allocated, which will be authorised to berth a vessel up to a maximum permitted size.
  - The size of vessels using the pontoon berths will remain at 2m beam, however the Harbour Board will review this policy when new infrastructure is introduced (6.7).
  - Changes to the usage of Whitestrand Pontoon, including charging during July and August (6.8).
  - The use of Normandy Pontoon by resident boats (6.9).
  - Changes to the policy for Houseboats (6.11).
  - Changes to the procedure for the allocation of moorings to businesses (6.13).
  - The level of third party insurance requirement has been raised to £3,000,000 ((6.14).
  - Clarification over the allocation of pontoon berths to disabled sailors (6.15)

## Way Forward

6. It is proposed that Members consider the time table which sets out the development phases of revised Moorings Policy:

<b>Timeline to Publishing Salcombe Harbour Strategic Business Plan</b>	
6 June 2007	Harbour Board consider 1st Draft of Moorings Policy and, subject to any minor amendments, approves publication for public consultation.
20 July 2007	Moorings Policy Public Consultation closes
25 September 2007	Harbour Board Consider revised moorings policy for formal adoption.

## Value for Money

7. Delivering Value for Money is one of the Harbour Board's Core Principals. A Moorings Policy which is fair to all and clearly understandable and enforceable is fundamental to delivering value for money for the harbour users.

## Risk Assessment

<b>Risk</b>	<b>Mitigation</b>
The Harbour Authority is not delivering a satisfactory service to harbour users.	The Harbour Board, through its contact with harbour Community Forums will monitor the stakeholders' reaction to the service provided and keep the Moorings Policy to under regular review in order to remain relevant to the majority of harbour users' requirements.
The Harbour Board fails to comply with its statutory responsibilities.	Continuous monitoring and an annual audit by an independent designated person will highlight potential issues early to enable corrective action to be taken.
The Harbour Board is accused of discrimination in its allocation of harbour facilities.	As part of the policy review an Equality Impact Assessment has been undertaken to ensure compliance with equality legislation and the needs of Harbour users. The Harbour Authority will have a fit for purpose moorings allocation policy which is strictly adhered to and kept under constant review.
Data Protection, disclosure of information and Freedom of Information (FOI).	Harbour records, including customer accounts are maintained within the office. Staff training is given to prevent any unauthorised disclosure. FOI forms are required before any information is given out.

Corporate activity with an impact on Areas of Outstanding Natural Beauty, National Parks, and Sites of Scientific Interest.	The Harbour Authority part fund a Marine Conservation Officer who monitors all activity within the estuary to ensure the harbour Authority fully respects the ANOB and SSSI status of the Estuary. The moorings policy clearly sets out what activity is allowed within the various areas of the Estuary.
Financial Risks and Impact on Councils Assets	By monitoring performance in relation to the moorings policy, the Harbour Board will be in a strong position to invest Harbour Funds where they can provide the best value for money and return on investment and safeguard the Harbour's future on behalf of the District Council.

## Conclusion

8. The Moorings Policy is fundamental to the management and operation of the Harbour. The updated policy detailed in this first draft will give the public clear information on how the moorings are managed and allocated and the Harbour staff clear guidelines to work to.

Ian Gibson  
Head of Service Salcombe Harbour

Salcombe Harbour Board  
6 June 2007

## Background Documents:

Salcombe Harbour Policy Document January 1993  
Salcombe harbour Policy Document (undated) (2004)

Appendix:

1. Salcombe Harbour Moorings Policy – 1<sup>st</sup> Draft