

Salcombe Harbour Board – 25 September 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.

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. **Recommend to Council that the second draft of the Moorings Policy be adopted as policy.**

Background

1. The first draft of the revised moorings policy was published for public consultation in June 2007 with a closing date of 20 July 2007 and an Equalities Impact Assessment (EIA) of the policy has been conducted.
2. 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.

Consultation Feedback

3. In total there were only seven responses to the Moorings Policy Consultation Document. Of these three were from individuals and the balance were collective responses from the following organisations:
 - Salcombe Town Council
 - Kingsbridge Town Council
 - Salcombe and Kingsbridge Estuary Association
 - Kingsbridge Estuary Boat Club

4. The low number of responses to the consultation document reflects the fact that the majority of harbour users are content with the draft Policy, which is not radically different from the current policy. This is not surprising as the majority of harbour users already have a mooring and for those currently waiting, the current policy favours the SHDC 100% Council Tax payer over all others. The questions posed in the consultation document were:

Q1. Does the moorings policy clearly explain the guidelines for mooring allocation within Salcombe Harbour?

Q2. Does the moorings policy cover the aspects of mooring allocation as it applies to your circumstances?

Q2. Are there any other aspects you would like to see detailed in the Moorings Policy?

5. The complete consultation feedback can be found at Appendix 1.
6. The consultation feedback raised a number of points of detail, which have been clarified in the second draft, which is at Appendix 2. However, it was clear from the feedback that there is considerable discontent amongst the harbour users who fall into the 90% Council Tax category. The current policy segregates the waiting list for harbour mooring facilities into an A and B list. The A list (100% Council Tax) take priority over the B list (90% Council Tax), which does not move whilst there are any names on the A list. The only benefit of being on the B list is that, should an individuals circumstances change and the start paying 100% Council Tax, they transfer to the A list with a seniority of when they joined the B list.
7. As the Salcombe and Kingsbridge Estuary is such an attractive place to live and such a popular holiday destination, a problem with the supply and demand for mooring facilities has arisen. There is a shortage of moorings and pressures from more and more customers for facilities set against the conflicting and often contradictory pressures of an Area of Outstanding Natural Beauty (AONB) and Site of Special Scientific Interest (SSSI). This shortage of mooring facilities and the resultant waiting lists is one of the most difficult issues the Harbour Authority has to tackle. The waiting list situation is driving behaviour of mooring holders who are reluctant to relinquish moorings, thus compounding the already difficult situation. Considering the implications of the waiting list policy, Members may wish to debate this point further before finalising the second draft of the revised Moorings Policy.
8. To address the issues raised by the consultation feedback surrounding the A and B lists the following proposals have been incorporated into the second draft to try to satisfy the demand for moorings whilst ensuring the priority for mooring allocation is to residents of the South Hams:
 - a. The A and the B list will remain.
 - b. Moorings will be allocated to Category "A" in preference to Category "B".

- c. Category “B” applicants will transfer to category “A” if and when their circumstances change and they start paying 100% Council Tax in South Hams District. They will transfer with a qualification date of their original application.
- d. Category “B” applicants will be given priority for booking of visitor foreshore moorings. Bookings will be accepted from customers who are on the Category “B” waiting list for a finite period before bookings are accepted from the general public.
- e. Harbour Authority foreshore mooring and pontoon berth holders not using their mooring for a period of seven days or more are to inform the Harbour Authority. These moorings, where practicable, will be made available to visitors on weekly contracts. In the event of a mooring being re-let by the Harbour Authority, the mooring contract holder will receive a rebate of their mooring fees. The level of rebate will be set and reviewed annually.
- f. There will be a small increase in the number of visitor moorings available for weekly contracts.

Value for Money

- 9. 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

Risk	Mitigation
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

10. The Moorings Policy is fundamental to the management and operation of the Harbour. The second draft attempts to address the issues raised during the consultation process. Before the draft policy is recommended for adoption, it is considered imperative that the issue of the A and B waiting list and the proposed measures to address the every increasing supply and demand issue are fully debated.

Ian Gibson
Head of Service Salcombe Harbour

Salcombe Harbour Board
 25 September 2007

Background Documents:

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

Appendix:

1. Moorings Policy 1st draft, Consultation Feedback
2. Moorings Policy 2nd Draft