



To: Executive Councillor for Public Places: Councillor Andrea Reiner
Report by: Head of Streets and Open Space
Relevant scrutiny committee: Environment Scrutiny Committee 8/10/2013
Wards affected: Abbey, East Chesterton & Market

AN UPDATE ON MOORINGS AT RIVERSIDE Non Key Decision

1. Executive summary

1.1 This report sets out the results of the recent consultation (Spring 2013) on exploring options for the future management of the moorings at Riverside.

1.2 The City Council has asserted its ownership of, and registered its title¹ to, the subsoil of Riverside. The registration of title provided an opportunity to consider management options for moorings at Riverside.

1.3 In early 2013, Officers carried out an assessment of the possible approaches that could be adopted at Riverside. The appraisal was intended to assist identification of suitable solutions for addressing the management of moorings, whilst minimising or mitigating any adverse effects of any solution.

1.4 The Council identified six possible options for the Riverside Wall moorings. None of these has been tested for legality, technical feasibility, or cost, as it was felt appropriate to put all options to consultation before going to the expense of detailed feasibility appraisal on options that might actually prove unacceptable to the public interest

1.5 The Council expressed a wish to consult with statutory and other bodies concerned with Riverside, and, with boat owners, local residents, and other stakeholders, to ensure that any final decision is informed by an appropriate range of views.

1.6 This report intends to inform and make recommendations on the development and feasibility of a shortlist of options, set within the context of the consultation findings.

2. Recommendations

The Executive Councillor is recommended:

a To instruct Officers to carry out feasibility work on options 2 & 3 (detailed at paragraph 3.6); and to consult on Executive Councillor approved solutions and to report back consultation findings to Environment Scrutiny Committee for further consideration and decision.

b Not to pursue creating solutions for options 1,4,5 & 6, (detailed at paragraph 3.6) at this stage, and not to consult on these options further, but not to discount these options completely until the outcomes of further study of options 2 & 3 are known.

3. Background

3.1 Cambridge City Council manages residential moorings on the River Cam, and over a number of years has developed a moorings policy that governs the way this service works.

3.2 The existing City Council Moorings Policy was approved by the Executive Councillor for Community Development and Leisure on the 24th March 2005, and it currently does not cover land at Riverside.

3.3 Following a review of the Moorings Policy, The Executive Councillor for Arts and Recreation on the 18th January 2007 approved the recommendation; to instruct officers to continue to assist the County Council in relation to consideration on moorings issues on the Riverside Area.

3.4 The County Council until recently was believed to be the owner of land at Riverside as detailed in Appendix A. There is evidence that supported a claim, that the City Council is in fact the riparian owner. The successful claim to register an interest in/ or ownership of the land at Riverside with the Land Registry by the City Council allows the Council to consider how it wishes to manage this land and regulate any moorings or any other activities.

¹ Title no. CB368081, dated 17 Feb 2012

3.5 In a report to the Executive Councillor for Art, Sports and Public Places on the 12th January 2012 it was recommended that any decision on the future management of the land at Riverside should be informed by the views of different groups of people, who have a reasonable interest in what happens to this area.

3.6 A consultation was approved by the Executive Councillor that considered:

- Option 1: Permit mooring on Riverside wall, integrating the area into the city's mooring policy;
- Option 2: Permit mooring on Riverside wall, but not where the river is narrowest;
- Option 3: Ban mooring on Riverside wall, and relocate Riverside craft to other locations on the river;
- Option 4: Ban mooring on Riverside wall and give existing resident moorers notice to vacate;
- Option 5: Re-organise mooring so as to make Riverside a visitor mooring area only, opening up existing visitor moorings for residential use;
- Option 6: Do nothing; leave things as they are.

3.6.1 Opportunity was also provided to suggest alternative options (labelled Option 7 in this report).

3.7 A total of 650 people took part in the consultation through either the questionnaire or a separate letter; in addition 348 other responses were received through a campaign and 77 through an associated petition. A total of 1,075 people have been counted as taking part. Residents account for just over half the questionnaire response (about a third of these live on streets close to Riverside), and a third are rowers; other interests are represented in smaller numbers.

3.7.1 The results have been analysed in two ways: the overall preference of each respondent, and their opinions on individual options.

3.8 Analysis of individual responses

Interest group	Option							
	1	2	3	4	5	6	7	N
Riverside moorer	7	1	0	0	1	6	2	17
Licensed moorer	7	5	3	5	3	4	2	29
Waiting list	10	3	0	1	2	4	5	25
Riverside resident	14	19	11	26	4	15	8	97
Other resident	22	45	11	29	2	24	11	144
Rower	2	50	34	50	4	3	11	154
Angler	2	0	1	2	0	2	1	8
Other interest	17	17	3	11	7	9	5	70
Overall	72	117	57	108	21	65	36	476
Overall %	15%	25%	12%	23%	4%	14%	7%	

Table 1: Preferred option (individuals)²

3.8.1 The leading individual choice is Option 2, whereby mooring would be permitted on Riverside Wall other than at the narrowest points of the river. This option achieves a quarter of the total response. Whilst Option 2 is thus the front runner, it is by no means a consensus choice, with three people preferring an alternative to every one person who chooses this option.

3.8.2 Option 4, the option which bans mooring at Riverside and gives existing occupants notice to vacate, is in fact very close behind. Only a handful of preferences separate this result from that for option 2, and again it accounts for around a quarter of the overall result.

3.8.3 All the other options have their advocates, with Option 1, whereby Riverside is integrated into the City Council mooring policy, securing 15% of the overall individual vote, and Option 3, which bans mooring on Riverside and relocates existing moorers, around 12% overall. Option 6, the 'Do nothing' option, is favoured by 14% of respondents, around one in every seven of those taking part.

² The overall result counts each response once; but the breakdown allows each response to be counted within each group to which the respondent belongs, which is why the figures in the final column total more than the overall number of votes cast.

3.8.4 Option 5, which re-designates Riverside as visitor moorings, receives relatively little support, with just 5% choosing this as their preferred option.

3.8.5 Moorers generally favour Options 1 and 2, with Option 1 a strong preference for those resident at Riverside Wall.

3.8.6 Licensed moorers favour Option 1 but spread their support fairly thinly across all the options with no distinctive preference. Option 1 is also a strong preference for those on the waiting list to secure a Cam mooring, but this group offers only limited support for any of the other options.

3.8.7 Residents are divided on their preference. Riverside residents tend to favour Option 4, but not by a significant margin; Option 2 is also quite popular here, and so are Options 1 and 6. Other residents are most likely to choose Option 2, but there is also support in this group for Option 4, and to a lesser extent for Options 1 and 6. Residents thus show no clear consensus, either collectively or when broken down into component groups.

3.8.8 Rowers similarly divide on preferences, split between Option 2 and Option 4, which attract rowers' support in equal measure. A substantial minority of rowers choose Option 3, but few look for their preferred solution in any of the other options.

3.8.9 Anglers show no consensus, other than rejecting Options 2 and 5 completely.

3.9 Opinion on options

3.9.1 Option 1 generates a polarised view. Over half of respondents dislike this option, but 41% are favourable. Moorers tend to favour this option, but rowers oppose it; Riverside residents tend to dislike it, but those from elsewhere in Cambridge are more favourable.

3.9.2 Option 2 response is also polarised, but this time the position is reversed; Over half of respondents like it, but 38% are opposed to this solution. Moorers are generally positive, and a majority of rowers like it. Riverside residents divide on the proposal, with a majority opposed to it, whilst other residents tend to like it.

3.9.3 Option 3 also generates a polarised view, with a majority disliking it, and a substantial minority finding things to like about it. Moorers, anglers, and people on the waiting list, dislike it strongly. Riverside residents tend to be favourable, but a significant group of these express strong dislike for this option; other residents tend towards a negative position. Rowers are especially likely to favour this option.

3.9.4 Half of all respondents dislike Option 4, with a significant minority in favour. Riverside moorers dislike this option, but some of their licensed counterparts think it has merits; the waiting list also dislikes this option strongly. Riverside residents are divided almost evenly on this option, but other residents tend to be negative about it. Rowers, on the other hand, like it a lot.

3.9.5 Three-quarters of respondents dislike Option 5, more than half of them disliking it strongly. No respondent group favours this option; support tends to be small numbers in each group.

3.9.6 Option 6 is rejected by two thirds of respondents, with significant levels of strong dislike. Although it is liked by Riverside moorers, and by some licensed moorers and waiting list respondents, Riverside residents strongly oppose this option, with support from other residents. Rowers find little to like in this option.

3.10 Stakeholders and other organised responses

3.10.1 An organised campaign attracted considerable volumes of support, both in terms of letters and emails (348 responses) and a petition (77 responses). The text of the campaign letter is not specific about a preferred option, but expresses what are clearly widely held opinions on some of the issues concerned. The key messages of the campaign letter are these:

- boats should remain on Riverside (this rules out options 3, 4 and 5)
- boats are an important element in a diverse local community
- moored craft at Riverside are part of the area's history, and have been there much longer than many land-based residents
- there is nowhere for displaced boaters to go (this suggests that options 2, 3 and 4 are ruled out)
- existing regulations should be enforced, and derelict boats removed
- mutually satisfactory solutions should be sought
- existing residents should not be displaced (this rules out options 3, 4 and 5)

3.10.1.1 In essence, then, the campaign tends to support Option 6 (the 'do nothing' option), except that it also calls for the enforcement implicit in the mooring policy, which is an important element of Option 1

3.10.2 The National Barge Travellers' Association, which represents the views of liveaboard boaters, also favours Option 6, which best protects the interests of their constituency and their rights under the European Convention on Human Rights.

3.10.3 The Cam Conservators express a desire for change, and call for a full feasibility study on Option 2 (which would require their permission). Should an engineered solution prove infeasible, they suggest consideration of Options 3 and 4. The Environment Agency expresses informal support for the Conservators' view, but prefers Option 3 to Option 4.

3.10.4 The Riverside Area Residents Association do not express a preferred option, and encourage their members to express their own views direct to the consultation; however, they reject Option 6 completely. The Association does however seek some assurances on the wider interests of its members, and also on the need to manage any change sensitively.

3.10.5 Rowing clubs tend to favour Option 2, with Options 3 and 4 also popular.

3.11 Option 7 – Alternatives

3.11.1 The consultation allowed the opportunity for respondents (both stakeholders and individuals) to suggest additional options. Several took the opportunity, but in many cases they restate issues already clarified under existing options, emphasising points that have already been made, or indicating where their priorities lie, rather than offering genuine alternative suggestions. Thus there are many comments about removing the derelict or unoccupied craft, prioritising the needs of one group against another, imposing charges on all moorers regardless of the preferred option, and - above all - ensuring that rules and regulations are applied to moorers and properly enforced.

3.11.2 There are nevertheless some new points made under this heading, and the most commonly mentioned seventh option is the possibility of creating additional moorings which might accommodate the Riverside moorers, or increase the potential for visitor mooring, or both. The most commonly suggested solution within this idea is the creation of a marina, perhaps at Fen Ditton although other locations are also suggested. The flood relief elements of the CamToo project, which if implemented would create additional mooring space, are mentioned here. The creation of these facilities is recognised and supported, however, there are many unknowns with delivering these projects and therefore their timescales do not fit with the decisions needed from this report.

3.11.3 A potentially simpler solution that might replace Options 1 and 2 is the introduction of gates and ladders into the railings, as an alternative to pontoons, providing access to those locations where mooring might safely be permitted on this stretch; the Conservators comment on this possibility as well. Another suggestion is to integrate Riverside into the existing scheme, but charge a lower fee for mooring there to recognise the access issues.

3.12 Conclusions

3.12.1 Whilst this is a genuine attempt to summarise the views of stakeholders, the summary necessarily abbreviates the opinions and representations made; and several other stakeholders and interest groups also express a view.

3.12.2 There is no clear consensus in this consultation to guide the Council towards a particular solution for Riverside. However, there is broad agreement that will help the Council to narrow down its options ahead of the next stage of work on this issue.

3.12.3 Although Option 6 (Do nothing) is the preferred option of a large number of people responding to a campaign, the Council has already committed to taking some action.

3.12.4 Option 5 (visitor moorings) has little support, and its cost is not justified by the benefits it secures.

3.12.5 Option 4 (ban mooring, evict moorers) is popular in some quarters, and the second most popular solution overall, but is regarded as too drastic a solution, and insufficiently sensitive to the needs of those who would lose their moorings.

3.12.6 Option 1 (keep mooring, integrate into Mooring Policy) has some support, but does too little to address the legitimate concerns of rowers and local residents. Under Option 1, the problems they identify would remain unabated. It is also costly, although some of that cost would be recoverable through licence fees; and it would call for a much stronger enforcement regime than is currently in operation.

3.12.7 Option 3 (ban mooring, relocate Riverside moorers) has moderate levels of support, but this is held down because there is a widespread view that the Council does not have sufficient mooring space to allow this option to be implemented.

3.12.7.1 More space could be created temporarily on Council land to accommodate those removed from Riverside and no new licences issued from the waiting list until the numbers return to the 70 prescribed in the current Moorings Policy. This option has possibilities, although the waiting list is penalised by it - unless the Council can demonstrate that it has enough spare capacity to introduce this option without taking up spaces that would otherwise have been offered to the waiting list.

3.12.7.2 This option could provide for a 'grandfathering' provision, so that Riverside moorers would take a place on the waiting list and allow them to moor at Riverside until a mooring on the Council's Mooring Policy becomes available. This approach would mean that those on the waiting list and those at Riverside would be treated equally, however it does not overcome possible health and safety concerns about unsafe moorings.

Option 3, would require

- the completion and implementation of the enforcement process currently being undertaken against licence breaches in the mooring policy;
- the identification of additional locations within the mooring policy areas;
- explanation to the waiting list that their status is not compromised by this;

3.12.8 Option 2 (allow Riverside mooring, but only where river is widest) is widely recognised as offering something to everyone, and as a good compromise. This is positive, but leaves open the question of whether the 'something' it offers is enough to satisfy different groups' expectations. There are also questions of feasibility to be explored, both in terms of engineering feasibility (access and achieving a stable platform) and the required consents of statutory bodies including the Conservators and the County Council. This option receives enough support, and achieves enough of the Council's Vision, to merit further consideration. Option 2, could be explored further by

- The identification and quantification of spaces at wider points³, compared with the number of boats requiring space;
- Exploration of the planning position and the standing of any moorings that may thus be created;
- An engineering and safety-related feasibility study;
- Working up and detailing the design of land point pontoons, access ladders and gates.

3.12.9 The consultation seems to rule out Options 5 and 6 altogether. Option 4 may also be discarded as contravening the Council's commitment to minimise hardship, while Option 1 would need consideration as to how any suggested solution could overcome opposition to it.

4. Implications

(a) Financial Implications

i) The cost of carrying out the feasibility study and Option appraisal is estimated at.....
A subsequent round of consultation would cost in the region of £2,500 plus VAT.

ii) If consultation results recommend extending the Council's mooring scheme along Riverside, and licensing moorings, we would need to undertake works alongside the embankment. These might include the installation of a landing pontoon to the river and improved means of access; e.g. Ladders. The cost of these works could be significant and approximately £12,000 to £20,000 for every two boats. There is £75,000 in the Council's Capital Plan for 2014/15 reference number SC561 for this work should it be required.

iii) A further consequence of permitting mooring would be that the Council would be expected to regulate any nuisance caused by those living on boats. The income received from any licence fees would (if set at the current fee) be sufficient to allow regular enforcement visits.

iv) If mooring were to be permitted, we would need consent from the Cam Conservators. The position in respect of planning permissions would need to be established, before any subsequent recommendations.

v) If the Council decides to prohibit mooring, along all or part of Riverside, this would give rise to several issues:-

- There would be a resource implication, for Legal Services in taking any court action necessary against boats moored without the Council's authority. There would also be resource implications for the Streets and Open Spaces team in evidence gathering.
- To indicate a prohibition of mooring by signs may be an issue (e.g. planning issues) with placing signs in such a sensitive location. It may also be considered necessary to install some sort of physical barrier to mooring; e.g. a string of marker buoys. There would be a cost to installing and maintaining a barrier.

(b) Staffing Implications

There are no staffing implications beyond normal duties.

³ The Cam Conservators areas for mooring are detailed on Appendix A

(c) **Equal Opportunities Implications**

A full Equality Impact Assessment will be completed prior to the creation of any future policy recommendations to be made to Environment Scrutiny Committee

(d) **Environmental Implications**

The recommendations contained within this report have no climate change impact but future options should improve the local environmental quality.

(e) **Procurement**

There are no procurement implications at this stage.

(f) **Consultation and communication**

The Council has committed to further consultation before any attempt is made to implement a decision on any of these options, but has also indicated that it intends to rule some options out at this first stage. Any future consultation will therefore need to be more focussed on available options, and will also benefit from a higher level of information to guide respondents as to their preference in response. This will include engineering assessments of Option 2 (and by implication, Option 1) and appraisals of the potential for implementing Option 3, and their implications for existing river users, residents and the waiting list.

The first stage consultation has shown not only the presence of strong views within the different communities affected by this situation, but also highlights the lack of consensus. A future consultation will need to be careful to ensure that information provided to inform participants is neutral in tone and needs to avoid any suggestion of leading respondents towards a preferred solution. But it also needs to be comprehensive and balanced as to the presentation of advantages and disadvantages, as this first stage consultation has been.

It may be that the feasibility studies identify costs or other implications that affect the deliverability of these options, so it would be unwise to rule out all other options from the second stage consultation; but any reintroduction of these options should be supported by clear and unequivocal argument and explanation. However, there is little merit in reconsidering Option 5 (low support) or Option 6 (contrary to existing Council commitment) at this second stage.

An online approach is the most cost-effective way of achieving a satisfactory level of participation, but will need to be supported by paper-based options as Riverside moorers in particular have preferred this method of response, and should not be inadvertently excluded by the methodology. The Council may also expect to receive letters and perhaps other campaign materials promoting particular viewpoints, including those which are not being explored further at this point.

Because feelings run high, and because there are a variety of interests to be heard here, a public meeting is also suggested to allow presentation and discussion of the feasibility study findings for Options 2 and 3. Whatever decision is made will inevitably disappoint some residents and this disappointment may be heightened if they feel their voices have been insufficiently heard; a public meeting will provide an opportunity for these points to be made. However, a wider consultation is needed to ensure that those with softer voices, or who lack the confidence to stand up in public, are also heard.

(g) **Community Safety**

The recommendations have no direct impact on Community Safety, however, the outcomes of the consultation will detail concerns and areas to be covered when drafting future policies relating to the management of /and regulation of moorings at Riverside

5. Background papers

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

12/10/CS Riverside Riparian Ownership & Moorings

Consultation briefing note on Riverside Moorings

Mooring at Riverside Wall - Summary Report on consultation

Moorings at Riverside Wall – A report for Cambridge City Council by Phil Back Associates Ltd, May 2013.

<https://www.cambridge.gov.uk/riverside-mooring-options-consultation>

6. Appendices

Appendix A - Map showing land at Riverside and Cam Conservators Mooring areas

7. Inspection of papers

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

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