



CATTEWATER  
HARBOUR  
COMMISSIONERS

# MOORINGS' POLICY

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LAT 50° 21.5' N LONG 4° 07.0' W VHF Channel 14/16

# CONTENTS

POLICY	
1	Introduction   Page 3
2	Statutory Position   Page 4
3	Rights of Navigation   Page 4
4	The Seabed   Page 4
5	Duchy of Cornwall   Page 4
6	Environment   Page 4
7	Charging   Page 5
8	Management Principles   Page 5
9	Types of mooring   Page 5
10	Mooring succession   Page 6
11	Mooring season / winter maintenance   Page 6
12	Termination of mooring / license   Page 6
13	Shared boat ownership   Page 6
14	Visiting vessels   Page 6
15	Self-maintained moorings   Page 6
16	Applications on private fundus   Page 7
17	Maintained mooring   Page 7
18	Beach berthing   Page 7
19	Mooring prices   Page 8
20	Harbour Dues   Page 8
21	Harbour Dues exemptions   Page 9
22	Example of expected mooring specification   Page 10

# 1 | INTRODUCTION

**Cattewater Harbour Commissioners (CHC) exist by Act of Parliament as the navigation and conservancy authority for the Cattewater Harbour, as well as civil pilotage authority for the Port of Plymouth.**

**In broad terms they are required to maintain and order safe navigation for all manner of craft which might present themselves to the harbour by surveying and dredging the channels, maintaining navigation marks and lights, providing pilotage services and traffic regulation within the Cattewater and pilotage services to the remainder of the civil port.**

In order to do this, they are empowered to charge ship, cargo, passenger and pilotage dues to defray their costs and to maintain financial reserves.

Located on the south coast of Devon, Plymouth is the largest city on the southwest peninsular and is home to the largest naval base in Western Europe.

The primary harbour authority is the MoD who operate the port under the 1865 Dockyard Ports Regulation Act and the associated Dockyard Port of Plymouth Order 2020. Three separate statutory harbours (ABP Millbay, Sutton Harbour Authority and Cattewater Harbour Commissioners) operate within the Dockyard Port.

The Cattewater harbour limits are to the east of a line joining Mountbatten Breakwater to Fishers nose, bounded by Sutton Lock Gates to the North, and Laira Bridge to the East.

The aim of this document is to state CHC policy for the management of all moorings within harbour limits. The objective is to ensure that the mooring policies and practices are managed, safe, fair and in place to ensure water safety for its many stakeholders.

The document will be consulted on with the Cattewater Harbour User Group (CHUG) and shared with all leisure customers.



## 2 | STATUTORY POSITION

Cattewater Harbour is one of 118 Trust Ports in the United Kingdom, the Commissioners are the Statutory Harbour Authority ('the SHA') for Cattewater Harbour. As an SHA the Commissioners must act in accordance with the statutory provisions governing them and the purposes for which their statutory powers were granted. Legislation establishes a statutory duty on the CHC to safely manage the river. Main duties include vessel traffic and berth management, keeping the port open for navigation to commercial and leisure waterborne craft for trade or visits, oversight of a pilotage service to safely manage larger and /or less manoeuvrable vessels within harbour limits, and the operation of a Safety Management System (SMS) in response to the Port Marine Safety Code. Further details are on the CHC website.

Part of the duty of safely managing the harbour involves safety of vessels at moorings and / or berths and maintaining safe navigation through areas where moorings are laid.

CHC has tenure of a large proportion of the seabed (fundus) This area of river is leased from the Duchy of Cornwall on a long-term lease.

## 3 | RIGHTS OF NAVIGATION

CHC have the Duty to keep the harbour open for shipping and unshipping of goods and embarking and landing of passengers (on payment of rates) – s33 HDPC 1847 Act

To provide a clear and navigable channel. CHC has the authority to relocate vessels and / or moorings as necessary to achieve this.

## 4 | THE SEABED

The requirement for Harbour Authority consent for a mooring is located within the 1915 Byelaws. CHC has power to lay and use moorings (on fundus in which it has an appropriate interest) and also to license others to do likewise. Therefore, a licence is required from the Harbour Authority to lay, maintain or use a mooring anywhere in the harbour– even those parts of the harbour where it is not the lessee of the fundus.

## 5 | DUCHY OF CORNWALL

All activity connected with the harbour, through contact with or over it, forms an interest to the Duchy of Cornwall. The current lease agreement requires CHC to pay a percentage of all income derived directly from the use of the harbour to the Duchy of Cornwall. The Duchy therefore requires the harbour to be managed in a business-like way.

## 6 | Environment

The Cattewater Harbour Commissioners are committed to the aims and objectives of the Tamar Estuaries Consultative Forum (TECF), Whose remit covers the Tamar and Plym Estuaries and the Plymouth Sound. As a founder member, the Commissioners' contribute to the forum's work, and play an active part in supporting the work of Plymouth City Council's Natural Infrastructure Manager. For Plymouth Sound & Tamar Estuaries Marine Protected Area website, click here [www.plymouth-mpa.uk](http://www.plymouth-mpa.uk)

The Plymouth Sound is a designated a Special Area of Conservation (SAC). The Port has recently established an Air Quality Plan, which involves stakeholder engagement and commitment, as well as active air quality monitoring.

## 7 | CHARGING

CHC is self-financing and receives no external funding. Moorings' income represents a key source of income. CHC is not a profit-making organisation but needs to generate an operating surplus to enable investment for the future. Moorings are managed and charges will be set at a competitive level to provide a range of mooring options to suit as many river users as possible, good value for money and sufficient income to re-invest in the maintenance of and future improvements to the harbour. Charges for visitors and annual berth holders are levied based on the mooring type.

CHC reserves the right to retain discretion over any decision but will give reasons for any decisions taken that are not in accordance with stated policy.

## 8 | MANAGEMENT PRINCIPLES

The following overarching principles will be applied by the Harbour Authority to all moorings, whether Authority owned or under a self-maintained licence. In making decisions the following principles will be considered:

1. The requirements of navigation within the harbour.
2. Optimisation of the use of the harbour.
3. Conservation and environmental enhancement of the harbour.
4. Customer / Business requirements

## 9 | TYPES OF MOORING AND APPLYING FOR A MOORING

Within the Harbour there are a number of moorings available.

- Maintained Trot moorings
- Maintained swinging moorings (Drying + afloat)
- Self-maintained swinging moorings (Drying + afloat)

All self-maintained moorings, and 3rd party moorings and pontoons within the harbour limits must receive harbour authority approval, in the form of a mooring license before they are installed. These licenses must be renewed annually.

**The applicant will contact the Harbour Office Moorings manager and provide contact details, details of the vessel and mooring requirement. If the applicant does not own a vessel at the time of the application, a generic type of vessel and size should be provided.**

## 10 | MOORING SUCCESSION

CHC Leisure moorings are let to individuals only. If a family member wants to continue to benefit from a mooring on the death or incapacity of the licence holder, they should contact the office to discuss.

## 11 | MOORING SEASON / WINTER MAINTENANCE

A period of winter maintenance will take place annually, berths will be required to be vacated for a period of time. The details will be outlined in the agreement.

## 12 | TERMINATION OF MOORING / LICENSE

CHC may terminate a mooring or license for breach of the licence conditions, which includes meeting the specification of equipment being used, and satisfying the agreed inspection programme.

Similarly, we may remove a mooring holder or license holder if there has been a history of non-compliance with local legislation, breach of licence conditions, non-payment or unauthorised use of moorings, or for specific reasons, such as replacing the licensed mooring with a harbour managed mooring

## 13 | SHARED BOAT OWNERSHIP

Leisure moorings are let to individuals only. If more than one party owns a boat, this must be formally reported in writing from all parties to CHC with corroborating insurance documents stating the names of the owning parties.

## 14 | VISITING VESSELS

Cattewater Harbour is a great location to explore the city from and is adjacent to the Plymouth Sound. The CHC provide a number of swinging visitor moorings to the north of Mount Batten Breakwater. From this sheltered position it is only a two-minute transit to the Barbican Dinghy Pontoon, providing direct access to the historic waterfront and the Barbican. If you are using a visitor mooring harbour staff will reserve a space for your dinghy on the pontoon FOC.

## 15 | SELF MAINTAINED MOORINGS

This section applies to moorings where the mooring gear / tackle is owned by a party other than CHC. The right to lay and use a mooring within the harbour depends upon two essential premises:

1. The permission of the owner of and/or an appropriate interest in – the fundus / foreshore where the mooring is to be placed.
2. The written consent – in the form of an annual licence – from the CHC.

A licence to lay a mooring is a bare licence and is not an assignable property right. As CHC does not own the mooring tackle, these moorings should be referred to as 'self-maintained moorings. These Licences require an annual renewal. The moorings must meet all conditions set by the CHC and are liable to spot inspections.

Self-maintained mooring licence fees are to be paid in advance at the start of the berthing year.

The berths and moorings may only be used by vessels registered with CHC for a specific mooring. All vessels remain liable for Harbour Dues, wherever they are berthed / moored within harbour limits.

Requests to the CHC for mooring(s) on private fundus will not be unreasonably refused provided that the applicant complies with the licence terms and conditions and the proposal does not conflict with the primary navigational safety.

Self-maintained mooring licences are not transferable, wherever they are situated.

PONTOONS – Permission for pontoons within the harbour must be sought from the Harbour Authority in the form of a pontoon license.

## **16 | APPLICATIONS FOR A LICENSE ON PRIVATE FUNDUS**

CHC will consider written applications on a case-by-case basis. In considering such applications, the following will be taken into account:

Type of application:

The number, location and type of moorings in the application.

Pontoons connected to the shore will require planning permission. Other pontoons may require planning permission to ensure all statutory bodies are consulted. All works below MHW should be subject to an MMO licence. Applicants are strongly advised to enter into a dialogue with the CHC at the initial planning phase of any project so that outline agreement can be reached, and all planning and licensing requirements can be considered prior to the application for local authority planning consent and MMO licence.

Non-Commercial Pontoons:

Applications for non-commercial private pontoons will not be supported.

## **17 | MAINTAINED MOORINGS**

Trot Moorings - The Harbour Authority manage a number of maintained Trot moorings at the North of the Cattewater. These moorings are easily accessible from public slipways, and PCC dinghy parks.

Swinging (drying and non-drying) moorings are available. Drying moorings at the North of the river near Oreston, as well as a number of deep-water moorings North of Mount Batten Breakwater.

## **18 | BEACH BERTHING**

Most craft occupying beach berths are either over-wintering, in longer term storage or being worked on. They are mostly on private foreshore and form part of the pattern of affordable boating that CHC does not wish to inhibit. CHCs' permission is required for beach berthing in foreshore leased from the Duchy of Cornwall. CHC will not permit craft in any beach berth to become an unsightly liability. Responsibility for the condition of the vessels laid

up and for any necessary clearance of the foreshore will remain with the owner of the boat and/or the owner of the private foreshore.

Beached boats are liable for Harbour Dues.

## 19 | MOORING PRICES 2021

MOORING TYPE	PRICE PER ANNUM	Inc VAT
Self-Maintained mooring license (drying)	£150	£180
Self-Maintained mooring license (deep water)	£210	£252
Harbour Managed drying moorings	£280	£336
Harbour Managed swinging moorings (deep water)	£610	£732
Pontoon license (up to 30sq/m) or 10m in length.	£180	£216
Harbour Managed Trot Mooring < 30ft	£636.67	£764
Harbour Managed Trot Mooring <32ft	£715.00	£858
Harbour Managed Trot Mooring <36ft	£805.00	£966
Harbour Managed Hooe lake Trot Mooring <28ft	£440.00	£528
Harbour Managed Cocklebank Trot Mooring <36 ft / shallow draft	£636.67	£764
Beach Berthing	£50	£60
Registration Fee (new customers)	£22	£26

Note fees do not include Harbour Dues @ £55.00 plus VAT.

## 20 | HARBOUR DUES

All vessels navigating the Cattewater are required to pay Harbour Dues.

Harbour Dues are reinvested into the harbour through training, maintenance and other similar measures. The charges are, ultimately for the conservation of the harbour and to allow us to police it, as well as continue its upkeep and fulfil the many duties of a Harbour Authority.

Some of the work harbour dues help to fund include:

- Surveying & Dredging
- Marking of Navigational Channels
- Environmental duties
- Harbour Patrols
- Enforcement

While the vast majority of those who pass through our waters are law-abiding patrons, we have unfortunately had incidents where it has become necessary to arrest vessels and sell them in order to repay harbour dues. The harbour authority has this right under section 44 of the Harbour, Dock and Piers Clauses Act 1847 and will exercise that right should they encounter such a situation.



If you pay your harbour dues, you are required to display your 'harbour dues receipt' on your vessel on the port side where it is clearly visible. Doing this clearly indicates to harbour staff, who check vessels at random intervals, that you are adhering to harbour byelaws. If your craft does not have this decal, the harbour authority is within their right to stop you, to check dues have been paid.

THE CURRENT HARBOUR DUE PER RECREATIONAL VESSEL IS £55.00 (+VAT) PER VESSEL PER ANNUM.

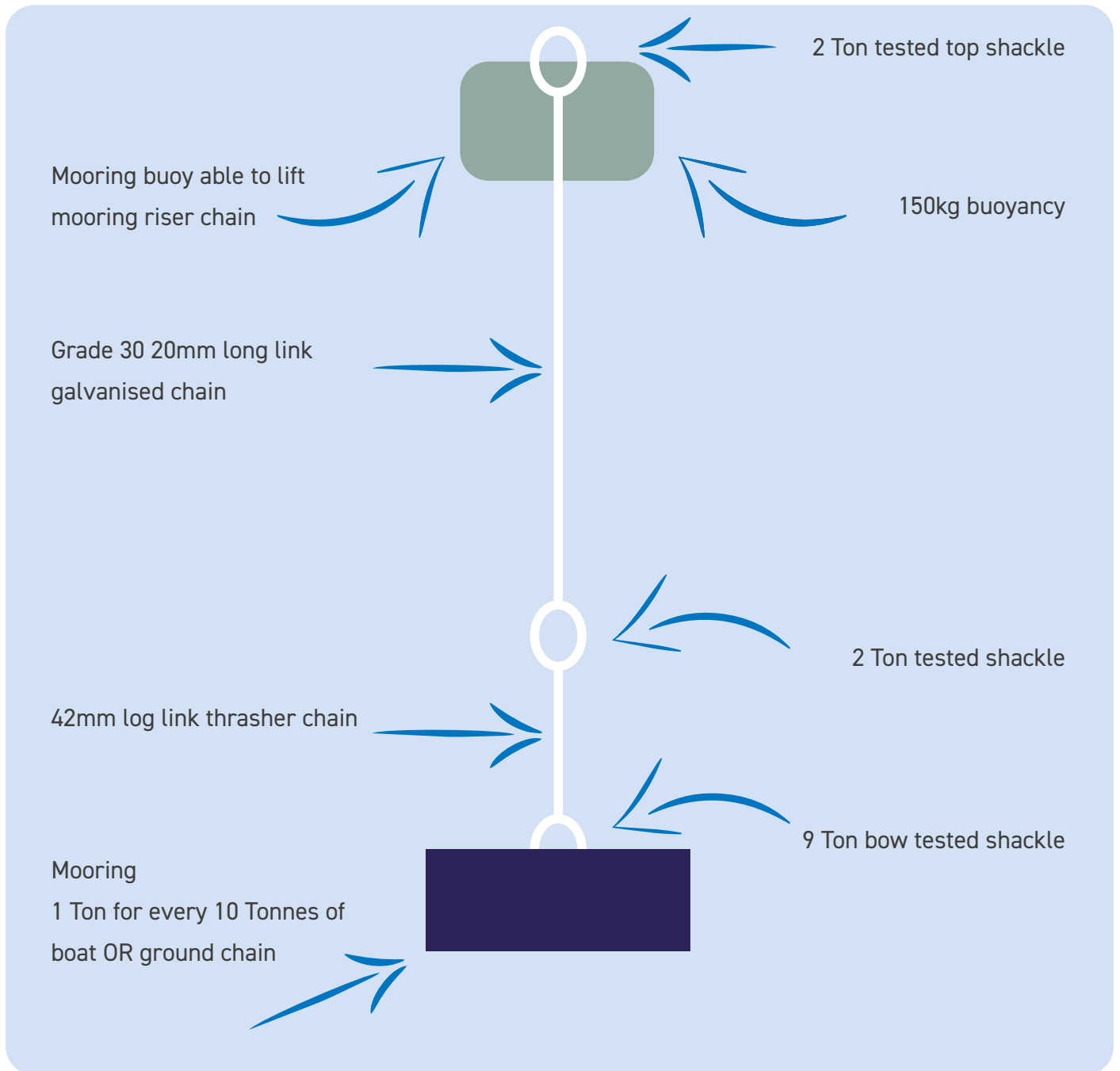
It is anticipated that season 2022-23 the charging schedule may change and be charges will be related to vessel length, making it a fairer charging schedule for water users.

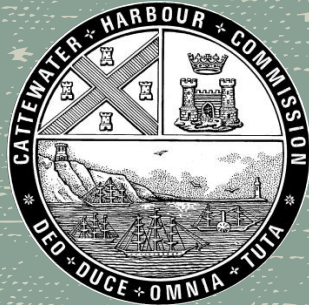
Commercial harbour dues are charged weekly or per movement. Please discuss with the harbour office.

## 21 | EXEMPTIONS FROM HARBOUR DUES

- a) Vessels having no means of propulsion other than oars or sails
- b) Vessels up to 3m in length which are equipped with motors of 5 b.h.p. or less
- c) Vessels used as a tender, not exceeding 4m in length, provided the owner has paid harbour dues on the parent vessel.

## 22 | EXAMPLE OF MOORINGS SPECIFICATION FOR SELF-MAINTAINED LICENSED MOORING





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