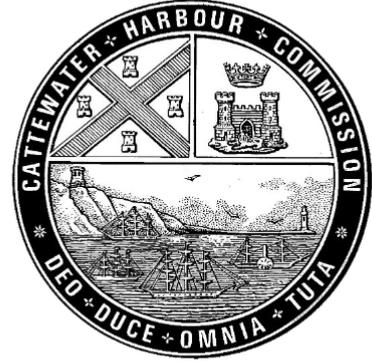


CATTEWATER HARBOUR COMMISSIONERS
MOORINGS POLICY - VERSION 3 - JAN 2024



MOORINGS POLICY

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



MOORINGS POLICY OF THE CATTEWATER HARBOUR COMMISSIONERS' ANNUAL MOORINGS

01 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 Ministry of Defence (MoD) who operate the port under the 1865 Dockyard Ports Regulation Act and the associated Dockyard Port of Plymouth Order 2020. Additionally, three separate statutory harbour authorities (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.

02 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.

03 RIGHTS OF NAVIGATION

Under Section 33 of the 1847 Harbours, Docks, Piers & Clauses Act, CHC has a duty to keep the harbour open for shipping and unshipping of goods and embarking and landing of passengers (on payment of rates).

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

04 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 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.

05 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.

06 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, www.plymouth-mpa.uk.

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.

07 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.

08 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

09 MOORING SUCCESSION

In the event of the death or incapacity of the licence holder, a family member should contact the harbour office to discuss the options available.

If the vessel is sold, the mooring license is **not** automatically transferable to the new owner.

10 MOORING SEASON / MAINTENANCE

The Mooring Season runs from 1st April to 31st March annually.

A period of maintenance will take place at least once per annum. Moorings must be vacated for a period of time to facilitate this. The details will be outlined in the Terms & Conditions of the hire of The Cattewater Harbour Commissioners' Annual Moorings.

11 TYPES OF MOORING / APPLYING FOR A MOORING

Within the Harbour there are a number of moorings types available including:

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

The Harbour is not currently accepting new applications for self-maintained moorings. All self-maintained 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, and additionally an application must be accompanied by a full inspection report, certifying that the mooring meets the required standard.

The applicant must 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.

12 MOORING ROPES / SHACKLES

All vessels using harbour moorings must moor their vessel with top gear appropriate to the size, tonnage, and specific deck arrangement of the vessel, ensuring a sufficient factor of safety. Customers are responsible for providing and maintaining their own top gear. All shackles must be appropriately moused.



'Moused' shackle example. Cable tie/wire stops pin from working loose and dropping out and setting mooring rope/s free.

13 TERMINATION OF MOORING / LICENCE

CHC reserves the right to terminate a mooring or licence at its sole discretion in accordance with the Terms & Conditions of the hire of The Cattewater Harbour Commissioners' Annual Moorings.

14 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.

15 VISITING VESSELS

Cattewater Harbour is a great location to explore the city from and is adjacent to Plymouth Sound. CHC provides 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. A short stay dinghy pontoon is available on the Barbican for visiting vessels.

16 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.

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.

17 APPLICATIONS FOR A LICENSE ON A 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 MHWS are subject to an MMO

licence. Applicants are strongly advised to enter into a dialogue with 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.

18 HARBOUR – MANAGED 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.

19 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.

20 MOORING / LEISURE PRICES 2024

Mooring Type	Fee	Harbour Due	Sub Total	VAT	Total p.a
Mooring Licence – Self Maintained	£189.17	£70.00	£259.17	£51.83	£311.00
Swinging Mooring License – Harbour Maintained – Deep Water	£753.33	£70.00	£823.33	£164.67	£988.00
Swinging Mooring License – Harbour Maintained – Drying	£349.17	£70.00	£419.17	£83.83	£503.00
Trot Mooring, Oreston – Harbour Maintained – Oreston P Trot (<28ft)	£784.00	£70.00	£854.00	£176.00	£1030.00
Trot Mooring, Oreston – Harbour Maintained – Oreston Cocklebank (<36ft, 1m Draft Max)	£784.00	£70.00	£854.00	£176.00	£1030.00
Trot Mooring, Oreston – Harbour Maintained – Oreston Inner (<30ft) - Deep	£829.17	£70.00	£899.17	£179.83	£1079.00
Trot Mooring, Oreston – Harbour Maintained – Oreston Outer (<32ft) - Deep	£926.67	£70.00	£996.67	£199.33	£1196.00
Trot Mooring, Oreston – Harbour Maintained – Oreston Outer Large (<36ft) - Deep	£1033.33	£70.00	£1103.33	£220.67	£1324.00
Pontoon License (Up to 30sqm or 10m in length)	£224.17	£70.00	£294.17	£58.83	£353.00
Harbour Due		£70.00		£14.00	£84.00
Administration Charge	£20.00		£20.00	£5.00	£25.00
Harbour Authority Charge for moving or assisting vessels	£125.00		£125.00	£25.00	£150.00

21 VISITOR MOORING CHARGES 2024

Seasonal	Ex VAT	Inc VAT
Yellow Swinging Mooring Buoys – Located off Mountbatten (1 Day,1 Night)	£20.00	£24.00
Barbican Landing Stage – Alongside – Leisure (Minimum Charge 8 Metres)	£3.00 per m	£3.60 per m
Barbican Landing Stage – Alongside - Commercial	£3.50 per m	£4.20 per m
Barbican Landing Stage – Alongside - Superyacht	£7.00 per m	£8.40 per m
Midstream Pontoon - Leisure	£2.20 per m	£2.64 per m
Midstream Pontoon - Commercial	£2.75 per m	£3.30 per m
Concrete Barge - Commercial	£2.75 per m	£3.30 per m
Sail Training or Charity Vessels	As per commercial rates but subject to possible discretionary discount.	

22 FOUR HOUR VISITOR MOORING CHARGES 2024

Mooring	Ex VAT	Inc VAT
Mayflower Pontoon – Alongside – Leisure – Short Stay (4 Hours Max, LOA Less than 12m Only)	£8.34	£10.00

23 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

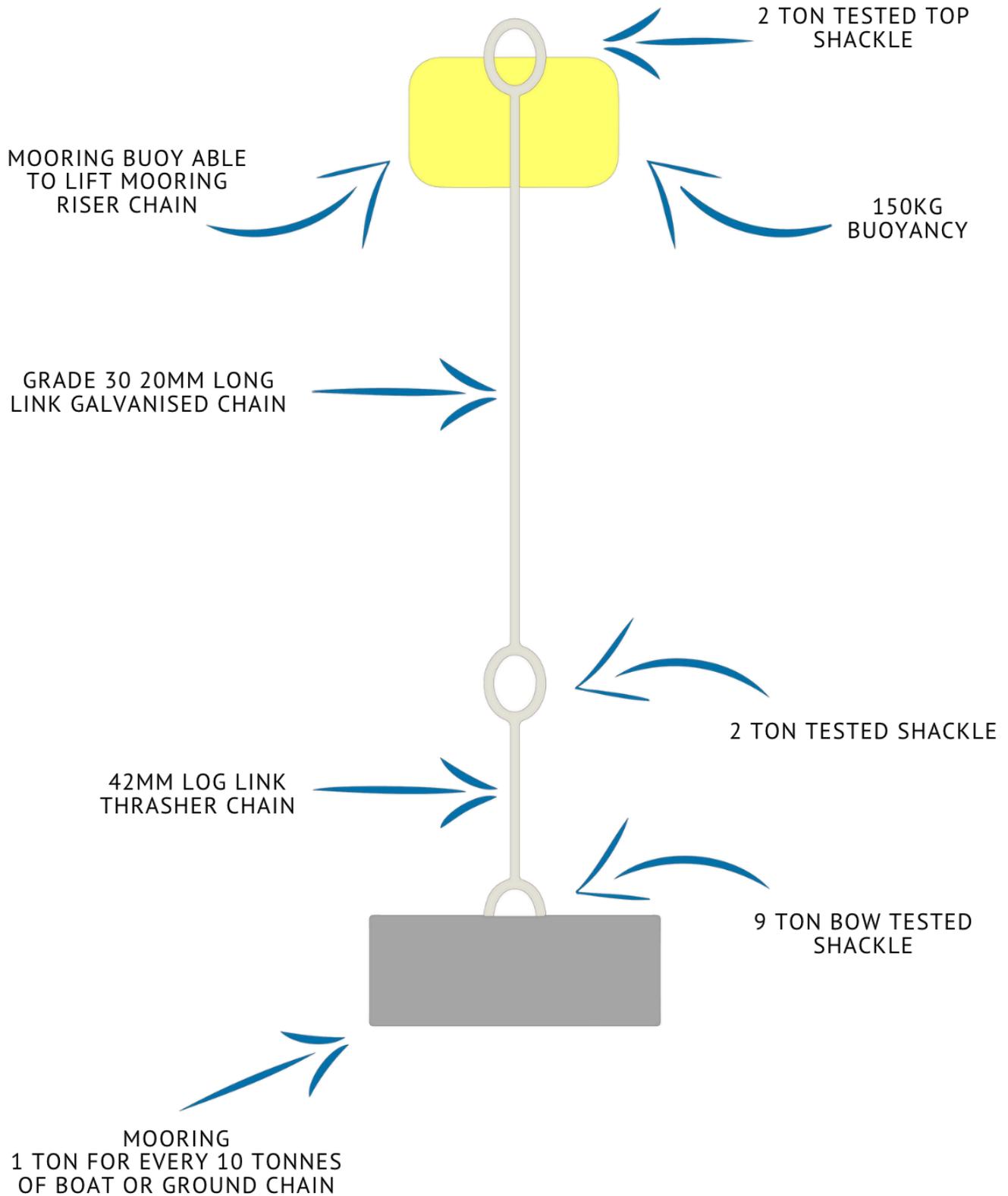
While the vast majority of those who pass through our waters are law-abiding patrons, we have unfortunately had incidents where it has become necessary to arrest vessels and sell them in order to repay harbour dues. The harbour authority has this right under section 44 of the Harbour, Dock and Piers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

24 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.

25 EXAMPLE OF MOORING SPECIFICATION FOR SELF – MAINTAINED LICENSED MOORING



CATTEWATER HARBOUR COMMISSIONERS - MOORING CUSTOMERS

PRIVACY POLICY *(in line with GDPR)*

The **Cattewater Harbour Commissioners** assure you that we are committed to protecting your privacy in line with the General Data Protection Regulations (GDPR) of 25th May 2018. Keeping our customer's information safe is very important to us.

Personal information that you provide - including name, address, telephone number, mobile phone number, e-mail address etc. is used for administrative and billing purposes only, it will not be shared with third parties or sold. It will only be held for as long as is necessary to fulfil the purpose for which it was originally collected and then disposed of beyond that time in a safe manner.

This privacy policy sets out how the **Cattewater Harbour Commissioners (& Plymouth Pilotage Service)** collects and protects any personal information that you provide, in line with the requirements of the General Data Protection Regulation (GDPR) effective 25th May 2018.

WHAT INFORMATION DO WE COLLECT?

The information we collect may vary based on what services and information we provide to you:

- Your title, name, address, email address, telephone numbers.
- Particulars of any vessel using our moorings, evidence of boat insurance.
- We may gather information when you visit our website, such as which pages you visit.

You may refuse to provide us with some or all your personal information, however this might restrict how we interact with you.

HOW DO WE USE YOUR INFORMATION?

Information you provide or we hold about you may be used by us or our agents (or both) to:-

- Identify you when you contact us.
- Internal record keeping;
- To administer and contact you about accounts and records related to your application to take products or services we have provided before, or provide now or in the future;
- Complying with any legal or contractual obligations we may have.
- To contact you about an incident or accident in the harbour that you were directly involved in or have witnessed.
- Where you give us information on behalf of someone else (for example if a boat is in shared ownership), you confirm that you have provided them with the information set out in this privacy notice, and that they agree to the uses of their personal information described in it.
- Advising of changes in our services, charges, or new services we feel would be beneficial to you.
- Dealing with any problems, enquiries, or complaints.
- Unless required by law data will be held for 12 months.

LAWFUL BASIS FOR PROCESSING YOUR DATA

Please note that Cattewater Harbour Commissioners do not require your consent where we are relying on lawful basis for processing your data; for example

- Where you agree to enter into a contract or take a product or service from us such as an annual or temporary mooring licence or visitor mooring.
- Where processing is necessary for a contract or for the purposes of Cattewater Harbour Commissioners or a third party's legitimate interests.

- Any authorised activity in our capacity as Statutory Harbour Authority for the Cattewater Harbour such as the investigation and recording of incidents or accidents, and prosecution of offences committed under harbour legislation.
- Communications, including emailing you Queen's Harbour Master's Local Notices to Mariners/weather warnings which could affect safety on the water.

WHO MIGHT WE SHARE YOUR INFORMATION WITH?

We do not sell or pass your personal information to any external party other than for lawful purposes for processing data. Our IT and web-hosting suppliers have access to data held to the extent needed to provide our website and IT systems. They are governed by contracts and will adhere to this policy.

SECURING YOUR DATA

We take reasonable technical precautions to prevent the loss, misuse or alteration of your personal information. Your information is only available to our employees who need to see it to do their job. We hold your data on secure servers.

YOUR RIGHTS

You have the following rights related to your personal data:

- The right to request a copy of personal information held about you.
- The right to request that inaccuracies be corrected.
- The right to request us to stop processing your personal data.
- The right to lodge a complaint with the Information Commissioner's Office.
- The right to withdraw consent.
- The right to delete any data we hold about you.
- The right to restrict processing.
- The right to request transfer of your data to another controller.
- The right not to be subject to automated decisions.

We must notify you if we suffer a data breach and your data is affected in a way that it poses a risk to your rights and freedoms.

CHANGES TO OUR PRIVACY POLICY

The Privacy Policy will be updated from time to time to reflect changes in law/ regulations. If any changes are made to the way we treat your information, then we will make this clear on our website. All updates and amendments are effective immediately upon notice, which we may give by any means, including but not limited to, by posting a revised version of this Privacy Policy or other notice on our website

www.plymouthport.org.uk

HOW CAN I ACCESS THE INFORMATION YOU HOLD ABOUT ME

Any questions, queries or comments with regards to this policy or how we handle your personal data are welcomed. If you wish to access, edit or remove your personal information (where permitted) you can do so by sending us an email to info@plymouthport.org.uk or by registered letter to:

Cattewater Harbour Commissioners, 2 The Barbican, Plymouth. PL1 2LR

We will respond to any request to access, amend or delete your personal data within 30 days.

Cattewater Harbour Commissioners