



Dart Harbour

Dart Harbour & Navigation Authority

Moorings' Policy 2010 - 2015

November 2010



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FORWARD TO THE MOORINGS' POLICY 2010 – 2015

This updated and revised policy document provides a comprehensive statement on how the Dart Harbour Authority has sought opinion, and reached conclusions on how to manage the moorings in the River Dart. There will remain divided opinion on many elements, but the role of Dart Harbour is to strike the balanced view and thanks to the efforts of several people, but notably Dr. John Walker and Jan Scott, (and earlier Julian Distin), there is now a robust statement of moorings strategy and the means by which it will be implemented.

The role of Dart Harbour, as a not-for-profit organisation, is to be the lowest cost mooring provider in the river, and the Authority exists for the collective benefit of all stakeholders, and will not favour any individual group. Despite the fact that demand far exceeds supply, we seek to provide a range of moorings solutions which are not only affordable but located in such a way that the natural beauty of the river is preserved for future generations. They will judge whether this goal has been attained.

This policy document can be used for both reference and guidance, but is also subject to revision over time. The Authority therefore welcomes both comments and suggestions which will help the review process.

A handwritten signature in black ink that reads "Neil Hockaday". The signature is written in a cursive style with a long horizontal stroke at the end.

Neil Hockaday,
Chairman

DART HARBOUR & NAVIGATION AUTHORITY

Moorings' Policy 2010 - 2015

The Dart Harbour & Navigation Authority's (Dart Harbour) Moorings' Policy is not legally binding on the Authority. The content of this Policy and the various terms it contains amount to expressions of present policy or current intentions and as such they are non-binding. Stakeholders and customers who hold mooring licences should refer to their individual licence for the terms and conditions that apply in respect of any particular mooring or licence. Dart Harbour reserves the right to amend the Moorings' Policy from time to time.

1.0 INTRODUCTION

The provision and management of recreational and other small craft moorings within the harbour is probably the Dart Harbour activity with the highest public profile. Although the provision of moorings is not one of the original functions of a Harbour Authority, namely the finding, maintenance and marking of the navigational channel (the services for which Harbour Dues are payable). Dart Harbour's moorings related activity now accounts for around 70% of turnover and brings the Authority into regular contact with the majority both of our customers and our critics.

The purpose of this Policy is to guide the management of Dart Harbour whenever it takes decisions on issues related to the provision or development of moorings within the harbour. This policy is not a legal document and Dart Harbour 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.

The Authority consults with its stakeholders on matters that are relevant to them and takes their views into account when reaching decisions. It has to be recognised however that the interests of the various stakeholders often conflict and a balance has to be struck.

With every decision that comes before the Authority there is a different combination of factors, some entirely novel, to be taken into account, but the principal considerations are:

- **the requirements of navigation**
- **optimisation of the use of the harbour**
- **conservation and environmental enhancement of the Dart**

A secondary, though still an extremely important, aspect of this Policy is that it will better enable our stakeholders to measure Dart Harbour actions and decisions against declared objectives, thereby supporting the aim of greater openness and accountability in the management of the Authority.

People are sometimes surprised to learn that most of the river bed belongs to the Duchy of Cornwall, which in turn leases the majority of its holding on commercial terms to Dart Harbour. As an independent statutory body (a 'Trust Port') Dart Harbour receives no external funding, so Port facilities and services must be charged for at a level that will, at the very least, cover all costs. Profit for the sake of profit is not however the *raison d'être* of the Trust, and while it is necessary to generate a surplus in order to carry out improvements within the harbour, it remains a central aim of the Authority to support general access to the water through boating. A proportion of the resident population can

afford to pay marina prices but, the famously beautiful Dart Estuary lies in an area which has a distinctly seasonal, tourism-led economy and suffers from well below average wages. For this reason the Authority has historically endeavoured to provide a spectrum of affordability in the provision of moorings and this will continue.

The formal origin of this document is that the Board of the Authority decided in early 2003 that a single document was required which set out the Authority's policies with regard to the number, type, location and management of moorings throughout the navigable length of the river Dart. The rights of Dart Harbour with regard to moorings derive from Section 33 of the 1975 Act of Parliament setting up Dart Harbour. The relevant Section is reproduced in **12.9**. By setting out the thinking behind decisions which are difficult and on which there may be highly conflicting views it is hoped that this revised policy will continue to improve trust with customers and stakeholders.

The year 2002 was a seminal one for the Authority as Dart Harbour was reconstituted in accordance with Government legislation and this required the raising of a Harbour Revision Order to change the 1975 Act of Parliament under which the Authority was set up. Important changes arising from reconstitution include: a substantial reduction in the size of the Board; changes in the way Board Members are selected – they are now appointed for their expertise rather than as representatives of some other body or interested group - and the requirement to consult with various defined stakeholders, including the local community. As part of the codification and preparation of a new moorings' policy Dart Harbour agreed to conduct a wholesale review of its separate policies to ensure that they are fair and in sympathy with the views of the majority of stakeholders. In reality the process had started much earlier as many of the policies reiterated, discussed and in some cases revised here have their origins in decisions of Dart Harbour prior to reconstitution. The basis of this present document is the 2005-10 policy as there was a clear commitment that when this was adopted in 2005 there would be a full revision after five years.

In setting out to decide its original policies the Authority agreed the following objective:

“To ensure that Dart Harbour’s moorings’ policies and practices are not only fair, but will also help to ensure that the unique character of the Dart is maintained, not just for current users, but for generations to come.”

This objective has not changed and the Authority reiterates its commitment to it. Furthermore it matches the challenges, policies and priorities identified in the South Devon AONB Management Plan which notes the pressure for additional moorings within the AONB and supports harbour authorities in developing policies for managing moorings which accord with conserving and enhancing the character of the AONB.

This document is in two major parts; the first parts (Sections 1-10) deal with the main policy decisions which stem from the principal considerations (navigation, optimisation, and conservation) set out earlier in this Section of the document. The second part (Section 11) deals with detailed implementation and management of these policies so that Dart Harbour’s facilities can be operated for the benefit of stakeholders, and its policies implemented in an open and fair way.



Hercules Mooring Barge

2.0 OWNERSHIP OF THE RIVER BED AND THE RIGHT TO LAY MOORINGS

The ownership of the riverbed (known as the ‘fundus’) affects the powers of the Authority. Nearly all the fundus in the river is owned by the Duchy of Cornwall (The Duchy). The Duchy leases about 95% of its fundus to the Authority and an annual rent is paid for this. The Authority can then lay moorings on this fundus and levy a charge for them. Current turnover of Dart Harbour now well exceeds £1M per annum and, as stated above, about 70% of this income is from moorings. Other income is from Harbour Dues, which relate to the statutory activities of the Authority – navigational buoyage, maintaining a channel – and also from the provision of a pilotage service. The Duchy leases the remainder of its fundus mostly to commercial operators – largely the marinas (including the marine area to be developed at Noss on Dart by Noss Marina Ltd (NML).) Since the publication of the previous policy the Authority has agreed a new lease with the Duchy, with a life of 25 years. This means that Dart Harbour will retain control of most of the fundus for the foreseeable future.

It might be imagined that rent for the fundus would only be payable for anything that was in contact with it. This is not the case – a boat floating on the water occupies its footprint on the fundus and indeed this would be true of a boat on davits overhanging the riverbed.

It should also be clearly understood that the right to lay and use a mooring within the harbour depends upon two essential premises:

- (i) The permission of the owner of – or an appropriate interest in – the fundus where the mooring is to be placed.
- (ii) The written consent – in the form of an annual licence – of the Dart Harbour & Navigation Authority. It should be noted that a licence to lay a mooring is entirely different from a lease and therefore is **not** an assignable property right. (See also Section 11.4)

Once it has been realised that land covered by water is governed by the laws of property in broadly the same way as land covered by air, the issue of fundus ownership is self-explanatory. The requirement for Harbour Authority consent is a separate issue, arising from the 1975 Act under which the Authority has power to lay and use moorings (on fundus in which it has an appropriate interest) and also to licence others to do likewise. The Authority is not required to licence its own moorings but anyone else laying or using a mooring anywhere within the harbour needs a licence.

As the Authority is self-regulating in the number, type and positioning of its own moorings it is very important that it should strive to preside over a “level playing field” in all aspects of development control and in particular will not pursue policies that are disadvantageous to non-Authority moorings while favouring its own. To this end, in preparing this policy, the Authority has endeavoured to treat the Dart Estuary as ‘a whole’, and to base all guidelines for future development (see section **8.0 Categorisation of the River**) on uniform criteria – as listed in the introduction – of the conservation of the Dart, the requirements of navigation and the optimisation of the use of the harbour. For example, the decision to designate an area as ‘undeveloped’ (i.e. no moorings to be permitted) was taken without reference to the underlying pattern of fundus ownership.

There are about 3000 moorings of various types on the river. The physical types are detailed in Appendix 1 (12.1) but there are also a number of distinct situations with regard to the usage and commercial management of moorings that are detailed in Appendix 2.(12.2) The essential point is that moorings of all kinds are granted annually. In the case of Authority Moorings (where the Authority owns the tackle or apparatus) an annual Mooring Contract is issued. In all other cases an annual Mooring Licence is issued by the Authority. With the increased use of new technology the Authority has developed a much improved monitoring system for the management of its moorings and the Board now receives at least an annual report on this matter. A copy of a recent such report is attached as Appendix 3.(12.3) It is important to realise that such reports are essentially snapshots of utilisation on any single day that the figures are prepared and should therefore be interpreted with care. However it is clear that the moorings least likely to be let are those up river mud berths which dry out. This is seen to be a probable result of increased affluence and possibly the general trend to larger leisure boats. However it has implications for the policy because whether or not a mooring is used it still has to be checked and maintained and a possible solution could be to relocate such moorings to deeper water.

Since the preparation of the 2005 policy there have been many changes in the legislation pertaining to ports and to bodies like the Dart Harbour. For example the Marine and Coastal Access Act, human rights legislation, the treatment of refuse, a mass of European legislation, the rules governing dredging and the disposal of spoil. Additionally a number of local factors have changed. The Authority can now plan ahead secure in the knowledge that it has a long term lease, the risk of closure of BRNC has abated somewhat although the armed services are likely to come under heavy pressure to reduce expenditure further, the ‘marine footprint’ for the new Noss on Dart site has been agreed with the Authority. The development of the Noss site has recently received Outline planning permission for the land side. The marina development will lead to a substantial increase in the number of moorings in the waters they control but the Authority has been in very long negotiations with the developers and their agents to mitigate their impact. Importantly the Authority will remove a number of Dart Harbour buoys from close to the channel in exchange for a number of Noss trot moorings coming under the Authority’s control.

Other important changes in the last 5 years are the rebranding of DHNA as 'Dart Harbour', the development of Blackness as a major centre for dry storage, launch and recovery, the changes brought about following the publication of the policy e.g. the pontoon landing facilities on the North Embankment, improved dinghy storage facilities at Dartmouth and Kingswear, the installation of a new sluice at Stoke Gabriel which has enabled a substantial reduction in the silt accumulating in the creek. Additionally the mechanism by which Dart Harbour addresses its environmental obligations has changed. For many years Dart Harbour was a major contributor to the partnership known as DEEM (Dart Estuary Environmental Management), a dedicated organisation dealing with environmental issues on the Dart. The partnership terminated 3 years ago and Dart Harbour now discharges many of its environmental responsibilities by contributing in a major way to the work of the South Hams Estuary Officer who is employed by SHDC and is based in the AONB Unit. This Officer has made an input to the Moorings' Policy with advice on a number of matters including the river bed scouring which results from moorings (See Section 3 below). Siltation of the river has been a constant concern over the duration of the policy. Generally a comprehensive study funded by the EU and managed by DEEM found that as regards the navigable channel from Totnes to the sea, siltation was not a problem although the channel can move and some of the deepest areas can become filled but still leave plenty of water. Generally as long as the commercial river boats continue to ply on the river from Totnes to the sea there is unlikely to be any serious problem. However the Mill Tail at Totnes is becoming seriously obstructed. Having investigated this the Authority does not have the resources to mechanically remove the silt, nor can the sluice be opened to wash out the mud (see the comments regarding Stoke Gabriel above). Therefore it is highly likely that during the life of this policy Dart Harbour will be forced to abandon the small number of moorings it has in this area. These could be relocated up stream close to the current moorings located on the North side of the old bridge.

3.0 THE MOORINGS' POLICY DEVELOPMENT PROCESS

It has been implicit throughout various consultation stages that the current policy of the Authority to let Dart Harbour moorings annually to existing customers and to issue annual mooring licences, both for private and commercial moorings, will continue. It has also been the practice of the Authority that where a mooring or licence is issued the mooring or licence is retained by the berth holder until they wish to give up the mooring or until death (provided they continue with the same (or similar) vessel, pay the annual charges and do not breach the Authority's by-laws.) No change to these policies is envisaged although the Authority may from time to time move berth holder's moorings to standardise vessel sizes and for other reasons in pursuit of this policy. Despite the foregoing it must be emphasised that all mooring contracts and mooring licences are issued on an annual basis and are **not** automatically renewable.

Development of the 2005 Moorings' Policy took place in a number of stages involving a detailed survey of customers and some 30 meetings. The entire process took several years and many drafts. For this revision the Board considered that consultation should be much more limited and should concentrate on matters where it was felt there might be some dissatisfaction. A small survey was prepared and this was sent to all existing mooring holders with the annual notice of charges and a series of meetings at Dartmouth, Dittisham Totnes, Kingswear and Stoke Gabriel was held. Comments received at the meetings were recorded and a Summary of relevant points is given in Appendix 4. (12.4)



Laying the Noss Trot

3.1 The Response to the Consultation

The results of the survey are set out in Appendix 5 (12.5) in the form of the actual figures, pie charts and summarised comments. The first question posed was an attempt to find out the level of satisfaction with the 2005 policy. Only 19% of those responding to this question wished to see changes. It is this result which has persuaded Dart Harbour to maintain the 2005 policy in most important respects. However, as expected, and in line with the comments made at the 5 meetings in the riparian towns and villages the most recurrent theme is the issue of a priority scheme for local residents. This is discussed in a later section (Section 5). Other points raised are also well known to the Authority in particular the difficulties of tender moorings and short term moorings for up river berth holders in Dartmouth. These issues are addressed in later sections of this policy. The need for better consultation on the capital plan is accepted although the Authority already consults widely through its Stakeholder Groups, its annual meeting and its annual newsletter.

The results of the second question regarding launching facilities and the public slipway are difficult to interpret as the question was confused so, unsurprisingly the answers were too! Judging from the comments it appears a large number of those responding support the case for an improved public slip and many feel the current facilities are dangerous and very unsuitable. Dart Harbour has a long standing commitment to contribute £50,000 towards the cost of a new slipway and this is reaffirmed. Other points raised concerning the difficulty of parking trailers will remain as part of the Authority's long term discussions with SHDC and the Town Council. It may be useful to note at this point that Dart Harbour

owns no land on the Dartmouth side and there is no vehicular access to the Hoodown depot at Kingswear.

The third question dealt with charging policies. Currently most berths or moorings are charged for by the overall boat length (LOA). However some moorings are charged by the length of the berth. The survey demonstrated a clear feeling that this practice is unfair and in future, with the exception of the berths on the inside of the town pontoon (where because of the piles the berth sizes are fixed) all charges will be by LOA. However this will result in a loss of revenue to the Authority which will need to be addressed. Boat lengths will need to be closely monitored.

As indicated above the comments made at the public meetings were recorded and all have received consideration. The wish for local preference in mooring allocation (and indeed in a host of other matters) was the most contentious point. In addition the idea of larger boats paying proportionally more for their moorings was discussed as this was a proposal in a late draft of the 2005 policy. Bearing in mind its evident unpopularity this idea has again been rejected for 'permanent' berths. However there is now a strong demand for winter berths in the Dart from vessels moored elsewhere during the season. Clearly this is because we can offer a safe berth at very good value for money. Thus differential charging may be trialled for visiting vessels of a certain size wintering in the Dart.

As part of the consultation our Accredited Stakeholder Groups: the Non-Beneficiary User Group, the Commercial User Group, and the former Leisure User Group (now known as the Association of Dart River User Clubs) were consulted and the views given taken into account. Further information on the Officers of these Stakeholder Groups can be found on the Dart Harbour website (dartharbour.org). The requirements for accreditation for bodies such as the stakeholder groups are set out in Appendix 6.(12.6)

It has already been pointed out that the main source of advice on environmental matters is the Estuaries Officer for SHDC. The advice received is reproduced in full in Appendix 7 (12.7) and this policy document has already referred to the importance the Authority attaches to the fact that almost the entire navigable length is located within the AONB. We note the other comments – in particular those regarding safeguarding biodiversity and the effects of chain scour. We have received somewhat conflicting advice on the matter of chain scour as it can be argued that where the moorings are of long standing little additional damage now results. This is a matter the Authority will keep in constant review. As part of its capital plan Dart Harbour intends to redevelop the Hoodown Depot. Steps are included to minimise the run off of pollutants, scrapings etc.

Clearly not all the points raised during the consultation can be included in the final policy but all have received careful consideration.

4.0 GEOGRAPHICAL / NAVIGATIONAL CONSTRAINTS

The primary duty of the Authority is to provide a clear and navigable channel. As usage of the river changes this can affect the position and provision of certain moorings. For example the current trend in cruise shipping is for the ships used for this trade to get larger. Because of this it may well become necessary to move certain moorings on the seaward side of Warfleet. Initially, if this becomes necessary, the few moorings involved will probably be relocated on a temporary basis for a few days or weeks but if the trend continues they will need to be relocated permanently in the same general area of the river.

Additionally if there is pressure to accommodate large ships once more the Authority will consider reinstating mainstream buoys 1 and 2, downstream from the Lower Ferry. Up river it is felt that the navigable channel near Dittisham Creek and Stoke Gabriel Creek can be difficult to follow and the Authority is investigating the provision of a small number (2-4) of small navigational buoys in this area. Discussions will take place with Trinity House on this matter. Any buoys will be unlit.

Because of the statutory duty to provide a clear and navigable channel the freedom of the Authority to lay moorings as it sees fit on its leased fundus is not unfettered and the Authority has to keep the precise location of individual moorings under constant review. This policy document has already alluded to the issue of siltation and that the moorings in the Mill Tail at Totnes will almost certainly have to be relocated. Because of lack of demand some moorings at Cornworthy may need to be moved into deeper water. There are also issues of wind, tide and depth of water as sheltered deep-water moorings are generally preferred. In areas which can become very rough in certain weather conditions (e.g. The Bight below the Lower Ferry) trot moorings are unsuitable as excessive strain is placed on the tackle as a result of the inability of the vessel on the mooring to head into the wind. There is also a need, together with the provision of a safe channel, to provide safe and sufficient space for turning vessels and to pay special attention to the needs of ferries and operators providing public transport. The areas off Steamer Quay, Totnes, and Sandquay, Dartmouth are prime examples of the requirement to provide adequate turning areas.

5.0 LOCAL RESIDENTS

Throughout the consultation process, in the preparation of this policy document and the predecessor 2005 policy, the Authority has been lobbied strongly that local residents should receive special consideration in the allocation of moorings. To some extent this is unsurprising as our main consultees tend to be local people. Indeed the Authority has spent more time considering this matter than any other single aspect of this policy. Pressure for local residents to receive preference is likely to, if anything, increase during the lifetime of this policy as new housing will be developed at Noss on Dart, Baltic Wharf and other areas close to the Dart and listed in the new LDF. Giving preference to local people could also increase the cost of housing in the area.

There are practical constraints to discriminating in favour of residents. The Authority was advised during the preparation of the 2005 policy that it was unclear whether to discriminate against someone because they do not live locally is legal (although it was recognised that some harbour authorities do this). Because of the strength of feeling on this issue the Authority has again sought legal advice. This time a firm view has been given that discrimination, provided it is not by virtue of sex, age, religion, ethnicity or disability, would not be unlawful but the matter of how to deal with people already on the waiting list would require very great care as issues such as breach of contract could be raised. It would be necessary to operate the present system and any new system in tandem for many years

There is furthermore a practical difficulty as to how a boundary would be drawn. A 'South Hams' definition would be unacceptable (and unfair) to those on the east bank of the river. Any boundary drawn will inevitably lead to a number of 'hard cases'. An over-riding feature of this document is that it seeks to propose policies that encourage openness in dealing with Dart Harbour and with Dart Harbour's dealings with stakeholders. Any policy which sought to draw a boundary will inevitably lead to the use of accommodation addresses;

introduce the question of 2nd homeowners over permanent residents etc. The Authority has again decided that to discriminate would create new unfairnesses and would be impractical and expensive as well. For these reasons it has been decided not to discriminate in favour of local people. It is hoped that by providing moorings across the spectrum of affordability local interests can be at least partly catered for.

It is felt that part of the strength of feeling on this matter may arise because there is a perception that the Waiting Lists are not as transparent as they could be. Dart Harbour has sought legal advice on this and it is clear that the Authority cannot publish the names of people on the list as it would be in breach of the Data Protection Act. The Authority will investigate mechanisms which are less opaque with a view to publishing lists which remove all data that identifies individuals. This could be done by giving all applicants a unique code and publishing for example how long each entry has been on the list, whether or not they have been offered a mooring etc. It is hoped it will be possible to publish the information available on the web site before the start of the 2011-2012 season. Once published the information will be updated at least quarterly. Considerable explanation will be needed because clearly for reasons of optimisation of the use of facilities the Authority would not, for example, locate a 6m boat on a mooring suitable for a 12m boat and there are a number of other considerations. Thus it is possible to be at the top of the list but not allocated the first available berth. (See also Appendix 3 (12.3))

6.0 THE PROVISION OF MOORINGS FOR VISITORS

This is a vital element of Dart Harbour policy as visiting yachts bring serious economic benefit to the Port of Dartmouth area and the South Hams generally. For this reason the Authority provides a number of prime moorings – both pontoon berths and swinging moorings in the most desirable locations – which are designated for the use of visitors during the summer months and which may not be let long term during the season. The Dart Harbour Yacht Taxi Service and the provision of convenient and adequate visiting dinghy facilities are also extremely important in attracting visitors to the Estuary and all these matters are referred to later in this document. Consideration of the possibility of using a differential price mechanism where larger boats are charged proportionately more may be applied to prime wintering berths for yachts of 16 or more metres e.g. V1, V2, V3 at Dittisham as there is now considerable competition for these.

Anchorage are designated in suitable locations for the benefit of visitors and local boat owners alike.

7.0 THE POLICY SUMMARIZED

The River Dart throughout its navigable length will remain categorised according to development normally to be permitted along it. The categories are 'Developed'; 'Traditional Mooring Pattern'; 'Undeveloped' (quiet). In the context of 'developed' areas within the river it should nevertheless be noted that these mostly lie within the AONB and therefore Dart Harbour still has a special responsibility to ensure that any development that may occur takes full account of the statutory designation. Within the three categories some flexibility will be permitted as the Authority will wish in certain special cases to consider other factors, which may from time to time over-ride the broad policies. For much of the river, where there are 'Traditional' mooring areas there will be a presumption of no further development. This is not to mean that the present mooring arrangements will be set for perpetuity. Some readjustment of moorings may occur in the future but no overall growth

in numbers in these areas is envisaged. The issue of additional running moorings is not included in this section but is dealt with separately (See Section 11.3).

The policy may be summarised as follows:

There will be no significant increase in the total number of swing and trot moorings above Noss on Dart. It is notable that this statement appeared in the 2005 Policy and there has been no increase 2005-10 apart from the reinstatement of some commercial private moorings.

There will be no new (i.e. additional) pontoon moorings above the large Authority trots just above Noss on Dart except for possible limited development to support commercial activity at Baltic Wharf and public facilities at Totnes.

It is accepted that the Noss development will lead to a substantial increase (an approximate doubling) in the number of moorings controlled by Noss Marina Ltd. (NML). However the channel will be protected, there will be substantial 'planning gains' in terms of ferry access, black water pump out, disabled access.

To accommodate the Noss development there will be a loss of some Authority mid-stream swinging berths which will be compensated by a transfer of some NML trot berths. It may be necessary to relocate one Authority large trot berth further upstream.

It is now unlikely but not entirely ruled out that a limited increase in Authority trot and pontoon moorings may occur in the area from Noss to the Lower Ferry. Any increase will be small unless a significant part of the large area of the river off Old Mill Creek, currently used by BRNC, is released by the MoD. In that event, and should Dart Harbour find itself in a position to develop in this area, there will be further consultation.

There will be no change below the Lower Ferry unless it becomes appropriate to reinstate mainstream buoys 1 & 2.

Subject to the availability of adequate finance and an appropriate agreement with SHDC (who own the Embankment and steps) there will be consideration of rigging a further high quality longitudinal pontoon along part of the North Embankment for the use of short stay visitors (which will include existing mooring holders from other parts of the river). It is hoped that this may also provide an opportunity to provide appropriate disabled access on a year round basis and this remains a long term aspiration of the Authority. However because of the tidal movement any ramp will have to be of a considerable length and therefore expensive.

As a matter of policy the Authority does not wish to see any new marinas on the river.

The current navigational channel to Totnes will be maintained.

The current areas on the river designated as anchorages and turning areas (and kept free of moorings for these purposes) will be maintained.

Proposals to improve public access to the river at all locations will be considered on their merits.

It is likely that the Authority moorings in the Mill Tail at Totnes will need to be abandoned due to siltation. If there is demand they are likely to be relocated close to the existing trot on the North side of the old bridge.

If demand continues to shrink for up river mud berths some of these may be relocated. However the principal considerations regarding the location of moorings outlined previously will not be compromised.

During the life of the previous policy major marine developments took place at Blackness and this is now a major centre for dry storage of recreational boats. The Authority has now agreed, subject to certain conditions, to permit the installation of a pontoon on one side of the new slipway associated with the development. It is considered this will be safer and less unsightly than the launching engine in place at the time of writing.

A further improvement of dinghy facilities will be a major priority and Dart Harbour will investigate the possibility of additional facilities on the N Embankment and on the low water landing. Improved facilities on the low water landing would enable dinghy storage and launching at most if not all states of the tide.

Discussions with SHDC will continue to take place regarding various assets they hold including the Embankments in Dartmouth and part of the Town Jetty. Major repairs to prolong the life of the Town Jetty are likely to be needed during the duration of this document.

Dart Harbour has 'ring fenced' a £50,000 contribution to improved public slip facilities in Dartmouth.

With the exception of the inside of the Town Jetty Dart Harbour's charges for year long Authority berths will be based on boat length (LOA) rather than berth size.

Differential charging where larger boats pay proportionally more will not be adopted generally but may be trialled for certain boats from other ports wintering in the Dart.

The Authority's charging practices with regard to berth holders taking 'boat holidays' requires attention as larger boats currently enjoy a much greater discount. A fairer system will be devised. This matter is addressed in more detail in Section 11.11.2 .

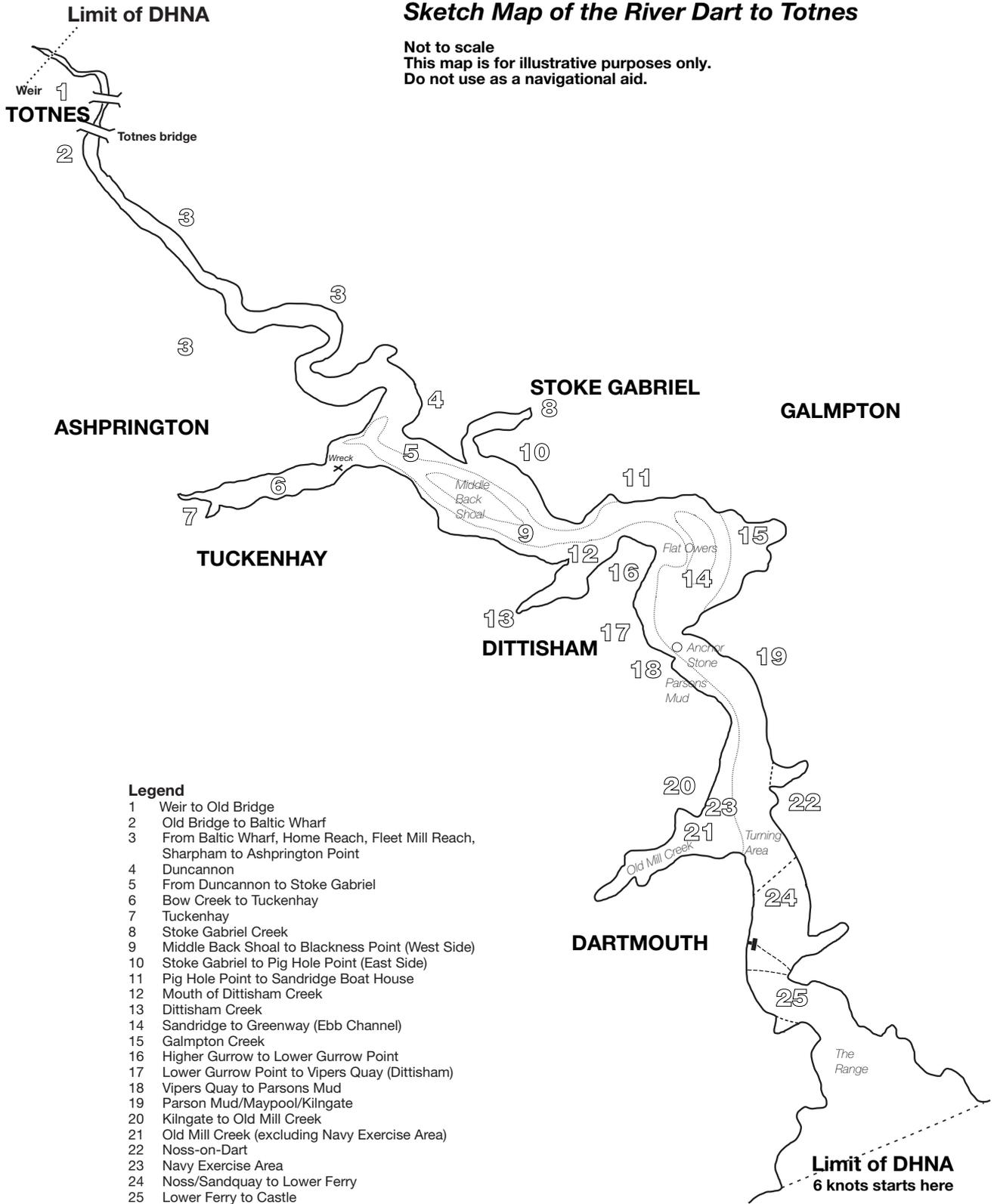
There will be no discrimination in favour of local people in the allocation of moorings.

The Waiting Lists will be published in an anonymised form before the start of the 2011-12 season.

Any decisions taken contrary to this policy will be reported to Stakeholders and Dart Harbour's reasons given.

Sketch Map of the River Dart to Totnes

Not to scale
 This map is for illustrative purposes only.
 Do not use as a navigational aid.



- Legend**
- 1 Weir to Old Bridge
 - 2 Old Bridge to Baltic Wharf
 - 3 From Baltic Wharf, Home Reach, Fleet Mill Reach, Sharpham to Ashprington Point
 - 4 Duncannon
 - 5 From Duncannon to Stoke Gabriel
 - 6 Bow Creek to Tuckenhay
 - 7 Tuckenhay
 - 8 Stoke Gabriel Creek
 - 9 Middle Back Shoal to Blackness Point (West Side)
 - 10 Stoke Gabriel to Pig Hole Point (East Side)
 - 11 Pig Hole Point to Sandridge Boat House
 - 12 Mouth of Dittisham Creek
 - 13 Dittisham Creek
 - 14 Sandridge to Greenway (Ebb Channel)
 - 15 Galampton Creek
 - 16 Higher Gurrow to Lower Gurrow Point
 - 17 Lower Gurrow Point to Vipers Quay (Dittisham)
 - 18 Vipers Quay to Parsons Mud
 - 19 Parson Mud/Maypool/Kilngate
 - 20 Kilngate to Old Mill Creek
 - 21 Old Mill Creek (excluding Navy Exercise Area)
 - 22 Noss-on-Dart
 - 23 Navy Exercise Area
 - 24 Noss/Sandquay to Lower Ferry
 - 25 Lower Ferry to Castle

8.0 CATEGORISATION OF THE RIVER

Proceeding downstream from Totnes: [Running Moorings and Dinghy facilities to be considered separately]

(1) Weir to Old Bridge – a mix of ‘Undeveloped’ and ‘Traditional’ trot moorings. As indicated earlier it is likely that the moorings in the Mill Tail will have to be abandoned in the next few years due to siltation. If there is demand for them some replacements could be installed above the Old Bridge. Otherwise no change is envisaged. Serious unsightly litter such as supermarket trolleys in the Mill Tail below the bridge will be removed as necessary.

(2) Old Bridge to Baltic Wharf – a ‘Developed’ area with trot moorings; turning area at Steamer Quay. Little, if any, scope for further mooring development except around Baltic Wharf although Dart Harbour will, as a long-term aim, seek to try to improve facilities for visiting boats. The Authority has cleared the ship turning bay of old trees, litter etc. and will do so again as necessary

(3) From Baltic Wharf, Home Reach, Fleet Mill Reach, Sharpham, including ‘The hole in the wall’, to Ashprington Point – this area of outstanding beauty is currently completely ‘Undeveloped’ and no moorings will be permitted. Landing facilities exist at Sharpham. Restoration of the old South Quay at Sharpham for public access is a possibility but this will not include moorings. Some improvements to improve public access on the North Quay are likely to be considered. Discussions are ongoing regarding ‘the hole in the wall’. It is likely that some repair of the river bank walls and stabilisation of the ‘gap’ will occur over the duration of this policy as there is some concern about the stability of the present configuration.

- **Baltic Wharf Boatyard-** plans for the development here have been under discussion for some time and have been recently revised. According to the latest plan the number of housing units proposed is reduced and there will be more space for marine related employment as well as the boatyard maintained at its present capacity. Additionally disabled access to the river will be provided and subject to cost a mobile straddle hoist capable of lifting up to 60,000-70,000kg will be incorporated. All these changes to the plan are welcomed. Provided that reasonable conditions are met regarding public access, disabled access, and the provision of some temporary berthing facilities for visitors, any proposals for a pontoon or pontoons along the wall will be sympathetically considered.

(4) Duncannon – this is a ‘Traditional’ area. No further moorings will be permitted in this area and Dart Harbour may seek to reduce numbers slightly over the long term by natural wastage.

(5) From Duncannon to Stoke Gabriel –the river is ‘Undeveloped’ and this will continue although the area near the West Bank just downstream of the mouth of Bow Creek is used as an anchorage in appropriate weather and this will continue.

(6) Bow Creek to Tuckenhay –this is of great natural beauty, a haven for birds, and is currently undeveloped. It will remain so. A favourite spot for anchoring small craft temporarily at appropriate states of the tide exists near the mouth of the Creek, near the Ashprington bank. This usage will continue.

- (7) Tuckenhay** – a small line of Authority trots exists. No additional moorings will be laid and indeed some may be removed and relocated if there is no demand for them. They are currently all let.
- (8) Stoke Gabriel Creek** – traditional swinging moorings are in use for small craft and there is the Dart Harbour pontoon. This will need to be replaced in future probably by the end of 2011. The sluice will be opened during the winter of 2010-11 (except for the Christmas period) to complete the flushing out process. No further development is likely to be permitted.
- (9) Middle Back Shoal to Blackness Point (West Side)** – traditional mooring area although there is one short line of trot buoys opposite Stoke Gabriel, which are of very long standing. Access to moorings in this area is historically difficult, as it is a long run by dinghy from Dittisham or Stoke Gabriel. However the developments at Blackness may ease this problem. No overall increase in moorings is likely and indeed if the mud moorings continue to be difficult to let then some of them will be removed and possibly relocated elsewhere on the river.
- (10) Stoke Gabriel to Pig Hole Point (East Side)** – traditional area. No increase in moorings proposed but it may be possible to relocate a limited number of the difficult to let mud moorings from the West bank in this area.
- (11) Pig Hole Point to Sandridge Boat House** – undeveloped area. No moorings to be permitted.
- (12) Mouth of Dittisham Creek** – undeveloped area used as an anchorage during the peak season. No development to be permitted.
- (13) Dittisham Creek** – traditional laying up area. Much of the beach and fundus is not leased to the Authority.
- (14) Sandridge to Greenway (Ebb Channel)** – traditional area consisting of Authority moorings and some private moorings particularly close to the foreshore at Hunterswood. No further moorings will be permitted.
- (15) Galmpton Creek** – historically 'Developed' despite its shallow depth. There has been reinstatement of disused privately owned commercial moorings in this area.
- (16) Higher Gurrow Point to Lower Gurrow Point** – undeveloped area, no development to be permitted.
- (17) Lower Gurrow Point to Vipers Quay (Dittisham)** – the Traditional pattern of swinging moorings serving Dittisham is to be preserved. No increase in mooring numbers is proposed or likely to be permitted, although if the size of the Visitors' Moorings in the Channel opposite Greenway is increased, some rearrangement and clustering of moorings by size may be necessary. Pleasure vessels use the area off Greenway Quay for turning.
- (18) Vipers Quay to Parsons Mud** – undeveloped area used as an anchorage below Anchorstone. No additional moorings to be permitted.



Pontoon at Stoke Gabriel

(19) Parsons Mud/Maypool/ Kilngate – this area has a mixture of traditional moorings and also includes areas that are undeveloped. No change envisaged although some thinning out may occur by agreement and natural wastage.

(20) Kilngate to Old Mill Creek – trot moorings with a few traditional moorings. No change is envisaged.

(21) Old Mill Creek (Excluding Navy Exercise Area – see later) – the mouth of the creek has trot and traditional moorings, largely on private fundus. There are some small moored pontoons on the South side of the mouth of the Creek. Trot moorings follow the narrow navigable line of the channel, part way up to the boatyards; there is pressure for further development in the form of piled pontoons. Piled pontoons will not be permitted on environmental and visual amenity grounds but limited additional moorings may be permitted if suitable car parking can be provided.

(22) Noss on Dart – Planning Permission (Outline) has now been obtained for a major development on this site including houses, hotel, and educational use. As this is the last site on the river offering deep water access at all states of the tide the Authority has been keen to see sensitive development which exploits this for maritime and associated use as much as possible. In particular the plans for the site include a ‘boat yard’ which Dart Harbour considers to be too small and for this reason the Authority objected to the Planning Application. However cordial discussions with the developers and their advisers have been going on for several years and in particular the following has been agreed directly with Noss Marina Ltd (NML) and Dart Harbour:

The marine 'footprint' for the new marina has been agreed – an approximate doubling in berth numbers;

Disabled access and black water pump out facilities will be provided;

A ferry/water taxi service will operate between NML and Dartmouth;

NML will make a major contribution towards the improvement of landing facilities at Dartmouth;

In return for Dart Harbour removing a number of swinging berths (4) close to the West side of the channel and facing the development, NML will release a similar number of their trot berths to Dart Harbour and the Authority will be able to offer these with the facilities available to marina customers (dinghy parking and car parking on the NML site).

(23) Navy Exercise Area – this is the large area of the river off the mouth of Old Mill Creek where there is a substantial number of large yellow swinging moorings used by BRNC. There are also some moored pontoons. BRNC's requirements are kept under regular review and, as indicated above, if Dart Harbour finds itself in a position to develop any part of this area for moorings there will be a further period of consultation. Upstream of this area (opposite Noss) the Authority has recently (2009) installed a line of 9 trot moorings – these are the only new moorings installed by the Authority during the duration of the 2005-10 policy. Overall during the 5 years the policy has been in force there has been no increase in the total number of Authority moorings on the river.

(24) Noss/Sandquay to Lower Ferry – this is the most intensively developed area of the river and it includes central Dartmouth and Kingswear. The AONB Management Plan gives a total figure of some 6000 moorings within the entire South Devon AONB area; ***approximately a quarter of which are located between Noss and the Lower Ferry.*** Strong representations have been received from Dartmouth Town Council arguing that any increase in moorings in this area would further exacerbate the existing serious pressures on shore facilities, particularly public car parking.

The Sandquay area provides the ship turning area for the Port and as the continuing development of Dartmouth as a port is a key element in Dart Harbour's future strategy, this clear area of river **must** be retained. Several future developments are proposed for this part of the river:

- (i) During the 5 year duration of the 2005-2010 policy a high quality pontoon has been installed on the N embankment at the double steps for the use of commercial vessels, and attached to this a lighter weight pontoon has been installed for visiting dinghies. Both of these have been popular and well regarded. As already set out in the policy summary, and suggested during the consultation, and subject to certain conditions including the agreement of landowners SHDC, it is an aspiration of the Authority that further high quality pontoons will be installed longitudinally along part of the N Embankment. This will be for the short-term use of visitors during the day and possibly for visitors to stay overnight depending on tidal considerations and the suitability of the vessel. Disabled access will require a long ramp and may be prohibitively expensive but in the long term it is hoped this can also be provided. No long-term letting will occur winter or summer and the use of the pontoon will be vigorously policed. The intention is that improved facilities will add to the economic health of the Port and the town and that, by encouraging river use, aspects of the

parking problem will be alleviated. None of the uses proposed for this pontoon should add to the existing pressure on Dartmouth's limited parking.

- (ii) The entire pontoon stock of the Authority is ageing and replacement of much of it will be needed soon. However the planned developments at the Hoodown maintenance yard at Kingswear mean that replacement can be phased over a longer period and pontoons can be repaired and refurbished in house. The Authority now has a capital plan for the next ten years, which will involve using high quality pontoons of the latest (and hopefully longer lasting) design. As pontoons are replaced there may be a limited increase in the number of vessels that may be moored alongside them.
- (iii) The Authority may place a limited number of additional trot moorings in this region of the river but this is considered unlikely.
- (iv) Both the Dartmouth and Kingswear marinas are located on fundus not leased to the Authority. The Authority will seek to limit any further growth of these marinas. Furthermore the Authority is seriously concerned to note the thrust of the marina development which has occurred on the Dartmouth side of the river. The Authority believes that where marina development occurs it should provide 'full service' berths where the marina provides a comprehensive range of facilities including car parking and lay up facilities in the winter. This prevents growth in these facilities impacting adversely on the towns and villages and their existing infrastructure.
- (v) Over the life of the policy it is hoped resources will allow for the installation of fresh water for visitors and berth-holders on the improved waste pontoon at Dartmouth.

(25) Lower Ferry to Castle – this area has trot moorings licensed to RDYC on the Kingswear bank (which are emptied in the winter because of adverse weather) and a traditional pattern of moorings in the Bight. No changes are envisaged although some further thinning of moorings may occur in the Warfleet / Bight area by natural wastage.

9.0 MONITORING FUTURE PERFORMANCE AGAINST THIS POLICY

Considerable criticism has been levelled at the Authority in the past for changing the river, as some see it, 'by stealth'. Dart Harbour is aware that some of the policies outlined above may not seem to be sufficiently safe and robust for some members of the community. To this end, as part of its annual reporting programme the Authority has and will continue to report annually on the number of moorings removed, the number of new moorings and the overall total increase or decrease over the year. There has been some reinstatement of 'private commercial moorings', otherwise the overall number of Authority moorings has fallen very slightly over the duration of the 2005-10 policy. The number of private leisure moorings has continued to slowly decrease.

10.0 REVIEW OF POLICY

It is not intended that the above policies will be set in stone for all time but, having reached agreement on the broad questions following a period of public consultation; it is the intention of the Authority to fully review this document in five years time (2015).

11.0 IMPLEMENTATION AND MANAGEMENT OF THE POLICY

The remainder of this document deals essentially with the detailed implementation of the policy together with setting out Dart Harbour policies for dinghies, running moorings and sundry other berthing arrangements not dealt with above. These matters will be reviewed in the light of experience and some changes are likely to occur well before 2015.

Although a certain number of hard copies have been produced, a definitive electronic version will be maintained on the Authority website.



Vessels moored to a typical Dart Harbour mooring buoy

11.1 DINGHIES AND TENDERS

This section deals with small craft which are up to 4.3m LOA.

There is a chronic shortage of dinghy and tender berths on the river, both for short stay visitors, for berth holders, and for those who simply wish to keep a dinghy-sized boat on the river. Considerable progress has been achieved in the past few years by the introduction of the Dart Harbour Yacht Taxi Service. Dart Harbour is committed to continue running a taxi as a year round operation. Because the Authority has negligible land holdings (only the maintenance sheds at Hoodown in Kingswear) further opportunities to ameliorate these problems unilaterally are limited. Short stay facilities (2 hours maximum) do exist on the finger pontoon at Darthaven operated by Dart Harbour with public access through Darthaven Marina. They also exist at Dartmouth, Dittisham and Stoke Gabriel on facilities provided by the Authority.

It is appropriate to consider visitors and steps that can be taken to improve their position separately from berth-holders and their tenders. A visitor in this context includes berth-holders from another part of the river visiting in their tenders.

11.1.1 Short Stay Visitors and their Tenders

Dartmouth

The existing facilities accessed from the walk ashore pontoon (i.e. Low Water Landing opposite the Ship in Dock) will be maintained as a year round facility and long term parkers will be removed during the summer season.

The summer pontoon installed outside the Dartmouth Yacht Club will be placed there annually and the season will be lengthened as weather conditions permit. Over the life of the 2005 policy there have been a number of improvements, most importantly the installation of a visitors' dinghy pontoon attached to the new commercial pontoon at the N Embankment 'double steps'. This has proved to be a very popular change but has required fairly vigorous policing to prevent long stay parking.

The Authority wishes to continue to promote Dartmouth as a venue for visiting cruise ships and the quality and type of amenities required by such vessels and their tenders will be evaluated.

Kingswear

Much of Kingswear's waterfront is either in private ownership or has been intensively developed. Visitors' facilities are limited to the Darthaven pontoon and to the improved dinghy facilities already installed at Hoodown.

Dittisham

It is probably here that pressure on dinghy and short stay facilities is most intense. The yacht taxi facilities in the summer have been improved. The visitors' facilities on the Dittisham pontoon have been significantly improved by the installation of the new pontoon.

Stoke Gabriel

Visitors' facilities are under pressure during peak periods. The problem of the creek silting up has been addressed by the installation of a new sluice and the opening of this sluice during the winter months. Replacement of the Stoke pontoon is likely to occur the following winter (2011-12) and consideration will then be given to improving the visitor area. Since the beginning of 2010 a ferry has been operating one or two days a week between Dartmouth and Stoke Gabriel – this may reduce the pressure on visiting dinghy facilities.



Dart Harbour Staff – mooring work in Stoke Gabriel

Totnes

It is recognised that an improvement in visitors' facilities is long overdue. Discussions will take place with interested parties with a view to improving access for visitors in their dinghies/tenders to the town. In particular developments at Baltic Wharf may be timely.

11.1.2 Mooring Holders and their Dinghies/tenders

The difficulties outlined above are in many ways worse for berth holders. Many have no legitimate 'home' for their tenders and this leads to a climate of dishonesty where people assume different identities and generally seek to hoodwink officers of the Authority.

Pre-2005 the policy was to generally to favour mooring berth holders in the allocation of berths for dinghies, tenders and small boats. Given the provision of a year round taxi service in Dartmouth and other planned improvements this was reconsidered in particular because this practice encouraged dishonesty, discriminated against local users who simply wish to keep a small boat on their local pontoon, and in extreme cases encouraged people to retain moorings (with or without boats on them) which were rarely used, merely to keep a pontoon berth. It also introduced an undesirable level of 'opaqueness' in the Waiting Lists. For these reasons this policy was abandoned and local waiting lists for dinghies, tenders and small boats which are open to all with no discrimination in allocation were introduced. It is proposed further to address the issues through a pricing policy so that mooring holders with tenders are charged less for dinghy/small boat berths than those who simply wish to keep a small boat locally. Generally for a pontoon berth e.g. at Dittisham, Dartmouth, Stoke Gabriel, tender berths will be charged at the present rate (plus any proposed price rise) and non-tender berths will be charged at a higher rate. This will enable the effects of this change in policy to be monitored.

The Authority will seek to expand dinghy/small boat facilities in the following locations:

Dartmouth – The 'toast rack' berths close to the DB Pontoon have been substantially improved and, if there is demand for such berths consideration will be given to the installation of another similar rack. This would be subject to SHDC approval. Consideration

will also be given to modifying the low water landing and installing a small additional pontoon on the downstream side close to the channel with a toast rack on it. This would allow access for berth holders at nearly all states of the tide. The low lying 'green' pontoons recently installed off the N Embankment will continue as a year round facility for berth-holders although long term semi-permanent berthing will not be permitted. Recently a proposal to offer the Boat Float to Dart Harbour (it is currently owned and operated by Dartmouth Town Council) has been mooted. This offer will receive serious attention.

Kingswear – The existing 'toast rack' and the pontoon at Hoodown have been improved during the life of the 2005 policy. These facilities are now doubled in size There is little or no scope for further improvement.

There are a number of running moorings on fundus owned by the Dartmouth Steam Railway and Riverboat Company but which are managed by Dart Harbour. Access is difficult and their usage has to be strictly controlled.

Greenway –There are beaching and pontoon facilities here currently operated by Greenway ferry on private land.

Dittisham – It is here that pressure on small boat/dinghy and tender facilities is most acute. There is still a long waiting list for the pontoon and a flourishing unofficial trade in berths despite additional numbered running mooring berths having been added to the pontoon towards the bridge. These dry out for much of the time but nevertheless have, as expected, proved attractive. There are a number of berths on the Dittisham pontoon that appear to be little used. The Authority will discuss with registered users their current needs. The Authority is encouraging shared ownership of dinghies and boats where there is pressure (See section11.6)

Stoke Gabriel – Pressure for more dinghy berths is only marginally less here than at Dittisham and there is a long waiting list for the pontoon. It may be possible to increase numbers marginally when a new pontoon is installed following completion of the flushing out process.

Totnes – discussions will take place with interested parties to try to improve facilities.

11.2 DISABLED ACCESS

There is a legal obligation on the Authority to provide disabled access to facilities wherever this is reasonably practical. The Authority has sought to meet these obligations for physically disabled access to vessels on the river (including suitable private craft) as follows:

Dartmouth – access via the Town Pontoon by appointment;
– permissive access via the Dart Marina by appointment;

Kingswear – public access through Darthaven Marina to a Dart Harbour pontoon;
- permissive access via Noss Marina Ltd.

It is recognised that it would be highly desirable to improve further such access. In the event that a further North Embankment longitudinal pontoon is installed it is an aspiration of the Authority to install a ramp for access to it. It has to be recognised that because of the tidal movement such a ramp would be a large and expensive amenity but it would

provide disabled access at most tides, without prior appointment. It would require the permission of SHDC as planning authority and landowner. Should this development occur the highway authority (DCC) and SHDC will be requested at the same time to mark several car parking spaces on the Embankment adjacent to the Disabled Access ramp 'Disabled Spaces for the use of Yachtsmen'.

Totnes

The Authority will be holding discussions with interested parties in Totnes to attempt to improve disabled access there.

11.3 RUNNING MOORINGS

As with deep-water moorings the right to lay and use a running mooring depends on the two essential premises described in Section 2.0:

- (i) The permission of the owner – or an appropriate interest in – the fundus where the mooring weight is to be placed.
- (ii) The written consent – in the form of an annual licence – of Dart Harbour.

Additionally, for a running mooring, the permission of the owner of the land on which the inboard end (i.e. the dry land end) of the running line is secured is needed, together with legitimate access.

Prior to the 2005 policy the Authority sought to reduce the number of running moorings on environmental grounds – particularly from the point of view that they can appear untidy if not adequately maintained and can present a tripping hazard on beaches with public access. Nevertheless, properly managed and sensitively located, they do provide a useful way of offering relatively low cost small boat usage to local residents. They are generally not of interest to persons remote from the locality as they need fairly close supervision and maintenance.

There will remain a presumption in favour of the installation of running moorings along the river in areas where they will have historically existed subject to navigational, safety, and legitimacy of access and environmental considerations. The requirement that the lines used are of the weighted variety and, where adjacent to quays, sunk to the riverbed remains. Mooring licences so granted will be withdrawn if the mooring or vessel on them is not properly maintained.

At the discretion of the Authority, and in some appropriate locations only, it is intended to raise selectively the current upper limit of 4.3m on such moorings to 4.9m subject again to considerations of visual impact, environmental impact, navigation and safety.

The current Mooring Licence Conditions for Running Moorings are shown in Appendix 8. These have been reviewed.

11.4 NON-TRANSFERABILITY OF MOORINGS

The Authority's Mooring Contracts and Mooring Licences are issued annually and are not transferable. However it is appropriate to describe the future practice of the Authority in different cases:

11.4.1 Private Mooring Licences

The policy of not permitting transfer will continue as it remains the view of the Authority that such moorings should be allowed to diminish in number in the long term. Private Mooring Licences represent a loss of potential income to the Authority, they have the potential to be extremely burdensome in terms of administration and they can also be troublesome if they are not maintained to acceptable standards. Furthermore the Authority has an overriding reason for wishing, as a matter of principle to maintain the policy of preventing the transfer of Private Mooring Licences. This is based upon the firm belief that a proper Waiting List system is the best and fairest method of allocation. A universal system of this kind is believed to be in the best interests of the widest possible range of stakeholders and, as such, clearly preferable to the introduction of an open market for a limited number of moorings. It is thus the long term objective of the Authority to phase out these moorings. However the Authority recognises that the same family has in some cases occupied such moorings for very long periods. Although transfer of such mooring licences on fundus leased by the Authority will not be permitted, in the event of the death of a mooring licence holder, where the family wish to continue, the Authority will allocate a close member of the family an Authority mooring in the original or same position if circumstances allow. The privately owned tackle will be removed and returned (or the owner paid for it).

11.4.2 Authority Moorings (Private Craft)

Transfer is not permitted. All mooring holders are strongly advised to consider planning for the future particularly with regard to the next generation. Where a mooring holder has held a mooring contract for many years and a member of the family is likely to wish to continue on the death or incapacity of the mooring contract holder they should join an appropriate Waiting List to acquire a mooring in their own name. However in the event of sudden death or very serious illness of a longstanding mooring holder where the immediate family wish to continue Dart Harbour will give the possibility of the issue of a new annual contract to a close family member due consideration.

11.4.3 Commercial Dart Harbour Mooring Contracts and Commercial Licences

The Authority is keen to support commercial activity in general, both on the river itself and also activity associated with the Port and while commercial moorings contracts and mooring licences are non transferable, it is recognised that in order for the normal economic life of the Port to continue, businesses using moorings have to be capable of being bought and sold. Subject to the principal considerations set out in Section 1 of this Policy (navigation, optimisation, and conservation), the Authority will therefore give sympathetic consideration to the issue of a new contract or mooring licence to the new owners of such businesses. This represents a confirmation of the Authority's current policy and practice. Certain safeguards apply – the business has to continue as a bona fide business and where multiple moorings or licences are involved these new licences can normally only issued en bloc to the new business.

11.5 TEMPORARY VACATION OF AUTHORITY MOORINGS

Current policy is that mooring holders are obliged to notify Dart Harbour if their mooring is temporarily vacant so that Dart Harbour can re-let the mooring. The Authority wishes to be in a position to maximise the use of its plant and will investigate providing incentives for those who advise the Authority of their plans.

Where a mooring holder is planning to be absent from their berth for a period of 30 days or more the Authority should be informed and, particularly for berth holders on a swinging mooring or a pontoon berth who plan to be absent the Authority asks to be informed for all such absences.(See also Section 11.11.2)

11.6 SHARED OWNERSHIP OF VESSELS ON AUTHORITY MOORINGS

Many vessels on Authority moorings are now owned by more than one person and the Authority, subject to certain safeguards, set out a proper basis for co-ownership in the 2005 document. Once again this is still an area where mutual trust needs to be developed. The Authority is aware of one 'scam' where vessels are effectively sold but a small percentage of the purchase price [typically 5%] is retained by the former owner such that the transfer is not registered with the Authority and the boat is effectively transferred to the new owner with a mooring. Such practices are unacceptable and cut against the climate of honesty and openness, which this document wishes to herald. The following policies are reaffirmed:

Where a vessel is owned by more than one party, one of the other parties may register at the time of taking out the annual mooring contract that they have a significant interest in the vessel. If after a period of 5 years or more the registered owner seeks to give up the partnership but the other registered co-owner wishes to continue then, at the discretion of the Authority, a new mooring contract may be issued to the co-owner. This concession will also be extended to a member of the owner's family but the five-year registration period also applies. The Authority will ask to view details of the insurance of the craft during the five-year period to confirm the stated ownership arrangements.

The Authority may, subject to reasonable notice and reasonable convenience, require the registered owner of any vessel occupying an Authority mooring to discuss with them their holding and usage of the craft.

11.7 SLIPWAYS AND TRAILER BOATING

As recognised elsewhere in this document, facilities are extremely limited especially at Dartmouth. As part of the ongoing discussions the Authority is having with Dartmouth Town Council and SHDC and which are referred to in Section 11.10 on 'Parking', the parking of trailers in the Dartmouth 'Park and Ride' will be included. On the question of improving and reconfiguring the existing slip-way (beside the Higher Ferry) the Authority has agreed to allocate £50,000 to this project and this is reaffirmed. It is hoped that work will proceed during 2010/2011. Slipways also exist at Noss, Greenway, Dittisham and Totnes and small boat launching is possible on the beach and the sailing club slipway at Dittisham. The Authority will argue for the retention of all these facilities and will investigate the possibility of improving the old car ferry slipway at Dittisham (southern side of the pontoon). Harbour dues are, of course, payable for boats launched into the River Dart as well as those kept on moorings.



Hole in the Wall near Sharpham

11.8 PONTOONS/LANDING STAGES

It is long standing policy of the Authority to oppose the installation of private pontoon berths on riparian properties. While this policy may seem harsh and it is recognised that the occasional pontoon is not particularly unsightly and may even on occasion add interest, the cumulative effect of a proliferation of walk-ashore pontoons would be detrimental to the appearance of the river. Even when located on private fundus, moored pontoons require a Mooring Licence which will not normally be granted if the pontoon is for private use. Where a private pontoon exists or if permission is granted for any further developments of this sort, the pontoons are not to be used for mooring but merely as landing stages.

Commercial pontoons and pontoons providing public access to the river will be judged on their merits but when and if the commercial activity (and/or the public access) cease the mooring licence will be withdrawn and the pontoon should be removed. In no cases will its use as a private mooring be permitted.

It is hoped that the new policy of presumption in favour of running moorings (see Running Moorings Section 11.3) will ameliorate the effect of this policy with regard to private pontoons

11.9 RESIDENT VESSELS WITHOUT PERMANENT BERTHS

A number of vessels are kept year round in the Port without the benefit of an allocated berth. Some but not all of these vessels are on current waiting lists. A particular difficulty with these vessels is that they tend to be of a substantial size. It is the view of the Authority that it cannot allow these vessels to be moored long term on prime mooring facilities provided for visitors during the peak holiday season even when these vessels are paying visitors' rates for the mooring they occupy. During peak season (July and August), and other busy periods as determined by the Harbour Master, a 14 day maximum stay rule on prime visitors' berths will be imposed on such craft. Thereafter, and subject to availability,

the Authority will allocate the vessel a temporary mooring. If no berth is available the vessel may be directed to anchor. Anchored vessels must be attended overnight and at change of tide.

11.10 PARKING

Car parking was shown to be a major concern during the consultation process and the policies set out in this document to a large extent reflect this. Scope for action by Dart Harbour is very limited, however the following is proposed:

Dartmouth - Car parking is becoming high on the political agenda as various bodies have identified limited car parking as one of the key restraints on the economic development of the town. Dart Harbour will have discussions with the SHDC on their policies pertaining to parking generally and to the 'Park and Ride' which are not attractive to boat users. Issues for discussion will be overnight and longer stay parking, parking when the park and ride is shut (e.g. in the winter) and trailer parking. Discussions will also be held with Dartmouth Town Council on possible plans for Coronation Park.

Kingswear – Parking exists within the Darthaven Marina and space is generally available except during the very busiest part of the season.

Dittisham – Discussions will be held with Dittisham Parish Council with a view to encouraging boat and dinghy users to park in the Ham Car Park especially outside the peak summer weeks.

Greenway – Very limited car parking is currently available for dinghy users at Greenway and it is hoped that dinghy and car parking will continue to be available. Discussions will be held with interested parties to seek to secure this for a further period.

Stoke Gabriel – Discussions will take place with the Parish Council and the SGBA to determine the extent of the problem and to see if any improvements are possible.

Totnes – Discussions will be taking place with Baltic Wharf to explore opportunities for enhanced facilities in this location.

Riparian owners bringing forward plans to provide dinghy facilities with associated car parking available will receive sympathetic consideration subject to planning and environmental considerations.

11.11 PRICING POLICIES

Currently customers receiving invoices from the Authority may have little or no idea what they are paying for. It is the intention to move to a more open billing system where the different charges are itemised separately – i.e. a charge to the Duchy. A start with this will be made in the next financial year.

The Authority faces a challenging period when its resources will come under considerable pressure. At the time of writing it is not possible to fully quantify these, but obvious pressures are:

- i. The provision of improved facilities for visitors and berth-holders. A number of improvements are set out in this Policy document and there will be a need to pay for these. In a competitive market Dart Harbour cannot afford to stand still and must make constant improvements.
- ii. The replacement of the Authority's current plant – in particular the renewal of pontoons many of which are ageing. As indicated in Section 8 discussing the most intensively developed part of the river, Dart Harbour has developed a Capital Plan to meet this need.
- iii. The re-development of the Hoodown depot. This will permit much of the maintenance work on pontoons etc which would have needed to be contracted out to take place 'in house'. It will also provide modern staff facilities for staff returning wet and cold from the river.
- iv. There is pressure to cater for local residents, many of whom have small incomes, are unable to afford marina facilities and yet wish to enjoy the river. It is an important objective of the Authority to support affordable boating and access to the river, for all that seek it.

11.11.1 Recreational Moorings

Following further strong representations during the consultation period all charges will be by boat length (except for the Town Pontoon inside.) There will necessarily be annual increases for some years to enable the Authority to respond to the funding pressures it is facing.

The above policy will apply to all recreational mooring contracts and current berth holders.

11.11.2 Unoccupied Moorings short and long term and 'boat holidays'

Plans to provide incentives for notifying the Authority of temporary absence from an Authority berth are referred to in Section 11.5 For berth holders taking a 'boat holiday' (that is absent from their allocated berth for an entire year i.e. April to March) the current practice has been to charge the berth holder for either a 5m or a 6m boat. For owners of large vessels this is clearly a very good deal but it offers little or no incentive to owners of small craft to inform the Authority that they will not require the mooring for the season. It is proposed to amend this to charging for half of the maximum mooring length of the berth (not boat) which would be normally charged if the mooring was occupied. This will be implemented in 2011.

In the event of very long term absence of a vessel from a mooring the Authority will discuss with the owner and mooring holder their plans for each season but will reserve the right to re-let the mooring in the event of prolonged absence.

Similarly if a vessel remains on a prime mooring for a very long period without usage of any kind the Authority will seek to discuss this with the berth holder.



Visitors' Moorings at Dittisham

11.11.3 Commercial Moorings/Registered Fishing Vessels

While it is elsewhere acknowledged that the Authority's pricing policies need to provide for a spectrum of affordability for recreational vessels the same applies to commercial vessels. Many marine businesses operate on slender profit margins but contribute significantly to the local economy by making the area attractive to visitors of many types. The Authority will therefore continue to remain very mindful of the needs of these particular stakeholders. For historical reasons certain commercial users on the KP pontoon did receive a substantial concession. The Authority has now reached an agreement with the South Devon and Channel Shellfishermen's Association concerning pricing on the commercial moorings on the KP pontoon. Parity with leisure mooring charges will be achieved by 2018 through an additional phased annual percentage charge each year. Any new commercial berth holders before 2018 will pay the full mooring charge immediately and receive no concessional discount. This agreement will ensure that leisure mooring holders do not unfairly subsidise maintenance/repair/replacement costs of this pontoon.

11.11.4 Mooring Surrender Refunds

A refund will now be given for each full month remaining as soon as the mooring is re-let and the Authority will make every effort to re-let it immediately it becomes vacant and it is notified in writing by the owner. This policy will not apply to running moorings and dinghy berths.

11.11.5 Harbour Dues

As part of an ongoing drive to improve management information Dart Harbour has reviewed the costs of its various activities so as to strip out more accurately the true costs of meeting Statutory and environmental requirements. Adjustment of the amounts charged for Harbour dues and other services have followed from this process.

11.11.6 Winter Moorings

Policies in this regard will remain largely unchanged. As at present there will be no charge for a mooring contract holder moving to a winter berth provided that the moorings are of the same category. Where there is a change of category or where an owner has an “elected” change of mooring a charge will be levied to cover administration costs. It may be necessary (particularly when Easter is early) to shorten the winter period by two to four weeks so that Visitors’ berths are vacated in good time for the Easter holiday period.

11.11.7 Fundus Rental

Rents payable to fundus owners need to be fairly apportioned between the moorings occupying that fundus. Future policy will identify this component clearly on all Dart Harbour bills.

11.11.8 Visitors ‘Laying Up’

A common problem throughout the summer period is that visitors arrive, place their boats on visitors’ moorings, and then leave by land, effectively laying vessels up for weeks on end. Often this starts quite reasonably due to illness, adverse weather etc preventing the vessel returning to its home port. However the effect of this is that prime visitors’ berths are tied up for a prolonged and unspecified (and frequently lengthening) period. In future such boats will be moved to an alternative berth immediately and the charge levied for the berth will begin to escalate after a period of two weeks subject to the discretion of the Authority when this is clearly due to adverse weather.

11.11.9 Multi-hulls

Such vessels will continue to be charged for buoyage at more than the mono-hull rate.

11.11.10 Waste Management and Recycling Plan

From 2004, the Authority has been directly responsible for the management of all waste generated within the harbour, which has to be treated as trade waste. The Authority has developed a Waste Management Plan duly authorised by the MCA but projected increases in land fill tax and other disposal costs will inevitably be reflected in future charges.

11.12 BOATS AND VESSELS BERTHED AGAINST QUAYS, WALLS AND BANKS

Boats and vessels berthed against quays, banks etc. are commonly referred to as being ‘moored’ but such berthing arrangements do not constitute “a mooring” for the purposes of the DHNA Act 1975 (Section 33). A contrary ruling, made by the Secretary of State became the subject of a Judicial Review in 2003 and was overturned by Mr Justice Lightman in the High Court.

Although strictly speaking ‘berthing alongside’ does not involve the use of ‘a mooring’ in technical terms, the key issue – aside from the physical considerations of tide and the safety of the vessel, particularly in the event of a storm – in determining whether a boat or vessel may berth long term against a quay, wall or bank, is the ownership of the fundus directly under the vessel. It should be noted that the Authority’s rights and powers in this instance are derived from Section 30 of the DHNA Act and not Section 33 (the Section on moorings). This means that the Secretary of State has no power to determine the “reasonableness” of the Authority’s decisions in this matter.

On fundus owned or leased by the Authority, alongside berthing will continue to be generally prohibited. In other cases where other owners of fundus wish to have a vessel berthed alongside, the Authority will not oppose this usage unless there are navigational or environmental reasons for so doing.

11.13 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 fundus and form part of a pattern of affordable boating that the Authority does not wish to inhibit. The Authority will not however permit craft to become an unsightly liability. Responsibility for the condition of 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 foreshore/fundus.

Harbour dues will be levied on beach berthed boats at the discretion of the Authority.

12.0 APPENDICES

12.1 APPENDIX 1

Types of Mooring

Swinging Mooring. – the vessel is tied to a buoy, which is itself attached via a chain or line (known as a riser) to a weight, or anchors on the fundus. The arrangement allows the vessel to move so that it will head into the wind or the tide – whichever is the stronger. In summer, when the weather is not adverse it is common for visitors to ‘raft up’ on such berths i.e. several boats on the one mooring. Such moorings may be in deep water or drying out, sometimes known as mud berths.

Trot Mooring. – several Moorings (on the Dart – up to about 25) are arranged in a line and the boats are tethered fore and aft (front and back). This arrangement, because the boats do not move around, enables there to be many more boats moored in the same area. Because the moorings are tied together even when the trot is unoccupied such arrangements restrict the use of the river for sailing. Trots can be single or double – double being two boats side by side with fendering on each berth.

Pontoon Mooring. – these also can be of various types. The boats are tied fore and aft to pontoons and may be packed in several layers deep. Pontoons can be single or may have ‘finger’ pontoons coming off them. It is common for large pontoons that have heavy vessels on them to be ‘piled’ i.e. secured by steel piles driven into the riverbed. To allow for the rise and fall of the tide these piles have to be at least 6-7 metres above the low tide level of the river and they therefore can be quite obtrusive in sensitive locations. Some pontoons are connected to the shore and are known as ‘walk ashore’ pontoons.

Running Mooring – this is used for small craft (currently up to 4.5m) on the Dart where the boat is tethered to a looped line running from the shore to a fixing in the fundus. The boat can be pulled in and out using the running line.

Dinghy (Toast) Rack – used for dinghies these are racks, normally made from tubular steel in which light dinghies may be stored on end.

12.2 APPENDIX 2

The Management and Usage of Moorings

(1) Authority Moorings on Duchy Fundus leased to the Authority

Most commonly the mooring is located on Duchy fundus and is owned and maintained by the Authority. The Authority lets such buoys on either an annual, daily, or in some cases a seasonal basis. In such cases the Authority can determine its policies in an entirely unfettered way except that as a public body it will always seek to act within its powers, in a responsible way for the benefit of all its stakeholders, and in accordance with the terms of its lease.

(1) Moorings owned by private individuals on Duchy Fundus leased by the Authority

These moorings are long established, the vast majority pre-dating the formation of the Authority. These are licensed annually by the Authority and a small charge is levied for this. The charge [as in the cases (4), (5), and (6) below] relates not just to the Authority's administrative costs but also to the need to ensure that such moorings are maintained and operated in a responsible way which does not endanger other river users or the environment. It is thus necessary for the charge levied to make a contribution to e.g. patrolling the river, environmental management costs etc as these costs are not covered by harbour dues. When private moorings fall into disuse or the mooring holder gives up the licence or dies, the licence is not normally reissued. The tackle is returned to the owner (or the owner is compensated for it) and the fundus is cleared. The Authority may then decide to lay a new mooring and let this to the next person on its waiting list.

This category of mooring is also governed by the Harbour Authority's Mooring Licence Conditions for Private Moorings. Please see Appendix 8. Such Conditions are reviewed annually.

(3) Authority Moorings on Fundus not owned by the Duchy but leased by the Authority from a Third Party

The Authority currently has few moorings in this category but their development is a possibility. Generally the Authority will seek to operate them in precisely the same way as for its moorings on Duchy fundus issuing annual contracts, but special conditions may well apply as a result of the lease negotiated with the third party. The length of any lease will determine long term security for berth holders; subject naturally to the provisions set out in the first paragraph of Section 3.0 of this document.

(4) Moorings Owned and operated by commercial Operators on Duchy Fundus leased to the Authority

There are a number of commercial operators, apart from the Authority, who provide such moorings on a commercial basis. The Authority licences these moorings on an annual basis.

Dart Harbour and Navigation Authority's Commercial Multiple Moorings Licence applies to this category of mooring. See Appendix 8. These Conditions are reviewed annually.

(5) Moorings Owned and operated by commercial operators on Fundus owned or leased by them

Most, but by no means all of such moorings are on Duchy fundus where the Duchy has separately leased a particular area of fundus to the operator. The marinas are included in

this category. The Authority issues an annual licence for each mooring and requires details of the boats using the moorings.

(6) Licensed Private Moorings on Privately Owned Fundus

These moorings are largely associated with riverside properties. Again the Authority issues an annual licence for each mooring and requires details of the boats using the moorings. The right to lay moorings in this situation is covered by the 1975 DHNA Act of Parliament and the issue of moorings' licences is not automatic but, subject to safety, navigational and environmental considerations, the issue of a mooring licence (or licences) will not be unreasonably withheld.

12.3 APPENDIX 3

Below is an explanation concerning the Waiting List which shows the various factors and details at that date. The reports are regularly reviewed and show that various classes of moorings and locations are available from time to time.

Example of Annual Report on Moorings Allocation received by the Board

Waiting List - Report to Board June 2010

The following report was prepared from information available at 25th May 2010. The key points to consider are:-

1. Moorings are let to suit berth to boat, e.g. we will not put a 5m boat on a 10m berth.
2. Mooring Officers will skip down the list until a suitable match is found.
3. Some customers are waiting for a specific mooring or a transfer.
4. Some customers are waiting for a time in the future (e.g. retirement).
5. Some people are not ready or do not have a boat when a berth becomes available.
6. In some mooring areas there are only a small number of berths of specific sizes and therefore only become available infrequently.
7. The dates at the top of the list are skewed by these facts, so waiting times cannot be accurately shown.
8. While preparing this report some discrepancies between the paper system and the computer system have been identified and this will be addressed with Moorings Officers, the Senior Administrator and Assistant Harbour Master.
9. The waiting list system does not currently show the history of mooring offers to persons on the list and this is something that will be put in place for the future.
10. In real terms there are waiting lists within waiting lists to ensure the right boat is allocated to the right berth both in terms of length and draught. So the person at the top of a list may not be the best match.

Down River

Date at top of list	Area	Number on List	Number of Moorings at location	Moorings Available (HMS @ 24/05/10)	Max LOA at location
2003	Bayards Cove	13	25	0	4.3m
2000	Bight + Warfleet	82	46	0	12m
2003	DA Pontoon	33	17	1*	7.9m
2007	Dartmouth Commercial Dinghy Pontoon	7	24	0	5.2m
2003	Dartmouth Dinghy Rack	36	52	14	3.4m
2001	Dartmouth Trots	40	14	1*	9m
1998/2002	DB Pontoon	119	51	1*	7.9m
2002	Kingswear Dinghy Rack	50	100	2*	3.4m
2007	Kingswear Dinghy Afloat	20	6	0	tba
2000	Kingswear Island Pontoon	234	119	3*	15.2m
2005	Kingswear Island Commercial Pontoons	4	21	1*	24.4m
2003	Kingswear Trots	278	202	8*	19m
2003	LWL 14'	65	119	4*	14'
2003	LWL 18'	50			18'
2004	N Emb Running Mooring	7	14	4*	4.5m
2007	Noss	4	10	1	30.5m

Up River

Date at top of list	Area	Number on List	Number of Moorings at location	Moorings Available (HMS @ 24/05/10)	Max LOA
2006	Bow Creek	3	19	2	6.7m
1998/2006	Cornworthy	37	59	3	9.8m
2007	Cornworthy Mud	5	3	1	7m
1999/2003	Dittisham	117	88	6 2*	9.8m
2003	Dittisham Dinghy Pontoon Afloat	37	52	0	4.3m
2006	Dittisham Dinghy Rack	12	54	4	3.4m
2002	Dittisham Mud	20	16	1	6.7m
2005	Dittisham Running Mooring	11	46	5	4.3m
2004	Duncannon	10	9	0	9.2/6.7m
2004	Greenway/Galmpton	41	91	10 1*	9.8m
2008	Maypool	9	5	0	11.3m
1999/2003	Noss Up River	60	27	1*	14m
2002	Parsons Mud (Wilja)	25	12	Not to be let	30m
1999/2002	Stoke Gabriel	56	25	1*	9.8m
2002	S G Dinghy Pontoon	52	61	0	4.3m
2002	Stoke Gabriel Mud	15	54	8 1*	6.7m
2004	Totnes	3	14	0	7.3m

Shaded boxes show these berths are allocated as temporary contracts for 2010. Berths will be permanently allocated for 2011.

12.4 APPENDIX 4

Report of the Consultation Meetings 2010

The Moorings' Policy Review for 2010 was undertaken by members of the Dart Harbour Board with the assistance of the Dart Harbour office staff. As identified in section 3.1, (The Response to the Consultation), a comprehensive period of public consultation took place during April and May 2010 so as to gather and listen to the views of interested individuals and groups who are associated with the River Dart or surrounding district. To this end, local meetings were arranged at Dartmouth, Dittisham, Totnes, Kingswear and Stoke Gabriel, as well as meetings with the Stakeholder Groups. Furthermore, as explained earlier, a questionnaire was enclosed to all current holders of Dart Harbour moorings so as to provide an opportunity for direct comments and views. In addition a number of letters were received from individuals who wished to express a particular point of view or concern related to The Moorings Policy.

All these arrangements for consultation provided a valuable opportunity for discussion and a good means of assessing the views of many of those who are associated with, or use, the River Dart. A total of around 95 people attended the public meetings and over a 100 replies were received for the questionnaire, (see 12.5 Appendix 5). All the responses, in whatever form presented, have been carefully evaluated and considered. Where possible, and where it is practical, the recommendations and views of those who suggested changes to the present Policy have been taken into account and have been considered for adoption in the new Moorings' Policy document for 2010. Nevertheless it has to be clearly stated that not all suggestions or demands for change could be considered, sometimes for example, for reasons that they conflicted with the basic philosophy of the Moorings' Policy, or possibly because for practical reasons they could not be implemented.

Although more comprehensive details of any amendments that will be implemented have been identified elsewhere within the Policy, a summary of the principal changes to the Policy in response to the consultations which took place, are as follows:

1. All mooring charges are to be amended to be by 'boat length' (LOA). Only exception to be the inside berths on Town Jetty (South).
2. To improve dinghy storage facilities with provision of additional dinghy moorings and/or stowage on the south side of the Low Water Landing Pontoon.
3. The establishment of better public information with regard to the 'Waiting Lists', whilst at the same time retaining confidentiality.
4. Amend boat 'holiday arrangements' and adjust to more favourable rates.
5. Support the SHDC proposals of improved boat launching facilities with a newly constructed slipway close by the Higher Ferry slipway (Dartmouth bank).
6. To pursue improved access for those with disabilities at North Embankment pontoons.
7. Provide an additional number of channel mark buoys in the upper reaches between Blackness Point and White Rock.
8. Seek to provide improved accessibility for 'Potable Water' services on the river.

Apart from the changes and proposals mentioned above, it should also be noted two other issues were frequently and volubly raised during the consultation period. These were:

i) The issue of charging proportionately more for larger boats. Except for certain visitors this proposal was rejected as a result of the consultation.

ii) Preferential treatment for 'residents' in the allocation of moorings. After several discussions by the entire Board of the Authority it was decided, despite the consultation, not to pursue this issue.

12.5 APPENDIX 5

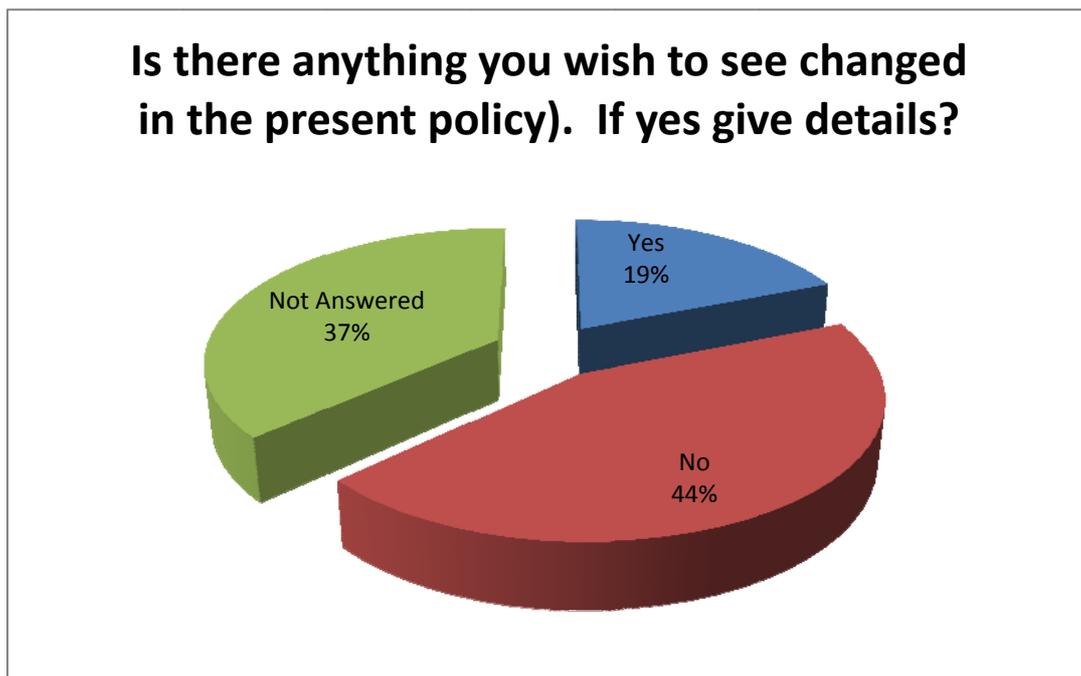
Results of the 2010 Survey

1. Is there anything you wish to see changed in the present policy (Y or N)

Yes	No	Not Answered
18	42	35

Reasons:-

- A credit for long absences is a policy, why is it not given
- More positive towards affordable moorings. Local could be Devon (Wider than S Hams but not national) for some moorings
- I would like the waiting lists to be published and available to the public`
- Better provision for up river berth holders to moor up for short term (1 hr) in Dartmouth
- Para 5.0 local residents needs another look. It is not illegal to favour locals and they should be given some priority
- Broader consultation of likely interested parties before new/capital investments are made by Dart Harbour and as part of policy
- How are you going to change it? If you charge by berth size, it is unfair on those smaller boats on larger moorings (not always by their own choice). It also encourages larger and larger boats
- Local people should have priority for moorings. A length of residency requirement should be applied to applicants in this case.
- Priority given to South Hams permanent residents when allocating moorings
- Consider berths being charged not only loa but by beam as well i.e. charge for the space occupied
- A solution is needed to the problem of berth holders tenders
- Priority for locals on waiting list (See comments)



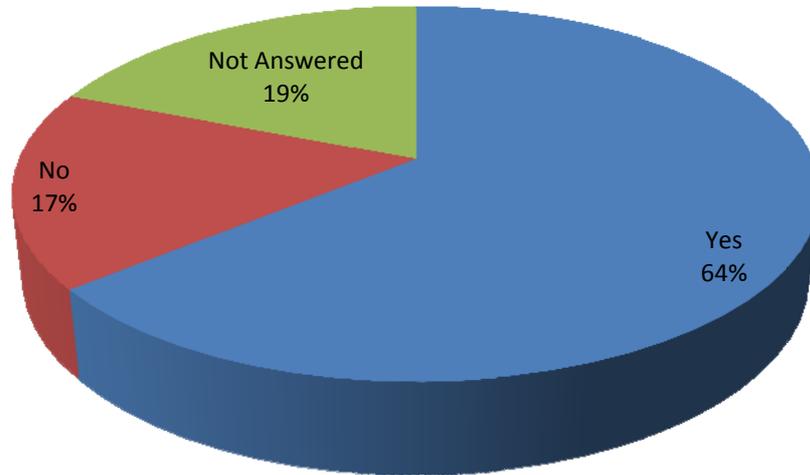
2. Are launching facilities adequate and should Dart Harbour continue to press for an improved slipway in Dartmouth?

Yes	No	Not Answered
64	17	19

Reasons:-

- Since new ferry, public slipway is dangerous. Public slipway needs widening and repairing especially at low tide
- Launching facilities are not adequate
- Should improve slip.
- Provision of dedicated trailer parking near slipway - chargeable
- There is currently no trailer parking available for day boat launching. This needs consideration.
- The Hoodown Slip and more Dinghy Racks should be improved.
- Launching facilities are not adequate. Public slipway improvements should be a priority for both locals and visitors. This slipway needs to be wider to allow launching and recovery at the same time and provision of mooring rings.
- Security gate for walk on pontoon in Dartmouth.
- Loss of Dart Marina slipways should be replaced.
- Plenty of cheap or free slipways near car parks to allow launching of small craft.
- Launching facilities for ribs, dinghies, rowing skiffs are total inadequate. Broadening of current slip or provision of lift out should be top priority
- Current launching facilities are very poor particularly as the new Higher Ferry has absorbed much of the old slipway.
- better alongside access to water
- Launching facilities are inadequate & DH should continue to push for improvements. Slipway arrangements in Dittisham are need improving.
- Not adequate, Yes should press for improved slipway. Tender moorings
- Also need slip on Kingswear side. Pontoons (oversize ribs - local workboats etc)
- The current launching facilities are totally inadequate. Improvements made to pontoons, such as proper numbering, individual cleats for small vessels, especially at low water landing off North Embankment and renewal of sections of chain/and/or eye bolts to allow locking on to. Better swivels/eyes on buoys
- Pressing isn't good enough, do something (re slipway).
- An improved slipway is long overdue.
- Better dinghy and dinghy launching facilities in Kingswear required. Access to the river from the Kingswear side with better parking facilities. I also believe that Noss should provide parking (at a price) for those with boats on the trots.
- Visitor pontoon moored off Stoke Gabriel creek to increase the potential number of berths available for visitors and locals wishing to temporarily visit Stoke Gabriel
- No they are not adequate improved slipway necessary. More dinghy (tender) spaces are desperately needed. Damage occurs when leaving tenders while shopping etc
- A new slipway must be provided.
- A slipway on the Kingswear side is needed urgently.

Are launching facilities adequate and should Dart Harbour continue to press for an improved slipway in Dartmouth?



3. Presently some berths are charged by boat size (length overall) and other by berth size (max length of vessel the berth is capable of taking), should the Authority be consistent on this matter?

Yes	No	Not Answered
52	27	18

Details

- Berth Size
- All should be charged by berth size
- Should be on boat size alone
- Important to charge by LOA
- Should charge by length of vessel, since berths can be adjusted boats cannot.
- By length of vessel.
- Charge by berth length not boat size.
- Loa only.
- I understand that there are only 3 areas in the Dart where moorings are charge by berth rather than loa. Unfortunately, I am on one of these so would like to urge Dart Harbour to charge by LOA rather than by berth length.

Presently some berths are charged by boat size (length overall) and other by berth size (max length of vessel the berth is capable of taking), should the Authority be consistent on this matter?



12.6 APPENDIX 6

STAKEHOLDER GROUPS – REQUIREMENTS FOR ACCREDITATION

The Authority shall from time to time accredit any body that complies with suitable standards of openness and accountability and shall consult with these bodies on matters substantially affecting the management, maintenance, improvement, conservation, protection or regulation of the harbour and its navigation.

The Authority shall take into consideration any matter, recommendation or representation which may from time to time be referred or made to them by such an accredited body whether or not that accredited body has been consulted by the Authority on the matter, recommendation or representation so referred or made.

REQUIREMENTS FOR ACCREDITATION

- i) That an inaugural meeting is held and the Minutes are made available to the Authority.
- ii) That Annual General Meetings are held and that the Minutes are made available to the Authority.
- iii) That Officers are elected and that their method of election and their names are made available to the Authority.
- iv) If a steering committee is elected then the method of election and the names of the committee are made available to the Authority.
- v) The Group's criteria for membership are disclosed to the Authority.
- vi) The Group's membership list is disclosed to the Authority
- vii) That the Group's policy and/or mission statement is disclosed to the Authority.
- viii) The Minutes of all general (and steering committee) meetings are made available to the Authority.

12.7 APPENDIX 7

Advice from SHDC Estuary Officer

I am writing in response to your request for feedback on the Dart Harbour Moorings Policy review, on behalf of the South Devon Area of Outstanding Natural Beauty unit.

We note that you have four main areas of consultation and have tried to keep our comments to these areas;

1. Generally we are very happy with the existing policy and its successes (made clear at your consultation workshops), and especially its giving prominence to the AONB's Management Plan policy Est/P5 "The tranquil and unspoiled character of the AONB's estuaries will be protected and maintained and the spread of moorings and built development into currently undeveloped parts of the estuaries will be resisted." - measured by Est/M1 "No increase in the number of moorings and length of pontoon infrastructure in undeveloped estuary areas from 2008 levels."

We would suggest that some mention is made of the Natural Environment & Rural Communities Act (2006) [NERC Act] that places the environmental responsibility on the Harbour Authority "to have regard, to the purpose of conserving biodiversity." This might include;

- managing the use of the scrubbing grids to minimise the runoff of antifoulant chemicals / debris into the water and maximise its collection for responsible disposal
- stating an awareness that swinging moorings have a significant cumulative impact on the natural seabed wildlife through chain scour, and that the Authority will consider alternative mooring methods that minimise this scour, subject to cost, suitability and track record of operation

2. No opinion - this is a local community matter.
3. We would suggest that the launching facilities for trailered boats within Dartmouth are inadequate - indeed, Objective 11 of the current Dart Estuary Management Plan is to "improve access to the water's edge for launching and recovery of boats, ..." with the proposed implementation of "In collaboration with other initiatives, seek to include provision of a slipway at Dartmouth ..."
4. We would suggest the development and use of boat maintenance facilities where antifoulant scrapings and washings may be properly filtered for water recycling and debris collection, and its responsible disposal.

We are aware of your desire to build and commission a black and grey water pump-out facility for vessels within the Harbour and of your frustration of SWW apparently not being able to receive the effluent for treatment due to its potentially high salt content. In full support of your desire, we have written to the Environment Agency, seeking any clarification on the matter and asking for any potential fixes now or within the foreseeable future.

Other comments;

- from our observations of running moorings over the seagrass meadows in Salcombe, running moorings actually have significantly less of an impact on the seabed wildlife than swinging moorings,
- private pontoons, even where only used as a landing stage, do have a cumulative impact on the seabed below them, diminishing the natural biodiversity beneath them at best - note AONB Management Plan measurement Est/M3 "No net loss in the area of intertidal estuary habitats from the 1999 figures of 1083 hectares."
- slightly related to the Moorings Policy, the retention of shore side boating facilities and boat storage is very important to reduce the pressure on presently unused and undeveloped shoreline sites, not AONB Management Plan policy Est/P6 "The retention of traditional maritime uses will be sought within existing developed harbour areas and the loss of essential boat maintenance and storage infrastructure will be resisted."

Please contact us should you require any further information regarding the above comments.

Nigel Mortimer

Estuaries Officer - South Devon AONB Unit

Follaton House, Plymouth Rd, Totnes, Devon, TQ9 5NE

01803 861465

07971 544010 (not 24/7)

www.southdevonaonb.org.uk

12.8 APPENDIX 8

Mooring Licence Conditions

COMMERCIAL MOORING LICENCE CONDITIONS

1. Licences are issued for a period of one-year commencing 1st April and terminating on 31st March of the following year.
2. Licences are not transferable.
3. This mooring will be licensed for one vessel only and is not transferable
4. In the event that a business that uses a licensed mooring is to be sold to new owners the Authority is to be notified in writing in advance and will normally issue a new licence to the new owners of such a business providing that the Authority's conditions for re-issue are met.
5. The mooring is to be marked with appropriate identification, which must be unique to the within the harbour and agreed with the Harbour Master.
6. The moorings shall be lifted for inspection or otherwise inspected at the expense of the licence holder on an annual basis or as and when the Harbour Master directs and the licence holder shall have done all repairs required. The Harbour Master shall have the right to require at any time the production of a certificate from a competent mooring contractor or appropriate surveyor as to the adequacy of the mooring and the state of the maintenance thereof.
7. The mooring is to be kept in good order. If the mooring falls into a state of disrepair it will not be re-licensed. Failure to remove the unlicensed mooring from the river within fourteen days of the expiry of a licence will result in the Authority lifting the moorings and appropriate charges being made.
8. The mooring may only be used by vessel owned by the mooring licence holder, the details of which have been given to the Authority in writing and approved by the Harbour Master prior to the use of any mooring or berth.
9. The vessel on a licensed mooring must be capable of moving under her own power unless the Harbour Master has been notified otherwise and has given approval for this condition not to be complied with. If the vessel sinks at a mooring it will have to be recovered and removed from the harbour by the vessel's owner. Failure to remove such a vessel from the harbour within such period as shall be specified by the Harbour Master (including immediate notice) will result in the Authority recovering and removing the vessel and the appropriate charges being made. Such charges shall be a debt due from the licence holder to the Authority.
10. The vessel using the mooring is to be insured for recovery and removal from the harbour in the event of sinking and are to carry £2,000,000 third party cover. A current copy of the insurance certificated must be sent to the harbour office.
11. The licence is granted subject to all powers granted to the Authority and the Harbour Master contained in the: Dart Harbour and Navigation Authority Act 1975; Dart Harbour and Navigation Authority Bylaws 1998 and any other Acts and Bylaws that apply to the Authority.
12. In the event of the holder of the licences failing to comply with the conditions of the licences the Authority may give notice to remove the moorings and the vessels moored thereon. Should this notice not be complied with or the conditions of the licence not met within fourteen days of the sending of the notice to the last known address of the licence holder the Authority may remove such moorings and vessel moored thereon to any place where-so-ever. The licence holder shall pay the cost of such removal, storage, mooring or berthing and subsequent replacement to the Authority. Such charges shall be a debt due from the licence holder to the Authority.

13. The Authority and the Harbour Master do not accept any liability or responsibility for damage done to or occasioned by vessels lying in or on approved berths or moorings.

Dated : **1st April 2010**

Signed : Neil Hockaday –
Chairman of the Authority

COMMERCIAL MULTIPLE MOORING LICENCE CONDITIONS

1. Licences are issued for a period of one-year commencing 1st April and terminating on 31st March of the following year. Licences are not transferable.
2. In the event that a business that uses a licensed multiple moorings is to be sold to new owners the Authority is to be notified in writing in advance and will normally issue a new licences to the new owners of such a business providing that the Authority's conditions for re-issue are met and the moorings are re-licensed en bloc.
3. Each mooring and each berth on a pontoon will be licensed for one vessel only. Each mooring and each berth on a pontoon mooring and each berth on a pontoon mooring requires a mooring licence.
4. The berths and mooring is to be marked with appropriate identification of the berth or mooring which must be unique to the licence holder.
5. The moorings shall be lifted for inspection or otherwise inspected at the expense of the licence holder on an annual basis or as and when the Harbour Master directs and the licence holder shall have done all repairs required. The Harbour Master shall have the right to require the production of a certificate from a competent mooring contractor or appropriate surveyor as to the adequacy of the mooring and the state of the maintenance thereof.
6. The berths and mooring is to be kept in good order. Berths and moorings falling into a state of disrepair it will not be re-licensed. Failure to remove the unlicensed berths and moorings from the river within fourteen days of the expiry of a licence will result in the Authority lifting the moorings and appropriate charges being made. The moorings are to carry a minimum of £2,000,000 third party and public liability cover. Copies of the insurance documentation relating to the mooring are to accompany any remittances and application for a licence.
7. The berths and moorings may only be used by vessels the details of which have been given to the Authority prior to the use of any mooring or berth. A visiting vessel may use the mooring on condition that it is not left unattended for more than 18 hours out of 24 hours and does not remain within the harbour for longer that 14 days without the consent of the Harbour Master.
8. Every vessel (other than vessels properly exempted from harbour dues) using a berth or mooring is required to pay harbour dues. The licence holder must either collect harbour dues on behalf of the Authority or inform the Authority of any vessel in a berth or on a mooring within 24 hours of any vessel arriving in a berth or onto a mooring
1. Every vessel on a licensed berth or mooring must be capable of moving under her own power unless the Harbour Master has been notified otherwise and has given approval for this condition not to be complied with. Any vessel that sinks at a mooring will have to be recovered and removed from the harbour by the vessel's owner or the licence holder. Failure to remove such a vessel from the harbour within such period as shall be specified by the Harbour Master (including immediate notice) will result in the Authority recovering and removing the vessel and the appropriate charges being made. In the event that the vessel's owner does not reimburse the Authority in full for such recovery and removal the licence holder will be liable for the outstanding debt. All vessels using the moorings are to be insured for recovery and removal from the harbour in the event of sinking and are to carry £2,000,000 third party and public liability cover. A current copy of the insurance certificated must be sent to the harbour office.
9. The licence is granted subject to all powers granted to the Authority and the Harbour Master contained in the: Dart Harbour and Navigation Authority Act 1975; Dart Harbour and Navigation Authority Bylaws 1998 and any other Acts and Bylaws that apply to the Authority.

10. In the event of the holder of the licences failing to comply with the conditions of the licences the Authority may give notice to remove the moorings and the vessels moored thereon. Should this notice not be complied with or the conditions of the licence not met within fourteen days of the sending of the notice to the last known address of the licence holder the Authority may remove such moorings from the harbour and may likewise remove any vessel moored thereon either from the harbour or to an alternative mooring. The licence holder shall pay the cost of such removal, storage, mooring or berthing and subsequent replacement to the Authority. Such charges shall be a debt due from the licence holder to the Authority.
11. The Authority and the Harbour Master do not accept any liability or responsibility for damage done to or occasioned by vessels lying in or on approved berths or moorings.

Dated : **1st April 2010**

Signed : Neil Hockaday –
Chairman of the Authority

PRIVATE MOORING LICENCE CONDITIONS

1. Licences are issued for a period of one-year commencing 1st April and terminating on 31st March of the following year. Licences are not transferable.
2. The mooring will be licensed for one vessel only and is not transferable.
3. The mooring is to be marked with appropriate identification, which must be unique within the harbour and agreed with the Harbour Master.
4. The mooring shall be lifted for inspection or otherwise inspected at the expense of the licence holder on an annual basis or as and when the Harbour Master directs and the licence holder shall have done all repairs required. The Harbour Master shall have the right to require the production of a certificate from a competent mooring contractor or appropriate surveyor as to the adequacy of the mooring and the state of the maintenance thereof.
5. The mooring is to be kept in good order. If the mooring falls into a state of disrepair it will not be re-licensed. Failure to remove the unlicensed mooring from the river within fourteen days of the expiry of a licence will result in the Authority lifting the mooring and appropriate charges being made.
6. The mooring may only be used by a vessel owned by the mooring licence holder the details of which have been given to the Authority in writing and approved by the Harbour Master prior to the use of any mooring or berth.
7. The vessel on the licensed mooring must be capable of moving under her own power unless the Harbour Master has been notified otherwise and has given approval for this condition not to be complied with. If the vessel sinks at the mooring it will have to be recovered and removed from the harbour by the vessel's owner. Failure to remove such a vessel from the harbour within such period as shall be specified by the Harbour Master (including immediate notice) will result in the Authority recovering and removing the vessel and the appropriate charges being made. Such charges shall be a debt due from the licence holder to the Authority. The vessel using the mooring is to be insured for recovery and removal from the harbour in the event of sinking and is to carry £2,000,000 third party cover. A current copy of the insurance certificated must be sent to the harbour office.
8. The licence is granted subject to all powers granted to the Authority and the Harbour Master contained in the: Dart Harbour and Navigation Authority Act 1975; Dart Harbour and Navigation Authority Bylaws 1998 and any other Acts and Bylaws that apply to the Authority.
9. In the event of the holder of the licences failing to comply with the conditions of the licence the Authority may give notice to remove the mooring and the vessel moored thereon. Should this notice not be complied with or the conditions of the licence not met within fourteen days of the sending of the notice to the last known address of the licence holder the Authority may remove such moorings from the harbour and may likewise remove any vessel moored thereon either from the harbour or to an alternative mooring. The licence holder shall pay the cost of such removal, storage, mooring or berthing and subsequent replacement to the Authority. Such charges shall be a debt due from the licence holder to the Authority
10. The Authority and the Harbour Master do not accept any liability or responsibility for damage done to or occasioned by vessels lying in or on approved berths or moorings.

Dated : **1st April 2010**

Signed : Neil Hockaday –
Chairman of the Authority

PRIVATE RUNNING MOORING LICENCE CONDITIONS

2. Licences are issued for a period of one-year commencing 1st April and terminating on 31st March of the following year. Licences are not transferable.
3. The mooring will be licensed for one vessel only and is not transferable. Where a mooring is secured at its shore end to private property to which there is no public right of access the Authority will normally issue a new licence to the new owners of such property. This power is delegated to the Harbour Master.
4. Licences for running moorings attached to private property to which there is no public right of access will normally be issued to the property owner (who may not be the end user of the mooring) unless the property owner wishes the licence to be issued to a third party.
5. The maximum size of vessel permitted by the Authority to occupy a running mooring - currently 4.5 metres in most areas- shall not be exceeded except in exceptional circumstances where the harbour master is satisfied that any increase is acceptable in a particular uncongested area. Prior permission must be obtained.
6. The mooring is to be marked with the identification tag as supplied by the Authority.
7. The mooring shall be lifted for inspection or otherwise inspected at the expense of the licence holder on an annual basis or as and when the Harbour Master directs and the licence holder shall have done all repairs required. The Harbour Master shall have the right to require at any time the production of a certificate from a competent mooring contractor or appropriate surveyor as to the adequacy of the mooring and the state of the maintenance thereof.
8. The mooring is to be kept in good order. If the mooring falls into a state of disrepair it will not be re-licensed. Failure to remove the unlicensed mooring from the river within fourteen days of the expiry of a licence will result in the Authority lifting the mooring and appropriate charges being made. In congested areas the Harbour Master shall have the right to insist upon the use of weighted line.
9. The mooring may only be used by a vessel owned by, or with the authority of, the mooring licence holder, the details of which have been given to the Authority in writing and approved by the Harbour Master prior to the use of any mooring or berth.
10. If the vessel sinks at the mooring it will have to be recovered and removed from the harbour by the vessel's owner. Failure to remove such a vessel from the harbour such period as shall be specified by the Harbour Master (including immediate notice) will result in the Authority recovering and removing the vessel and the appropriate charges being made. Such charges shall be a debt due from the licence holder to the Authority. The vessel using the mooring is to be insured for recovery and removal from the harbour in the event of sinking and is to carry £1,000,000 third party cover. A current copy of the insurance certificated must be sent to the harbour office.
11. The licence is granted subject to all powers granted to the Authority and the Harbour Master contained in the Dart Harbour and Navigation Authority Act 1975; Dart Harbour and Navigation Authority Bylaws 1998 and any other Acts and Bylaws that apply to the Authority.
12. In the event of the holder of the licences failing to comply with the conditions of the licence the Authority may give notice to remove the mooring and the vessel moored thereon. Should this notice not be complied with or the conditions of the licence not met within fourteen days of the sending of the notice to the last known address of the licence holder the Authority may remove such moorings from the harbour and may likewise remove any vessel moored thereon either from the harbour or to an alternative mooring. The licence holder shall pay the cost of such removal, storage, mooring or

berthing and subsequent replacement to the Authority. Such charges shall be a debt due from the licence holder to the Authority.

13. The Authority and the Harbour Master do not accept any liability or responsibility for damage done to or occasioned by vessels lying in or on approved berths or moorings.

Dated : 1st April 2010

Signed : Neil Hockaday –
Chairman of the Authority

12.9 APPENDIX 9

Extract from the Dart Harbour and Navigation Authority Act 1975 Chapter xxii

Part IV POWERS OF THE AUTHORITY

33. Moorings.

33.-(1) The Authority may place, lay down, maintain, and have moorings, buoys and similar apparatus in the harbour on land owned or leased by the Authority, or in which they hold an appropriate interest, and on any other land with the consent in writing of the owner and lessee thereof.

(2) No person other than the Authority shall place, lay down, maintain or use, nor alter, renew or extend, moorings, buoys similar apparatus within the harbour unless he is licensed to do so by a licence granted under this section, nor except in accordance with the terms and conditions upon which such licence is granted.

(3) The Authority may from time to time, on such terms and conditions and for such period as they shall think fit, grant a licence to any person to place, lay down, maintain or use, and to alter, renew or extend, a mooring, buoy or similar apparatus within the harbour:

Provided that-

(a) nothing in any such licence shall entitle a person to place, lay down, maintain, use, alter, renew or extend any mooring, buoy or similar apparatus on land not owned or leased by him or by the Authority, or in which he has no appropriate interest;

(b) the Authority shall not unreasonably refuse to grant a licence-

(i) to an owner or lessee of any land not leased by the Authority with respect to a mooring on that land;
or

(ii) with respect to a mooring or to a mooring or berthing area existing on 4th December, 1974;

and any question whether the grant of a licence has been unreasonably refused shall be determined by the Secretary of State;

(c) in any case to which both heads (i) and (ii) of paragraph (b) of this proviso apply the Authority shall not refuse to grant a licence, and if on the grant of such licence the Authority impose terms or conditions which in the opinion of the applicant for the licence are unreasonable, the question of the reasonableness or otherwise of such terms or conditions shall be referred to and determined by the Secretary of State.

(4) For the purpose of section 7 of the Telegraph Act 1878 1878 c.76
any work proposed to be carried out under a licence granted in
accordance with subsection (3) of this section shall be deemed to
be a work proposed to be done in the execution of an undertaking
authorised by an Act of Parliament.

(5) The Authority may charge a reasonable fee for the grant of
a licence under this section, but such fee shall not exceed an
amount sufficient to recover the reasonable costs arising from the
application for and the issue of the licence, and any necessary
supervision of the mooring in respect of which the licence is issued.

(6) Without prejudice to the provisions of subsection (2) of
this section, in the case of any existing mooring, buoy or similar
apparatus which may have been placed or laid down within the
harbour before the commencement of this Act without the permis-
sion of the harbour authority, the Authority may, by notice to
the person using any such mooring, buoy or apparatus, require it
to be removed unless on an application made under this section
the Authority shall grant a licence in respect of the maintenance
and use thereof.

7) Any person who without reasonable excuse contravenes
subsection (2) of this section shall be guilty of an offence and liable
on summary conviction to a fine not exceeding £100.

(8) Nothing in this section shall relieve the Authority or any
person licensed by the Authority from liability for damage
caused by them or him to any apparatus belonging to or main-
tained by the Central Electricity Generating Board or the South
Western Electricity Board in the exercise of the powers of this
section and the said powers shall be so exercised as not to obstruct
or render unreasonably inconvenient the access to any such
apparatus or to operational land (as defined in section 222 of the
Town and Country Planning Act 1971) of the said boards. 1971 c.78

(9) This section shall come into operation on the day of
Reconstitution

APPENDIX 10

12.10 Acronyms and Abbreviations Pertaining to this Policy

AONB	Area of Outstanding Natural Beauty (This is almost the entire navigable length of the River Dart)
BRNC	Britannia Royal Naval College
DCC	Devon County Council
DEEM	Dart Estuary Environmental Management
DHNA	Dart Harbour and Navigation Authority
Duchy	The Duchy of Cornwall
LDF	Local Development Framework (Successor to Structure Plan)
LOA	Length Overall
LWL	Low Water Landing
MCA	Maritime and Coastguard Agency
NML	Noss Marina Ltd
RDYC	Royal Dart Yacht Club
SGBA	Stoke Gabriel Boating Association
SHDC	South Hams District Council
TBA	Totnes Boating Association