

Bath & North East Somerset Council

DECISION MAKER:	Cllr David Wood, Cabinet Member for Neighbourhood Service	
DECISION DATE:	On or after 8 July 2021	EXECUTIVE FORWARD PLAN REFERENCE
		E
TITLE:	Mead Lane Moorings	
WARD:	Saltford	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None.		

1 THE ISSUE

- 1.1 The report provides details on the ongoing action the council proposes to take concerning the 14 day moorings at Mead Lane, specifically the on-going concerns about Winter safety issues, the impacts of covid on our ability to monitor the situation over the period 1 November 20 and 28 February 21 and our mooring strategy and broader policy work along the river.

2 RECOMMENDATION

The Cabinet Member for Neighbourhood Services is asked to:

- 2.1 Defer the decision to close the 14-day moorings for the following time period 1 November 2021 until 28 February 2022, for the reasons set out in sections 3.5 – 3.7**

3 THE REPORT

- 3.1 On 8 October 2020 Cabinet passed a series of resolutions in respect of river moorings at Mead Lane, Saltford. These resolutions concerned both the Council's long-term aspiration, working in conjunction with Waterspace Partners, to relocate moorings from Mead Lane whilst ensuring that the total number of 14-day moorings available along the watercourse is not reduced, and its short to medium term objective of increasing the amount of open space along Mead Lane by removing all 48-hour moorings and to restrict to the months of March to October each year all 14-day moorings.
- 3.2 To facilitate these policy objectives, future decision-making authority was delegated to the Cabinet Member for Community Services in consultation with the Director of Environment. This decision is taken pursuant to that delegated authority.

- 3.3 It is proposed that the 14-day moorings at Mead Lane will remain open for the dates 1 November 2021 to 28 February 2022 following which there will be a consultation with all stakeholders (not just boatowners but also local residents and others who use Mead Lane for recreational or other purposes) with a view to a decision being taken in either late Spring or early Summer 2022 about the future of 14-day moorings. That decision is likely to be either that 14-day moorings at Mead Lane will be restricted and eventually phased out in accordance with Cabinet's resolutions, or that the matter should be referred back to Cabinet for further consideration. This future decision will be taken in the context of the emerging moorings strategy and further survey work on the needs of the boating community (led by planning colleagues).
- 3.4 The rationale for this decision is detailed in sections 3.5 – 3.7.
- 3.5 The Council has on-going concerns about winter safety issues at the Mead Lane stretch of the River Avon especially in time of flooding. A recently commenced judicial review claim by one boatowner of the Council's decision to impose a seasonal prohibition on 14-day mooring at Mead Lane has raised a number of issues and arguments including representations about the impact of flooding. Consideration is to be given to the merits of these arguments and to whether they add anything of substance to the views expressed in the previous consultation and/or are representative of the views of other boatowners.
- 3.6 The Council ability to monitor the situation since Cabinet passed its resolutions and to obtain useful data over the 1 November 2020 to 28 February 2021 closure period was severely hampered by the national lockdown restrictions. The assumption is that these restrictions will not be repeated in the equivalent period in 2021/22.
- 3.7 Deferring the decision in this way will also enable the Council to consider it in the light of its broader policy initiatives progressed since the matter was before Cabinet which include the development of a mooring strategy; work with Bristol City Council and South Gloucestershire Council in the West of England Combined Authority regarding a plan for the River Avon, and discussions with the Canal and River Trust which it is believed has in recent months issued a significant number of continuous cruising licences despite the lack of facilities, which appears to have led to increased pressure on the Kennett & Avon Canal and River Avon.

4 STATUTORY CONSIDERATIONS

- 4.1 The council has received external legal advice on this matter.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 There are no direct resource implications associated with this decision.

6 RISK MANAGEMENT

- 6.1 Mead Lane moorings continue to attract interest and the council mitigates reputational risk by planned communications. The council has sought legal advice and this decision is made in accordance with the legal advice received.

7 EQUALITIES

7.1 Equality Act 2010 duties. The Council has a public sector equality duty to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people carrying out their activities. Live aboard boaters are not specifically covered under the protected characteristics identified under the Act (eg Gypsies and Irish Travellers); however, age, disability and pregnancy/maternity are protected characteristics under the legislation.

8 CLIMATE CHANGE

8.1 The council is working closely with the Environmental Agency to understand risks posed by flooding or other environmental impacts in the Mead Lane locality.

9 OTHER OPTIONS CONSIDERED

9.1 The Council could decide to close the 14-day moorings for the period 1 November 2021 until the end of February 2022. However, for the reasons outlined in sections 3.5 – 3.7, the proposed action is the preferred option.

10 CONSULTATION

10.1 The Section 151 and Monitoring Officer have been consulted.

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Background papers	Cabinet Reports of 16 January and 8 October 2020, please see the links below: https://democracy.bathnes.gov.uk/documents/s62896/E3228%20Mead%20Lane%20Moorings.pdf https://democracy.bathnes.gov.uk/documents/s59791/E3180%20Mead%20Lane%20Moorings.pdf
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