

# Wallingford Town Council



Wallingford Town Council

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## Wallingford moorings policy

### Introduction

1. This is a policy for managing the moorings that Wallingford Town Council and South Oxfordshire District Council own on the River Thames at Wallingford. The councils have worked in partnership to develop this policy to ensure better management of the moorings in Wallingford.
2. South Oxfordshire District Council has authorised Wallingford Town Council to take on the day to day management of the South Oxfordshire District Council-owned moorings as of 1 April 2016.

### Background

3. The councils have for many years been encouraging the use of each of their moorings to boaters on the Thames. However, until now, no formal policy has existed that sets out the terms and conditions for their use.

### Objectives of the mooring policy

4. The objective of this moorings policy is to encourage more visiting boaters to moor at Wallingford and peacefully enjoy the moorings, the town and surrounding area.
5. This will be achieved by a policy that allows boaters to pay to moor their boat in Wallingford for a reasonable amount of time but discourages overstaying or any misuse of the moorings.

### Definitions for this policy

6. "Wallingford Town Council" means Wallingford Town Council or its successors.
7. "South Oxfordshire District Council" means South Oxfordshire District Council or its successors.

8. "Boater", "Boat Owner" or "User" means the legal owner, hirer, user, or person in control of a vessel.
9. "Vessel" refers to all powered or non-powered boats, canal boats, barges, cabin cruisers, hire boats, rowing and sailing boats, tugs, steamers, launches.
10. "Mooring Sites", "Mooring" and "Moorings" are the Wallingford Town Council and South Oxfordshire District Council owned moorings on the riverside adjacent to Wallingford Bridge on both sides of the River Thames (the extent of which are shown on the appended map).
11. The 'off peak' period is between 1 October – 31 March each year.

### **General conditions applying to all mooring sites**

12. The boat owner or user shall ensure that the vessel is registered with the Environment Agency for use on the River Thames and is at all times clearly displaying a current and valid registration plate whilst the vessel is on the mooring.
13. All boat owners or users agree to the terms and conditions on moorings that may be issued by Wallingford Town Council from time to time and will adhere to all instructions given by its staff or its representatives.
14. Vessels "doubling up" on moorings are not to cause an obstruction.
15. Boat owners and users parking cars, trailers or other vehicles in car parks in the vicinity of the moorings shall adhere to the parking regulations set out on car park signage.
16. The boat owner or user shall position or reposition their vessel in accordance with any directive that may be given by Wallingford Town Council's staff or representatives.
17. The boat owner or user shall keep their vessel at all times in a clean and tidy, sound and watertight condition and shall moor the vessel in a good and sufficient manner and take all such other steps as may be necessary for the safety thereof, particularly in times of flood, frost, ice, storm or other adverse conditions and accept all responsibility with regard to such mooring.
18. The boat owner or user shall not cultivate, camp upon, erect buildings, create barbeques or fires or otherwise occupy Wallingford Town Council or South Oxfordshire District Council land or pavement alongside the moorings.
19. The boat owner or user shall not place or allow to be placed in the River Thames, or on adjacent to any part of Wallingford Town Council or South Oxfordshire District Council land any post, pile, stage, pontoon or any other work whatsoever, except with and in accordance with the permission of Wallingford Town Council.
20. The boat owner or user shall not do, or permit to be done on or near the vessel, anything that may cause damage, danger or a nuisance to persons on or about the River Thames.

21. No refuse shall be thrown overboard or left on the riverbank, pavement or car parks. The disposal of all refuse, including items such as batteries, oil, corrosive and hazardous materials, shall be the responsibility of the boat owner or user to dispose of away from Wallingford Town Council or South Oxfordshire District Council land into a suitable receptacle or via an approved waste management contractor.
22. No sewage shall be discharged at the moorings.
23. No part of Wallingford Town Council or South Oxfordshire District Council property or premises shall be used by the boat owner or user other than for the purpose of mooring the vessel and for gaining access on foot to and from the vessel.
24. The boat owner or user shall seek Wallingford Town Council's permission before using the vessel or any part of the moorings for commercial or business activity. Commercial and business activity is defined as any trade that takes place on the vessel or from the vessel to members of the public alongside the mooring.
25. No work shall be done to the vessel whilst at the moorings (unless with prior written consent of Wallingford Town Council, which may be withheld at its sole discretion), other than minor running repairs or minor maintenance of a routine nature by the boat owner or user or their crew. Minor running repairs or routine maintenance should not cause any nuisance or annoyance to other users of the River Thames or any other person in the vicinity.
26. Wallingford Town Council and South Oxfordshire District Council reserves the right to require the boat owner or user to remove their vessel at any time should it become necessary to do so in connection with the exercise of its statutory functions.
27. Wallingford Town Council and South Oxfordshire District Council shall not be liable whether in contract, tort or otherwise, for any loss, theft, vandalism or any other damage of whatever nature caused to any vessel or other property of the boat owner, users or others claiming through the boat owner except to the extent that such loss, theft or damage may be caused by the negligence or wilful act of Wallingford Town Council or those for whom Wallingford Town Council is responsible.
28. The boat owner or user shall pay for all loss, damage, costs, claims or proceedings incurred by or instituted against Wallingford Town Council or South Oxfordshire District Council, their employees or agents which may be caused by the vessel, or by the boat owner or user, his/hers employees, agents, crew, guests or contractors except to the extent that such loss, damage, costs, claims or proceedings may be caused by the negligence or wilful act of Wallingford Town Council or those for whom they are responsible.
29. The boat owner or user shall not be entitled to any compensation from Wallingford Town Council or South Oxfordshire District Council for damage to the vessel, or loss or damage to anything thereon, occasioned directly or indirectly by reason of any fluctuation, diversion or alteration in the level, or direction of flow of water in the River Thames or by any works or operations of Wallingford Town

Council or South Oxfordshire District Council in exercise of any statutory or other power whatsoever.

30. Neither Wallingford Town Council, South Oxfordshire District Council nor their staff, are in any way responsible for the safety or custody of a vessel and the gear or fittings or other property thereon.
31. Wallingford Town Council and South Oxfordshire District Council gives no warranty that the moorings are fit for the permitted use and shall not be liable for any injury or any damage to any property of or any lesser claims, demands, actions, proceedings, damages, costs or expenses or other liability incurred by the boat owner or user.
32. Wallingford Town Council and South Oxfordshire District Council has the right to exercise a general lien (legal claim) upon any vessel and/or property of the boat owner or user whilst in or on the mooring site, until such time as any money due to Wallingford Town Council in respect of the vessel and/or other such property on account of rental, storage, commission, access or berthing charges, work done or otherwise is paid.
33. Wallingford Town Council has the right to monitor and record the use of these moorings in accordance with the Data Protection Act 1998 and any subsequent data protection legislation.
34. The use of the moorings shall not in any way create a relationship of landlord and tenant or create any rights or obligations other than as expressed in this policy.

### **Conditions for short-term use of the moorings**

35. Boat owners or users will not occupy the moorings for residential purposes.
36. Boat owners or users will not occupy the moorings leased to Salter's Steamers (marked on the attached map and with signage on the adjacent riverside) between 1 April and 31 October.
37. The moorings in Wallingford are allocated for temporary mooring all year round.
38. The moorings in Wallingford can be used free of charge from 9am until 7.30pm daily.
39. Overnight stays on the moorings are currently charged at £10 per boat per night, which will be collected by a member of Wallingford Town Council staff or a representative. Boat owners or users wishing to stay for more than five nights should make this request to the Wallingford Town Council representative collecting the fees in advance at the start of their stay.
40. If a stay is longer than five nights, then further nights will be charged at £50 per night. Boat owners and users should display the receipt as proof of payment.
41. Boat owners and users can apply to Wallingford Town Council to use the moorings on a longer-term basis during the off-peak period (1 October – 31 March).

42. Boat owners or users who do not pay will incur a penalty charge of £100 a day.
43. Boat owners or users who return to the temporary moorings within three nights of their boat having been previously moored at Wallingford's moorings without the prior permission of Wallingford Town Council will incur a penalty charge of £100 a day.

### **Review of this policy**

44. This policy and charges will be reviewed annually by Wallingford Town Council and South Oxfordshire District Council as part of Wallingford Town Council's budget setting process.

### **Communication of this policy**

45. This policy and any subsequent amendments is available to view on Wallingford Town Council and South Oxfordshire District Council websites [www.wallingford.co.uk](http://www.wallingford.co.uk) and [www.southoxon.gov.uk](http://www.southoxon.gov.uk)
46. The following important terms will be publicised on permanent signage located at all the moorings:
- maximum stay period and charge (if applicable)
  - no return period
  - penalty for overstaying or returning early.

For further information about this policy or to apply for longer term stays during the off-peak season (1 October – 31 March), please contact Wallingford Town Council on 01491 835373 or email [queries@wallingfordtowncouncil.gov.uk](mailto:queries@wallingfordtowncouncil.gov.uk)

