

**TITLE: Moorings for Small Boats, Waterside, Ely.**

Committee: Commercial Services Committee.

Date: Thursday 18<sup>th</sup> June 2015.

Author: Julie Cornwell, Partnerships Officer.

[Q13]

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**1.0 ISSUE**

- 1.1 To agree how the District Council's moorings currently used by small boats outside the 'Grand Central' Restaurant, will be used and managed in future.

**2.0 RECOMMENDATION(S)**

- 2.1 Members are requested to:

- i) Incorporate the area into the mooring management scheme (Free 48 hours, no return for 48 hours).

**3.0 BACKGROUND**

- 3.1 There is currently an area owned by this Council for approximately 6-7 rowing boats to moor outside the 'Grand Central' restaurant.

- 3.2 At Commercial Services Committee on 3<sup>rd</sup> March 2015, Members requested investigation as to:

- 1) whether this area could be suitable for cruisers/ narrow boats to moor and incorporated into the contract law management scheme;

- 2) if not, whether individual moorings could be leased to small boat owners.

- 3.3 It was agreed that a report would be brought back to Committee in June for decision.

- 3.4 The Environment Agency River Inspector has confirmed that at the moment this area is too shallow for a narrow boat or cruiser and that the minimum depth suitable for such craft would be 3ft.

- 3.5 The bank at this point is concrete and would require the addition of fendering to prevent boat damage.

- 3.6 Commercial Services Committee gave delegated authority to the Partnerships Officer to negotiate revised terms for leasing the Environment Agency (EA) Moorings at a peppercorn rent, or hand back the moorings to the EA, at a saving of up to £4,000 per annum, which would be reinvested into managing

the moorings, to ensure a cost neutral service. Favourable terms could not be agreed and so notice has been given on the EA moorings, with the notice period ending on 15<sup>th</sup> September 2015.

- 3.7 As agreed at Commercial Services Committee on 3<sup>rd</sup> March, the Council recently tested the market for a new commercial operator to take up the commercial mooring. There was no interest and so the commercial mooring will now revert to being an additional visitor mooring.

#### 4.0 OPTIONS

4.1 Re-profile the riverbed and make the area available for cruisers and narrow boats

Quotes have been sought to dredge and redistribute the silt into the middle of the river. This work would cost around £2,300. It requires Environment Agency 'Flood Defence' consent. Adding fendering would cost a further £2,200.

- 4.2 This option would provide an additional visitor mooring for a cruiser or narrow boat. If the mooring was used by larger vessels the silt would be unlikely to build up again due to the natural movement and flow that larger vessels would generate.

- 4.3 If this option was selected, the moorings would form part of the area covered by the new mooring management regime.

4.4 Leave the area unchanged for small boats

This option has no costs associated with it, but would not provide any additional moorings for larger vessels.

- 4.5 If this option is selected, the moorings could be leased for a fee, and the area excluded from the new mooring management scheme. The leases would have to be very modest to be of any potential interest to small boat owners and there would be costs to the Council for officers to monitor and renew.

- 4.6 Alternatively, these moorings could be included in the area covered by new mooring management scheme. In reality, this option would be difficult to operate as it would require boat owners to take their rowing boats out of the water every 48 hours, with no return for 48 hours.

- 4.7 The area could also be excluded from the mooring management regime and left as it is, with the boats staying free indefinitely.

#### 5.0 ARGUMENTS/CONCLUSIONS

- 5.1 Recent stakeholder consultation has highlighted that there is a need for additional visitor moorings, but the Council will lose at least 7 visitor moorings by terminating its lease with the Environment Agency (EA). The option in 2.1 (i) would mitigate to a small degree, the impact of giving up the EA lease.

This option would also make the overall management of the area more straightforward as the same conditions would apply to all of the moorings owned by the District Council.

- 5.2 The upfront capital cost of making the area available for larger vessels is set out in 4.1.
- 5.3 If the area remains set aside for rowing boats, there will be no costs to the council and the diversity of river use remains. However, a decision will need to be made as to whether the area currently set aside for small rowing boats is excluded in the mooring management scheme or leased.

## 6.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

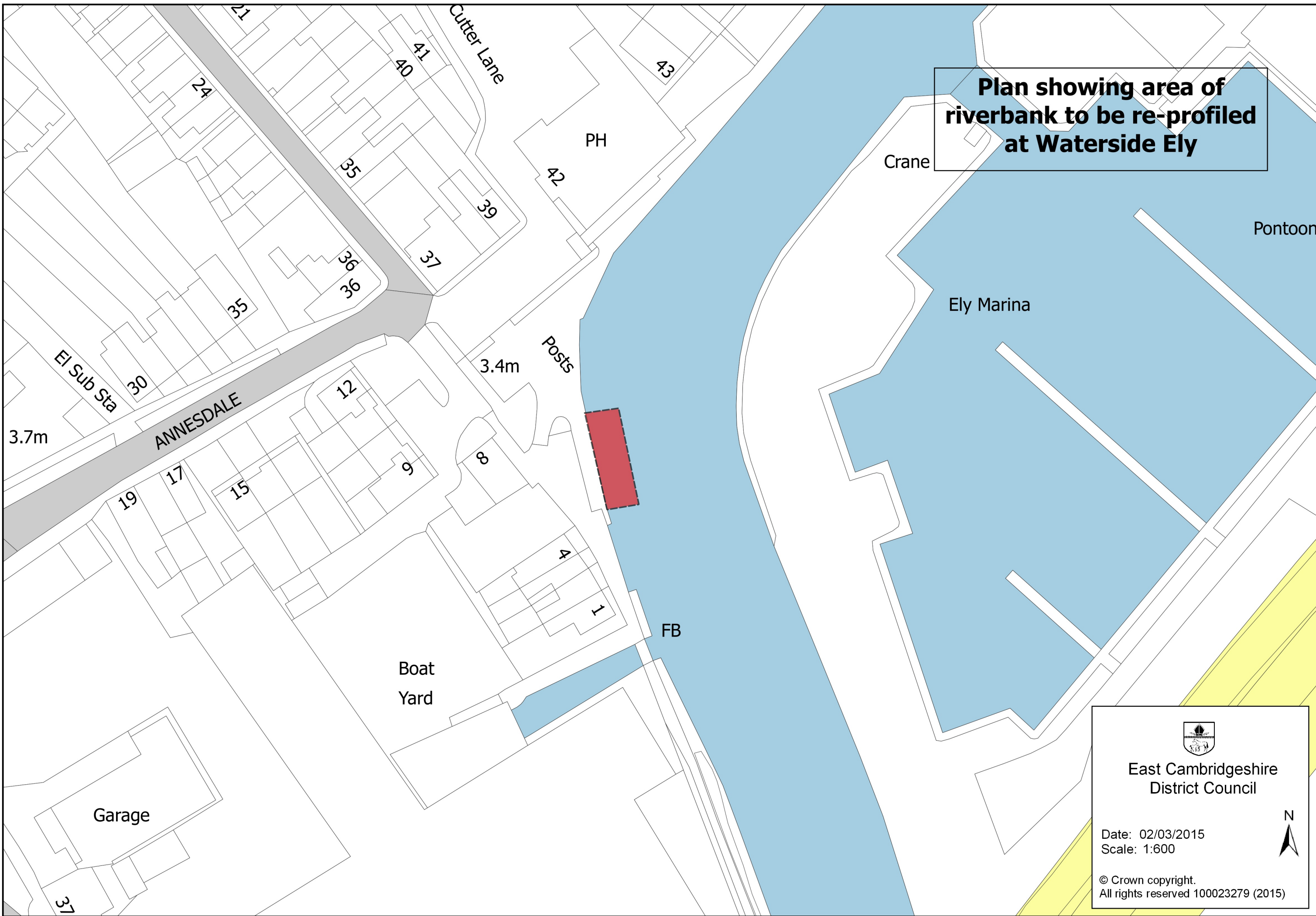
- 6.1 The capital costs of preparing the area for use by large vessels would be approximately £4,500. There is no budget provision for this within the Leisure and Community Services budget.
- 6.2 If the Council were to charge a fee of £100 per rowing boat lease per year, this would generate a maximum of £700 income per year.
- 6.3 If the area is incorporated into the mooring management scheme, it can be monitored at no additional cost.
- 6.4 An Equality Impact Assessment is attached.

## 7.0 APPENDICES


- 7.1 Appendix A – Re-profiling river bank map.
- 7.2 Appendix B – Equality Impact Assessment form.

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer</u></b>
None	Room FF115	Julie Cornwell Partnerships Officer (01353) 616352 E-mail: <a href="mailto:julie.cornwell@eastcambs.gov.uk">julie.cornwell@eastcambs.gov.uk</a>



**Plan showing area of  
riverbank to be re-profiled  
at Waterside Ely**




**East Cambridgeshire  
District Council**

Date: 02/03/2015  
Scale: 1:600

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## **EQUALITY IMPACT ASSESSMENT (EIA) FORM**

<b>Name of Policy:</b>	Moorings for small boats, Waterside, Ely
<b>Lead Officer (responsible for assessment):</b>	Julie Cornwell, Partnerships Officer
<b>Department:</b>	Commercial Services
<b>Others Involved in the Assessment (i.e. peer review, external challenge):</b>	
<b>Date EIA Completed:</b>	29/05/15

### **What is an Equality Impact Assessment (EIA)?**

As part of any effective policy development process, it is important to consider any potential risks to those who will be affected by the policy's aims or by its implementation. The Equality Impact Assessment (EIA) process helps us to assess the implications of our decisions on the whole community, to eliminate discrimination, tackle inequality, develop a better understanding of the community we serve, target resources efficiently, and adhere to the transparency and accountability element of the Public Sector Equality Duty.

**The word 'policy', in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision.**

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

To agree how the District Council's moorings currently used by small boats outside the 'Grand Central' Restaurant, will be used and managed in future.

- (b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

Boaters, residents, businesses, other public sector organisations such as the Environment Agency, Ward Members.

- (c) **Is the EIA informed by any information or background data (quantitative or qualitative)? i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.**

The Council recognises that a means of regulating the moorings is essential, to reduce the number of complaints (over 50 from May 2014 – Nov 2014), to meet the expectations of boaters and to meet our responsibilities as a landowner.

The area in question is currently used for small boats (rowing boats) to moor. A consultation on how the Council should manage the whole extend of its moorings was carried out with boaters and a separate consultation was carried out with other stakeholders. Two responses made reference to the small boat area. The consultation results are attached.

**(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics?** (please tick all that apply)

Ethnicity  
Gender  
Disability  
Gender Reassignment  
Pregnancy & Maternity


Age  
Religion and Belief  
Sexual Orientation  
Marriage & Civil Partnership  
Caring Responsibilities


**Please explain any impact identified:** i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

The decision on whether the area in question should remain for small boats or be incorporated into the mooring management scheme for larger vessels, should not have an impact on any of the groups defined above any more than anyone not having those characteristics.

The main impact of the decision will be on boaters and on the Council officers who will be involved in managing the moorings. I would not define 'boaters' as a group as defined in the equalities act – rather they are a group of people that all enjoy the same leisure activity/pastime.

**(e) Does the policy have a differential impact on different groups?**

**YES/NO/Na**

**(f) Is the impact *adverse* (i.e. less favourable)?**

**YES/NO/Na**

**(g) Does it have the potential to disadvantage or discriminate unfairly against any of the groups in a way that is unlawful?**

**YES/NO/Na**

**(h) How have you engaged stakeholders in gathering evidence or testing the policy proposals?** Who was involved, how and when where they engaged? Does the evidence show potential for differential impact? How will you mitigate any negative impacts? Where there is the potential for an adverse impact that cannot be addressed immediately, these should be highlighted in your recommendations and objectives at the end of the EIA.

An extensive consultation exercise was carried out with stakeholders and several boating associations helped the Council to circulate the consultation questionnaire. The main issue highlighted was that not all of the respondents wanted the same management solution to be introduced.

\* The Consultation Register is available to assist staff in consulting with the Council's stakeholders.

**(i) Summarise the findings of your research and/or consultation (please use a separate sheet if necessary).**

Only two responses (out of 636) referred to the area used by small boats – both commenting that the area should remain in use by small boats.

**(j) What are the risks associated with the policy in relation to differential impact and unmet needs/requirements?** i.e. reputation, financial, breach of legislation, service exclusion, lack of resources, lack of cooperation, insufficient budget etc.

There are no risks associated with the decision in relation to differential impact and unmet needs.

- (k) Use the information gathered in the earlier stages of your EIA to make a judgement on whether there is the potential for the policy to result in unlawful discrimination or a less favourable impact on any group in the community, and what changes (if any) need to be made to the policy.

Option 1:	<b>No major change</b> - the evidence shows that the policy is robust and no potential for discrimination.	X
Option 2:	<b>Adjust the policy</b> - to remove barriers or to better promote equality.	
Option 3:	<b>Continue the policy</b> - despite potential for adverse impact or missed opportunity to promote equality, provided you have satisfied yourself that it does not unlawfully discriminate.	
Option 4:	<b>Stop and remove the policy</b> – if the policy shows adverse effects that cannot be justified.	

- (l) Where you have identified the potential for adverse impact, what action can be taken to remove or mitigate against the potential for the policy to unlawfully discriminate or impact less favourably on one or more communities in a way that cannot be justified? Include key activities that are likely to have the greatest impact (max. 6). Identified actions should be specified in detail for the first year but there may be further longer term actions which need to be considered. To ensure that your actions are more than just a list of good intentions, include for each: the person responsible for its completion, a timescale for completion, any cost implications and how these will be addressed. It is essential that you incorporate these actions into your service plans.

N/A

This completed EIA will need to be countersigned by your Head of Service. **Please forward completed and signed forms to the Principal HR Officer.**

All completed EIAs will need to be scrutinised and verified by the Council's Equal Opportunities Working Group (EOWG) and published on the Council's Intranet to demonstrate to local people that the Council is actively engaged in tackling potential discrimination and improving its practices in relation to equalities. Please be aware that you may be asked to attend a half-an-hour session to summarise the findings of the EIA to the Scrutiny and Verification panel.

**Signatures:**

*J. Cornwell*

**Completing Officer:**

**Date:** 29/05/15

**Head of Service:**

*A. Cander*

**Date:** 29/05/15