

Mooring Allocation Guidelines 2015-16

Statement of Principles

The Commission has the sole responsibility for the allocation of moorings, which it administers.

All moorings are subject to Terms and Conditions which may be amended at any time with the most up to date copy posted on the website.

Applications for Commercial Moorings will be given preferential treatment.

Applications from local residents (Permanent residents living within 1 mile of estuary between Teignmouth/Shaldon and Newton Abbot) will be given favourable consideration when competing with second home owners and non-local residents.

Current licensed mooring holders will be given priority to move when higher quality moorings become available providing they have submitted a Move Request form.

All moorings are to be applied for annually and will be allocated on an annual basis.

There is no guarantee that the same mooring will be allocated every year to the same mooring holder; there are a number of reasons why the THC alters an allocation.

Applications will not be accepted for and allocations will not be made to vessels where the owners or their associates intend to live onboard permanently or temporarily or if the vessel is to be used for permanent or temporary commercial accommodation.

Guidelines

1. Moorings which become available will be allocated fairly, based on current position on the waiting list and suitability to a particular vessel, whilst maintaining the balance between commercial and leisure usage.
2. Bona Fide commercial applications to join the waiting list will be promoted through the system at an enhanced rate compared with leisure applicants subject to maintaining the overall balance of moorings.
3. Allocations will be made throughout the year as moorings becoming available.
4. For Commercial moorings priority will be given to those who live and work in the Teignmouth and Shaldon locality and thereafter in the Teignbridge area.
5. Commercial moorings are to be allocated for the following vessels:
 - a. Full time fishing;
 - b. Part time or seasonal fishing;
 - c. Charter vessels;
 - d. Ferry services;
 - e. Contractor workboats;
 - f. Vessels supporting marine leisure businesses.
6. A Bona Fide commercial vessel must be able to evidence either regular commercial usage or intention to use from a new business. Evidence may include but is not limited to:
 - a. Company Stationery;
 - b. Marketing and advertising material;
 - c. Tax returns;
 - d. Registration information;
 - e. Fishing returns;
 - f. Evidence of long term contracts;
 - g. Evidence of bookings;
 - h. Business premises.
7. All vessels must be insured at all times. Additionally commercial vessels must be registered with the appropriate authority e.g. MCA Coding, Fishing Vessel Registration etc.
8. All applications for commercial moorings must include:
 - a. Copy details of insurance. e.g. Insurance Company, policy number, renewal date, name of policyholder, value of third party liability cover. (minimum £2 million);
 - b. Registration details. Number, renewal date, name of registration holder;
 - c. Details of approvals. eg MCA certificate number, renewal date, name of holder;
 - d. Signed acceptance of the terms and conditions on the lease of the mooring; although payment will also be taken as agreement with Terms and Conditions.

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9. All applications for leisure moorings must include:
 - a. Signed acceptance of the terms and conditions on the lease of the mooring although in the absence of a signature, payment will be taken as agreement to the Terms and Conditions which also confirm that the vessel is insured correctly (value of third party liability cover minimum of £2 million) by the licence holder.
10. Mooring usage may be considered either on application or renewal to ensure that active owners and vessels get the optimum moorings.
11. Application for more than one maintained mooring will not be accepted for leisure applications. Application for multiple maintained moorings for commercial usage may be considered providing there is a strong business case in support of the application and it is approved by the Harbour Commission.
12. Non commercial multiple non-maintained mooring applications may be only be considered when the moorings waiting list is empty and then only exceptionally.
13. Commercial multiple non-maintained mooring applications will not be accepted without a strong business case being presented to the THC for consideration.
14. Preference is to be given to move existing mooring holders to a better mooring on the annual allocation as long as the usage of the current mooring has been satisfactory in the preceding period.
15. Moorings cannot be passed on or transferred eg. within families, friends, or on sale of a boat. All applications for moorings must follow the correct application procedure.
16. In the event of any judgements or decisions the Harbour Master or his representative's decision will be final.
17. Moorings must be maintained to standards as laid down by the Harbour Master.
18. Vessels must be maintained in a usable state not simply "stored" on their mooring.
19. LOA for the purposes of the mooring charges, refers to the length overall of the vessel including any protrusions (e.g. bowsprit, pulpit, pushpit, inboard/outboard leg, outboard leg, trim tabs, booms stowed masts and booms, bathing platforms or similar). If there is any question raised over the length of a vessel it will be measured by the Harbour Staff who will make the final determination of length for the purposes of charging.

Notes

- a. On a commercial mooring application the Harbour Master may request further evidence e.g. proof of ownership, insurance certificate, revenue statement, tax return engine hours, pre-bookings etc. as he sees fit.
- b. On a leisure mooring application the Harbour Master may request further evidence e.g. proof of ownership or insurance certificate.
- c. If an allocated mooring is sublet contrary to the conditions of the licence the Harbour Master or his representative is to issue a formal notice to the licence holder to rectify the matter within 2 weeks. If the matter is not resolved the Harbour Master or his representative may re-allocate the mooring against the waiting list.
- d. If a mooring is found to be significantly underutilised for no apparent reason the Harbour Master or his representative is to issue a formal notice to the licence holder to rectify the matter or explain the circumstances within two weeks. If there is not a satisfactory response the Harbour Master or his representative may re-allocate the mooring against the waiting list.
- e. Vessels, which have been allocated to temporary moorings by the Harbour Master are not to be moved or repositioned without prior agreement with the Harbour Master.
- f. If there is a flagrant breach of the Harbour Byelaws or Mooring Licence Holders Terms and Conditions by a mooring holder the Harbour Master may prevent the holder from further use of the mooring or any other mooring managed by the Commission.
- g. In exceptional circumstances the Commission may depart from these guidelines without notice.

These guidelines are correct at time of publication. Teignmouth Harbour Commission reserves the right to amend these guidelines without notice.

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