

## **Consultation regarding the proposal by Oxford City Council to introduce a Public Space Protection Order to regulate mooring on the waterways in Oxford: Oxford City Council's own views as a major riparian owner in the city and why it considers it necessary to introduce a PSPO to regulate mooring.**

Unlawfully moored and abandoned boats have been a long standing issue in Oxford, causing blight, pollution and nuisance to residents; and they create a hazard to other river users, including the many university rowers, and block access to temporary mooring for leisure boaters wishing to visit the city. There has also been on-going antisocial behaviour associated with this practice, including extensive fly-tipping, land encroachment, obstruction of the towpath, and intimidation and abuse aimed at other boaters, rowers and users of the towpath.

Tackling this problem has been made difficult by the complexity of the riparian ownership in Oxford, with over twenty different land owners, some owning a mosaic of sites throughout the city. In addition, historic land transactions have blurred ownership along some areas of the towpath which have been excluded from the sale of adjacent land, leaving them formally unregistered to any one owner. Other areas of the towpath are unmanaged due to the landowner refusing or being unable to accept the cost of enforcement action against boaters, or in some cases refusing to accept they are the legal owners of land, despite evidence to the contrary.

In order to try to overcome these issues the city council set up the Unlawfully Moored Boat Enforcement Group (UMBEG) in 2009, which brought together various agencies, including the Environment Agency and the Canal and Rivers Trust (formally British Waterways), and other land owners and interested parties, including representatives from the University, the city's other major riparian owner. The group meets every quarter, and representatives from the boater community and boat user groups are invited to attend an open meeting which precedes the enforcement meeting.

Working with UMBEG over recent years the city council has largely eradicated many of the unlawful mooring issues on its own land, mainly using existing byelaws. However, there has been less success in tackling the problem on land outside the council's jurisdiction and in some cases the problem has simply moved on. Oxford City Council therefore wishes to utilise the new powers under the Crime and Policing Act to introduce a Public Space Protection Order to regulate mooring throughout the city regardless of land ownership. However, this has been undertaken in consultation with other agencies, landowners and users of the river and towpath.

Three Schedules have been created to accompany the proposed PSPO showing what the mooring regulation would be at each site and they are based on:

- The considerations of landowners, residents and other river users
- The desire to provide temporary mooring to leisure boaters visiting the city
- Appropriate and safe access from the bank for boat owners
- The need to protect areas of unstable and eroding riverbank
- The need to protect fragile and important habitats and historic sites

Three categories of mooring regulation are proposed:

- 72 hour visitor moorings, no return within 28 days
- Private resident mooring only
- No moorings

Residential mooring will be restricted to the canal, marinas and private residential births. However, proposals to provide further areas for residential mooring are being considered by the council, subject to planning considerations.

It was made clear in the consultation literature that the city council does not necessarily offer to enforce these mooring regulations on behalf of other land owners but may delegate powers under the Order to allow them to do so themselves. Signage will be erected along the waterways with markers delineating boundaries to inform river users that the Order is in place and what the regulations are for each site. Private land owners may need to pay for their own signage.

There are currently a number of live-ins/long standing unlawful mooring in some areas which would be covered by the proposed PSPO. All moored vessels that fall within the PSPO area would be given appropriate advance warning to allow them the opportunity to find alternative mooring. However, it is envisaged that there would be opposition from the boaters in some of these areas who may well try to appeal the Order.

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Oxford City Council  
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