INSURANCE

The Council does not provide any insurance. It is strongly advised that the allocated holder arranges their own insurance.

ESSEX ACT 1987 SECTION 81 (8)

Any person who is aggrieved

a. by the refusal of the Council to allocate a mooring site, or by the terms and conditions subject to which a mooring is applied for and maintained;

Or

b. by any notice given by the Council pursuant to section 4 above;

may appeal to the Secretary of State for Transport.

Note:

EVERY APPLICANT MUST SIGN THE FOLLOWING AGREEMENT

I have read the conditions above, and agree to adhere to them.

Signed…………………………………………………..

Date…………………………………………………..

N.B All enquiries must be addressed to:

Resort Services Manager
Pier & Foreshore Office
Southend Pier
Western Esplanade
Southend on Sea
Essex
SS1 1EE

01702 618747
SOUTHEND BOROUGH COUNCIL
DEPARTMENT FOR PLACE
MOORING APPLICATION FORM

ESSEX ACT 1987 – Section 81

APPLICATION FOR THE PROVISION OF A NEW SITE, RENEWAL OF SITE OR TRANSFER OF SITE FOR A MOORING ON THE FORESHORE (ISSUED SUBJECT TO THE CONDITIONS PRINTED BELOW)

Name of Applicant (the applicant must be over 18 years of age)……………………………………………………

Permanent Address…………………………………………………………………………………………………………………..

…………………………………………………………………………………………………………………………………………

…………………………………………………………………………………………………………………………………………

Telephone No (home): …………………………… (business)………………………………………………

Mobile Telephone No: ………………………………………………………………………………………………………

E-Mail Address: …………………………………………………………………………………………………………………

Particulars of Vessel:

Name (to be clearly marked on exterior): …………………………………………………………………………………

Length (overall) …………………………………………………………………………………………………………………

Beam……………………………………………………………………………………………………………………………………

Draught (maximum): ……………………………………………………………………………………………………………

Type & Construction: ……………………………………………………………………………………………………………

Type of Engine: …………………………………………………………………………………………………………………

Colour – Hull: ………………………………………………………………………………………………………………………

Colour – Cabin……………………………………………………………………………………………………………………

Position requested, or current mooring number, along foreshore: ………………………………………………………

Type of mooring root proposed: …………………………………………………………………………………………………

Initial allocation fee due: £………………………………………………………………………………………………………
Conditions:

1. After the provision of a mooring site, the allocated holder must satisfy themselves that the ground/area is clear of obstructions and suitable for the safe mooring of their vessel. The provision of a mooring site by the Council shall not be deemed to be a guarantee that the ground/area is clear and suitable for safe mooring.

2. An annual rental fee is payable. The annual fee must be paid in full at the time of application then must be paid to the Council on 1st April of each year. It is not apportioned. In the event of renewal of the site, the application form for renewal of site, sent with the renewal invoice, must be signed and returned to the Pier and Foreshore office. This along with the Councils official receipt or other evidence of payment for the current year will constitute sufficient evidence of the allocation.

3. Mooring allocations / mooring sites are not transferable.

4. The allocation of the mooring will expire on 31st March in the year of first allocation and of each subsequent year in which it is renewed. The Council reserves the right not to renew the site allocation at the end of the first or any subsequent year.

5. The Council reserves the right to require the removal of the mooring to a different position on not less than one month’s notice in writing to the holder, due to:
   i. any change in the position of a deepwater channel; or
   ii. in order to permit the carrying out by the Southend Borough Council or any other authority or body of works or operations in pursuance of any statutory functions.

6. Whilst endeavouring to allocate a site for a mooring in the position requested, the Council reserves the right at all times to offer the nearest suitable alternative.

7. The holder shall indemnify the Council against all claims and demands, losses, charges, costs and expenses which the Council may at any time incur or become liable to in consequence of the holder failing to perform or observe any of these conditions.

8. The Council may prescribe the size, type and shape of any mooring which is proposed to be put in accordance with any allocation made by the Council and may prescribe the size, type and shape of any mooring which it is desired to substitute for a mooring which may have become defective or has not been maintained to the prescribed standard or which, upon the council’s request, has been moved to a different position.

9. The scope of mooring chain used must be of a length that does not permit the vessel to impede any other mooring site.

10. All moorings laid down must be sunk well below ground level and so maintained and all mooring chains used must be of sufficient strength to ensure the safety of the boat or vessel under all weather conditions.

11. Every mooring shall be marked with a spherical yellow or orange coloured buoy of sufficient size to enable it to float at any state of tide. A coded tag provided on allocation must be secured to the mooring in a position not more than 12 inches (300mm) from the buoy.

12. All vessels must have their name clearly painted on the exterior.

13. At the time of first allocation or issue of receipt for renewal of mooring the Council will issue a mooring identification sticker upon request which must be completed and displayed in a conspicuous place on any vessel moored on the foreshore.

14. No advertisement, placard, or hoarding (except warning notices against trespassers or damage) may be displayed on any vessel while at any mooring on the Foreshore without prior written consent from the Resort Services Manager.

15. Unless seaworthy no boat or vessel will be allowed to remain on any mooring. Failure on the part of the holder to remove an un-seaworthy vessel from their mooring site may result in the removal of the vessel by the Council at the expense of the holder. The Council will either sell or dispose of the vessel once it has been removed. This will be done after giving one months notice of its intention to do so. If the holder claims the vessel before the Council has sold or otherwise disposed of it, the Council shall release the vessel to the mooring holder on payment of the Councils storage charges and other reasonable costs and expenses. In the event of any such vessel being sold, the balance of the proceeds of sale shall be paid to the mooring holder after deduction of the Councils reasonable costs and expenses.
16. No person or persons shall live on any vessel attached to the said mooring or use the same as a dwelling.

17. No vessel other than the one specified on the application may use the mooring. Failure to comply with this condition may result in the allocation and provision of site being cancelled.

18. Mooring holders must notify the Resort services Manager of any changes in address, in writing without delay to enable application details to be amended.

19. Should the allocated holder want to use their mooring for another vessel they own other than originally specified in the application, they must obtain the approval of the Resort Services Manager before doing so. When requesting such approval the applicant shall, in respect of the replacement vessel, provide all details as required on the original application form.

20. The Council reserves the right to require any defective or unsuitable mooring to be either replaced or removed at the allocated holder’s expense.

21. A search fee will be charged where the holder asks the Council to find lost mooring roots.

22. If the allocated holder wishes to surrender the right to retain a mooring on the foreshore, the Resort Services Manager is to be immediately notified in writing. The holder will be further required to remove the moored vessel within 14 days from the date of surrender given by the allocated holder.

23. If the prescribed renewal fee together with the mooring renewal application form are not received before 14th May in the year of renewal then:

   (a) The mooring in respect of which the fee is due may be removed by the Council at the expense of the mooring holder, on the Council giving at least two weeks written notice to the holder.
   (b) The mooring site may be reallocated to another applicant.
   (c) The Council reserves the right to remove and dispose of any vessel attached to a mooring for which the fee remains unpaid after 14th May.
   (d) Such actions may be taken by the Council or any of its officials in respect of such removal or disposal or anything arising from such actions, but the Council shall not sell or otherwise dispose of any vessel without first giving the owner at least one month’s written notice of its intention to do so. If the owner claims the vessel before the Council has sold or otherwise disposed of it, the Council shall release the vessel to the owner on payment of the Council’s storage charges and other reasonable costs and expenses.
   (e) In the event of any such vessel being sold, the balance of the proceeds of sale shall be paid to the mooring holder after the deduction of the Council’s reasonable costs and expenses.

24. The Council is not liable for any claims, demands, losses, charges, costs and expenses which the allocated holder may at any time incur or become liable to incur arising from the operation of the conditions of this mooring application.

25. Failure to observe or to comply with any of the above mentioned conditions may result in application/provision of site being cancelled, and will entitle the Council to exercise the powers and remedies contained in section 81(9) of the Essex Act 1987.