

IN THE MATTER OF AN EXPERT DETERMINATION

between

CHELSEA YACHT AND BOAT COMPANY LIMITED

(Company)

and

THE INDIVIDUALS LISTED IN THE SCHEDULE TO THESE INSTRUCTIONS

(Boatowners)

concerning

**A DETERMINATION OF VARIOUS LICENCE PREMIA PAYABLE FOR RENEWAL
LICENCES AT CHELSEA REACH, 106 CHEYNE WHARF, CHELSEA (THE
“MOORINGS”).**

Witness Statement of Madge Bailey

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Purpose of this statement

The schedule of comparables has already been served. I prepared it and confirm that it is true and correct to the best of my knowledge and belief as at the time it was served.

The purpose of this statement is to provide contextual information on the schedule of comparable mooring sites and charges, the residential moorings market in London and some analysis of the charges and locations.

I have drawn on my extensive knowledge of residential mooring sites across London to select what I believe to be the most comparable sites to CYBC. I have taken into account the site's location, site specific factors, its management and operation. All the sites charge what I consider to be market rates (or thereabouts) in my experience. I explain my selection in more detail later in my statement.

All the sites are well-known to me: some are sites which I used to manage, several are former clients, I visited and interviewed the operators and residents of many others during my PLA review, and the rest I have visited and monitored in order to maintain my market knowledge over the years.

To source current information for the schedule of comparables, I have used:

- mooring operators' websites where they publish their rates
- phone calls to mooring operators, including former clients where they do not publish their rates
- adverts of houseboats for sale by estate agent "Riverhomes". It should be noted that the agent sometimes calls the service charge a mooring fee but my previous interviews with residents and operators at these sites enables me to clarify the difference.
- contacts at the Canal & River Trust (who no longer publish their rates)
- information including mooring contracts and fees provided by mooring customers known to me

Note that I have used a total cost approach. Therefore, mooring fees in the schedule of comparables include any premium, mooring fee, service charge, VAT where charged, any surcharge for wide-beam boats and the Canal & River Trust or Environment Agency boating licence where required (similar to a car road tax). It is therefore the total charges paid to moor at the site. Where operators charge different rates depending on the berth location, I have used the highest rate.

I have over 25 years' experience in the development, management and pricing of residential moorings in London. Prior to establishing my consultancy in 2010, I worked for the Canal & River Trust (formerly British Waterways) for 17 years and was responsible for tourism development, regeneration and moorings business in London. I then became the leading specialist in moorings for the Trust, establishing their residential moorings policy, national standards for mooring management and pricing, guidance for new marina development and developing a range of mooring policies. Relevant experience includes:

Management of the London Canals mooring portfolio for the Canal and River Trust, comprising some 22 sites and 600 berths. Several of the higher-end sites are included in the comparables schedule. Management of these sites required clarity on licence terms, market-based pricing, customer service standards and maintenance contracts. Recognised as best practice within the Trust, I was asked to roll out national guidance on moorings management and pricing; I ran seminars for 60 staff.

Mooring auction website, Canal & River Trust: to facilitate the Trust's practices to set market rates for its moorings, I developed the system for auctioning vacant berths. I analysed the resulting pricing and demand data which informed the Trust's pricing.

Planning enforcement appeal, Ladies Bridge Moorings, Wilcot: I was the Trust's principal expert witness at the planning inquiry, giving expert evidence on residential moorings. The Trust won the appeal and was awarded costs.

Advisory document "Residential Use of Waterways": I was one of the principal contributors to this document produced by AINA, the Association of Inland Navigation Authorities, which assessed the level of residential boats, the policies of navigation authorities and set out the planning and regulatory framework, with supporting case studies.

Houseboat security of tenure - Government consultation: I led the Canal & River Trust's representations, explaining the issue from the perspectives of both a navigation authority and a mooring operator, whilst taking account of its customers' issues.

Since establishing my consultancy I have worked for a range of clients in London, focusing on residential moorings. Relevant experience includes:

Recommendations for the Port of London Authority's River Works Licences charges for residential use. The aim was to establish the PLA's fees for these licences, taking into account its duty to charge "best consideration that can reasonably be obtained," working with the Valuation Office Agency and a steering group from the PLA and houseboat community. During the two-year review, I researched the London residential mooring market, examined the fees of other UK port and navigation authorities, sought an independent legal opinion on the Port of London Act and ran a public consultation with licensees and houseboat residents. The Port of London Authority adopted the fee recommendations and continues to use the charging methodology.

Mooring fee and service charge reviews for clients across London including large Thames-based marinas, local authorities, trusts and individuals, some of which are included in the schedule of comparables. This work has required a thorough market assessment of relevant residential moorings over the years. I have also helped to clarify the rights of the different parties involved at mooring sites and provided in-depth analysis and best practice for service charges.

Feasibility assessment for Royal Borough of Kensington and Chelsea: I assessed two sites for potential residential moorings, consulting the PLA, planners and local stakeholders, assessing commercial and operational issues including pricing.

Infrastructure review for South Dock marina: my review outlined urgent repairs, renewal and compliance issues, provided a plan for refurbishment, maintenance and inspection regimes, drawing upon current legislation and industry good practice. This ensured my client complied with legislation and operated with 'due diligence'. It also enabled them to assess their level of long-term liability against profits and plan for future repairs.

More information can be found at <https://www.madgebaileyassociates.com/>

Context - the London houseboat market

Market overview and size

There are approximately 500 houseboats at residential moorings on the tidal Thames, Wapping to Teddington. There are also approximately 500 residential moorings on the canals and docks in London, Southwark to Brentford, including Little Venice and Kings Cross.

The tidal Thames sites range from small clusters, individuals, several schemes of 10-20 houseboats, plus several larger enclaves of 25-60; Chelsea Yacht and Boat Company Limited (CYBC) is the largest on the tidal river.

Mooring operators vary, along with their approach to pricing – including commercial marinas, property developers, family businesses, houseboater-shareholders, cooperatives and trusts.

The majority of the sites are at full occupancy and have been for many years. Vacant berths are infrequent as houseboats tend to be sold on the mooring. Houseboat sales market trends follow the property market. Many sales on the Thames are handled by estate agents, usually *River Homes*.

Houseboats vary significantly in size, construction and style. For example one houseboat could sell for £400,000 and another for £1,000,000 at the same site on the Thames.

Constraints of the houseboat market

- The number of buyers is limited since they must be cash buyers (mortgages are not available) and accept the realities of living on a boat (boat surveys, effects of tide, wash, vacuum sewage disposal etc).
- When purchasing a houseboat, due diligence requires an understanding the particular complexities of licence terms, local authority planning status, security of tenure, conditions of sale etc.
- With all berths occupied, incumbent houseboats have no onward options if the boat-owner disagrees with the operator. There are no alternative vacant moorings to take the houseboat to, and many have paid a premium to secure the mooring which they expect to recoup.

The 'set-up' at residential moorings on the Thames

A river-works licence (with a stated use as residential moorings) is required from the PLA or Crown Estate to place works (piles, pontoons) in the riverbed and occupy the water space.

An access agreement from dry land is required. At some sites (particularly off the Thames path) there is no agreement in place, just established historic use.

Planning permission, environmental and other regulatory consents are also required.

The mooring developer installs the mooring infrastructure and facilities, then licences the berth to the resident who brings their houseboat.

Over time, successive residents sell the houseboat on the mooring (permitted by virtually all operators, some of whom charge a commission).

The different mooring licences – length, tenure, fees

Mooring licences on the Thames tend to fall into two groups:

1. Short-term licences: 1 year 'rolling agreements'

An annual mooring fee is charged and sometimes an additional service charge.

Licences are routinely renewed (provided there is no breach) with some licence clauses referring to renewal. This practice is in the operator's interests to ensure no voids, minimise administration etc.

2. Long-term licences: 42 years – "virtually indefinite"

The original resident pays a capital sum to secure the vacant berth with the long licence and brings their houseboat.

They pay a service charge only – no annual mooring fee.

A couple of exceptions

Nine Elms Pier: some residents can sell their houseboat with the remaining long licence (e.g. 33-years). An annual mooring and service fee (reduced market rate to account for construction disruption) is charged to moor at the site.

Limehouse 5 year mooring licence – a ‘one off product fee’ which caps annual mooring fee increases at 3% and delays the planned wide beam surcharges until 2027.

Plantation Wharf, Battersea: One individual who bought an original berth with a long licence (c. 120 yrs) is selling their boat on the berth but as a sublet: they are granting a 15-year mooring licence for an annual mooring fee and service charge.

Security of tenure

A resident’s security is determined by the length of their mooring licence, the basis for revocation by the operator and any option to renew. The security provided by the short-term and long-term licences is described above. The resident will usually investigate, seek assurances and take a view of the operator’s practice in relation to renewals. In the consultant’s experience it is extremely rare for short-term licences not to be routinely renewed.

A Government Consultation in 2006 concluded that protection under the Housing Act 2004 would not be extended to houseboats because this could impose unreasonable constraints on navigation authorities and mooring operators.

A mooring operator’s ability to let out their moorings is always over-ridden by the navigation authority’s statutory duties and underpinned by the terms of their river-works licence and land access agreement. More recent PLA river-works licences include a revocation clause “for navigational or river regime reasons connected with our statutory duties.” (However CYBC’s PLA licence does not include any revocation clause.) Waterways are dynamic environments and change over the long-term e.g. bridges, piers, developments, freight, transport, siltation etc. Recent examples where residential moorings had to be moved include Thames Tideway Tunnel, Olympics, major property developments e.g. Paddington Basin. The navigation authority or operator used best endeavours to create alternative moorings.

The moorings and charges at Chelsea Yacht and Boat Company

Description of the CYBC moorings

A full description has been set out in the Agreed Statement of Facts and is summarised here as I have observed them and have been informed by CRBA.

Chelsea Yacht and Boat Company Limited (CYBC) operate 60 residential houseboat moorings on Cheyne Walk, SW10 ODG.

They are divided into two sections. The 17 western berths are approached from Old Ferry Wharf, arranged in a single line with River frontage. The 42 eastern berths have two access points off Cheyne Walk and Battersea Bridge Gardens. They are arranged in two rows; 22 have River frontage and 20 are at the rear. Berths range from 13 to 30 metres; the average is 19 metres.

Gangways from the access points lead to pontoon walkways formed from steel barges which are secured to timber piles in the riverbed. Through the pontoons the moorings are connected to mains water, electricity, vacuum drainage and gas. The main pontoons are lit at night, there is a night watchman from 5pm to midnight and CCTV.

The access points from the pavement are small gates and can be accessed by unauthorised people. Some of the pontoons and mooring infrastructure are dated and in an untidy, dilapidated and unsafe condition, such as corroded walking surface, narrow steep gangways, trailing cables etc. Residents report that the vacuum drainage is unreliable and when the electricity trips out, it can take some time for the company to reinstate.

The total service charges for 2021 were £426,200.

The majority of the houseboats are moored with their fore facing into the river. They are regularly subject to wash from the passing river buses; the Thames at Chelsea Reach is classified as 'Category C' with wave heights of up to 1.2m. The foreshore on this reach has suffered from erosion; when the houseboats ground at every low tide, some are left on a tilt, making living conditions somewhat difficult.

The main road A3320 running along the length of the moorings results in significant traffic noise, disturbance and air pollution to the moorings. The site is also subject to noise disturbance from passing helicopters on their route to the riverside Helipad at Battersea.

CYBC charges

The fees charged by CYBC are:

- Annual mooring fee – set at market rate
- Annual service charge - for the maintenance of the mooring facilities
- A licence premium

In my experience of Thames mooring sites, this is a unique charging regime for which there are no direct comparables. As outlined earlier, there are two models in the moorings market: (1) annual mooring fees and (2) upfront premium with annual service charge only.

The CYBC fees are shown in the table below in both feet and metres.

CYBC total charges payable on an annual basis				
	10-year licence at £1,630/ft		10-year licence at £5,800/ft	
	Per foot	Per metre	Per foot	Per metre
Mooring fee	£169	£554	£169	£554
Service charge	£124	£407	£124	£407
1 yr of 10-yr licence	£163	£535	£580	£1,903
Total	£456	£1,497	£873	£2,865

Notes:

The charges are per foot length of houseboat (not per berth):

The annual mooring fees are reviewed every three years. The current mooring fee (set 2017) is shown above and set out in the Agreed Statement of Facts, along with the service charge (2021).

The rate used for the licence premium is based on CYBC's offer to some residents in 2016 for a non-renewable 10-year licence at £1,630 per ft. CYBC suggested in the same correspondence that this rate was reduced from their value of £5,800 per ft. Each of these rates are shown in the table above. Using a straight-line basis, the rates annualise to £163/foot and £580/foot.

The sum of the annual mooring fee, annual service charge and annualised licence premium provide the total price payable on an annual basis.

Some residents do not have a licence and instead have been charged a surcharge to the mooring fee and, for a time, to the service charge. This resulted in a similar combined charge to above (licence premium of £1,630/foot).

For simplicity I use the total charges payable of **£1,497/metre** (£456/foot) in the remainder of this statement to enable comparisons with other mooring sites.

Comparisons with other London mooring sites

Relevant factors

A number of factors have determined the selection of mooring sites to which CYBC is compared. These are as follows:

Management and operation

Larger London mooring sites and marinas operated on a commercial basis have been chosen; co-operatives, trusts and smaller clusters are excluded.

Planning status

Only sites with residential status have been included. Although some people live on their boats at leisure moorings/marinas across London (often referred to by Estate agents as 'pied-a-terre') there is an underlying risk of planning enforcement. This affects value and these sites are therefore excluded.

This has always been my approach when pricing residential moorings i.e. to consider only residential mooring comparables.

Location

There are six mooring sites within three miles of CYBC on the opposite riverbank in Battersea and Wandsworth. However a broader range of higher-end sites have been selected to provide more context within the London mooring market and a tone of mooring fees. These include four large marinas in the East London docks, two sites on the Regent's Canal and four sites on the Thames in West London.

The relative value of each location has been assessed using property values which is explained later.

Site specific factors

The issues affecting each site, and hence its value, can include the quality/condition of the site infrastructure, access, security, utilities, adjacent land use, noise/disturbance and positioning of the houseboats. A site's setting, proximity to shops, leisure, public transport etc. also affects the value. These factors are summarised in each site's description.

Licences and Fees

Due to the unique charging regime at CYBC - a 10-year licence plus annual mooring fee and service charge - I have had to consider mooring sites with long-term and also sites with short-term licences, with the associated fees paid. I have included the total price paid to moor at a site, which may include premium for a long-term licence or annual mooring fee, service charge and boat licence (Environment Agency or Canal & River Trust waters).

All charge what I consider to be market rates (or thereabouts) in my experience.

Compared to CYBC:

All of the higher-end mooring sites have more modern infrastructure which is well-maintained, along with secure gated access.

Nearly all other houseboats on the Thames are moored side-on to the River and all are moored directly alongside pontoons which provides good access and more stability.

All comparable mooring sites are situated along pedestrian/cycle ways and surrounded by residential developments, not roads. Several are subject to noise disturbance (as is CYBC) and two are adjacent to the London Helipad.

Comparable sites – from the schedule of comparables already served

1. Sites with short term licences and annual mooring fees; typically 1 year

There are 10 sites. Refer to [Table of sites with short-term licences](#)

2. Sites with long-term licences and service charge only; 42 years – “virtually indefinite”









There are 5 sites, all located in Battersea and Wandsworth. Refer to [Table of sites with long-term licences](#)









3. One anomaly with a 33-year licence and annual mooring/service fee (market rate)







See [Nine Elms Pier](#)

The map of all sites is below.

Sites with short-term licences and annual mooring fee

	2021 total price payable per metre	Travel zone	Mooring licence and tenure/renewal	Description and commentary		
South Dock Marina, Southwark	annual mooring fee (no service charge) £504/metre - total price paid	2	1 yr rolling; practice of renewing	Operated by Southwark Council. Large secure marina, facilities block, on-site management, boatyard. Surrey Quays rail, shops/amenities 10 mins walk and Canada Water tube/rail 15 mins walk. River-bus adjacent to marina. Watersports centre in the dock (minimal disturbance). Marina surrounded by quiet residential development and footpaths. Boats can be sold on the mooring- 10% fee. Infrastructure and facilities may need updating hence lower fee compared to other sites.		
Blackwall Basin, Docklands	annual mooring fee (no service charge) £626/metre - total price paid	2	1 yr rolling CRT contract states normally renewed unless operational or commercial reasons	Operated by Canal & River Trust (CRT). Secure marina with good facilities. No on-site management. Canary Wharf DLR, shops and restaurants 12 mins walk. Marina surrounded by quiet residential development and footpaths. Only a 2 hr window for tidal lock access. Boats cannot be sold on the mooring; vacant berths are auctioned.		
Poplar Dock Marina, Docklands	annual mooring fee (no service charge) £647/metre - total price paid	2	1 yr rolling "You may renew... however, we are not obliged to renew your contract..."	Secure marina with good facilities operated by Aquavista. No on-site management. Canary Wharf DLR, shops and restaurants 12 mins walk. Only a 2 hr window for tidal lock access. Boats can be sold on the mooring; no commission charged.		
Limehouse Basin Marina	annual mooring fee (no service charge) £647/metre - total price paid	2	1 yr rolling "You may renew... however, we are not obliged to renew your contract..."	Secure marina operated by Aquavista with good facilities, on-site management. Limehouse DLR 5 mins walk; local shops/ amenities nearby. Marina connects to Thames and canals. Surrounded by quiet residential development and footpaths. Boats can be sold on the mooring; no commission charged; 1 yr rolling agreement.		

<p>Ice Wharf, Kings Cross</p>	<p>annual mooring fee; no service charge; Canal & River Trust boat licence required on the canals £58/m</p> <p>£734/metre - total price paid</p>	<p>1</p>	<p>1 yr rolling CRT contract states normally renewed unless operational or commercial reasons</p>	<p>Canal basin with surrounding quiet residential development operated by Canal & River Trust (CRT). 22 narrowboats moored alongside each other. No public access, resident warden, facility building. 5 mins walk to Kings Cross. Boats can be sold on the mooring; 1 yr rolling agreement.</p>		
<p>Nine Elms Pier</p>	<p>annual mooring fee and service charge</p> <p>£504/metre - total price paid</p>	<p>2</p>	<p>3-month rolling licences (soon to become 1-yr rolling)</p>	<p>River mooring for approx. 20 boats around very large pier structure. Situated alongside new Riverlight Quay residential development. Wide river views but some boats overshadowed by imposing pier or river wall. Battersea Power Station new development 12 mins walk and tube 7 mins walk, Nine Elms tube 20 mins, Vauxhall rail/tube/river-bus 19 mins walk. Shops and amenities nearby. Adjacent Thames Water construction site causing disturbance and nuisance hence low mooring fee. Boats sold on the mooring.</p>		
<p>Blomfield Rd, Little Venice</p>	<p>annual mooring fee; no service charge; Canal & River Trust boat licence required on the canals £58/m)</p> <p>£750/metre - total price paid</p>	<p>2</p>	<p>1 yr rolling CRT contract states normally renewed unless operational or commercial reasons</p>	<p>Linear mooring along the canal in Little Venice operated by Canal & River Trust (CRT). Attractive quiet setting. Private gardens and utilities/services. Warwick Ave tube and all amenities 5 mins walk. Boats can be sold on the mooring; 1 yr rolling agreement. Narrow and wide-beam boats but size constrained by canal infrastructure.</p>		
<p>Dove Pier, Hammersmith</p>	<p>annual mooring fee and service charge</p> <p>£480/metre - total price paid</p>	<p>2</p>	<p>5 yr licence then reverts to annual rolling</p>	<p>River mooring from modernised pier with office and onsite management by the resident owner. Gated secure access. Pleasant quiet location with open river setting; Furnival Gardens adjacent. Ravenscourt Park tube and shops 12 mins walk. Fees are arguably below market rates in the past and currently, compared to other sites.</p>		

<p>Chiswick Quay Marina</p>	<p>annual mooring fee (no service charge)</p> <p>£468/metre - total price paid</p>	<p>3</p>	<p>1 yr rolling; practice of renewing</p>	<p>Secure marina with good facilities. Resident harbour-master. Chiswick rail station 8 mins walk; shops further. Pleasant suburban setting within quiet residential development. Only a 2 hr window for tidal lock access. Marina owned by residents in surrounding housing. Fees are arguably below market rates compared to other sites. Boats for sale on moorings.</p>		
<p>Soaphouse Creek/Ferry Quays, Brentford</p>	<p>annual mooring fee (no service charge)</p> <p>£714/metre - total price paid</p>	<p>4</p>	<p>Unknown but presume 1yr rolling</p>	<p>Includes two sites: (1) Soaphouse Creek with modern full marina services and limited tidal movement for boats between 15-25m (2) River Brent - fully serviced linear pontoon moorings on the tidal stretch of the Grand Union Canal junction with the Thames. Accommodates boats between 15-36m. Brentford Rail 15 mins walk. Boats are sold on the mooring.</p>		
<p>Harts Marina, Surbiton</p>	<p>annual mooring fee; no service charge; Environment Agency boat licence required on this section of Thames £49/m</p> <p>£685/metre - total price paid</p>	<p>6</p>	<p>1 yr rolling contract normally renewed</p>	<p>Moorings outside boathouse and restaurant/pub on the non-tidal Thames. Residential moorings moored closely side to side along the riverside with attractive open setting opposite Hampton Court Palace grounds. Good facilities and boating services, including boat repair yard on site. Pleasant suburban location. Surbiton rail and shops 6 mins walk. Kingston upon Thames 1 mile. 10% fee when boats sold on the mooring. Max. length 17m.</p>		

Notes

Prices include mooring fee, service charge, VAT where charged, any surcharge for wide-beam boats and the Canal & River Trust or Environment Agency boat licence where required to occupy the berth. It is therefore the total charges paid for mooring at the site. Where operators charge different rates depending on the berth location, I have used the highest rate.

Sources of the data include – operators’ websites, derived from Riverhomes adverts, calls to operators, contacts at the Canal & River Trust, estimated based on known 2019 rates, information provided by mooring customers, site visits and consultant’s knowledge. Further information can be found in the Schedule of Comparables.

Sites with long-term licences and service charge only

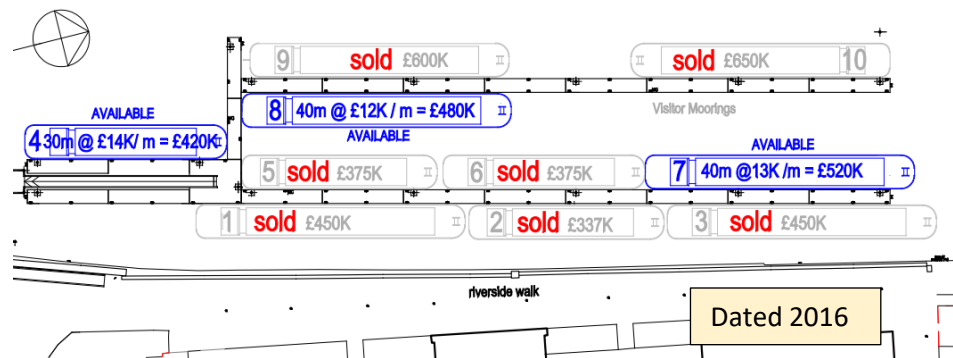
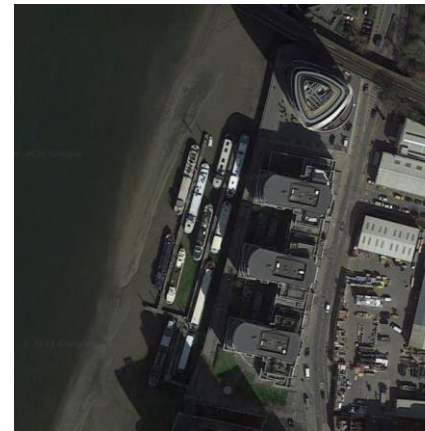
Oyster Pier, Battersea

Long licence– site opened c. 2014 when vacant berths were sold with 120 yr leases for £340k - £650k

Service charge only (no mooring fee)

The newest residential moorings on the Thames with new pontoons and full facilities alongside a new residential development and Thames Path. Developed c. 2014 for 10 boats. Close to shops and amenities. 20 mins walk to Clapham Junction rail or Wandsworth Town; 8 mins to riverbus at Plantation Wharf. Adjacent to Battersea railway bridge and London Heliport (regular disturbance). Public gardens nearby. Developed at the same time as Plantation Wharf by the same company.

Mooring operator	Living River Ltd Company set up specifically to develop and sell the new resi moorings
Date of opening	c. 2014 ?
Mooring licence length	119 years from 2021
Option to renew	no
Notice / revocation	Non-payment or breach of terms Landlord not liable for interruption in performance of their obligations in the event of circumstances beyond landlord’s control.
Annual mooring fee	No, only ground rent £250 p.a. doubled every 20 yrs
Maintenance charge	£7500 p.a. equates to £214/metre for 35m boat; covers maintenance, insurance, sinking fund, PLA river-works licence
Sell boat/assign licence	with landlord’s prior consent, not to be unreasonably withheld
Commission on sale	no



Plantation Wharf, Battersea

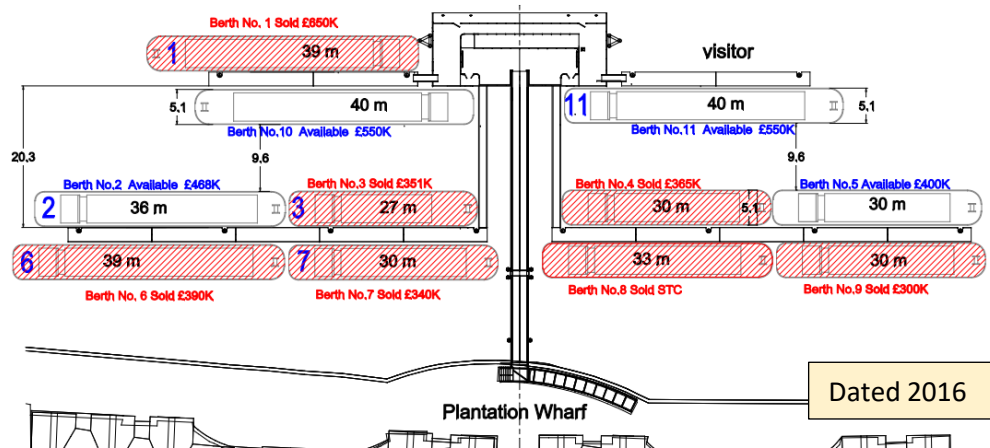
Long licence – site opened c. 2014 when vacant berths were sold with 120 yr leases for £340k - £650k

Service charge only (no mooring fee)

The newest residential moorings on the Thames with new pontoons and full facilities alongside a new residential development and Thames Path. Developed c. 2014 for 11 boats. Close to shops and amenities. Near to London Heliport (regular disturbance) plus river bus uses the pier head (some disturbance). Riverbus at the pier; 17 mins walk to Clapham Junction rail or 13 mins Wandsworth Town. Developed at the same time as Oyster Pier by the same company.

Mooring operator	Living River Ltd Company set up specifically to develop and sell the new resi moorings
Date of opening	c. 2014 ?
Mooring licence length	119 years from 2021
Option to renew	no
Notice / revocation	Non-payment or breach of terms Landlord not liable for interruption in performance of their obligations in the event of circumstances beyond landlord's control.
Annual mooring fee	No, only ground rent £250 p.a. doubled every 20 yrs
Maintenance charge	£7500 p.a. equates to £214/metre for 35m boat; covers maintenance, insurance, sinking fund, PLA river-works licence
Sell boat/assign licence	with landlord's prior consent, not to be unreasonably withheld
Commission on sale	no

NB: one boat for sale on mooring with a 15 yr licence for an annual fee of £590/metre (mooring fee + service charge)



Wandsworth Riverside Quarter

Long licence – original licence 60 yrs

Service charge only (no mooring fee)

Mooring scheme with pontoons and full facilities alongside a modern development and Thames Path opened c. 2004. Eleven boats plus riverbus stop on the pier head. Close to shops, amenities and Wandsworth Park. Residents can use the apartments' concierge and leisure centre. Riverbus from the pier, 15 mins walk to East Putney tube or 13 mins Wandsworth Town. Vacant berths originally sold in 2004 with 60 yrs licence. Houseboats now sold on the berth with the remaining licence.

Mooring operator	Fraser's Property Group developed apartments and resi moorings
Date of opening	c. 2004
Mooring licence length	42 years from 2021
Option to renew	no
Notice / revocation	Non-payment or breach of terms If PLA licence is terminated
Annual mooring fee	no
Maintenance charge	£8000 p.a. covers maintenance of moorings, communal public area and leisure centre, insurance, PLA river-works licence. Equates to £207/metre.
Sell boat/assign licence	with landlord's prior consent, not to be unreasonably withheld
Commission on sale	no



Prospect Quay, Wandsworth

Long licence – “virtually indefinite”

Service charge only (no mooring fee)

Mooring scheme with pontoons and full facilities alongside a residential development and Thames Path opened c. 1997. Thirteen boats. Close to shops, amenities and next to Wandsworth Park. Residents can use the apartments’ concierge and leisure centre. Riverbus from the adjacent pier, 15 mins walk to East Putney tube or 13 mins Wandsworth Town. Houseboats now sold on the berth with the open-ended licence.

Mooring operator	Resident shareholders (?)
Date of opening	c. 1997
Mooring licence length	“virtually indefinite” – likely to be an open-ended PLA river works licence
Option to renew	n/a
Notice / revocation	tbc
Annual mooring fee	no
Maintenance charge	Service charge £6,000 pa. Elements of service charge tbc, likely to include maintenance of moorings, communal public area and leisure centre, insurance, PLA river-works licence
Sell boat/assign licence	yes
Commission on sale	unknown



Albion Quay, Battersea

Long licence – “virtually indefinite”

Service charge only (no mooring fee)

Older river mooring with pontoons and facilities alongside Thames path in residential setting directly next to London Helipad (major disturbance) and Battersea Railway Bridge (disturbance but partly buffered by bridge sides). Ten boats. Close to shops and amenities. 20 mins walk to Clapham Junction rail or Wandsworth Town; 8 mins to riverbus at Plantation Wharf. Houseboats sold on the berth with the open-ended licence. Vacant 30m berth for sale 2019 £360,000.

Mooring operator	Resident shareholders (?)
Date of opening	c. 1993
Mooring licence length	“virtually indefinite” – likely to be an open-ended PLA river works licence
Option to renew	n/a
Notice / revocation	unknown
Annual mooring fee	no
Maintenance charge	Elements of service charge tbc. Likely to include maintenance of moorings, insurance, PLA riverworks licence. Service charge c. £4,000 pa or £134/metre.
Sell boat/assign licence	Yes
Commission on sale	unknown



4 bed houseboat for sale 29m 2021 £700,000

Residential mooring, Lombard Road, Battersea, SW11

£360,000 Per Item

UK Marinas & Moorings > Residential Moorings For Sale

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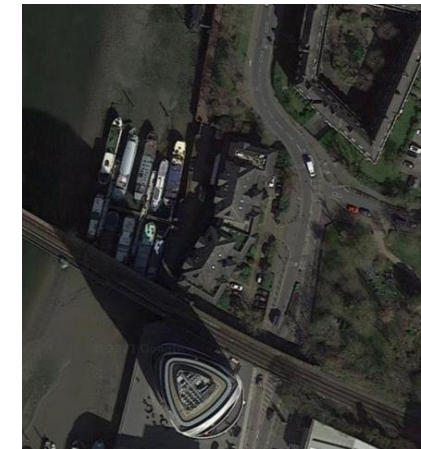
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Vacant 30m berth for sale 2019 £360,000



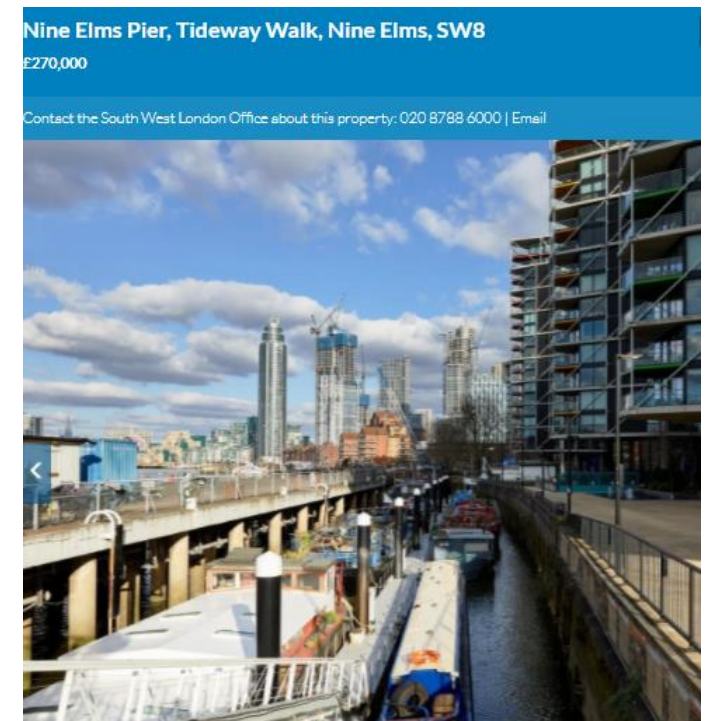
Site with long-term licences and mooring fee

Nine Elms Pier

Long licence e.g. 33 yrs with annual mooring fee and service charge totalling £504/metre

Mooring for approx. 20 boats around very large pier structure which serves as residents' storage and outdoor leisure space. Situated alongside new residential development and open space, Battersea Power Station redevelopment nearby. Battersea Power Station tube 5 mins walk, river-bus 20 mins. Nine Elms Pier tube or Vauxhall rail/tube 19 mins walk. Shops and full amenities nearby. Some boats overshadowed by imposing pier or river wall. Adjacent Thames Water construction site still causing some disturbance/blight. Several boats can be sold on the mooring with long licences e.g. 33 yrs.

Mooring operator	Nine Elms Pier Ltd Directors acquired the pier, set up the moorings and some live there
Date of opening	c. 2001 ?
Mooring licence length	33 years from 2021
Option to renew	unknown
Notice / revocation	in the event of mooring redevelopment in the event of termination/revocation of PLA or Crown Estate licences
Annual mooring fee	Annual mooring fees, open market value, reviewed annually, independent determination if fail to agree
Maintenance charge	Maintenance of moorings, insurance, PLA riverworks licence
Sell boat/assign licence	with operator's prior consent, not to be unreasonably withheld
Commission on sale	5%



£270,000 for 29m berth 2021; 33 yr licence

Analysis

To enable comparison of mooring charges, the rate I am using for CYBC is the sum of the annual mooring fee, annual service charge and annualised licence premium to provide the total price payable on an annual basis. This was explained earlier in the section “CYBC Charges” and resulted in the rate of **£1,497/metre** (£456/foot).

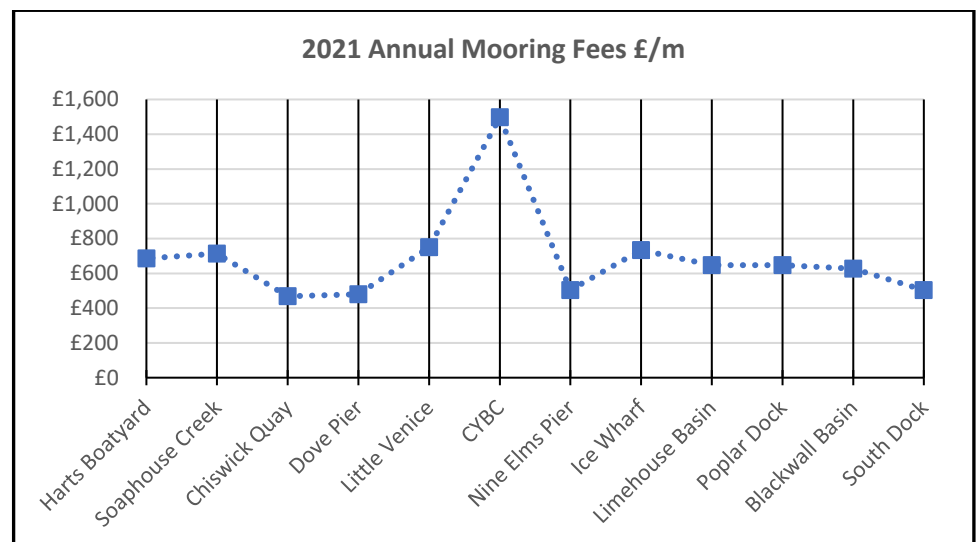
Although CYBC suggested a higher licence premium of £5,800/foot in 2016 which resulted in an annual total price payable of **£2,865/metre** (£873/foot) I have used the **£1,497/metre** rate for graphical representation.

Also as explained earlier, CYBC have a unique charging regime for which there are no direct comparables. I therefore compare their total price payable to the two market models, (1) short-term rolling licences with annual mooring fee plus any service charge, and (2) an upfront premium for a long-term licence with annual service charge only.

Annual mooring fees of comparable sites with short-term licences

Refer to earlier [Table of sites with short-term licences and annual mooring fees](#) for details and descriptions of each site. Fees shown are **total price paid** to moor at each site (including any service charge, navigation authority’s boat licence, VAT where charged, etc).

	2021
Harts Marina	£685
Soaphouse Creek	£714
Chiswick Quay	£468
Dove Pier	£480
Little Venice	£750
CYBC	£1,497
Nine Elms Pier	£504
Ice Wharf	£734
Limehouse Basin	£647
Poplar Dock	£647
Blackwall Basin	£626
South Dock	£504



Mooring sites on the x axis are arranged geographically from West to East across London.

The graph above illustrates that the charges at CYBC (total price payable) sit well above the range or tone of fees (total price payable) for the higher-end commercially managed residential mooring sites across London selected for comparison.

Below I examine whether this can be explained by the site’s location, comparing it to other site locations.

Comparing mooring site locations to CYBC

I have derived a location value for each comparable site as set out below.

Using a simple comparability method, the higher the value of the location, the more sought after is the mooring. Consequently, one can compare mooring sites with, for example, the value of property nearby. I have therefore established location weightings for each mooring site derived from property values (2-bedroom flats) in the same vicinity. Note that nearly all the chosen mooring sites are surrounded by apartment blocks.

To clarify, the objective is to use a common factor i.e. 2-bedroom apartments to derive location weightings for comparison between sites, not to correlate property prices with houseboat prices.

The property prices were taken from sector postcodes wrapping round the mooring site to reflect its locality (for example SW10 0, SW3 5, and SW6 2). They therefore reflect the value of a site's setting and vicinity. The sector postcodes which wrap around CYBC are shown below. SW10 0, SW3 5, SW6 2.



The source data is in the table on the following page.

The location weighting for CYBC is set at 1 to enable relative weightings.

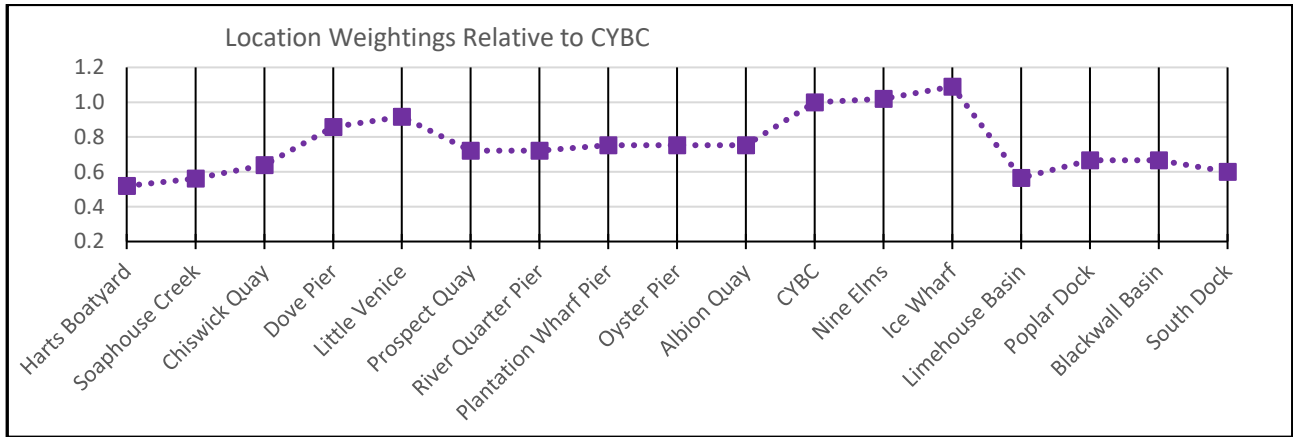
Mooring site	Location weighting
Harts Boatyard	0.52
Soaphouse Creek	0.56
Chiswick Quay	0.64
Dove Pier	0.86
Little Venice	0.92
Prospect Quay	0.72
Riverside Quarter Pier	0.72
Plantation Wharf Pier	0.75
Oyster Pier	0.75
Albion Quay	0.75
CYBC	1.00
Nine Elms	1.02
Ice Wharf	1.09
Limehouse Basin	0.57
Poplar Dock	0.67
Blackwall Basin	0.67
South Dock	0.60

Location weightings and table of source data

Mooring Site	Location	2021 Average 2-Bed Flat Sold Prices	Location Weighting	Mooring Site Postcode	Locality Sector Postcodes	Sample size
Harts Boatyard	Surbiton	£443,605	0.52	KT6 4HJ	KT6 4, KT1 2, KT6 5	3042
Soaphouse Creek	Brentford	£479,825	0.56	TW8 0AW	TW8 0, TW8 8	3423
Chiswick Quay	Chiswick	£546,340	0.64	W4 3UR	W4 3, W4 2, W4 4	2430
Dove Pier	Hammersmith	£733,192	0.86	W6 9DJ	W6 9, W6 0, SW6 6, W4 2	4920
Little Venice	Maida Vale	£783,714	0.92	W9 2PD	W9 2, W2 6, W2 5, W9 1	6490
Prospect Quay	Wandsworth	£616,066	0.72	SW18 1PR	SW18 1, SW15 2, SW11 3	8474
Riverside Quarter Pier	Wandsworth	£616,066	0.72	SW18 1LP	SW18 1, SW15 2, SW11 3	8474
Plantation Wharf Pier	Battersea	£643,614	0.75	SW11 3EY	SW11 3, SW11 2, SW11 4	4437
Oyster Pier	Battersea	£643,614	0.75	SW11 3RP	SW11 3, SW11 2, SW11 4	4437
Albion Quay	Battersea	£643,614	0.75	SW11 3RQ	SW11 3, SW11 2, SW11 4	4437
CYBC	Chelsea	£854,199	1.00	SW10 0DG	SW10 0, SW3 5, SW6 2	4389
Nine Elms	Nine Elms	£871,263	1.02	SW11 8PZ	SW11 8, SW8 5, SW8 4	3541
Ice Wharf	King's Cross	£931,167	1.09	N1 9RT	N1 9, N1 0, N1C 4	2298
Limehouse Basin	Limehouse	£483,163	0.57	E14 8EG	E14 8, E1W 3, E14 7, E1 0	4450
Poplar Dock	Poplar	£568,732	0.67	E14 5SH	E14 5, E14 9, E14 2	7237
Blackwall Basin	Blackwall	£568,732	0.67	E14 5GT	E14 5, E14 9, E14 2	7237
South Dock	Southwark	£512,307	0.60	SE16 7SZ	SE16 7, SE8 3, SE16 5	3813

Source data is Price Paid Data available through the HM Land Registry Open Data and used under the OGL v3.0. Data available at time of publishing is up to end of June 2021, and so yearly averages are calculated July-June. Postcode data is from Streetlist.co.uk. The inclusion of higher and lower value properties can skew the results, so the yearly average has been calculated using the Inter-Quartile Mean to discount outliers. I have also used trend values to avoid any major discrepancies (such as a large number of new apartments being released and sold in a year) which would unduly affect the weighting.

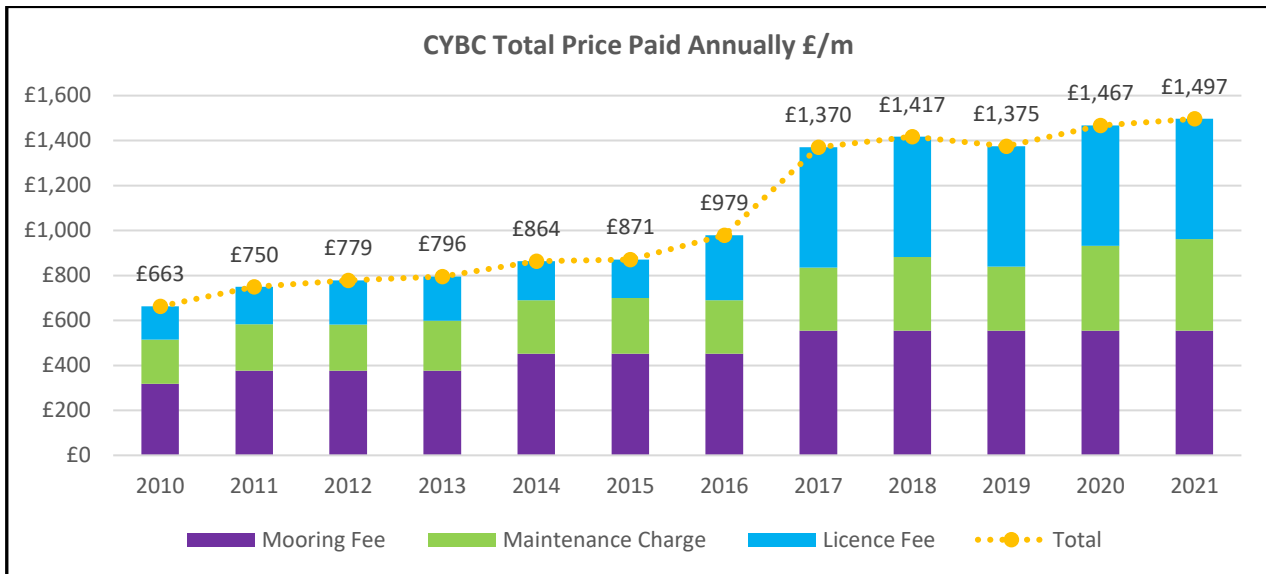
Location weightings relative to CYBC



Location weightings for each mooring location using sector postcodes (for example SW10 0, SW3 5, and SW6 2) for 2-bedroom apartment sold prices using the Inter-Quartile Mean and trend values. CYBC = 1.

The graph above demonstrates that there are a number of high-value mooring localities in London. Ice Wharf (King's Cross) and Nine Elms (Battersea) are slightly higher in value than CYBC, which is then closely followed by Little Venice (Maida Vale) and Dove Pier (Lower Mall, Hammersmith).

CYBC charges over ten years



The mooring fees and service charges are set out in the Agreed Statement of Facts.

The rates used for the licence premiums are based on the average of all licences granted during that year and then converted to an annual amount. This data is provided by CRBA.

The annual mooring fee of £554/m (£169/ft) remains unchanged from 2017 since it is reviewed every three years and is currently disputed. Similarly, the annualised licence premium of £535/m (£163/ft) remains unchanged from 2017 from when it was disputed. Therefore, the only increases since 2017 relate to the service charge.

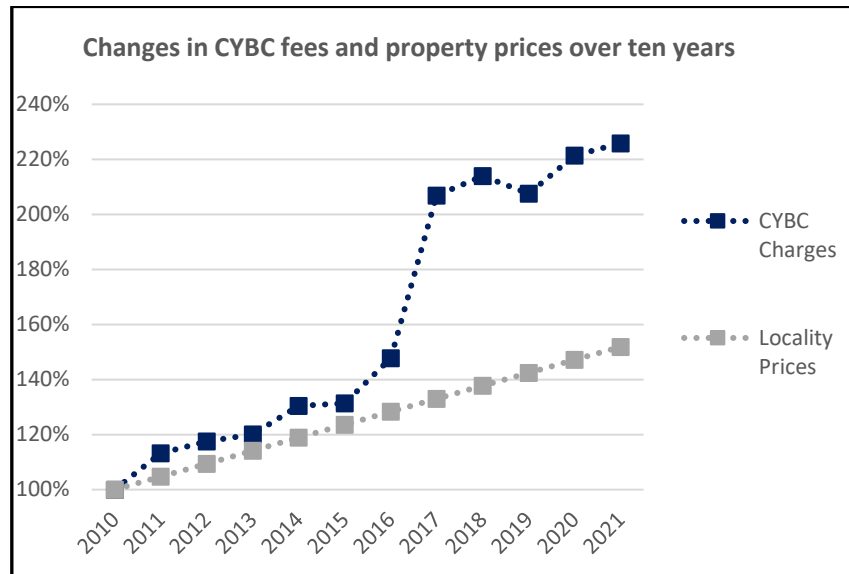
The graph above demonstrates the increases in fees at CYBC over the last 10 years. There is a significant increase between 2016 and 2017. The graph appears to flatten off after 2017, but this is because mooring fees and licence premiums are held in abeyance during dispute. The source data is set out in the table below.

	Per metre			
	Mooring fee	Maintenance charge	Licence fee	Total
2010	£318	£197	£148	£663
2011	£377	£206	£167	£750
2012	£377	£205	£197	£779
2013	£377	£221	£197	£796
2014	£453	£238	£174	£864
2015	£453	£247	£171	£871
2016	£453	£237	£289	£979
2017	£554	£281	£535	£1,370
2018	£554	£328	£535	£1,417
2019	£554	£286	£535	£1,375
2020	£554	£378	£535	£1,467
2021	£554	£407	£535	£1,497

	Per foot			
	Mooring fee	Maintenance charge	Licence fee	Total
	£97	£59.95	£45	£202
	£115	£62.67	£51	£229
	£115	£62.36	£60	£237
	£115	£67.49	£60	£242
	£138	£72.44	£53	£263
	£138	£75.35	£52	£265
	£138	£72.31	£88	£298
	£169	£85.69	£163	£418
	£169	£99.97	£163	£432
	£169	£87.06	£163	£419
	£169	£115.19	£163	£447
	£169	£124.14	£163	£456

Changes in CYBC fees and property prices over ten years

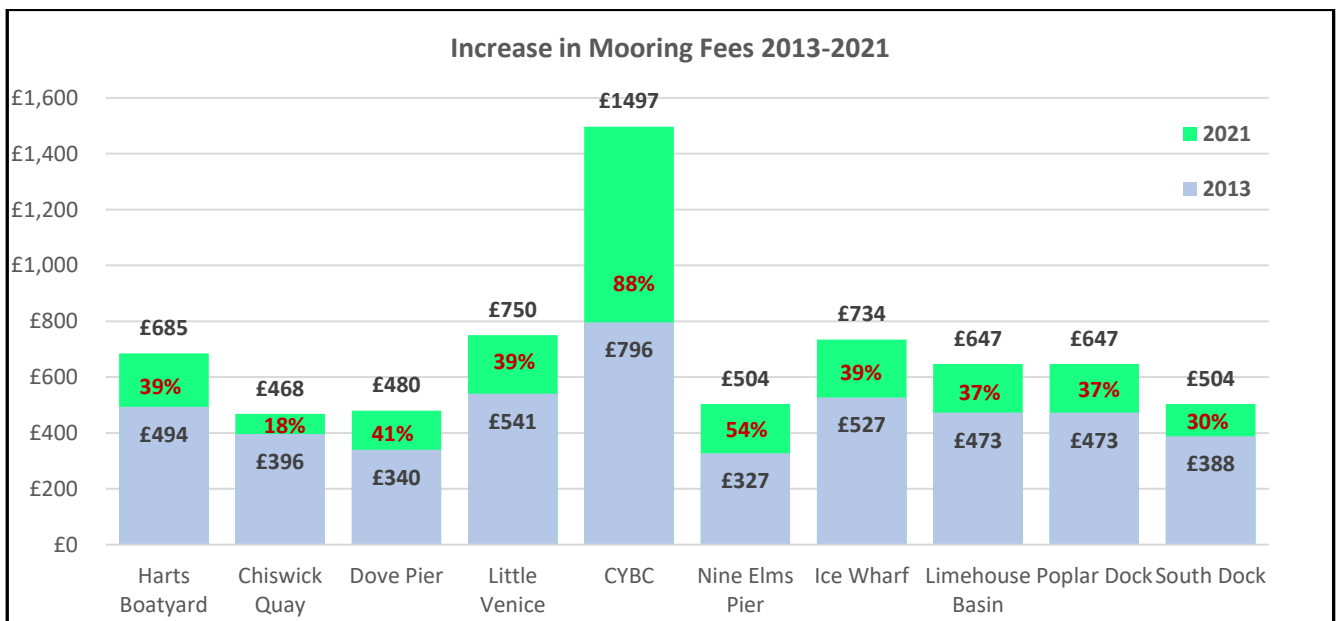
	CYBC Charges	Locality Prices
2010	100%	100%
2011	113%	105%
2012	118%	109%
2013	120%	114%
2014	130%	119%
2015	131%	124%
2016	148%	128%
2017	207%	133%
2018	214%	138%
2019	208%	142%
2020	221%	147%
2021	226%	152%



Locality values at CYBC are derived from 2-bedroom apartment sold prices using the Inter-Quartile Mean and trend values (as earlier in the statement). All values are set to 100% in 2011 to enable comparison.

The graph above shows that increases in the CYBC fees (total price paid) over the last 10 years have significantly exceeded increases in Locality property value trends. The increase was significant after 2016.

Increase in annual mooring fees across all sites 2013-2021



Showing the comparable sites for which I have rates from 2013 (when I conducted a mooring fee review for a London marina client which required a market assessment.)

The graph above shows that the CYBC mooring fee increases significantly exceed the trend for other mooring sites across the same period.

Conclusions

1. The charges at CYBC sit well above the range or tone of mooring fees (total price paid) for the selected comparable higher-end commercially managed mooring sites across London.
2. Using property values at a Borough level, Kensington & Chelsea (CYBC moorings) has the highest value, followed closely by Westminster (Little Venice moorings). This gives a basic high-level indication per borough.
3. Using property levels at a Locality level, CYBC is lower in value to the moorings at Ice Wharf (King's Cross) and Nine Elms (Battersea). It is closely followed by Little Venice (Maida Vale) and Dove Pier (Lower Mall, Hammersmith).
4. Looking at 10-year trends, there has been no above-average increase in property values in the Locality of CYBC. Property prices have increased by 45%. The CYBC mooring fees (total price paid) for licenced boats have increased by 126%.
5. The CYBC fee increases significantly exceed the trend for the other mooring sites in the period since 2013 (the date from which I have a reasonable dataset).
6. From my knowledge of the CYBC site in 2013, there have been no improvements to site specific factors such as enhanced maintenance, refurbishment of mooring facilities and infrastructure, improvements to nearby amenities or reduction in nuisance factors such as road noise, foreshore erosion and wash.
7. From visiting the site and reading the residents' statements, it is evident that some of the mooring infrastructure is dated, untidy and in some places dilapidated and unsafe. Utilities and services can be unreliable. There are safety concerns relating to utility connections, surface of some pontoons and movement of gangplanks. It also appears from the residents' statements that due to the erosion of the foreshore, some houseboats are left in precarious positions when they ground at low tide, putting stress on the hulls and structures, plus making living conditions difficult. These are significant site-specific factors.
8. In my experience of Thames mooring sites, CYBC's charging regime of a premium, mooring fee and service charge is unique. As outlined earlier, there are two models in the moorings market: (1) annual rolling market-rate mooring fees where routine renewal is standard market practice; there are hundreds of residents across London with such licences; and (2) premium for long term licence with annual service charge only, where the resident pays upfront for the capitalised mooring value.

I declare that the contents of this witness statement are true and correct to the best of my knowledge and belief.



Madge Bailey

11 January 2022