



Elmbridge Borough Council

... bridging the communities ...

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Dominic Raab, MP
House of Commons
Via email

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my ref:
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29 June 2023

Dear Mr Raab

Thank you for your letter dated 20 June 2023 on the subject of Public Space Protection Orders, along the River Thames, which I have now received.

As a newcomer to this correspondence, can I note what you have said to my predecessor, and reiterate some key points on which, I hope, we are agreed. The longstanding issue of unauthorised moorings on the Thames in our Borough is a matter of great frustration to our residents, as well as to you and me. As we both know, the agency with both the responsibilities and powers, to have the greatest impact in tackling this issue, is the Environment Agency (EA). To borrow a phrase from you, they should not be allowed to hide away from their responsibilities. As you know, we have again pressed them for action and our Chief Executive has recently met with them, to this end.

I know you too have met with officers of the agency. I had hoped to meet with you recently to suggest that we jointly met with the EA to hold them to account. In the event, you did not accept the opportunity to meet, but nonetheless I hope we can, at a future date, jointly press the case with the EA.

For our part, as EBC, we are prepared to pull the local levers that are available to us to tackle unauthorised moorings. We work in partnership with Surrey County Council, Surrey Fire and Rescue, Surrey Police and, of course, the EA to seek a consistent and permanent solution to manage and enforce the difficult challenge of unauthorised moorings in Elmbridge.

We note the results of your survey, which demonstrate a similar strength of view to our own PSPO survey, which found that of the 766 responses, 85% strongly agree or agree that a PSPO to prevent mooring without permission on Elmbridge Borough Council owned land at Ditton Reach, Albany Reach, Cigarette Island, Cowey Sale and Hurst Park; and Surrey County Council's land adjacent to Hampton Court Bridge, was the best way to protect these open spaces for all to enjoy.

I would like to clarify that this PSPO, if agreed, would only apply to Elmbridge owned land, and Surrey's land at Hampton Court Bridge, and not a Borough-wide PSPO, as has been suggested previously. For Elmbridge to enforce a PSPO on the riverbanks outside of our ownership is not a practical proposition.

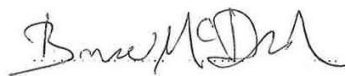
Notwithstanding, our willingness to pursue a PSPO, I trust you are aware, from your conversations with the EA, that they have confirmed that they do not view PSPOs as providing them with any powers they do not already possess for managing the moorings on the river. Which inevitably takes us back to the point made at the opening of this letter.

The results of the PSPO consultation are due to be considered by Cabinet on 5 July 2023. Subject to the outcome of that meeting, we will be carrying out a second phase of consultation on the unauthorised mooring PSPO, in order to clarify some aspects of the implementation, to be transparent and to ensure that the statutory conditions for making such an order are met.

As mentioned earlier, the Council have been meeting regularly with the EA to seek a long-term solution. Most recently, the Council's Chief Executive Adam Chalmers met with Emma Hill, Acting Director for the Thames Area on 14 June 2023. The EA have restated that there remained an ambition and desire to carry out enforcement in line with the EA's Enforcement and Sanctions Policy. However, there was an acknowledgement that this was constrained by resources.

As my colleagues and I have stated, we will do all we can locally to tackle unauthorised moorings. However, the agency which has both the responsibilities and powers to make the greatest impact, and upon whom achieving a comprehensive solution inevitably depends, is the Environment Agency. I would welcome your support as our MP in a joint approach to the EA so that we can together do our utmost to focus their attention on providing the enduring solution our residents deserve.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bruce McDonald', written in a cursive style.

Councillor Bruce McDonald
Leader – Elmbridge Borough Council