
Elmbridge/EA meeting

14 June 2023

In attendance (via Teams)

Environment Agency

Emma Hill (EH), Acting Director Thames Area,
John Dutson (JD), Senior Specialist,
Maria Herlihy (MH), Operations Manager Thames Area

Elmbridge Borough Council

Adam Chalmers (AC), Chief Executive
Ian Burrows (IB), Head of Culture Leisure and Environment

Introductions/background

Both the EA and EBC recognised the good working relationship between officers from both organisations, however elected members, senior officers and local residents were growing frustrated at a perceived lack of action, which is putting a strain on the partnership moving forward.

The EA stressed a total commitment to continue to work in partnership with EBC and others to seek a resolution to the ongoing issue of unauthorised moorings.

Enforcement/enforcement powers

The EA updated the current position with unauthorised moorings in the Borough and 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.

AC asked the EA to clarify what their enforcement strategy was for the Elmbridge area and how this was going to start to make a difference.

EA staff confirmed the strategy as documented online, and noted that this was the start of the journey and fresh way of looking at things. Recognising the challenges in the patch, moving forward the EA are committing to regular patrols on Tuesdays and Thursdays along the Elmbridge stretch of the Thames. They are also improving and streamlining some of their processes, installing new signage and have already recruited additional officers to carry out patrols in the locality.

EA appreciate the need for proactive sharing of information (but not where this would jeopardise any ongoing legal action) and will be publishing a regular public newsletter with local statistics and actions to help engagement with the community, and to offer more local reassurance.

EA and EBC discussed and shared some of the challenges faced more locally in recruiting the specific skills needed, spanning not just the enforcement teams, but also the communications and engagement aspects.

The EA appreciate that the community want to see more action taken, especially around the key areas (Hurst Park, Desborough Cut, Cigarette Island) and despite regular partnership meetings, this has damaged local confidence. EBC encouraged the EA to prioritise the 2 large vessels at Hurst Park for action.

Agreed that EBC and EA would work together to write to the MP to note the resource challenges faced by the EA, and the constraints on ambitions, and the impacts this can have.

The EA outlined the nature of the processes involved in ongoing or live enforcement cases require much care to not prejudice the outcomes, appreciating that this can feel frustrating to some, and like a lack of progress or an absence of information. EA and EBC agreed to explore together how we may be able to better share the information we are able to, and to better explain the instances, or processes, where we are not able to comment on specifics, which would help to build local confidence and highlight the action being taken by the EA.

EA agreed to arrange a separate follow up operational meeting with EBC to discuss the key locations (as above) and to review how cases are being progressed.

Working in partnership

EBC explained the view from local residents that EBC should take over the enforcement of the riverbank from the EA, as the local view was that the EA were not fulfilling their duties,

EA have sought their own legal advice on this and would formally reply to EBC within 2 weeks. The EA clarified that they would want to make sure that any new arrangement would improve, and not further complicate the legal issues around unauthorised moorings, a view that was shared by EBC. Once the EA have received their legal advice a further meeting would be convened/



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Procurement

The EA clarified their current enforcement strategy would be led by local teams, who would continue to carry out daily checks and enforce registration non-compliance.

This was consistent with the national approach, and a move to a standardised set of terms and conditions for 24 hour mooring.

The EA confirmed that mooring enforcement procurement was halted due to an error in the procurement process that had been challenged.

In light of this, they took the opportunity to holistically assess their mooring management approach. The review highlighted significant benefits to be gained by keeping the mooring management in-house, aligning with their commitment to sustainability, cost-effectiveness, improved compliance and ensuring the best possible outcomes for both the environment and the taxpayer.

Additionally, the environment Agency are in the process of updating their mooring position statement to accurately reflect the current situation and communicate their renewed focus on effective in-house mooring management.

Communication

IB stressed the importance of timely public communications with action taken along the Thames. In the absence of information local residents and councillors are assuming that no action is taking place which is damaging confidence.

EA recognise the need for good engagement and communication, and have been somewhat limited by resources in recent months, yet with the team sizes now growing, are keen to implement the plans outlined above (newsletter and increased patrols).

EA confirmed their willingness (in principle /subject to availability or ongoing incident response needs) to join EBC officers at a joint meeting with representatives from Molesey Riverside Action Group (MRAG)

PSPOs

EBC updated that the consultation on the PSPOs had now closed and a report would be considered by the Council's Cabinet on 5 July. A number of points have been raised with the potential PSPO for mooring that requires more detail to be



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published (such as enforcement under "red boards") and this would be published as part of a phase 2 consultation, subject to Cabinet agreement.

The EA confirmed their position that they did not view PSPO's as providing them with any powers they did not already possess for managing the moorings on the river.

EBC further updated that they are considering an injunction at Cigarette Island and Albany Reach and would welcome the EA's participation as a joint applicant through their ownership of the riverbed.

Actions

- Minutes to be agreed by both parties and published on the EBC website
- The EA to commence regular Enforcement patrols on Tues and Thurs every week from week commencing 17th July 2023.
- The EA commit to a regular public newsletter detailing local action and statistics (timescale)
- EA to arrange a meeting with EBC to consider the current action at the key locations above
- EBC and the EA to write jointly to the MP to clarify the lack of resources faced by the EA and the constraints this placed upon them.
- EBC to arrange meeting with EA and MRAG
- EA to update EBC with their legal view of the potential transfer of management of the riverbank to EBC within 2 weeks.



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