

Your ref:  
My ref: CSC/SC  
Date: 3<sup>rd</sup> May 2007  
Contact: Chris.capps@cambridgeshire.gov.uk  
Direct Dial: 01223 717936  
Fax: 01223 718436  
E Mail: chris.capps@cambridgeshire.gov.uk

Office of Environment & Community Services  
Deputy Chief Executive, Brian Smith

**Asset Management Section**

Box No. ET1007  
Room 004  
Babbage House  
Castle Hill  
Cambridge  
CB3 0AP

Mr Robert Oeffner  
15 Bayford Place  
Cambridge  
CB4 2UF

Dear Mr Oeffner

**Riverside, Cambridge**

I refer to your letter of 18<sup>th</sup> April, 2007, passed to me by Cllr John Reynolds to reply.

The current retaining wall running along Riverside, Cambridge was constructed in about 1953 following the collapse of a previous wall. It was jointly funded by the, then, Highway Authority, Cambridge City Council and the River Great Ouse Catchment Board.

At Local Government Re-organisation in 1974, the County Council, as Highway Authority, took responsibility for the retaining wall, as it supported the highway. However, the legal ownership of the wall has yet to be determined, and no legal view has been taken regarding the right/liability of boat owners to moor their boats to the wall. The Highway Authority does not own the subsoil on which the retaining wall and road surface are situated, and, therefore, is not the riparian owner.

The County Council does not encourage or condone mooring to the retaining wall. It may be able to restrict mooring by taking a civil action for trespass against each boat. However, it would be only on the basis as owners of the wall. This action could be a waste of public money given that we could not prove ownership of the wall and do not own the subsoil or the bank. This is compounded by the length of time that mooring has been tolerated/allowed.

The Cam Conservancy has the power to ban mooring on the grounds of navigation only.

/continued...

If the County Council were minded to introduce a mooring policy, work would have to take place to provide safe mooring and methods of access both from the water and the bank. It is estimated that it would cost about £250k to bring the retaining wall up to safe standards, and to provide some form of jetty/pontoon.

There is no funding for this work available, therefore it would have to be taken from other bridge maintenance, or highway maintenance budget. If this were to be assessed against other pressure areas it is unlikely to be successful.

Any such pontoons would have an additional ongoing maintenance responsibility together with the need to manage and collect the mooring fees and permits. This may require additional staff to effectively manage this process, thus reducing any income from the fees.

I hope the above answers your concerns.

Yours sincerely



Chris Capps  
**Head of Transport Asset Management**