



Elmbridge Borough Council

... bridging the communities ...

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Dominic Raab, MP
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Via email

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27 November 2023

Dear Dominic

Further to your letter dated 3 November which I have recently been made aware of, but yet has still not been sent directly to me. I am pleased to hear that you have met with both the Environment Agency and the Environment Secretary who have committed to enforce the large stretches of the riverbank for which the EA are responsible. Given our own recent experiences of the EA's assurances could I press you for a timescale for when we will see some demonstrable action, as we as a Council and our residents are growing increasingly concerned and frustrated by promises of actions, which are then not followed through. It is worth highlighting that of the 116 boats estimated to be moored without consent in the Elmbridge area, 26 are currently moored on Elmbridge owned land with the remaining estimated 90 boats (or 78%) moored on land for which the EA are responsible. I have written to the EA separately this week with the same concern about a lack of action and following through on public promises.

I would also draw your attention to my letter to you, dated 12 October 2023 where I suggested that, as the EA have acknowledged that they are constrained by a lack of resources, that you join me in urging the EA to allocate £250,000 for a one-off project to return the navigation, and our riverbanks to a state where they can be enjoyed by our residents, free from all the problems associated with the unauthorised moorings. I would welcome a response on this point.

In terms of the current PSPO that the Council is considering, you will be aware from the meeting that you attended on 19 September with the Molesey Riverside Action Group that, following the first phase of the consultation, for which there was widespread support for a PSPO to manage unauthorised moorings, there were also a number of concerns raised by boat owners with the enforcement process and how that would work in practice. The second phase of the consultation is to build on the support for the proposal from the first phase, but to define in detail how the PSPO would work in practice, and how this would be enforced.

It is required to demonstrate that the statutory conditions for making a PSPO have been satisfied and this action will be a measured response to the incidents of antisocial behaviour identified. Consultation is required prior to the making of a PSPO with partners, stakeholders, and the general public. We have to take great care that all of the documentation is carefully and clearly drafted and made available for consultation and consideration prior to any decision about the introduction of what is likely to be one of the first PSPO's to consider this issue, otherwise there is a very high likelihood of a legal challenge which could delay any implementation.

The second phase consultation opened on 10 November running to 29 December in line with the timetable previously shared with you and is due to be considered by Cabinet in February.

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