

Study - Port of London Authority River Works Licences for Residential Use
Issues for consideration during the study - developed by the steering group

Issues relating to value / the consideration for the licence		
Issue	Brief Description	Desired Outcome
1 Works licence / mooring value	Should the charge reflect the use to which the river works are put. If so why?	Recommendation with reasoning
2 Access agreements / riparian rights / ransom strip	Implications for fees where licence holder owns access land/river bank (cf Stokes V Cambridge). Disclosure of all access agreements and the fee paid up front or annually in respect of these rights? Study to consider the different scenarios and financial issues.	Recommendation with reasoning
3 Gross or Net	Consider whether costs should be off set. If so which costs.	Recommendation with reasoning
4 Navigation licence fee	Relevance of navigation licence fees from BW and EA comparables and should the PLA receive the equivalent inside the RW fee?	Recommendation with reasoning
5 Premium payments "key money"	Should, or to what extent should premium payments be taken into account for the RWL? including disclosure of all premium payments made to either riparian owners or licensee to secure mooring rights. Study to consider the different scenarios and values.	Recommendation with reasoning
6 Boat rental value / mooring rental value	Consider relevance	Recommendation with reasoning
7 Leisure moorings	How valid are leisure mooring fees as comparables for residential ones, to what extent and why?	Recommendation with reasoning
8 Multi occupancy boats	How should multi occupancy boats let by residential landlords be considered?	Recommendation with reasoning
9 Length or Area	Which is the fairest way to charge if charging boats?	Recommendation with reasoning
10 Boat Shape	If charged by area should this include the missing corners for boat shaped boats?	Recommendation with reasoning
11 Multiple storeys	Should there be a differential for multiple storey boats?	Recommendation with reasoning
12 Actual works usage or potential	Is charge based on actual size of vessels or potential size of moorings. What about visitor moorings?	Recommendation with reasoning
13 Locational factors	Should location factors be included in the fee calculation if so how?	Recommendation with reasoning
14 Grounding	Should there be a reduction for those boats grounding?	Recommendation with reasoning
15 Boats v floating homes	Should houseboats resembling boats be encouraged by a fee differential?	Recommendation with reasoning
16 Enclaves/individual boats	Should enclaves pay more, less or the same as individual boats? Why?	Recommendation with reasoning
17 Ownership of Riverbed	what is the licence fee where the riverbed is not owned by the PLA?	Recommendation with reasoning
18 Effect of history on current fees	Gain an understanding of the history behind the fee increases e.g. piggybacking comparables, threat and cost of arbitration, wide variation in fees currently charged.	Quantify effect of past practices on distorting current fees
19 Double licensing issue (HRO)	Clarification that houseboat dwellers will never have to pay a river works licence fee and a mooring fee.	Satisfactory clarification/undertaking by PLA
20 Monopoly position	Consider and quantify the effect of monopoly position of PLA	Recommendation with reasoning

Issues relating to the terms of the licence

Issue	Brief Description	Desired Outcome
21 Review mechanism	Consider options	Recommendation with reasoning
22 Changes during the licence period	How should changes be dealt with and when?	Recommendation with reasoning
23 Transfer of licences	Consider the transfer process and any terms.	Satisfactory clarification / undertaking by PLA
24 Security of licence	Clear information about licence terms relating to tenure, length of term, transfer etc that will be straightforward for bankers, buyers, estate agents and solicitors to understand	Satisfactory clarification/undertaking by PLA, possibly changes to contracts.
25 Standard licence terms	Identify some recommendations for new clauses in the licence, or amendments to existing clauses.	Recommendation with reasoning

Issues relating to arbitration and resolving disputes relating to the consideration / fee

Issue	Brief Description	Desired Outcome
26 Arbitration	What can we do instead of arbitration or to reduce the likelihood, cost and threat (unpredictability of cost) of arbitration?	Recommendation with reasoning

Issues relating to the implementation of any changes resulting from the review

Issue	Brief Description	Desired Outcome
27 Adjustments as result of review	If proposals result in significant changes in the fees paid, a proposal on how phasing could be implemented.	A fair mechanism(s)
28 Future licence holders v existing ones	Consider the merits of having different approaches to existing licences vs. future licences.	Recommendation with reasoning
29 Outstanding reviews	What should be done about existing reviews and backdating claims?	Recommendation with reasoning