



**FALMOUTH HARBOUR COMMISSIONERS
TERMS OF BUSINESS FOR MOORINGS**

1. **GENERAL TERMS**

Moorings are let or licensed subject to the **FALMOUTH HARBOUR COMMISSIONERS GENERAL TERMS OF BUSINESS**. The Falmouth Harbour Commissioners may cancel a mooring allocation or mooring site allocation should any of these terms be breached.

2. **SEASONAL MOORING AND MOORING SITE PERIOD**

Moorings are only allocated for the summer season, 1 April to 31 October and/or the winter season, 1 November to 31 March. The hirer may apply, but has no right, to hire for a further season. Mooring sites may be let for one year, as from 1 April. No refunds are paid should any letting cease before the end of a season.

3. **USE OF MOORING**

A mooring is generally only for use by the vessel to which it is allocated and under no circumstances should the length and draft limitations assigned to the mooring be exceeded.

Hired moorings let by the Falmouth Harbour Commissioners cannot not be sub-let or lent. Moorings are let to an owner, not to a vessel, and may not be assigned to a vessel's new owner.

A holder of a private mooring may not sub-let his mooring unless prior written permission has been granted by the Falmouth Harbour Commissioners and a payment of 25% excess fee for this facility. If a private mooring is sub-let, it shall not be let for more than one year and the charge shall not exceed the charge payable for a Falmouth Harbour Commissioners hired mooring for a summer season for a boat of the same length.

4. **CUSTOMER RESPONSIBLE FOR PENDANT**

The customer is responsible for the provision and the maintenance of the pendant, which shall be fit for purpose and not be of excessive length. If the pendant is fitted by the Falmouth Harbour Commissioners, they shall not be liable for any defect in this work unless notified in writing within seven days of the work being completed.

5. **CUSTOMER TO DISPLAY VESSEL'S NAME AND BUOY'S NUMBER**

The vessel must be clearly marked with its name and the buoy with its number.

6. **CONSTRUCTION OF PRIVATELY OWNED MOORINGS**

A privately owned mooring shall be designed, laid and maintained so as to hold the vessel safely in the worst weather conditions which may reasonably be expected. The mooring specification provided by Falmouth Harbour Commissioners is the minimum standard required. Private moorings may only be lifted and re-laid by the Falmouth Harbour Commissioners.

7. **SUPPORTER BUOYS**

Any supporter buoy fitted to a mooring shall be of such a design that it will not cause damage to another vessel swinging into it when the mooring is unoccupied. Where the buoy supplied has a shackle at the top, suitable fendering shall be fitted to prevent it causing damage should it pass under an adjacent vessel. If in the opinion of Falmouth Harbour Commissioners a supporter buoy is unsuitable for use, the owner shall remove the buoy within seven days of formal notice being served.

8. **CONTACT BETWEEN VESSELS**

The distance between moorings is so calculated as to provide clear swinging room for the vessels authorised to occupy them under normal circumstances. There may, however, be conditions of wind and tide in which adjacent vessels may make contact with one another or adjacent supporter buoys and mooring equipment. In accepting a mooring or mooring site, a vessel's owner must accept this possibility and agrees to indemnify the Commissioners, their Officers and Servants against claims for damage so caused.

9. **RETAINING A MOORING**

A mooring may only be retained if any fees, dues or deposits invoiced are settled within thirty days of the date of the invoice.

a) **HIRED MOORINGS**

A boat owner who has previously hired a mooring from Falmouth Harbour Commissioners and who subsequently sells his boat and is without a boat at the start of the Summer Season may retain the mooring in his name by paying for the facility. The mooring may then be allocated as a visitors mooring by the Falmouth Harbour Commissioners until the hirer is in possession of a new boat, the details of which must be declared in writing to the Falmouth Harbour Commissioners. Failure of an owner to use a Falmouth Harbour Commissioners mooring for his own boat for two consecutive years will result in forfeiture of the facility.

b) **PRIVATE MOORINGS**

A boat owner who has previously been allocated a mooring site from Falmouth Harbour Commissioners and who subsequently sells his boat and is without a boat at the start of the Summer Season may retain the mooring in his name by paying for the facility. Failure of an owner to use a Falmouth Harbour Commissioners private mooring for his own boat for two consecutive years will result in forfeiture of the facility.