

To receive a report on the Jubilee Pontoon Fundus and consider any actions and associated expenditure

Background:

Cornwall Council are the owners of Jubilee Pontoon.

Saltash Town Council have a Tenancy at Will with Cornwall Council for Jubilee Pontoon.

Duchy of Cornwall is the Foreshore Owner (owner of the fundus which is the seabed). The Jubilee Pontoon marine pilings sit on the fundus.

There is no agreement between the Duchy of Cornwall and Cornwall Council for rent of the fundus, this has been the case for nearly 25 years.

The Commercial Surveyor for the Duchy of Cornwall recently made contact to confirm the Duchy is looking to formalise the arrangements with Cornwall Council as the owner of Jubilee Pontoon for the piling set deep into the fundus. This involves a rent to the Duchy of Cornwall (foreshore owner) for Cornwall Council's marine pilings embedded into the fundus.

Liaising with Cornwall Council Assets, Capital and Commercial Services Officer, Saltash Town Council are asked to consider the following options:

Option 1:

Cornwall Council negotiates and enters into a Lease with the Duchy of Cornwall for the fundus which is then immediately assigned to Saltash Town Council (STC) on completion. All Lease terms would be agreed in consultation with STC so Cornwall Council will not be agreeing to terms STC is unhappy with.

Simultaneously Cornwall Council will grant STC a Lease of its land currently comprised in the Tenancy at Will, the pontoon and other land on the green currently used by STC to tie in with the term dates of the Duchy Lease. On completion STC will then have the long-term management control over this area. The Duchy has previously offered a fixed term of 30 years though the Cornwall Council Officer is happy to recommend to Cornwall Council that they grant STC a term of up to 99 years and I expect the Duchy can be persuaded likewise.

Option 2:

STC deals directly with the Duchy of Cornwall and secures a Lease of the fundus for the pontoon. Cornwall Council Leases STC its land and the pontoon for the same term as STC agree with the Duchy.

Saltash TC Finances:

The table below displays figures from the year 2017 to 2024. The loss is due to various factors but has since started to improve and operate as expected.

Account	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	TOTAL
4520 SE Waterfront Income - Trusted Boat Scheme	£229.18	£2,162.52	£2,369.87		£661.44	£1,695.41	£2,560.12	£9,678.54
4521 SE Waterfront Income - Annual Mooring Fees	£5,934.36	£7,499.17	£7,838.08	£6,094.56	£7,938.78	£6,245.70	£9,476.93	£51,027.58
4522 SE Waterfront Income - Daily Mooring Fees	£864.16	£4,396.21	£356.70	£50.01	£927.08	£875.01	£6,700.00	£14,169.17
TOTAL INCOME	£7,027.70	£14,057.90	£10,564.65	£6,144.57	£9,527.30	£8,816.12	£18,737.05	£74,875.29
Insurance Claim Money Received 31-03-23						£6,482.10		£6,482.10
6522 SE Pontoon (Maintenance Costs)	-£2,905.56	-£4,807.88	-£10,074.31	-£2,431.44	-£2,799.70	-£7,483.75	-£1,321.89	-£31,824.53
6528 SE Pontoon Accommodation				-£1,775.64	-£5,776.69	-£6,282.03	-£5,308.95	-£19,143.31
6584 SE EMF Pontoon Maintenance Costs		-£1,773.38			-£4,566.00	-£72.75	-£6,024.25	-£12,436.38
TOTAL EXPENDITURE	-£2,905.56	-£6,581.26	-£10,074.31	-£4,207.08	-£13,142.39	-£13,838.53	-£12,655.09	-£63,404.22
STC staff costs - approx	-£33,169.94	-£55,830.24	-£31,274.15	-£7,129.71	-£7,000.00	-£7,062.94	-£7,694.77	-£149,161.74
GRAND TOTAL	-£29,047.80	-£48,353.60	-£30,783.81	-£5,192.22	-£10,615.09	-£5,603.25	-£1,612.81	-£131,208.57

The table below displays income v expenditure for the year 2024/25. It is worth noting that there is a long-term tenant paying daily mooring fees. On their departure from the pontoon the income will drastically decrease.

Saltash Town Council			
Income Vs Overheads - Pontoon Moorings			
Financial Year:	2024/25		
Period To:	26/07/2024		
	Actual YTD	Budget 2024/25	Budget Remaining 2024/25
Income			
Trusted Boat Scheme (4520)	£1,829.10	£3,000.00	£1,170.90
Annual Berth Holders (4521)	£10,788.44	£11,235.00	£446.56
Daily Moorings (4522)	£3,525.00	£3,276.00	-£249.00
Total Income 2024/25	£16,142.54	£17,511.00	£1,368.46
Overhead Costs			
Pontoon Maintenance Costs (6522)	£1,047.88	£3,000.00	£1,952.12
Pontoon Accomodation (6528)	£839.19	£1,267.00	£427.81
Estimated Labour (1 hour per day + 5 per month)	£2,454.81		
Total Overhead Costs 2024/25	£4,341.88	£4,267.00	-£74.88
Total Income Less Overhead Costs	£11,800.66	£13,244.00	£1,443.34
EMF Expenditure			
EMF Pontoon Maintenance (6584)	£0.00	£12,318.00	£12,318.00
Total EMF Expenditure 24/25	£0.00	£12,318.00	£12,318.00
Total Income less Overheads less EMF expenditure	£11,800.66	£926.00	

Next Steps:

I regret that this situation is not going to go away and whilst Cornwall Council have managed to keep it at bay for nearly 25 years it is only right and proper that the Duchy's request to regularise the occupation of the pontoon on their land is dealt with as soon as practicable.

My professional advice as the Clerk to STC would be Option 1 as the way forward as amongst other things STC would ultimately benefit from a lease negotiated by experienced Officers and at the expense of Cornwall Council.

These are just preliminary discussions to agree a way forward so all this remains subject to contract and all the necessary internal consents.

Members are asked to consider, in principle, your preferred way forward so Cornwall Council know how to take this forward with the Duchy. My professional advise to the Town Council is to ensure that all negotiations include the Town Clerk to avoid negotiations that the Town Council won't agree to. Further to this, the Town Council may wish to also consider flexibility within the Lease to allow additional piles so that future pontoon space could be achieved.

End of Report

Town Clerk/RFO