

CMS WAITING LIST POLICY

Adopted by the CMS Board of Trustees on 30th September 2022

INTRODUCTION

CMS operates a waiting list to allocate berths (moorings) at its mooring sites on an equitable basis, as and when they become available. The initial waiting list was created on January 17th 2022 immediately following the original allocation of moorings at Narrowboat Farm by ballot. New applicants for moorings are added to the waiting list in chronological order, and according to the type and length of mooring requested. CMS operates a single waiting list for all CMS mooring sites.

All information relating to the payment of mooring fees stated in the Offer, the Moorings Agreement, Site Rules and Mooring Terms and Conditions apply to and have precedence over this Policy.

LIMITATIONS

Mooring slots are allocated according to location, type (i.e. Commercial, Leisure or Leisure/Residential) and the length of mooring required (i.e. calculated as being the overall length of the boat, plus 1 metre, rounded up to the nearest whole metre). This means that the person at the top of the waiting list will only be offered a slot as it becomes available if they have requested a mooring of that type and for a boat of the required length (or shorter).

The Board may decide to offer moorings to boats shorter than the designated mooring length. If a boat of shorter length than the available mooring is offered that mooring, the Board may assign the excess free length to another mooring (or moorings) to enable longer vessels to be accommodated, or to accommodate an additional, shorter, vessel.

MANAGING NEW APPLICATIONS TO EXISTING SITES AND OTHER CHANGES TO THE WAITING LIST.

Applications must be made using the Application Form available on the CMS web-site, and emailing this to ***info@communitymoorings.com***. All applications made in this way will receive an acknowledgement of receipt of their application within 7 days. New applicants will be added to the bottom of the list in chronological order of receipt of their application form, along with details of the mooring type requested and the length of mooring slot required. Any person on the waiting list may request to be removed from the list by emailing ***info@communitymoorings.com***. The waiting list will be managed and maintained by a named Trustee or member of CMS. All changes to the waiting list will be notified to all members of the CMS Board at Board Meetings.

For the avoidance of doubt, a customer whose Mooring Agreement is terminated for any reason (including in respect of the requirement to have a boat on the mooring within four months of the start date), but who nevertheless wishes to be on the waiting list, must make a new application to join the waiting list and will be treated as a new applicant as set out above.

A customer holding an existing mooring who wishes to join the waiting list to obtain a mooring at a different site must make a new application and will be treated in the same manner. The new application will not affect their existing Mooring Agreement.

We may refuse to accept applications from persons who have been the subject of a termination of a mooring agreement (with CMS, Scottish Canals or another mooring operator) on the grounds of gross misconduct.

THE PROCESS OF ALLOCATING MOORINGS

1. When a mooring becomes available, the person nearest to the top of the waiting list who has requested a mooring of that type in that location (or who has not explicitly excluded that location), and who has (or intends to purchase) a boat of suitable length, will be invited by email from CMS to take up that mooring (subject to them and their boat meeting all requirements and conditions). That person will have 4 weeks to decide whether to accept or decline the mooring.
2. If a mooring is accepted, the person to which it is to be allocated **MUST CONFIRM** that they and their boat will meet the necessary requirements relating to Boat Safety Scheme Certification, insurance, and Scottish Canals' navigation license prior to the Start Date. It is a condition of the Mooring Terms and Conditions that all of these requirements are met while a boat is allocated to a mooring at a CMS mooring site.
3. Once offered and accepted, the boater must sign the Mooring Agreement, which entails acceptance of the Mooring Terms and Conditions (T&Cs).
4. If the mooring slot is declined, the person declining the slot remains at the same level in the waiting list; i.e. they will again be offered first any mooring of the required type and size that becomes available at any of the sites requested. The declined place will then be offered to the person next highest on the waiting list, who requires a slot of that type, length and location. The process from steps 2 to 4 then repeat until the mooring slot is filled, or until there are no applicants for the location, type and size of mooring left on the waiting list.
5. A person accepting a mooring at a mooring site that is not their first preference may request to remain on the waiting list at their original position. This allows them to accept a mooring at a second-preference mooring site, while retaining the possibility of moving to their first-preference site when a suitable mooring becomes available.

START DATE

A Start Date for any mooring will be provided in the formal Offer of a mooring made by CMS. The Start Date will be no later than the latest of:

- The date on which a previous customer is due to vacate the mooring;
- The date on which any works which make the mooring unavailable are due to be completed; or
- Eight weeks from the date on which the Offer is issued.

Applicants may request an earlier Start Date if the mooring is already available, and CMS will accommodate this if reasonably practicable.

COMMENCEMENT OF PAYMENT OF MOORING FEES

Moorings Fees are payable by successful applicants from the day prior to the Start Date included in the Mooring Agreement, according to the payment terms outlined in the Mooring Terms and Conditions.

REQUIREMENT FOR A BOAT

Successful applicants must have a suitable boat on the mooring within four months of the Start Date set out in the Mooring Agreement. Failure to do so will result in termination of the Mooring Agreement.