

Port of Exeter Harbour Revision Order

Responding to the Council's letter — a guide and templates for paddlers

For members of the Exeter SUP & Paddle Group and other estuary users. MMO reference HRO/2023/00006.

Why respond — and why you don't need to withdraw

Exeter City Council, through its solicitors Ashfords LLP, has written to people who objected to the proposed Harbour Revision Order (HRO), inviting them to withdraw their objection. The letter presents this as “clarification”, but withdrawing means your objection is no longer counted when the Marine Management Organisation (MMO) decides whether objections are substantive. You do not have to withdraw.

The concern for paddlers is article 10 of the proposed Order, which would create a power to charge the equivalent of harbour dues on craft that are not “ships” — expressly including paddleboards. The Council's main answer is that it can already charge under section 26 of the Harbours Act 1964. But section 26 applies to ships, and a paddleboard, canoe or kayak is not a ship. Article 10 is what would bring human-powered craft into charging scope for the first time — so that argument doesn't meet the objection.

If nobody replies, Ashfords simply passes the file to the MMO. A short, positive “I maintain my objection” reply keeps your representation live and on the record.

Key facts — the same for everyone

Before you send, check these:

- MMO reference (quote this): **HRO/2023/00006**
- Ashfords reference (when replying to them): **TJF/LMM/003974-00296**
- Send to Ashfords: **marine@ashfords.co.uk** — copy the MMO: **harbourorders@marinemanagement.org.uk**
- MMO by post (optional): Harbour Orders Team, Marine Management Organisation, Tyneside House, Skinnerburn Road, Newcastle upon Tyne, NE4 7AR
- Deadline: **6 weeks from the date on your own letter**. For a letter dated 9 July 2026 that is **20 August 2026**.

How to use these templates

This handout gives you three options — pick whichever suits you:

Option 1 — Formal letter (page 2): print or attach; best if you prefer a letter on paper.

Option 2 — Email, full grounds (page 3): paste into an email if you want the complete case.

Option 3 — Email, short version (page 3): a two-paragraph reply to paste and send quickly.

Whichever you choose: **replace everything in [square brackets]** with your own details, delete any grounds that don't apply to you, and — if you can — add a line or two in your own words about how you personally use the estuary. An individual reply carries far more weight with the MMO than an identical form response. Keep a copy of what you send and the date you send it.

This is a general guide to help you respond, not legal advice. British Canoeing (which has an access and advocacy team) or the RYA may be able to support the group further.

Option 1 — Formal letter

Fill in the bracketed details. Send by email to marine@ashfords.co.uk and copy harbourorders@marinemanagement.org.uk, or post it.

[Your full name]
[Your address]
[Town, postcode]
[Your email address]
[Your telephone number]

[Date]

By email: marine@ashfords.co.uk
Copied to: harbourorders@marinemanagement.org.uk

Ashfords LLP
Ashford House, Grenadier Road
Exeter EX1 3LH

Dear Sirs

Proposed Port of Exeter Harbour Revision Order — MMO reference HRO/2023/00006

Your reference: TJF/LMM/003974-00296

My representation dated [date of your original representation]

I write in response to your letter of [date of the letter sent to you] concerning the proposed Port of Exeter Harbour Revision Order (“the proposed HRO”).

I have carefully considered the clarifications and explanations in your letter, and I am grateful for them. However, they do not address the substance of my concern. I confirm that I **do not wish to withdraw my representation**. I ask that it be maintained in full and passed to the Marine Management Organisation (“the MMO”) for consideration.

My representation relates to a specific provision of the proposed HRO. It concerns **article 10**, which would confer a power to levy the equivalent of ship, passenger and goods dues on craft within the port limits that are not “ships” — expressly including paddleboards and other small craft. My objection is to the **existence and scope** of that power as it would apply to human-powered and unpowered recreational craft; it is not simply an objection to the level of some future charge.

I use the Exe Estuary and the approaches to Exmouth for leisure paddleboarding [and/or canoeing, kayaking — amend as appropriate], a low-impact, non-commercial and predominantly human-powered activity. I object to the proposed HRO on the following grounds:

1. **Article 10 is a new extension of charging reach to human-powered craft.** Your letter states that a significant proportion of port users could already be charged under section 26 of the Harbours Act 1964. That power applies to “ships”. Paddleboards, canoes and kayaks are not ships, and it is article 10 of the proposed HRO — not section 26 — that would for the first time bring them within the scope of dues. The section 26 point therefore does not answer my objection; it underlines it.

2. **The charge would be disproportionate.** Human-powered and unpowered craft place a negligible demand on the management, maintenance and conservancy of the Port. They require no berths, consume no bunkering, and make minimal call on dredging, navigation aids or patrol resources. Levying the equivalent of commercial dues on them is out of all proportion to any cost they impose.
3. **It would create a barrier to public access, health and wellbeing.** Paddlesports are among the most accessible and affordable ways for the public to enjoy the estuary. A charge — or even the prospect and administrative burden of one — would deter participation, particularly by casual, occasional and younger users, and would reduce the recreational and health benefits the estuary provides.
4. **It is unlikely to be economical to administer.** Recreational paddlecraft are typically unregistered, transient, and launched from many informal points around the estuary. The cost of identifying, registering, billing and enforcing dues against them would be likely to exceed any revenue raised. That sits uneasily with the statutory requirement that the Order be desirable for managing the Port in an efficient and economical manner.
5. **It raises a safety concern.** Charging for launching, or requiring paddlers to engage with a dues regime, risks pushing users towards unmanaged and less safe access points, or discouraging contact with the harbour authority altogether — the opposite of the safety objectives the Council relies upon in support of the Order.
6. **It runs counter to the environmental value of the estuary.** The Exe Estuary carries SSSI, SPA and Ramsar designations. Paddling is one of the lowest-impact uses of that environment. Public policy should encourage such use, not attach a financial disincentive to it.
7. **“No current plans” is not a safeguard.** I note that the Council has no present intention to charge these craft. That is welcome, but it provides no protection: once the power in article 10 is granted, it may be exercised in future without any equivalent primary consultation. My objection is to conferring the power over recreational paddlecraft at all.

For these reasons I ask that **article 10 of the proposed HRO be amended to exclude human-powered and unpowered recreational craft — including paddleboards, canoes, kayaks and similar — from the power to levy dues**, or that adequate express safeguards for such craft be written into the Order.

I am willing to discuss my representation with the Council and to consider any amendment to the Order that meets the concern set out above. In the absence of such an amendment, I confirm that my representation stands and should be considered by the MMO, including at any public inquiry.

Correspondence relating to this representation may be sent to me at the postal or email address given above.

Yours faithfully

[Your name]

[If applicable: on behalf of the Exeter SUP and Paddle Group]

Option 2 — Email (full grounds)

Subject: Port of Exeter Harbour Revision Order — HRO/2023/00006 — my representation stands

[Send to: marine@ashfords.co.uk — copy to: harbourorders@marinemanagement.org.uk — delete this line before sending]

Dear Sirs

Proposed Port of Exeter Harbour Revision Order

MMO reference: HRO/2023/00006 | Your reference: TJF/LMM/003974-00296

My representation dated [date of your original representation]

I am writing in response to your letter of [date of the letter sent to you] about the proposed Port of Exeter Harbour Revision Order.

Thank you for the clarifications. Having considered them, they do not address the substance of my concern, and I confirm that I do not wish to withdraw my representation. Please treat it as maintained in full and pass it to the Marine Management Organisation (MMO) for consideration.

My objection is to article 10 of the proposed Order, which would create a power to levy the equivalent of ship, passenger and goods dues on craft that are not “ships” — expressly including paddleboards and other small craft. I use the Exe estuary and the approaches to Exmouth for leisure paddleboarding [and/or canoeing, kayaking — amend as appropriate]. My grounds are:

1. The section 26 point does not answer this. Section 26 of the Harbours Act 1964 applies to “ships”. Paddleboards, canoes and kayaks are not ships — it is article 10 that would bring them within the scope of dues for the first time.
2. It is disproportionate. Human-powered and unpowered craft place a negligible demand on the management, maintenance and conservancy of the Port.
3. It is a barrier to public access, health and wellbeing. Paddlesports are among the most affordable and accessible ways to use the estuary, and a charge would deter participation.
4. It is unlikely to be economical to administer against transient, unregistered craft launched from many informal points around the estuary.
5. It raises a safety concern if it pushes paddlers towards unmanaged access points or discourages contact with the harbour authority.
6. Paddling is one of the lowest-impact uses of an estuary carrying SSSI, SPA and Ramsar designations, and should be encouraged rather than charged.
7. “No current plans to charge” is not a safeguard — once the power exists it can be exercised without equivalent further consultation.

I would ask that article 10 be amended to exclude human-powered and unpowered recreational craft — including paddleboards, canoes and kayaks — from the power to levy dues, or that express safeguards be added. Failing that, my representation stands and should be considered by the MMO, including at any public inquiry.

Correspondence relating to this representation may be sent to me at this email address [and/or postal address].

Yours faithfully

[Your name]

[If applicable: on behalf of the Exeter SUP and Paddle Group]

Option 3 — Email (short version)

Subject: Port of Exeter Harbour Revision Order — HRO/2023/00006 — my representation stands

[Send to: marine@ashfords.co.uk — copy to: harbourorders@marinemanagement.org.uk — delete this line before sending]

Dear Sirs

Proposed Port of Exeter Harbour Revision Order — MMO reference HRO/2023/00006 (your reference TJF/LMM/003974-00296)

Thank you for your letter of [date] about the proposed Port of Exeter Harbour Revision Order. I have considered the clarifications, but they do not address my concern, and I confirm that I do not wish to withdraw my representation. Please maintain it in full and pass it to the MMO for consideration.

My objection is to article 10 and its power to levy the equivalent of dues on craft that are not “ships”, expressly including paddleboards. I use the Exe estuary for leisure paddleboarding [and canoeing]. Section 26 of the Harbours Act 1964, which your letter relies on, applies to “ships” — paddleboards and canoes are not ships, so it is article 10 that would bring them into scope for the first time. Charging low-impact, human-powered craft is disproportionate, a barrier to affordable public access, unlikely to be economical to enforce, and unnecessary on an estuary already protected by SSSI, SPA and Ramsar designations. “No current plans to charge” is not a safeguard once the power exists.

Please treat my representation as maintained and consider it, including at any public inquiry. Correspondence may be sent to me at this email address.

Yours faithfully

[Your name]