

1. Purpose

Tor Bay Harbour Authority relies on harbour dues, charges, and fees to operate, maintain, and manage the harbour safely and effectively. This policy sets out the Authority’s commitment to the prompt recovery of debts and the withdrawal of facilities or use of enforcement action where payments remain outstanding.

2. Scope

This policy applies to all sums due to the Harbour Authority, including:

- Harbour dues and visitor charges
- Annual and visitor moorings
- Pontoon, quay, and berth facilities
- Boat parks and ancillary harbour services
- Any other discretionary harbour facility or licence

3. Our Commitment

The Harbour Authority will:

- Invoice accurately and in a timely manner
- Apply a clear, staged debt recovery process
- Treat harbour users fairly, consistently, and proportionately
- Act early to prevent debts escalating
- Escalate recovery action where payment is not promptly made
- Protect public funds and ensure fairness to paying users

The Harbour Authority will not allow debts to persist and will take appropriate action where charges remain unpaid.

4. Payment Expectations

- All invoices are payable within the timescale stated on the invoice or associated terms.
- It is the responsibility of the harbour user to ensure payment is made by the due date.
- Failure to pay will trigger the Harbour Authority’s debt recovery process.

5. Consequences of Non-Payment

Failure to pay may result in the withdrawal of harbour facilities and the use of enforcement action, including statutory powers, where appropriate.

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6. Staged Debt Recovery Process

Where payment is not received, the Harbour Authority will normally proceed through the following stages:

- **Reminder and dunning notices**
 - One or more written reminders issued at defined intervals
 - Opportunity provided to resolve queries and make payment
- **Operational escalation**
 - Unpaid debts escalated to the Operational Manager
 - A facility withdrawal threshold assessment undertaken
- **Withdrawal of facilities**
 - Issue of a formal Removal of Facility Notice where thresholds are met
 - Recalculation of outstanding charges, including usage to date, notice periods, and administration costs
 - Withdrawal of the relevant facility
- **Vessel removal and enforcement**
 - Requirement for the vessel to be removed within the stated notice period
 - Exercise of statutory powers, including arresting of vessel(s), where necessary
 - Sale or disposal of vessels may be undertaken to recover outstanding sums and costs
- **External recovery and future restrictions**
 - Referral to external debt recovery agents where appropriate
 - Adjustment of debt following recovery or sale/disposal
 - Refusal of future facilities and removal of payment options for persistent or serious non-payment

7. Discretionary Nature of Facilities

- Most harbour facilities are discretionary and not a statutory entitlement.
- The Harbour Authority may:
 - Withdraw or refuse to renew facilities where debts remain unpaid
 - Decline applications from customers with a history of non-payment
 - Restrict access to discretionary payment methods

8. Transparency and Review

- Customers will be informed in writing at key stages of the recovery process.
- This policy operates alongside published Harbour Charges, operational policies, statutory acts and facility terms and conditions.
- The policy will be reviewed periodically to ensure it remains effective, proportionate, and lawful.

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9. Approval

This policy is approved for publication and applies to all harbour users.

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