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SOUTH HAMS SALCOMBE HARBOUR BOARD - MONDAY, 6TH JUNE, 2011

Agenda, Reports and Minutes for the meeting

Agenda No Item

1. **Agenda Letter** (Pages 1 - 2)

2. **Reports**

Reprts to Harbour Board:

a) Item 7 - Mooring Contracts - Late Notification of Non Requirement (Pages 3 - 12)

b) Item 8 - Topical Harbour Issues (Pages 13 - 16)

c) Item 9 - Performance Management (Pages 17 - 30)

d) Item 10 - Matters for Future Consideration (Pages 31 - 40)

e) Item 12 - EXEMPT - Salcombe Town Landings (Pages 41 - 54)

3. **Minutes** (Pages 55 - 62)

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Agenda Item 1

To: Chairman & Members of the Salcombe Harbour Board
(Cllrs J Brazil, R J Carter, M J Hicks and S A E Wright)
Co-opted Members – Mr J Barrett, Mr T Bass,
Mr C C Harling, Mr H Marriage, Mr M O'Brien and Mr P Waring)

Our Ref: CS/KT

cc: Remainder of Council for information
Usual press and officer circulation

26 May, 2011

Dear Member

A meeting of the **Salcombe Harbour Board** will be held in the **Main Hall, Cliff House, Salcombe** on **Monday, 6 June, 2011**, at **2.30 pm** when your attendance is requested.

Yours sincerely

Kathryn Trant
Senior Member Support Officer

<p>FOR ANY QUERIES ON THIS AGENDA, PLEASE CONTACT KATHRYN TRANT THE SENIOR MEMBER SUPPORT OFFICER ON DIRECT LINE 01803 861185</p>
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A G E N D A

1. **Minutes** - to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Board held on 28 March, 2011 (pages 1 to 8);
2. **Urgent Business** - brought forward at the discretion of the Chairman;
3. **Division of Agenda** - to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;
4. **Declarations of Interest** – Members are invited to declare any personal or prejudicial interests, including the nature and extent of such interests, they may have in any items to be considered at this meeting;
5. **Public Question Time** – a period of up to 15 minutes is available to deal with questions from the public;
6. **Feedback from Harbour Community Forums** – to receive verbal reports from Board Members who attend the Harbour Community Forums on behalf of the Board, and to appoint new Members required as a result of changes at annual Council;

7. **Mooring Contracts – Late Notification of Non Requirement** – to receive a report which considers issues relating to the late notification of non requirement of moorings (pages 9 to 17);
8. **Topical Harbour Issues** – to consider a report which updates the Harbour Board and public on a range of topical Harbour issues (pages 18 to 20);
9. **Performance Management** – to consider a report which set out the Harbour’s performance against agreed Performance Indicators (PIs) (pages 21 to 32);
10. **Matters for Future Consideration** – to consider a report which identifies matters for future consideration (pages 33 to 45);
11. **Exclusion of Public and Press** - to consider the following resolution to exclude the public and press:-

“That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraphs 2 and 4 of Part 1 of Schedule 12A to the Act”;
12. **Salcombe Town Landings** - to consider a report which reviews the tenders received and to gain approval to let a contract to complete the project (pages 46 to 56).

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- N.B.** Legal and financial officers will not, as a general rule, be present throughout all meetings, but will be on standby if required. Members are requested to advise the Member Support Service in advance of the meeting if they require any information of a legal or financial nature.

* * * * *

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

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AGENDA
ITEM
7

SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM
7

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	6 June 2011
REPORT TITLE	MOORING CONTRACTS – LATE NOTIFICATION OF NON REQUIREMENT
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of Report

A considerable number of customers this winter indicated that they wanted to renew their mooring licence for the forthcoming year and paid their deposit to reserve the facility then subsequently changed their minds. When the invoices were despatched in March they no longer required the facility. This change has caused an increased workload and adversely affected the allocation of moorings to customers on the waiting lists. This report considers the issues and makes some recommendation for a more effective process for future years.

RECOMMENDATION

That the Harbour Board RECOMMENDS to Council:

- a. **That the Berthing Contract in the Moorings Policy be amended to provide that customers who indicate their desire to retain a facility and pay a deposit are contracted to pay for the facility. If the mooring is returned to the harbour before 1 April the contract will be cancelled and the deposit lost. If the mooring is returned to the harbour after 1 April the contract will stand unless the facility can be re-let, when a pro rata refund will be made;**
- b. **Moorings which are not required and become available during the mooring contract year will be offered to the waiting list. If offers to the top quarter of the waiting list are not accepted, the facility will be used for visitors for that season, making the facility available to the waiting list for the following season.**
- c. **That the deposit payable for the retention of a Harbour Facility be increased to £100.**

1. BACKGROUND

- 1.1. The Harbour Authority leases the fundus from the Duchy of Cornwall. One of the terms of the lease is that mooring licences can not be granted for more than one year at a time. Therefore all mooring licences have to be renewed annually.
- 1.2. The licence renewal process starts in the September for the following financial year when the Board set the fees and charges. Once the fees and charges have been endorsed by Council, the Harbour Office send out "Retention Forms", which gives each customer the opportunity to renew their licence facility, providing they still meet the mooring licence allocation criteria. The closing date for the return of the retention forms is mid December. At this stage a non refundable retention fee of £50 per facility is charged, this amount is then deducted from the final invoice. After the Christmas break, the process of mooring allocation starts. Customers who have requested moves are accommodated where possible from the moorings which have been given up, and then all the remaining moorings are allocated to the appropriate waiting lists. Once the allocations have been finalised and new offers accepted, the annual invoice run is generated, usually mid March, and all existing and new customers receive an invoice for their allocated facility.
- 1.3. This process has worked very well in the past but this year there have been a considerable number of problems with customers changing their minds between paying their deposit to renew their mooring facility in December and receiving the invoice in March.

2. ISSUES FOR CONSIDERATION

- 2.1 When a customer has indicated that they require a mooring for the following season and pay a deposit in December, that mooring is considered allocated. However, when a customer subsequently changes their mind on receipt of the invoice for their facilities in March, or later when they have received a reminder for the outstanding invoice¹, and they no longer want the mooring facility, it is very difficult to start the moorings allocation process again.
- 2.2 Responsible boat owners make arrangements in good time to ensure that they have suitable moorings for their boat for the year ahead. Commercial boatyards require a financial commitment early in the New Year, about the time the Harbour Authority is making mooring offers to customers on the waiting list.
- 2.3 Therefore, if a customer on the waiting list is not offered a mooring early in the New Year, they will have to make alternative arrangements to moor their boat for the season ahead.
- 2.4 Consequently, when a customer who has indicated that they want a mooring, pays a deposit then subsequently change their mind, it is often too late to re-allocate that mooring to the waiting list because customers have made alternative arrangements. This is particularly true for deep water moorings, but also the case for many foreshore moorings.

¹ Over 400 reminders despatched at the beginning of May 2011.

2.5 To go to the waiting list over one month into the mooring contract year usually means that offers to responsible customers who have been on the waiting list for several years are turned down, because they have made alternative arrangements. To go further down the waiting list seems wrong because new customers can jump the waiting list and be allocated before customers who have been on the waiting list for many years.

2.6 The dilemma for the office staff is should a customer who has paid a deposit for an annual mooring facility who subsequently changes their mind be charged the annual mooring charge or not? The office will always try to re-allocate the mooring facility but if it is necessary to go too far down the waiting list current practice has been to keep the mooring for use by visitors then reallocate the following year.

2.7 The issues are:

2.7.1 Should a mooring that is not required at this late stage be offered to the waiting list, even if it means going right down the list until a customer who can use or is prepared to pay for the mooring can be found?

2.7.2 Should customers who subsequent to paying the deposit on a mooring facility change their mind pay for the mooring facility?

2.8 It is proposed that:

- Having paid a retention deposit the customer is contracted to pay for the mooring.
- If the mooring is re-let a pro rata refund will be made.
- If the mooring cannot be re-let, and notification that it is not required is received before 1 April, then the contract should be cancelled but the deposit will be lost.
- Moorings which cannot be re-let to the top quarter of the waiting list will be retained for visitor's use then allocated to the waiting list the following season.
- If notification is not received by 1 April the licence fee should be due in full.
- The deposit is increased to £100/facility.

3. LEGAL IMPLICATIONS

3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).

3.2 The proposals in this report will require a change to the berthing contract completed by boat-owners and other licence-holders for which adequate notice and publicity must be given. There is time to do both before renewals are requested for the next season.

4. FINANCIAL IMPLICATIONS

4.1 Unallocated moorings equate to unrealised income for the Harbour Authority. The approximate lost income for unallocated moorings for the 2011/12 season is £13,900, it is estimated that £4,000 of this lost income can be directly correlated to unallocated mooring contracts.

5. RISK ASSESSMENT

5.1 The risk management implications are:

Risk/Opportunity	Issues / Obstacles	Mitigation
Loss of income from mooring facilities	Moorings facilities returned to the Harbour Authority as unwanted at the beginning of the season are difficult to re-allocate.	These moorings can be used for one season for visitors.
Poor use of mooring facilities, extending the waiting time for customers waiting for a mooring allocation.	Unwanted moorings, returned to the Harbour Authority after the annual allocation has been completed, are difficult to allocate because responsible boat owners have made alternative arrangements. To go to the waiting list at this stage can result in an allocation to a customer who has only been on the waiting list a short time, which extends the wait for customers further up the waiting list.	Some latitude in the allocation of moorings to the waiting list is required, however, if it is clear that it would be inappropriate to allocate a facility to a new name on the list, then the mooring can be used for visitors for one season.

Corporate priorities engaged:	CP2: Good Jobs CP3: Retain the districts character CP5: An accessible Council CP6: Value for money
Consideration of equality and human rights:	There are no equality or human rights issues with this report
Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background Papers:	Moorings Policy
Appendices attached:	Revised Mooring Licence Terms and Conditions

Ian Gibson
Harbour Master

Salcombe Harbour Board
6 June 2011

SOUTH HAMS DISTRICT COUNCIL

BERTHING VESSELS within Salcombe Harbour and Kingsbridge Estuary

TERMS AND CONDITIONS of a BERTHING LICENCE
(for berthing a vessel against the Council's pontoon or mooring facility)

1. Duration of Licence

The Licence will:-

- (a) run for the maximum duration of 12 months or such other period as may be specified¹ (in accordance with Section 16 of the Schedule to the Pier and Harbour Order (Salcombe) Confirmation Act 1954) and is only effective for the year of issue or the alternatively specified period;
- (b) commence on 1 April and expire on 31 March² of the following year ("the expiry date") unless the licence is for an alternative period, subject to the licensee remaining a resident of the South Hams as defined in the Moorings Policy.
- (c) except that if before the expiry date:-
 - (i) the Council has sent to the licensee a retention form and request for a registration fee; and
 - (ii) the licensee has within the period specified by the Council returned the retention form, indicating that he wishes the licence to continue, and has paid the registration fee; and
 - (iii) the Council has subsequently sent to the licensee an invoice demanding the licence fee (less the registration fee) for the year commencing immediately after the expiry date; and
 - (iv) the balance of the licence fee demanded on the invoice is paid before the expiry date,

then the berthing licence shall be deemed to run for a further 12 months period (or such alternative specified period) immediately following the expiry date; this being subject to the residency requirements of the Moorings' Policy.

- 2. Unless a berthing licence is renewed as mentioned in paragraph (b) above then it will expire on the expiry date of the 31 March or such alternative date as is specified.

3. Entitlement to a Berthing Licence

The berthing licence is issued subject to the terms and conditions contained herein to berth against the Council's pontoon or other mooring facility or part thereof (hereinafter called "the mooring facility") in accordance with the directions of the Harbour Master and is for either:-

- (a) the vessel named on the printed berthing licence or the invoice demanding the licence fee; or

¹ Batson and Victoria Quay Pontoons 7 months, South Sands 5 months.

² Batson and Victoria Quay Pontoons 1 April – 31 October, South Sands 1 May – 30 September.

- (b) (if no particular vessel is named on the said licence or said invoice) a vessel of the maximum length, beam, draught and type specified in the said licence or said invoice.

4. Forfeiture of Licence

Should the licensee fail to comply with any of the terms and conditions herein then the Council may terminate this licence by sending written notice to the licensee whereupon this licence will terminate 14 days from the date of such written notice. Should forfeiture occur then the whole of the licence fee shall be retained by the Council.

5. Determination of Licence by the Licensee

The licensee can determine this licence by giving 14 days notice in writing to the Council. However the licence fee already paid shall be retained by the Council.

6. Removal of vessel from Mooring Facility

On the expiration or earlier determination of this licence the licensee shall remove the vessel from the mooring facility.

7. Prohibition on Assignment/Sub-letting etc.

- (a) This berthing licence is personal to the licensee, and cannot be transferred or assigned by the licensee to any other person.
- (b) Subject to paragraph 7(c), the licensee must not sublet, subcontract, hire out, license or lend to any other person its right to use the mooring facility.
- (c) A licensee which is a marine business
 - (i) MAY use the mooring facility to berth a customer's vessel, in order to provide a "complete service" to that customer;
 - (ii) MUST NOT sublet, subcontract, hire out, license or lend its right to use the mooring facility to another marine business, for that business in turn to berth a customer's vessel.
- (d) In this paragraph 7, "complete service" means the care and control of a customer's vessel throughout the year (except short temporary periods when a customer removes his vessel to use it himself), ensuring a customer's vessel is safely moored, during the winter removing a customer's vessel from the Harbour and arranging for winter storage, and carrying out all necessary repairs and maintenance to a customer's vessel.

8. Own Risk and Indemnity

- (a) This licence only enables the licensee to berth against the mooring facility the vessel described on the Council's berthing licence or invoice. The Council gives no guarantee as to the safety or security of any vessel (or its contents) berthed against the mooring facility.
- (b) The licensee shall be responsible for all liabilities and claims arising from the presence within the Harbour and the Estuary of any berthing against the mooring facility by virtue of this licence and shall indemnify the Council against all such claims.

9. Insurance

- (a) The licensee shall at all times have an effective third party/ public liability insurance policy in a sum of at least £3,000,000 with a reputable insurance company to cover all claims arising in respect of any vessel to be berthed against the mooring facility.
- (b) If required the licensee shall provide such third party insurance policy for inspection together with a current premium receipt.

10. Reckless Conduct and Disorderly Behaviour

- (a) The licensee (including any person in control or in charge of any vessel using the mooring facility by virtue of this licence) shall not use the mooring facility in a reckless manner so as to cause danger to other users of the Harbour and Estuary or damage to their property
- (b) The licensee (including any persons on board a vessel berthed against the mooring facility by virtue of this licence) shall not cause unreasonable noise, nuisance or annoyance to other users of the Harbour and Estuary.

11. Compliance with Byelaws and Directions of the Harbour Master

The licensee (including all persons having control or having charge of or being aboard a vessel berthed against the mooring facility) shall observe and perform all statutory and other obligations relating to the Harbour and Estuary including all Byelaws and Regulations made by the Council and Directions given by the Harbour Master.

12. Payment of Harbour Dues

All monies owing to the Council as general dues for use of the Harbour under Section 22 of the Schedule to the Pier and Harbour Order (Salcombe) Confirmation Act 1954 shall be paid promptly and in any event within four weeks of a written demand for payment.

13. Re-siting of Berthing Facility

If so required by a notice in writing from the Harbour Master the licensee shall on the expiration of 14 days from the date specified in such Notice cease using the mooring facility allocated initially by this licence and shall only use the mooring facility relocated elsewhere in the Harbour or Estuary as specified in the said Notice from the Harbour Master.

14. Recovery of Unpaid Licence Fee

Without prejudice to any other method of recovery of any unpaid licence fee by virtue of Section 44 of the Harbours Docks and Piers Clauses Act 1847 the Council may distrain and sell any vessel entitled by this licence to be berthed against it.

15. Contract for services

Customers who indicate their desire to retain a mooring facility and pay a deposit of £100 are contracted to pay for that facility. If the facility is returned to the harbour before 1 April the contract will be cancelled and the deposit lost. If the facility is returned to

the harbour after 1 April the contract will stand unless the facility can be re-let, when a pro rata refund will be made.

16. Temporary absence of the Licensee's Vessel and use of mooring facility by other vessels

- (a) If the vessel entitled to be berthed is to be absent from the Harbour and Estuary (or from the mooring facility) for more than 24 hours then the licensee (or person in charge of the vessel) shall notify the Harbour Master and shall also indicate how long such vessel is expected to be away from the Harbour and Estuary or away from the mooring facility.
- (b) While the mooring facility is not being used by the licensee's vessel the Council reserve the right for the Council to permit other vessels to use the mooring facility.
- (c) Should the licensee's vessel return to the mooring facility earlier than the period of absence notified to the Harbour Master then the Council undertakes (after being notified of such changed circumstances) that the Harbour Master will in his discretion either find the licensee a temporary alternative mooring facility or remove any vessel preventing the licensee from using the mooring facility.

17. Absence of Licensee's Vessel for a period of at least one year but no longer than two years

If a licensee's vessel is to be absent from the Harbour or the mooring facility for at least 12 months but no longer than 24 months then special arrangements can be made with the Harbour Master. In such circumstances application should be made to the Harbour Office for further information.

18. Force Majeur

Should any loss or damage be caused to the mooring facility for any reason whatsoever (other than the negligence of the Council) then the Council shall not be liable to the licensee for any consequential loss or damage (including death and personal injury) arising from the same nor for unreasonable delays caused by matters outside the Council's control in repairing or reinstating the mooring facility.

19. Repairing Vessels

No substantial or major work of repair or maintenance to a vessel berthed against the mooring facility shall take place without the prior consent of the Harbour Master.

20. Service of Notices

Any notice which is required to be given to the Harbour Master or to the licensee may be given by leaving it or sending it in a prepaid letter in the case of the Harbour Master addressed to his office at Salcombe or in the case of the licensee addressed to him at his last known place of abode or business. It is the responsibility of the licensee to ensure that contact address details are up to date at all times. Service of notices and documents will be deemed effective to that address as notified by the licensee.

21. Documentary Evidence of Licence

A berthing licence incorporating all the terms and conditions herein contained shall be deemed to exist:-

- (a) on payment of the appropriate berthing licence fee together with the issue of a printed berthing licence signed by the Harbour Master or
- (b) on payment by the licensee (before the expiry date referred to in paragraph 1(b) above) of an invoice issued by the Council in respect of a berthing licence.

22. Definitions

- (a) “the mooring facility” is defined in paragraph 3 above.
- (b) “the expiry date” of this licence is described in paragraph 1(b) above.

Terms/conditions of berthing licence Revised May 2011

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AGENDA ITEM 8

SOUTH HAMS DISTRICT COUNCIL

AGENDA ITEM 8

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	6 June 2011
REPORT TITLE	TOPICAL HARBOUR ISSUES
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of Report

To update the Harbour Board and Public on a range of Topical Harbour Issues.

RECOMMENDATION

That the Harbour Board RESOLVES to:

- a. **Agree the proposal at 2.1.2;**
- b. **Note the comments at paragraph 2.2, 2.3 and 2.4.**

1. BACKGROUND

- 1.1 Progress has been made on a range of operational issues in preparation for the forthcoming season.

2. ISSUES FOR CONSIDERATION

2.1 Temporary Shower facilities

2.1.1 After the Board agreed to the trial of temporary shower facilities at Whitestrand for the 2011 season (SH 54/10) the installation of the three phase electricity proved to be considerably more expensive than the estimated cost (an additional £3,000). It was therefore necessary to bring the decision back to the Board before proceeding.

2.1.2 Because of the timings, it is proposed to delay the project until the 2012 season. This will have the advantage of bringing the discussion on this issue into the consultation for the Five year Plan 2012 – 2017.

2.2 Fire at Salcombe Court

2.2.1 There was a fire at Salcombe Court on Sunday 24 April 2011.

2.2.1.1 The Harbour procedure for working with the Fire Service worked very well. A fire pump was loaded into a harbour workboat at Batson Slipway and contributed to the fire fighting effort.

2.2.1.2 There were no casualties.

2.3 Garbage Recycling

2.3.1 Salcombe Harbour has been recycling yacht waste since 2006. Each year the process has been refined to make it simpler and reduce the amount of double and triple handling of the waste. In 2009/10 season 27% of all waste collected was recycled which was 3.16 tonnes¹. This included glass, plastics, tins and paper.

2.3.2 To facilitate easier collection and handling of recyclable garbage a new pontoon has been purchased which accommodates a midi bottle bank, three 1100 litre general waste bins and two 1100 litre bins for paper and plastic/tins.

2.4 Salcombe Riverboat Company

2.4.1 The Salcombe Riverboat Company, part of the Dartmouth Riverboat Company are chartering the Rivermaid Salcombe to Kingsbridge Ferry for a second year. In addition to the regular ferry trips to and from Kingsbridge, the boat will offering wildlife cruises outside of the harbour limits during the low water periods when access to Kingsbridge is restricted.

2.4.2 The Ferry link from Dartmouth is planned to run weekly, each Monday.

2.5 The Marine Bill

2.5.1 One of the elements of the Marine Bill is to set up Marine Protected Areas (MPA) around the UK's coastline. Work on identifying the MPAs in the West Country has been led by Finding Sanctuary. The consultation with stakeholders has been ongoing for almost two years however recently, it became apparent that the Environment Agency were proposing that all estuaries be designated as Marine Conservation Zones (MCZ).

2.5.2 Representatives from the Harbour Board met with Finding Sanctuary and Natural England in early April to put the Harbour's point of view to the working group. As a result, at this stage of the process it appears that the Joint Working Group recognise that the Salcombe and Kingsbridge Estuary is well managed as an SSSI and therefore it is not going to recommend that the Estuary is included within the network of MCZs.

¹ Figures supplied by SHDC.

3. LEGAL IMPLICATIONS

3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).

3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

4.1 There are no new financial implications as a result of this report.

5. RISK ASSESSMENT

5.1 The risk management implications are:

Risk/Opportunity	Issues / Obstacles	Mitigation
The Harbour Authority is striving to deliver an improving service to harbour users.	The Harbour Board, through its contact with harbour Community Forums has identified a number of improvements which can benefit both resident and visiting yachtsmen and improve the reputation of Salcombe Harbour.	A better service in a safe environment for estuary users.

Corporate priorities engaged:	CP2: Good Jobs CP3: Retain the districts character CP5: An accessible Council CP6: Value for money
Consideration of equality and human rights:	There are no equality or human rights issues with this report
Biodiversity considerations:	None
Sustainability considerations:	Responsible garbage disposal
Crime and disorder implications:	The new Night Security Patrol Contract is designed to help reduce marine crime.
Background Papers:	Strategic Business Plan 1st Edition dated 2 August 2007.
Appendices attached:	None

Ian Gibson
Harbour Master

Salcombe Harbour Board
6 June 2011

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AGENDA ITEM 9

SOUTH HAMS DISTRICT COUNCIL

AGENDA ITEM 9

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	6 June 2011
REPORT TITLE	PERFORMANCE MANAGEMENT
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of Report

To report the Harbour's performance against agreed Performance Indicators (PIs).

RECOMMENDATION

That the Harbour Board RESOLVES to Note Harbour Performance against agreed Performance Indicators.

1. BACKGROUND

1.1 The Harbour Board endorsed the introduction of a set of PIs and to have them reported as a standing agenda item (SH 26/06).

2. ISSUES FOR CONSIDERATION

2.1 This report of Harbour Performance Indicators covers the period from 1 January to 31 March 2011, with some observations for the entire financial year. The detailed report against the agreed performance Indicators with comments for the period is at Appendix A. Detailed comments below are limited to where targets have not been met or have over performed by a considerable margin:

2.1.1 **SH3(L) Launch Serviceability.** Winstone, the mooring barge work boat, continued to be a problem throughout this reporting period. The problem having first surfaced in November, the engine was overheating and losing coolant. After several repairs including major work to the cylinder head a decision was made to replace the engine. This was considered the most cost effective way forward. To reduce the risk of similar re-occurrences in the future, a new propeller with different characteristics is being manufactured.

- 2.1.2 SH10(L) **Re-allocation of permanent mooring berths surrendered to Harbour Authority.** Full annual reallocation was completed, however a very high percentage of customers who indicated that they required their mooring for the coming season changed their minds between paying their deposit in December and receiving their invoice in March. This has caused a great deal of extra work and has left a number of moorings unallocated; a report on this subject has been presented for the Board's consideration. Some moorings remain unallocated in Frogmore, Newbridge and Kingsbridge; currently the waiting lists in these areas have been satisfied.
- 2.1.3 SH 30(L) **Crime Figures.** Small increase in marine crime this reporting period with five reported marine crimes (one more than for the same period last year), however there were 36 reported marine crimes during this reporting year which represents an increase of 6% from 2009/10.
- 2.1.4 SH32A(L) **Staff days Lost to unauthorised Absence.** During 2009/10 only 27 days were lost to sickness, in this reporting year this has jumped by 122% to 60 days. This is an unwelcome change and worrying trend, currently there are two members of staff absent with long term health problems.
- 2.1.5 SH34(L), SH35(L), SH36(L) **Visiting Yachts.** Visiting yacht income down by 2% on 2009/10, this is almost entirely due to the very poor weather in August. However visiting yacht numbers were up for the year by 1%. This reflects the larger number of yachts visiting in the shoulder months when the harbour is offering discounted mooring charges. Overall for the year average length of stay was 1.47 nights for visiting yachts. This was slightly up from 1.44 nights for 2009/10.
- 2.1.6 SH37(L) **Yacht Taxi.** The number of yacht taxi passengers carried was up by 4% on 2009/10, although income was slightly down. This is due to the introduction of the £0.50 child's fare, which has been extremely well received by our customers. The yacht taxi carried 21829 passengers of which 5% were the under 16 £0.50 fares.

3. LEGAL IMPLICATIONS

- 3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

- 4.1 Salcombe Harbour has a waiting list for most of its mooring facilities, however this year, for the first time in many years, there are unallocated moorings in certain parts of the Harbour. This fact, as well as the large number of customers who changed their minds between paying their deposit in December and receiving their invoice in March, means that there are some unallocated moorings in some areas of the harbour with a coincident loss of income which amounts to £13,900. A separate report has been presented on this issue.

5. Risk Assessment

5.1 The risk management implications are:

Risk/Opportunity	Issues / Obstacles	Mitigation
The setting and monitoring of realistic Performance Targets will enable the Harbour Board to ensure that statutory obligations are met and that there is real improvement in the service offered to users of Salcombe harbour.	The Harbour Authority is not delivering a satisfactory service to harbour users. Trends and issues can be identified early and policies and strategies developed to address issues.	The Harbour Board, through its contact with harbour Community Forums and by setting and monitoring performance standards will be in a position to amend the Strategic Business Plan ensuring it remains relevant and that Harbour funds are invested wisely.

Corporate priorities engaged:

CP2: Good Jobs
CP3: Retain the districts character
CP5: An accessible Council
CP6: Value for money

Consideration of equality and human rights:

There are no equality or human rights issues with this report

Biodiversity considerations:

Harbour Board performance and policies have a bearing on biodiversity.

Sustainability considerations:

The harbour performance needs to be considered regularly to ensure current policies are sustainable.

Crime and disorder implications:

The Report considers reported marine crime within the Estuary.

Background Papers:

None

Appendices attached:

1. Salcombe Harbour Performance Management Grid.

Ian Gibson
Harbour Master

Salcombe Harbour Board
6 June 2011

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SALCOMBE HARBOUR BOARD – PERFORMANCE MANAGEMENT REPORT 2010/11

Lead Officer – Ian Gibson

REF	ACTIVITY	YEAR	ANNUAL TARGET 2009/10	TARGET FOR QTR	APR/ JUNE	JUL/ SEPT	OCT/ DEC	JAN/ MAR	CURRENT STATUS	COMMENTS
			----- ACTUAL FOR 2008/9							
SH1 (L)	A visual check of all harbour owned and maintained facilities, landings, pontoons, mooring berths, navigational marks and beacons.	2010/11	Monthly	3 inspections	3	3	3	3	☺	
		2009/10	Monthly	3 inspections	3	3	3	3		
SH2 (L)	Defects rectification of major harbour infrastructure and facilities.	2010/11	Investigated within 24 hours, repaired within 7 days	All Defects not repaired within 7 days	0	0	0	0	☺	
		2009/10	As for 2009/10	As for 2009/10	0	0	0	0		

REF	ACTIVITY	YEAR	ANNUAL TARGET 2009/10 ACTUAL FOR 2008/09	TARGET FOR QTR	APR/ JUNE	JUL/ SEPT	OCT/ DEC	JAN/ MAR	CURRENT STATUS	COMMENTS for last reporting period
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SH3 (L)	Launch serviceability	2010/11	Apr to Sep 8 available Sep to Mar 4 available	4 Available	7	8	3	3	☹	Winstone overheating, Cylinder head blown Awaiting new engine for most of the period, now repaired but needs new propeller to prevent reoccurrence of the problem.
		2009/10	As for 2009/10	4 Available	7	8	4	4		
SH4 (L)	Major Plant un-serviceability (Crane, Barge, Fork lift truck & Van)	2010/11	Available except for planned maintenance periods, defects rectified within 5 working days.	0	0	1	0	0	☺	
		2009/10	As for 2009/10	0	0	0	0	0		
SH5 (L)	Slipways and steps Inspected and cleaned	2010/11	Inspected weekly, cleaned Monthly	3	3	3	3	3	☺	
		2009/10	As for 2009/10	3	3	3	3	3		

REF	ACTIVITY	YEAR	ANNUAL TARGET 2009/10 ACTUAL FOR 2008/09	TARGET FOR QTR	APR/ JUNE	JUL/ SEPT	OCT/ DEC	JAN/ MAR	CURRENT STATUS	COMMENTS for last reporting period
SH6 (L)	Failure of navigation lights and marks will be rectified or Local Notice to Mariners issued	2010/11	Within 24 hours	0	0	0	0	0	☺	
		2009/10	Within 24 hours	0	0	0	2	0		
SH7 (L)	Patrol of estuary and harbour to ensure no hazards to navigation exist	2010/11	Daily	91	91	92	89	90	☺	
		2009/10	Daily	92	91	92	89	90		
SH8 (L)	Inspection and preventative maintenance of Deep water and Foreshore Moorings	2010/11	100% Annually	100%			50%	100%	☺	
		2009/10	100% Annually	100%			100%			

REF	ACTIVITY	YEAR	ANNUAL TARGET 2009/10 ACTUAL FOR 2008/09	TARGET FOR QTR	APR/ JUNE	JUL/ SEPT	OCT/ DEC	JAN/ MAR	CURRENT STATUS	COMMENTS for last reporting period
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SH20 (L)	Compliance with Port Marine safety Code	2010/11	100% Annual audit	Compliance	Compliance	Compliance	Annual Inspection	Compliance	☺	Interim inspection in July 2010, full audit completed December 2010
		2009/10	100% Annual audit	Compliance	Interim Inspection	Compliance	Annual Inspection	Compliance		
SH21 (L)	Compliance with Merchant Shipping Act 1995 Section 198(1) Trinity House inspection of local aids to navigation.	2010/11	100% Annual Audit	Compliance	Annual Inspection	Compliance	Compliance	Compliance	☺	Annual Inspection completed successfully on 29 June 2010
		2009/10	100% Annual Audit	Compliance	Annual Inspection	Compliance	Compliance	Compliance		
SH22 (L)	H&S Incidents and accidents (Staff)	2010/11	10% reduction year on year	≤2	0	1	1	0	☺	
		2009/10	10% reduction year on year		1	2	3	3		

REF	ACTIVITY	YEAR	ANNUAL TARGET 2009/10 ACTUAL FOR 2008/09	TARGET FOR QTR	APR/ JUNE	JUL/ SEPT	OCT/ DEC	JAN/ MAR	CURRENT STATUS	COMMENTS for last reporting period
SH22 A (L)	H&S Incidents and accidents (Public)	2010/11	10% reduction year on year	≤1	5	9	1	0	☺	
		2009/10	10% reduction year on year		2	2	0	1		
SH23 (L)	Speeding Offences detected	2010/11	5% annual reduction	≥1	11	48	0	0	☺	
		2009/10	5% annual reduction		1	6	0	0		
SH24 (L)	Minor Collisions	2010/11	5% annual reduction	≥1	6	8	1	0	☺	
		2009/10	No Target		4	27	0	0		
SH30 (L)	Crime figures	2010/11	10% annual reduction	≤4	6	18	7	5	☹	Small increase in marine crime both this period (1 additional Crime) and throughout the year (6%)
		2009/10	10% annual reduction		12	9	8	4		

REF	ACTIVITY	YEAR	ANNUAL TARGET 2009/10 ACTUAL FOR 2008/09	TARGET FOR QTR	APR/ JUNE	JUL/ SEPT	OCT/ DEC	JAN/ MAR	CURRENT STATUS	COMMENTS for last reporting period
SH31 (L)	Night Security Patrols	2010/11	100% of contracted patrols	100%	100%	100%	100%	100%	☺	
		2009/10	100% of contracted patrols		100%	100%	100%	100%		
SH32 (L)	Permanent Staff Turnover	2010/11	< 10% annually	0	1	2	0	0	☺	
		2009/10	< 10% annually		0	0	1	0		
SH32A (L)	Staff days Lost to unauthorised Absence	2010/11	< 10% annually	≤1	11	7	18	24	☹	Two members of staff currently on long term sick
		2009/10	< 10% annually		14	1.5	11	0		
SH33 (L)	Customer Complaints	2010/11	10% annual reduction	≤1	8	4	0	0	☺	
		2009/10	10% annual reduction		3	6	2	2		

REF	ACTIVITY	YEAR	ANNUAL TARGET 2009/10 ACTUAL FOR 2008/09	TARGET FOR QTR	APR/ JUNE	JUL/ SEPT	OCT/ DEC	JAN/ MAR	CURRENT STATUS	COMMENTS for last reporting period
SH34 (L)	Income from visiting yachts	2010/11	5% increase	1,185	49,524	103,307	3,494	748	☹	Visiting yacht income down by 2% on 2009/10. Almost entirely due to a very poor August.
		2009/10	5% increase		46,485	108,972	3,388	1,129		
SH35 (L)	Visiting Yachts	2010/11	5% Increase	38	2,004	4,381	91	39	☺	Visiting yacht numbers were up for the year by 1%
		2009/10	5% increase		2,135	4,735	104	36		
SH36 (L)	Visiting Yacht Nights	2010/11	Increase length of stay to 1.5 nights	1.5	1.55	1.39	3.6	1.1	☹	Overall for the year average length of stay was 1.47 nights for visiting yachts. This was slightly up from 1.44 nights for 2009/10.
		2009/10	Increase length of stay to 1.5 nights		1.3	1.53	1.8	5.3		
SH37 (L)	Yacht Taxi – Passengers carried	2010/11	5% Annual increase in passenger usage	52	7,034	14,574	189	32	☺	The number of yacht taxi passengers carried was up by 4% on 2009/10, although income was slightly down. This is due to the introduction of the £0.50 child's fare.
		2009/10	5% Annual increase in passenger usage		6,912	13,838	107	50		

REF	ACTIVITY	YEAR	ANNUAL TARGET 2009/10 ACTUAL FOR 2008/09	TARGET FOR QTR	APR/ JUNE	JUL/ SEPT	OCT/ DEC	JAN/ MAR	CURRENT STATUS	COMMENTS for last reporting period
SH40 (L)	Water Quality Recorded number of pollution incidents	2010/11	Pollution Incidents	0	0	3	0	4	☹	Three incidents of sewer leaks and one small diesel leak from a fishing boat, all reported to the EA.
		2009/10	Pollution Incidents	No Data	No Data	No data	No data	4		
SH41 (L)	Guided Events	2010/11	3/Quarter	3	6	7	5	4	☺	
		2009/10	Monthly		4	8	5	3		
SH42 (L)	Litter Pick Up Events	2010/11	Quarterly	1	2	2	2	2	☺	
		2009/10	Quarterly		9	4	0	0		
SH43 (L)	Recycling yacht refuse	2010/11	Annual Increase		0	3.16 tonnes	0	0	☹	This represents 27% of all waste collected
		2009/10			0	4.12 tonnes	0	0		

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AGENDA ITEM 10

SOUTH HAMS DISTRICT COUNCIL

AGENDA ITEM 10

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	6 June 2011
REPORT TITLE	MATTERS FOR FUTURE CONSIDERATION
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of Report

To identify matters for future consideration by the Harbour Board.

RECOMMENDATION

That the Harbour Board RESOLVES to:

- a. note the report; and**
- b. change the date of the July Harbour Board meeting and annual inspection to 12 July 2012.**

1. BACKGROUND

- 1.1 The Harbour Board Constitution states that Matters for Future Consideration should be reviewed by the Board at each meeting..

2. MATTERS FOR FUTURE CONSIDERATION

2.1 Harbour Board Dates

2.1.1 The following dates have been set for Harbour Board Meetings:

2.1.1.1 11 July 2011 (Annual Inspection)

2.1.1.1.1 It is proposed to change the date of this meeting to 12 July 2012

2.1.1.2 26 September 2011

2.1.1.3 7 November 2011

2.1.1.4 30 January 2012

2.1.1.5 26 March 2012

2.1.1.6 28 May 2012

2.1.1.7 9 July 2012

2.1.1.8 24 September 2012

2.2 Strategic Business Plan 2012 - 2017

2.2.1 The 1st round of consultation closed 6 May 2011, a compendium of all the feedback is at Appendix 1. There is now a requirement for a Harbour Board workshop in early June to consider the issues raised by the Harbour users with the aim of bringing a first draft of the Business Plan 2012-17 to the board on 12 July 2011. A summary of the initial work completed by the Board at the workshop on 16 February is at Appendix 2.

2.2.2 Proposed date for workshop is 14 June at 1400 in Follaton House.

2.2.3 The target date to have a working document is 26 September 2011.

2.3 The Harbour Board Annual Report

2.3.1 To be published at the Harbour Board meeting on 12 July 2011.

2.4 Performance Management

2.4.1 Reviewed quarterly with the report for the 1st quarter of financial year 2011/12 being presented on 12 July 2011.

2.5 Year End Budget Report 2010/11

2.5.1 To be presented to the Board on 12 July 2011.

2.6 Harbour Annual Inspection

2.6.1 To take place on the morning of 12 July 2012.

2.6.2 Board members are requested to highlight any aspects of the harbour that they wish to see during the annual inspection.

2.7 Budget 2012/13

2.7.1 To be presented to the Board on 26 September 2011.

2.8 Fees and Charges 2012/13

2.8.1 To be presented to the Board on 26 September 2011.

2.9 Moorings Policy

2.9.1 The Moorings Policy was last reviewed in 2007 and is due for a review in 2012.

2.10 Compliance with the Port Marine Safety Code

2.10.1 The Harbour is audited bi-annually by the designated person. A report of the Audit will be brought to the Board on 30 January 2012.

3. LEGAL IMPLICATIONS

3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).

3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

4.1 There are no new financial implications as a result of this report, however this is not necessarily the case for the work which will follow.

5. RISK ASSESSMENT

5.1 The risk management implications are:

Risk/Opportunity	Issues / Obstacles	Mitigation
The Harbour Authority is striving to deliver an improving service to harbour users.	The Harbour Board, considers many routine issues annually, topical items will be brought to the Board as they arise.	A better service in a safe environment for estuary users.

Corporate priorities engaged:	CP2: Good Jobs CP3: Retain the districts character CP5: An accessible Council CP6: Value for money
Consideration of equality and human rights:	There are no equality or human rights issues with this report
Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background Papers:	Strategic Business Plan 1st Edition dated 2 August 2007. Constitution of the Salcombe Harbour Board (as adopted by Council on 25 June 2009)
Appendices attached:	Appendix 1 – Strategic Business Plan 2012 – 2017 Consultation feedback. Appendix 2 – Summary of work on draft Business Plan.

Ian Gibson
Harbour Master

Salcombe Harbour Board
6 June 2011

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Date	Name	Consultation Input	Summary
5.4.11	EP Parish Council meeting direct feedback	Request for a dedicated berthing area on Whitestrand for visiting rowing boats	Dedicated berthing arrangements at Whitestrand for rowing boats.
5.4.11	EP Parish Council direct feedback.	Request for a landing pontoon at Ditch End	Landing pontoon at Ditch End
6.4.11	Dartmouth Steam Riverboat Co	Thanks very much for the copy of the Kingsbridge berthing Plan (and also the post dredging survey). I have consulted with our Operations Manager and the Skipper of the River Maid - and all agree that the new pontoon landing at the bottom of the car park, as shown on the plan, is an excellent solution. The River Maid will continue to be chartered by us from Mr Peter Moule for the 2011 season. I am not aware of any views that he, as the owner of the River Maid business, may have regarding this proposal.	Supportive of development of KB Basin Pontoons and moving Ferry landing to adjacent to slipway.
13.4.11	Member of the Public	Re the recent request for views on possible improvements – I have a mooring at Newbridge and would love to see some kind of pontoon along the quay there. I frequently collect passengers from the quay and at many states of the tide it can be difficult, especially for less mobile people, to get on/off my boat.	Landing Pontoon at Newbridge
26/04/2011	Member of the Public	Two comments for you that you may wish to consider in order to improve Salcombe Harbour: 1) Jet Skis - these are noisy and dangerous and should not be allowed to drive in the harbour. Suggest you have a bye-law that says they have to be towed out to sea by a proper boat. 2) Remove the ghastly house boats that are moored in the Bag. These boats look more like large caravans. They ruin the aesthetics of the harbour.	Ban Jet Skis and House Boats!!

03/05/2011	East Portlemouth Parish Council	<ol style="list-style-type: none"> 1. East Portlemouth Parish Council would welcome a pontoon on East Portlemouth side for dinghies. Ditch End would be a suitable site because so many boats are kept nearby and it is the site used for the ferry in bad weather. 2. PC urged the Harbour Board to involve the Foreshore Owners in their deliberations. 3. PC welcomed the Harbour Master's very positive attitude expressed at the AGM, despite the tight budget situation. 4. The Parish Council supported the Harbour Master's idea to build permanent shower facilities for visiting boats to enhance the estuary's value as a tourism destination. 5. The Parish Council consider that the importance of commercial users, particularly the fishing industry, should be taken into account in any five year plan. 	Various
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03/05/2011	Frogmore & Sherford Parisyh Council	The Council would support an extension to the current Pontoon in Frogmore and would welcome the opportunity to comment on the detail of any proposal in that regard, or other changes within the Creek. To avoid any further confusion, you may care to also include Frogmore Village Community Association in the consultation process for your 5-year plan'	Extension to Frogmore Public Landing Pontoon
04-May-11	KEBC	<ol style="list-style-type: none"> 1. Provision of pontoon berths to west side of the Kingsbridge basin to facilitate ease of access and security: sympathetic to Kingsbridge as a working town. The Club would wish to be fully involved in the consultation stage. 2. Increase gradient and improve slipway at Kingsbridge Basin to facilitate ease of launch and recovery. 3. Extend the visitors pontoon at Kingsbridge and improve facilities to include electricity and water. 4. Recognise the usefulness and historic importance of Steamer Pier (off High House) as a low water embarkation/disembarkation point and to improve, tidy and maintain the facility accordingly. 5. Provide a short pontoon at Newbridge for ease of access of pleasure craft not for permanent moorings. 6. Reinstate the steps at Newbridge Jetty in place of existing concrete slope 7. Extend the use of the water supply at Newbridge to all year round 8. Extend opening time for toilet facilities at Newbridge 9. Adding a T piece to the pontoon at Frogmore which would greatly increase the use by visitors. 	<p>KEBC proposals fall into 2 categories, SHA and SHDC.</p> <p>SHA: Pontoon berths in KB Basin Extend VP in KB Basin. Steamer Quay at High House. Pontoon at Newbridge. Extend Frogmore Pontoon.</p> <p>SHDC: Kingsbridge Slipway Steps at Newbridge Newbridge Water Supply Newbridge Toilets.</p>
05/05/2011	Kingsbridge and Salcombe Chamber of Commerce	"It is hoped that the 5 year Business Plan will give proper consideration to the needs of commercial operators wishing to develop the opportunities which the estuary offers in a sensitive and environmentally conscious manner so that their operations are not subject to onerous restrictions or practices which inhibit the continuation and growth of this important sector. By engaging with the various operators and encouraging their involvement, the natural assets of and around the estuary can be both harnessed for economic benefit and preserved/protected."	

<p>06-May-11</p>	<p>Kingsbridge Town Council</p>	<p>You will recall that we wrote to you earlier in the year to give our support for any alterations to the west wall at the head of the estuary which would realise improvements regarding Health & Safety, enhanced access (particularly at the rise and fall of tides) and general aesthetic features.</p> <p>Having now had the opportunity to discuss the topic further the following comments are now made:</p> <p>improvements to moorings and visitors pontoons would be of real benefit, ladders at the harbour wall are too steep which make it difficult to access boats, the walls are in an unstable condition, security is unsatisfactory, and more should be done to encourage greater use of visitor pontoons e.g. extend the length, provision electrics, running water and, in the long term, the installation of showers.</p> <p>It was noted that the Harbour Board had been helpful over the last few years and Kingsbridge Estuary Boat Club, with its large membership, had been supportive of improvements.</p> <p>The crux however, is that the 'look' of the head of the estuary was very important and any improvements should be in keeping with the Kingsbridge landscape.</p>	<p>Improvements to mooring facilities, including easier access.</p> <p>The quay walls are unstable.</p> <p>Security unsatisfactory.</p> <p>Encourage visitors, provide better facilities and utilities including showers.</p>
<p>06-May-11</p>	<p>South Pool Parish Council</p>	<ol style="list-style-type: none"> 1. Navigation Marks in South Pool Creek - The Parish Council were opposed to establishing any Navigation Marks but caveated their statement by stating that there was still interest in installing a few discreet port and starboard marker buoys and that the proposal should be revisited. 2. Dredging - A proposal to dredge the channel to the South Pool Pontoon 3. Moorings and Pontoon Berths - Allocation of moorings on the Southpool Pontoon should be to residents of Southpool Parish. 4. Speed Limits - Supportive of speed limit 5. Policing - Unaware of successful Prosecutions, More emphasis. 6. South Pool Slipway - Need repairing 7. Planning - Harbour Board should liaise with SHDC to consider planning proposals if it considers plans will have a detrimental effect on the landscape and the value of the Estuary. 	<p>Navigation marks in South Pool Creek.</p> <p>Dredging South Pool Creek.</p> <p>South Pool Pontoon.</p> <p>Supportive of Speed Limit</p> <p>More emphasis on speeding patrols and prosecutions.</p> <p>Slipway needs repairing</p> <p>Planning Issues.</p>

06-May-11	Salcombe Yacht Club	<ol style="list-style-type: none"> 1. Dinghy Parking - Additional reasonably priced dinghy parking 2. General - No increase in number of moorings and a Supermarket to allow shopping at a reasonable price 3. Dinghy Racing Issues - Boats blocking access to Smalls beach. No increase in present Fairway restrictions. No increase in trot moorings, Any further pontoons should have breaks. 4. Batson - An additional slipway, wider deeper channel, Children playing on slipway. 5. Visitor Showers - Harbour should support SYC facilities financially. 6. Harbour Taxi - More cover at weekends in shoulder months, boats should be covered. 7. South of Jubilee Pier - Opposed to any additional jetties south of Jubilee Pier. 8. East Portlemouth - Pontoon at Ditch End 9. Communications VHF communications black spots. 10. Approaches to salcombe - More speed limit marks which can be used as race marks. 11. Air Pollution - Ban boats with outboards, people could sail, row or take ferries. 	<p>Dinghy Parking No more Moorings Access to a supermarket No anchoring at Smalls. Fairway. Slipway. Visitor Showers. Yacht Taxi. Pontoons south of Jubilee Pier. East Portlemouth Communications More speed limit marks Ban Outboards</p>
06-May-11	Salcombe Town Council	<ol style="list-style-type: none"> 1. It was suggested the Harbour Board implement both a project and deadline management policy with procedures. For example, the slip hoist was a late application and District circumvented EU Regulations and did not go out to bid due to 'lack of time'. With regard to Whitstrand Porta Cabin suggestion Salcombe Town Council were informed one week prior to the Harbour Board requiring the facility. 2. A separate detailed business case per investment should be made. 3. The Salcombe Town Council finds the co-ordination with District funded research to be non existent. Their view is that any Harbour strategy must be done in conjunction with a published and agreed report, such as the Hyder. 4. All of the Harbour Projects so far appear to lack supporting customer evidence as to their absolute need. 	No constructive points

08-May-11	The Moorings Residents' Company Limited	<p>On behalf of the members with moorings of The Moorings, Kingsbridge, I wish to request you consider ways of improving our access to the water. Although we contribute significant sums in harbour charges, we have limited water access with only up to one hour either side of high water at neap tides.</p> <p>Possibilities of increasing our access include: (1) dredging off our beach, (2) further lengthening our running moorings and (3) installing a floating pontoon. These solutions are not new, but I mention them again in the hope that they might be considered both in the short term and in your longer range review of harbour facilities and services.</p> <p>With many thanks for the recent and planned improvements to Salcombe Harbour and Kingsbridge estuary</p>	<p>Capital Dredging. Further extend running moorings. Installation of a pontoon for residents of the appartments boats.</p>
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MINUTES OF THE MEETING OF THE SALCOMBE HARBOUR BOARD HELD AT CLIFF HOUSE, SALCOMBE ON MONDAY, 6 JUNE 2011

MEMBERS

* Cllr R J Carter – Chairman

ø Dr C C Harling – Vice-Chairman

* Cllr J Brazil

ø Cllr M J Hicks

* Cllr S A E Wright

* Mr J Barrett

* Mr T Bass

* Mr H Marriage

* Mr M O'Brien

ø Mr P Waring

* Denotes attendance

ø Denotes apology for absence

Also in attendance and participating:
Cllr P W Hitchins

Officers in attendance:

All Agenda Items: Head of Service (Salcombe Harbour), Monitoring Officer and Senior Member Support Officer

SH.01/11 **MINUTES**

The minutes of the meeting of the Salcombe Harbour Board held on 28 March 2011 were confirmed as a correct record and signed by the Chairman.

SH. 02/11 **URGENT MATTERS**

The Chairman advised that he had agreed for one item of urgent business to be raised at this meeting as Cllr Brazil had given prior notice of his wish to make a statement. During the course of his statement, Cllr Brazil reminded the Board that he had served for eight years as a Board Member and four years as Chairman of the Board. He was disappointed therefore that South Hams District Council had taken the decision at its annual meeting to contradict the recommendation of the independent panel and appoint someone else as Chairman. He felt that he had no option but to resign with immediate effect, as his position had become untenable. However, he wanted to take this opportunity to resign formally, and put on record his thanks to the Harbour staff and his fellow Board Members. He stated that the Harbour Master and his team did a fantastic job, and since the reorganisation of governance, Salcombe Harbour had been a real success story. He hoped that he and his colleagues on the Board had helped. He said that he was saddened to leave, however, he wished the new Chairman all the best in his new role.

Cllr Brazil proceeded to state that he had two regrets, the first of which related to the renegotiation of the lease from the Duchy and he hoped that perhaps next year (Diamond Jubilee year) the Duchy may look favourably on reinstating the Pier. The second regret was that criticism tended to fall on the Harbour Master when in fact the Board should be the accountable body and accept any criticism.

In response, another Member stated that Cllr Brazil had been an extremely good Chairman. The Harbour Board was unique territory and sometimes had to take a tough line, and Cllr Brazil had helped to steer the Board in the right direction during his tenure as Chairman.

SH.03/11 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Mr Jonno Barrett declared a personal interest in agenda item 7: 'Mooring Contracts – Late notification of Non Requirement' (Minute SH.06/11 below refers) by virtue of him having a mooring.

Cllr S A E Wright declared a personal interest in all agenda items by virtue of him having worked in a self employed capacity in the Harbour.

SH.04/11 **PUBLIC QUESTION TIME**

One member of the public wished to utilise the public question time session. Comments were recorded as follows:-

Mr John Binns, Kingsbridge Boat Club

Mr Binns asked to raise two issues, the first of which was speeding in the Estuary. He had recently noticed an increase in the number of incidents of speeding. A brief discussion followed and the Harbour Master advised Mr Binns that previously the Board had considered a two pronged strategy to deal with speeding i.e. education and enforcement. However, whilst the Board had supported his education strategy, they were not prepared to release further resources for enforcement. A Board Member stated that this could be revisited at the end of the current season, and the Harbour Master added that speeding would never be eradicated but best efforts were made to address the issue.

The second issue related to a number of boats on the slip at Kingsbridge which had been there for some time. The Harbour Master responded that he was aware of the situation, and that the boats were in the process of being removed, however, there was a due process that had to be gone through. Mr Binns thanked the Harbour Master for this response and added that part of the problem was a lack of visible activity.

SH.05/11 **FEEDBACK FROM HARBOUR COMMUNITY FORUMS**

The Board received verbal update reports from the Board Members who attended the Harbour Community Forums, during which reference was made to:-

Salcombe Kingsbridge Estuary Conservation Forum

It was confirmed that the next meeting was due to take place at the end of June 2011.

Salcombe Kingsbridge Estuary Association (SKEA)

There were no matters reported to the Board. In addition, as the forum had not met for a number of months, the representative suggested that a letter be drafted to the Chairman of SKEA to determine their future intentions in relation to acting as a Community Forum.

Kingsbridge Estuary Boat Club

It was agreed that Hugh Marriage be the new representative for this Forum. There were no further issues to raise other than those previously heard under Public Question Time (minute SH.04/11 refers).

South Devon & Channel Shellfishermen

It was agreed that Cllr John Carter be the new representative for this Forum.

In addition to the existing Forums, the Harbour Master advised the Members that, according to best practice, a beneficiary group should be represented as a Community Forum. He suggested that Cllr Wright, with his previous commercial experience, may like to approach the commercial enterprises related to the Harbour to investigate the possibility of a Commercial Forum being created to represent their interests. Cllr Wright agreed to this, and advised that he would report back to the Board at a later date.

SH.06/11 **MOORING CONTRACTS – LATE NOTIFICATION OF NON REQUIREMENT**

Members were asked to consider a report which sought to consider the issues and make recommendations for a more effective process for future years in relation to renewal of mooring licences.

The Harbour Master introduced this item by explaining how the process of renewals worked, including the key dates in the year, and by explaining that previously this was a manageable issue but that, this year, possibly as a result of the recession, a considerable number of facilities had been given up at the last moment.

In discussion, the following points were raised:-

- (a) A Member felt that the deposit paid to secure the mooring should be increased to £150 from £50, rather than £100. Another Member felt that this increased deposit could disadvantage a number of customers. After discussion, it was agreed to increase the amount in the recommendation of the presented report to £125;
- (b) The Harbour Master advised that some other harbours did not need to follow the same process as they relied on their customers to advise them in good time, however at Salcombe the client base was made up of a number of owners who were absent for most of the year;
- (c) Members discussed bringing forward the date by which owners had to notify the Harbour Office if they did not want their mooring, to make it easier to re-let the mooring. After discussion, it was agreed to amend the recommendation of the presented report to 1 March;
- (d) A Member stated that the process should be less labour intensive and expensive. At the time that deposits were paid, customers should sign and certify to agree to pay in full or advise the Harbour by a specific date if the mooring was not going to be required.
- (e) A Member asked for an assurance that arrangements could be made for those customers who may have financial difficulty in paying the increased deposit.

It was then:

RESOLVED

That the Harbour Board **RECOMMEND** to Council that:

- (i) The Berthing Contract in the Moorings Policy be amended to provide that customers who indicate their desire to retain a facility and pay a deposit are contracted to pay for the facility. If the mooring is returned to the harbour before 1 March, the contract will be cancelled and the deposit lost. If the mooring is returned to the harbour after 1 March the contract will stand unless the facility can be re-let, when a pro rata refund will be made;
- (ii) Moorings which are not required and become available after 1 March will be offered to the waiting list. If offers to the top quarter of the waiting list are not accepted, the facility will be used for visitors for that season making the facility available to the waiting list for the following season; and
- (iii) The deposit payable for the retention of a Harbour Facility be increased to £125.

SH.07/11 **TOPICAL HARBOUR ISSUES**

The Board was asked to consider a report which updated Members on a range of topical harbour issues.

The Harbour Master took Members through the main areas of the report. During the subsequent discussion, reference was made to:-

- (a) Concerns over the garbage facilities for boat owners being used by residents of holiday cottages. Members were most concerned that the Harbour Authority was, in effect, paying for other resident's trade waste to be collected. The Executive Member for Assets agreed to take this matter up with the new Head of Service;
- (b) Concerns over the noise levels of commentary coming from the Rivermaid Ferry from Dartmouth. A number of Members had, in fact, heard the commentary transmitted from the boat whilst walking up the hill prior to the meeting. It was also felt that the commentary in Salcombe was louder than in Dartmouth. Members asked that the Harbour Master approach the owners of the Rivermaid and ask them to keep noise levels down within the Salcombe estuary.

It was then:-

RESOLVED:

- (i) That the proposal at paragraph 2.1.2 of the presented report be agreed; and
- (ii) That the comments at paragraphs 2.2, 2.3 and 2.4 of the report be noted.

SH.08/11 **PERFORMANCE MANAGEMENT**

The Board was asked to consider a report relating to the Harbour's performance against agreed Performance Indicators (PIs).

The Harbour Master advised Members that this report was particularly useful in identifying trends, and he asked Members to advise him if there were particular areas that they would like to see reported. He then went on to take Members through the main areas of the report.

In discussion, reference was made to the water taxi, which the Harbour Master felt was an essential service to provide to customers who were used to 'walk on' marinas in other harbours. The Harbour Master was asked to provide statistics to show average taxi use per visiting yacht. However, it was also noted that the water taxi facility meant fewer dinghies floating around the harbour, which was a more general benefit.

Members were aware of the complete service that needed to be provided to customers to ensure that Salcombe Harbour remained competitive. The view was that customers only consider their end to end price, therefore although the prices for moorings and the water taxi may be very competitive, the fact that dining out and fuel were expensive could impact on a customers view of overall value for money. Unfortunately, these areas were outside the remit of the Harbour Board.

It was then:-

RESOLVED

That the Harbour's Performance against agreed Performance Indicators be noted.

SH.09/11 **MATTERS FOR FUTURE CONSIDERATION**

The Board considered a report which identified matters for future consideration by the Harbour Board. The Harbour Master felt that this report, as a standing item, would help Members to drive the agenda forward and would enable more input from stakeholder groups.

In discussion, reference was made to:-

- a) the presented report including an error in that the date of the annual inspection should read as 12 July 2011 (not 12 July 2012);
- b) a date of 14 June 2011 had been set for a Member workshop, to discuss the five year strategic business plan and the consultation responses received so far. It emerged that a number of Members would be unable to attend on this date. The Harbour Master then asked if Members would be happy to set fees and charges at the September 2011 meeting in line with the existing five year plan, and if so, then the workshop could be postponed to a more convenient date. All Members agreed that it was important to take time over the new strategic business plan, and accepted that the fees and charges for next year would be set within the existing plan;
- c) the Blue Flag Award at South Sands was highlighted. This was an important achievement, and a Member asked that as part of the strategic plan, encouragement should be given to expanding this achievement, for example the reed bed at North Sands, if properly managed, could be the subject of a further application;
- d) a Member asked that environmental issues form part of the strategic plan, particularly following the success of the phosphate free project.

It was then:-

RESOLVED:

- (i) That the report be noted; and
- (ii) That the date of the July Harbour Board meeting and annual inspection be changed to 12 July 2011.

SH.10/11 **EXCLUSION OF PUBLIC AND PRESS**

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

SH.11/11 **SALCOMBE TOWN LANDINGS**

The Board was asked to consider a report which reviewed the tenders and sought to let a contract to complete the project.

Following a discussion, it was then:-

RESOLVED

That the Harbour Board **RECOMMEND** to Council that:

- 1. The contract for the Salcombe Town Landing Replacement and Extension Contract be let to the preferred identified contractor; and
- 2. The project be funded from Harbour Reserves.

(Meeting commenced at 2.30 pm and concluded at 4.50 pm).

Chairman

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