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SOUTH HAMS SALCOMBE HARBOUR BOARD - MONDAY, 26TH MARCH, 2012

Agenda, Reports and Minutes for the meeting

Agenda No Item

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

2. **Reports**

Reports to Harbour Board:

a) Item 8 - Moorings Policy Enforcement (Pages 3 - 42)

b) Item 9 - Strategic Business Plan 2012-2017 (Pages 43 - 78)

c) Item 10 - Topical Harbour Issues (Pages 79 - 86)

d) Item 11 - Report on Matters for Future Consideration (Pages 87 - 90)

3. **Minutes** (Pages 91 - 96)

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Agenda Item 1

To: Chairman & Members of the Salcombe Harbour Board
(Cllrs R J Carter, M J Hicks, KRH Wingate 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

16 March, 2012

Dear Member

A meeting of the **Salcombe Harbour Board** will be held in the **Main Hall, Cliff House, Salcombe** on **Monday, 26 March, 2012**, at **2.30 pm** when your attendance is requested.

Yours sincerely

Kathryn Trant
Member Services Manager

<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. **Apologies for Absence;**
2. **Minutes** - to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Board held on 30 January, 2012 (pages 1 to 5);
3. **Urgent Business** - brought forward at the discretion of the Chairman;
4. **Division of Agenda** - to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;
5. **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;
6. **Public Question Time** – a period of up to 15 minutes is available to deal with questions from the public;

7. **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;
8. **Moorings Policy Enforcement** – to consider a report which reviews the draft Moorings Policy and seeks approval to publish the draft for public consultation (pages 6 to 45);
9. **Strategic Business Plan 2012-2017** – to consider a report which reviews the final draft of the Strategic Business Plan 2012-2017 with a view to recommending to Council the adoption of the Plan (pages 46 to 81);
10. **Topical Harbour Issues** – to consider a report which identifies a range of topical issues which to not warrant a separate report in their own right (pages 82 to 86);
11. **Matters for Future Consideration** – to consider a report which identifies matters for future consideration (pages 87 to 89).

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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.

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MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

THIS AGENDA HAS BEEN PRINTED ON ENVIRONMENTALLY FRIENDLY PAPER

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AGENDA
ITEM

8

SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

8

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	26 March 2012
REPORT TITLE	MOORINGS POLICY ENFORCEMENT
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of report:

To review the draft Moorings Policy and approve the publication of the draft for public consultation.

Financial implications:

There are no direct financial implications from this report.

RECOMMENDATIONS:

That the Harbour Board RESOLVES to publish the Draft Moorings Policy Consultation document, for the first round of consultation with the Harbour Community Forums, with a consultation closing date of 25 May 2012.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

- 1.1 The current edition of the Moorings Policy was published in 2007 following an extensive public consultation. The Salcombe Harbour Board (“SHB”) recommended to Full Council on 21 September 2007 that the updated Moorings Policy be adopted (SH32/07). The Moorings Policy was adopted by Full Council on 15 November 2007 (59/07).

1.2 The Moorings Policy is reviewed every five years and is now due for review.

2. Review of Moorings Policy

2.1 A working group of Harbour Board members consisting of Cllrs Carter and Wright, Mr Harling, Marriage and Barrett has been established **SH42/11**.

2.2 The working group met on 21 February and worked through the draft at Appendix 1.

2.3 It is proposed that the draft Moorings Policy be published for the first round of consultation with the Harbour Community Forums, with a closing date of 25 May 2012.

2.4 Thereafter the consultation feedback will be considered and incorporated where appropriate with the aim of bringing the final draft to the Board on 9 July 2012 before the Public Consultation round.

2.5 The Target date for completion of the review is September 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 A local authority is entitled to make policies in order to provide guidelines for its own decision-making (whether by members or officers) but it should not regard itself as completely restricted by policy. It must always be possible for the authority to make an exception to policy; if it isn't, the authority will be regarded as having "fettered its discretion" and that is unlawful. However, in order to be fair to everyone, the authority should have good reasons both for making an exception, or refusing to do so.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications from this report.

5. RISK MANAGEMENT

5.1 The risk management implications are:

Risk	Mitigation
The Harbour Authority is not delivering a satisfactory service to harbour users.	The Harbour Board, through its contact with harbour Community Forums and the public consultation process will monitor the stakeholders' reaction to the service provided and keep the Moorings Policy under regular review in order to remain relevant to the majority of harbour users' requirements.
The Harbour Board fails to comply with its statutory responsibilities.	Continuous monitoring and an annual audit by an independent designated person will highlight potential issues early to enable corrective action to be taken.
The Harbour Board is accused of discrimination in its allocation of harbour facilities.	As part of the policy review an Equality Impact Assessment has been undertaken to ensure compliance with equality legislation and the needs of Harbour users. The Harbour Authority will have a fit for purpose moorings allocation policy which is strictly adhered to and kept under constant review. Mooring allocation has an appeals process.
Data Protection, disclosure of information and Freedom of Information (FOI).	Harbour records, including customer accounts are maintained within the office. Staff training is given to prevent any unauthorised disclosure. FOI forms are required before any information is given out.
Corporate activity with an impact on Areas of Outstanding Natural Beauty, National Parks, and Sites of Scientific Interest.	The Harbour Authority part fund a Marine Conservation Officer who monitors all activity within the estuary to ensure the harbour Authority fully respects the ANOB and SSSI status of the Estuary. The moorings policy clearly sets out what activity is allowed within the various areas of the Estuary.
Financial Risks and Impact on Councils Assets	By monitoring performance in relation to the moorings policy, the Harbour Board will be in a strong position to invest Harbour Funds where they can provide the best value for money and return on investment and safeguard the Harbour's future on behalf of the District Council.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Community Life Economy
Statutory powers:	Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
Considerations of equality and human rights:	None
Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background papers:	Moorings Policy 2007 (SH 32/07) Harbour Board Working Group (SH 42/11)
Appendices attached:	Moorings Policy Draft Consultation Document

Ian Gibson
Harbour Master

Salcombe Harbour Board
26 March 2012



South Hams
District Council

Improving the well-being of the people of the South Hams

South Hams District Council

Salcombe Harbour Authority

Consultation on Salcombe Harbour Moorings Policy

Introduction

The Moorings Policy was last reviewed in 2007. As part of the Five-Year Plan 2012-2017 the Harbour Board has undertaken to review the Moorings Policy this year.

There will be two rounds of consultation; this first round will be with the Harbour Community Forums and will end on 25 May 2012. The second round later in the summer will be with the general public.

The draft Moorings Policy is set out below and the Harbour Board would welcome your views on the document. Four questions have been formulated to help gauge the public's response; however any suggestions you might have to clarify the Moorings Policy would be welcome. The likelihood of a change in the law regarding Council Tax within the five-year period, with all home owners paying the same Council Tax, has raised the issue: if the Harbour Board is to continue with its long established policy of giving priority for the allocation of moorings to customers who live permanently in the South Hams, how should this be done in future? The Policy has been drafted on the assumption that this policy will continue and the consultation questions specifically ask if your organisation supports the continuation of this policy and how it might be implemented. The alternative would be to move to a single waiting list.

- Q1. Do you support the principle of continuing to give priority to people ordinarily resident in the South Hams described in paragraph 6.2?***
- Q2. Do you support the proposal for two waiting lists as described in paragraph 6.3 and, if so, what criteria should be used to distinguish between the two lists in future?***
- Q3. Would you prefer there to be just one waiting list with all Council Tax payers being treated the same?***
- Q4. In your opinion does the draft Moorings Policy require any further clarification?***

Salcombe Harbour Authority
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by Friday 25 May 2012



South Hams
District Council

Improving the well-being of the people of the South Hams

South Hams District Council

Salcombe Harbour Authority

Moorings Policy

February 2012

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Appendices:

1. Foreshore Mooring Tackle Specification
2. Terms and Conditions of a Mooring Licence
3. Terms and Conditions of a Mooring Licence (for laying private mooring tackle or pontoons on the Council's fundus or foreshore).

1.0 Introduction

- 1.0.1 Salcombe Harbour, as a municipal port, is a strategic asset to the South Hams and of fundamental importance to the economic and cultural well being of the riparian towns and villages of the Estuary. Set in an Area of Outstanding Natural Beauty (ANOB) and Site of Special Scientific Interest (SSSI) Salcombe is a unique harbour with a world renowned reputation as a sailing destination. As the Statutory Harbour Authority, South Hams District Council has constituted the Salcombe Harbour Board, which operates as a committee of the full Council. The Harbour Authority discharges the roles and statutory duties which are placed on the Harbour by the Pier and Harbour (Salcombe) Confirmation Act 1954. The 1954 Act is based on the Harbours, Docks and Piers Clauses Act 1847 that gives the Harbour Master certain statutory powers concerning the management of the Harbour. Additionally, the Harbours Act 1964 provides for the operation to be self-financing with the Authority able to fix its own rates in order to finance safe port operations.
- 1.0.2 The provision and management of moorings within the harbour is one of Salcombe Harbour Authority's (SHA) core activities.
- 1.0.3 The purpose of this policy is to guide the management of SHA whenever it takes decisions on issues related to the provision or development of moorings within the harbour. This policy is not a legal document and SHA reserves the right to retain discretion over any decision but will give reasons for any decision taken that is not in accordance with the stated policy.
- 1.0.4 With every decision over moorings a number of factors will be considered. These are too numerous and varied to list; however the principal factors will always be:
- safety
 - the requirements of navigation
 - conservation of the environment
- 1.0.5 In developing and enforcing the Moorings Policy the Board have consulted widely and followed their vision which is:

To retain and enhance the character of Salcombe and Kingsbridge Estuary whilst updating harbour facilities to meet the requirements and expectations of resident and visitors for the 21st century.

and the core principles of safety, stakeholder involvement, value for money, environmental stewardship and support to local employment.

1.0.6 This policy will apply to the whole of Salcombe Harbour and Kingsbridge Estuary (as defined by Section 11 of the Pier and Harbour Order (Salcombe) Confirmation Act 1954). This policy does not apply to the location and number of moorings or pontoons (including their allocation) on private foreshore i.e. those areas of the Harbour not leased to the Harbour Authority by the Duchy of Cornwall.

2.0 Ownership of the Estuary Bed

2.0.1 The ownership of the seabed within the estuary, known as ‘fundus’, affects the powers of SHA. The majority of the fundus within the Estuary is owned by the Duchy of Cornwall of which the majority is leased to South Hams District Council, the Harbour Authority, for which an annual rent is paid. The lease allows SHA to lay moorings on this fundus and levy a charge for them. The current lease with the Duchy runs until 24 March 2028. The areas not leased to SHDC include the RNLI’s lifeboat berth, the upper reaches of Waterhead and Southpool Creeks, the foreshore of East Portlemouth, the foreshore of Salcombe below the ferry landing to North Sands, Lincombe Bay and other discreet areas of foreshore throughout the Estuary.

2.0.2 Under the terms of the Harbour Authority Lease from the Duchy of Cornwall licences to customers for harbour facilities may be for no more than one year.

2.0.3 It should be understood that the right to lay and use a mooring within the harbour depends upon two essential conditions:

- The permission of the owner of the fundus where the mooring is placed.
- The written consent, in the form of an annual licence, of the Salcombe Harbour Authority. It should be noted that a licence to lay a mooring is entirely different from a lease and therefore it is not an assignable property right.

2.0.4 As land covered by water is governed by the laws of property in broadly the same way as land covered by air, the issue of fundus ownership is self-explanatory. The requirement for Harbour Authority consent is a separate issue, arising from the Pier and Harbour Order (Salcombe) Confirmation Act 1954 under which the Authority has power to lay and use moorings (on fundus in which it has an appropriate interest) and also to license others to do likewise. The Authority is not required to license its own moorings but anyone else laying a mooring anywhere within the harbour needs a licence.

3.0 Consultation Process

3.0.1 The 2012 review of the Moorings Policy will include two rounds of consultation. The first will be with the Harbour Community Forums::

- Salcombe and Kingsbridge Estuary Association
- Kingsbridge Estuary Boat Club
- Salcombe Kingsbridge Estuary Conservation Forum
- The South Devon Shell Fishermen
- The Kingsbridge and Salcombe Marine Business Forum

The second round of consultation will be with the general public. The aim is to have the document complete and accepted by Full Council by September 2012.

4.0 Categorisation of the Estuary

- 4.0.1 Below Ferry Crossing – seawards to harbour limits** – a limited number of visitors moorings, a number of licensed moorings on private foreshore on both sides of the Estuary, seasonal moorings at South Sands, recognised anchorages off Small’s and Sunny Cove and store box moorings in Castle Bay.
- 4.0.2 Above Ferry Crossing – inwards to Fishpond Corner and Snapes Point** – Victoria Quay Pontoons, Whitestrand and Normandy landing facilities Foreshore moorings, commercial moorings, crab store box moorings, visitors moorings and fuelling Facility.
- 4.0.3 South Pool and Waterhead creeks and Gullet Point** – Predominantly private moorings and boatyard commercial moorings. The Harbour Authority has a number of deep water mooring at the entrance to South Pool and a public landing pontoon at the head of South Pool Creek.
- 4.0.4 Batson and Shadycombe creeks north of Fishpond Corner** – Foreshore mooring, Batson and Shadycombe Pontoons, commercial fish quay, slipway and craning facilities.
- 4.0.5 The Bag between Snapes and Halwell point** – The majority of the Harbour’s deep water residents mooring, visitors’ pontoon, foreshore moorings, houseboat moorings, Dentrige Commercial Pontoons, Egremont (ICC) and Winters Pontoons and Boatyard.
- 4.0.6 Saltstone, Blanksmill Creek, Collapit Creek and Frogmore Creek west** – no moorings in this area, recognised anchorage north of Halwell Wood and East of Heath Point.
- 4.0.7 Frogmore Creek East** – Foreshore moorings and public landing pontoon.
- 4.0.8 North of Charleton Point to High House Landing including Newbridge and Balcombe Creek** – Foreshore moorings, slipway and dinghy storage facilities.
- 4.0.9 North of High House Landing to New Quay pontoon, Kingsbridge** – Foreshore moorings.

4.0.10 North of New Quay pontoon to include Kingsbridge Creek –
Foreshore moorings, Kingsbridge pontoon, Public landing/visitors' pontoon, slipway and dinghy storage.

5.0 Review of Policy

5.0.1 The moorings policy will be formally reviewed every five years. However, urgent issues will be dealt with as they arise by the Harbour Board and should any changes be required, once ratified by Full Council, amendments will be published.

6.0 Mooring Policy – General Principles

6.0.1 All Salcombe Harbour Authority mooring licences are issued annually to a named individual or company and are not transferable, except between spouses and or civil partners.

6.0.2 Mooring licence holders who are planning to be absent from their berth for a period of 24 hours (deep water moorings) or 7 days (foreshore moorings and pontoon berths) or more should inform the Harbour Master.

6.0.3 Moorings left unused for a period of two years will be reallocated.

6.0.4 The Harbour Master retains the right to move vessels to the most suitable mooring. The Harbour Authority retains absolute control of berth allocation. Accordingly the licensee shall not be entitled to the exclusive use of any particular berth but shall use such berth as is from time to time allocated by the Harbour Authority.

6.0.5 Vessels, which in the opinion of the Harbour Master are un-seaworthy, will be directed to be removed from the Harbour.

6.0.6 Where a mooring is no longer required, it is passed to the Harbour Authority for allocation to the next person on the waiting list.

6.0.7 Mooring Allocations will take place annually, normally in January and February for the following financial year.

6.0.8 A mooring shall only be used to accommodate one boat unless previously agreed by the Harbour Master.

6.0.9 A notice to quit for breach of Licence will be given to any facility holder sub-letting their berths either on a long-term basis or on a weekly holiday letting.

6.0.10 Installation of Raft pontoons. Raft pontoons are prohibited on any swinging mooring without the written permission of the Harbour Master (SH15/10).

- 6.0.11 The cumulative effects of a proliferation of walk-ashore jetties or pontoons would represent a loss of foreshore within the Site of Special Scientific Interest (SSSI) and be detrimental to the appearance of the estuary within the Area of Outstanding natural Beauty (AONB). Even when located on private fundus, moored pontoons require a Mooring Licence which will not normally be granted if the pontoon is for private use. Applications for commercial pontoons and pontoons providing public access to the estuary will be assessed on their individual merits and environmental impact. However when and if the commercial activity (and/or the public access) cease the mooring licence will be withdrawn and the pontoon should be removed. In no cases will its use as a private mooring be permitted (SH 5/10).
- 6.0.13 The Harbour Master is authorised to approve discounted mooring rates for registered charities.
- 6.0.14 Boats owned by a syndicate need to have one member of the syndicate who has qualified, by being a SHDC Council Tax payer and reaching the top of the waiting list, for a mooring. If the mooring licence holder leaves the syndicate, another member of the syndicate has to have qualified by being a SHDC Council Tax payer and reaching the top of the waiting list for a mooring allocation if the mooring licence is to be renewed
- 6.0.15 Mooring Licences will not be transferred to purchasers of boats and/or mooring tackle from persons holding such licences. If such a berth is vacated by the holder of a licence not acquiring a suitable replacement boat or suitable replacement mooring tackle, then that berth will be reallocated in accordance with the appropriate waiting list.
- 6.0.16 A Harbour mooring Licence:
- a. is personal to the holder of such a licence and transfer is not permitted.
 - b. cannot be transferred to another or sub-let.
 - c. cannot be lent to another person.
 - d. In relation to private individuals is for the named vessel specified by its type and length on the application form completed by the holder of such a licence.
 - e. In relation to a business is for the maximum size of a vessel specified for that berth.
- 6.0.17 Where a mooring holder has held a mooring Licence for many years and a member of the family, who is a Council Tax payee in their own right, is likely to wish to continue on the death or incapacity of the mooring Licence holder they should join the appropriate waiting list to acquire a mooring in their own name. However, in the event of sudden death or very serious illness of a longstanding mooring holder where the immediate family wish to maintain their mooring Licence, the Harbour Authority will consider the issue of a Licence to a close family

member for an agreed period to enable alternative arrangements to be made.

6.0.18 In the event of a dispute over the allocation of a mooring, an ad hoc sub-committee to consist of any three members of the Harbour Board to resolve or determine any single (individual) case dispute in respect of berthing or mooring licences. Any such determination will be final and binding upon the parties (SH 26/10).

6.0.19 Private Mooring Licence

- a. Private Mooring Licence was the term used for individuals to lay and maintain their own tackle on the harbour leased fundus. These will now be termed Mooring Licence (for the laying of private tackle).
- b. Mooring Licences (for the laying of private tackle) are not permitted to be transferred to another individual. When relinquished, mooring licences, with the exception of licences for running moorings, will cease to exist and a Harbour Authority mooring will be established and allocated to the waiting list.

6.0.20 Length Overall (LOA) means the overall length of the space occupied by the boat including any fore and aft projections, temporary or permanent including pushpits, bowsprits, bumpkins, davits, tilted outboards, rudders etc.

6.0.21 It is mandatory for all owners to appoint an agent. This can be a friend or a professional, but they must have agreed to be the agent. AN agent is a locally based person who can act on the owners' behalf at such times that the owner is unavailable.

6.1 Overall number of moorings

6.1.1 A number of years ago the Harbour Board capped the numbers of moorings within the Estuary. This policy will be kept under constant review. It is acknowledged that Collapit Creek, Blanksmill Creek, Lower Frogmore Creek and Widegates are areas that will normally be kept free of moorings.

6.1.2 The Harbour Authority currently has the following mooring facilities:

Deep water swinging moorings	215
Deep water pontoon berths	60
Deep water visitor moorings	25
Deep water visitors' pontoon	25
Dentridge Commercial Pontoons	16
Foreshore Moorings	630
Pontoon Berths	
Victoria Quay	77
Shadycombe	64
Batson	254

Kingsbridge	49
Dinghy Storage	
Whitestrans	27
Batson	172
New Bridge	98
Kingsbridge	11

6.1.4 Many boatyards offer a “complete service” utilising Harbour Authority facilities but only two boatyards operate their own facilities within the Harbour, these are Winters, who have pontoon berths in Lincombe Bay and Yeowards who have moorings at Yalton, South Pool Creek.

6.2 Qualification Criteria and Allocation of Mooring Facilities

6.2.1 To qualify for the initial allocation of a mooring facility within the Salcombe and Kingsbridge Estuary customers will be ordinarily resident within the South Hams, proved by production of proof of payment of Council Tax to South Hams District Council. As all mooring facilities are re-allocated annually, after the initial allocation when customers will have to produce valid Council Tax for the South Hams and sign a declaration that they are ordinarily resident within the South Hams, customers who continue to comply with the mooring licence terms and conditions will have their mooring licence renewed.

- a. The Harbour Authority retains the right to request mooring licence holders to prove their residency of the South Hams by production of valid Council Tax in the facility holder’s name.
- b. Normally, for customers whose registered address is within the South Hams, the Harbour Authority will not require Council Tax documentation to be produced annually.
- c. Customers whose main address, to which correspondence is routinely posted is outside of the South Hams, will be required to produce a valid SHDC Council Tax Bill in the name of the facility holder annually to renew a mooring licence.

6.2.2 A private individual requiring a berth for a domestic or leisure purpose (as opposed to a business purpose) shall not be allocated more than one deep water berth, one foreshore pontoon berth and one foreshore berth whilst there is a waiting list (except at the discretion of the Harbour Master a deep water berth may be exchanged for a foreshore berth).

6.2.3 Moorings that were allocated prior to the requirement to be a resident of the South Hams (SH26/10).

- a. The requirement to be a resident of the South Hams for a mooring to be allocated has been a longstanding policy of the Harbour Authority. Records prior to the mid 1980s have been

lost therefore the requirement to be a resident of the South Hams is to be taken as having been introduced on 23 January 1985, when the policy was re-confirmed.

- b. Mooring holders who are not resident but who claim to have been allocated a mooring prior to the requirement to be a resident may apply to have their request to maintain annual renewal of their licence reviewed by the Board.
- c. If the Board (or sub-committee of the Board convened for that purpose) is satisfied both that the applicant was allocated a mooring prior to the requirement to be a resident of the South Hams and that all other requirements of the licence are met, their mooring will be renewed annually until 24 March 2028¹, or until they have found a suitable alternative mooring.

6.3 Waiting Lists

6.3.1 The Harbour Board's long-standing policy is (i) to grant moorings only to people who pay South Hams Council tax and (ii) to give priority in the allocation of moorings to customers who live most of the time within the South Hams. To achieve this the Harbour Authority has operated two waiting lists:

"A" Private individuals who are ordinarily resident within the South Hams; and

"B" Private individuals who are not ordinarily resident.

This is to differentiate between Harbour customers who live in the South Hams and others who, although they may be frequent visitors, do not live in South Hams all year around. Up until now only people who pay full Council tax have been admitted to the "A" list. Reduced Council tax for second home owners is likely to be ended within the five-year plan period, with the effect that all Council tax payers will then be paying full Council tax. This raises the question as to how, if "A" and "B" lists are to continue, eligibility for the "A" list should be defined.

Moorings are allocated to the "A" list in preference to the "B" list. "B" list applicants will transfer to the "A" list if and when their circumstances change and they become ordinarily resident in the South Hams. They will transfer with a qualification date of their original application.

People on the "B" list will be given priority for booking of visitor foreshore moorings. Bookings will be accepted from customers who are on the "B" list for a finite period before bookings are accepted from the general public.

6.3.2 A registration fee at current rates, which is refundable on mooring allocation, will be required for all mooring applications.

¹ [Expiry date of the current lease from the Duchy of Cornwall.](#)

6.3.3 In addition to the waiting list for initial allocation, the Harbour Authority also maintains a waiting list for current facility holders who would like to move berth, mooring or change to a different facility. These requests will normally be accommodated each year before facilities are allocated to the waiting list.

6.4 Annual Mooring Allocation Process

6.4.1 Under the terms of the Harbour Authority Lease from the Duchy of Cornwall licences to customers for harbour facilities may be for no more than one year. Consequently all moorings are re-allocated annually.

6.4.2 Providing customers continue to fulfil the mooring allocation criteria mooring re-allocation will be straightforward. Mooring holders who no longer fulfil the mooring allocation criteria, will lose their mooring and it will be re-allocated.

6.4.3 Mooring holders who fail to meet the allocation criteria because they have moved away from the South Hams, and are therefore no longer paying Council Tax to South Hams District Council, will normally be allowed a period of grace of two years to make alternative mooring arrangements, before the mooring is re-allocated.

6.4.4 The annual mooring allocation process will normally commence in October for the following year with the distribution of “retention” letters to current mooring holders.

6.4.5 Once the retention letters are returned, normally by the penultimate working Monday in December, the reallocation process can begin.

6.4.6 The first round of allocations is to the waiting list of current customers who have requested a mooring move.

6.4.7 The second round of allocations will be to customers from waiting list A. This process continues with offers until either all of the available moorings have been allocated or the A list has been satisfied.

6.4.8 The third round of allocations will be to customers from waiting list B.

6.4.9 The entire mooring allocation process should be complete by mid March.

6.4.10 Customers who indicate their desire to retain a facility and pay a retention fee will be contracted to pay for the facility. If they change their mind and 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; 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. The deposit payable for the retention of a Harbour facility will be £125 (in 2012). Council facilities managed by the Harbour Authority will require a deposit of £50 (in 2012).

6.5 Provision of Moorings for Visitors

- 6.5.1 Visitors' moorings are a significant element of the Harbour Authorities service to yachtsmen. The Harbour Authority provides a number of moorings, both pontoon berths and swinging moorings, for the use of visitors.
- 6.5.2 The water taxi and the provision of convenient and adequate visiting dinghy facilities on Normandy Pontoon complement the mooring facility for the crews of visiting yachts.
- 6.5.3 Visiting vessels are charged in 1 metre bands.
- 6.5.4 Vessels anchoring will be charged Harbour Dues.
- 6.5.5 To encourage visiting yachts to visit the Salcombe and Kingsbridge Estuary the Harbour Board will continue to offer a range of promotional offers and discounts, which will be authorised and reviewed annually.
- 6.5.6 Multi Hulled vessels. Where moorings are shared, the standard mooring charge should be made, but where a multi-hulled vessel requires an individual mooring, a surcharge of 100% may be levied.

6.6 Deep Water Moorings

- 6.6.1 Persons renting Harbour Authority moorings and arranging cruises for periods in excess of 12 months and under 2 years may be permitted to retain their moorings on payment of a fee equivalent to 50% of the full mooring charge, subject to the mooring holder signing an undertaking not to resume the use of the mooring until the expiry of the agreed period. If the mooring holder wishes to extend the absence beyond 2 years, this can be accommodated at the discretion of the Harbour Master and on payment of the full mooring fee. During the absence of the mooring holder the Harbour Authority reserves the right to let the mooring to visiting craft.
- 6.6.2 All deep-water moorings should be owned, maintained and controlled by the Harbour Authority.
- 6.6.3 The only exceptions to this policy for deep water moorings applies to the two longstanding arrangements with Winters Boat Yard and Yeowards Boat Yard which continue to manage a number of deep water mooring licences and one private individual.

- 6.6.4 The western half of The Bag is identified as the site for high-density berthing.
- 6.6.5 Deep water swinging moorings will be charged according to the length of the boat, with a minimum charge for the facility.
- 6.6.6 Deep water pontoon berths will be charged according to the maximum permitted length for which the facility is designed.

6.7 Foreshore Moorings

- 6.7.1 The Harbour Master is authorized to lift and impound any unauthorized mud mooring tackle.
- 6.7.2 Licensed moorings must confirm annually their compliance with the Harbour Authority's foreshore mooring tackle specifications detailed at Appendix 1.
- 6.7.3 Foreshore mooring facilities will be charged according to the maximum length of the boat which the facility can take.
- 6.7.4 Foreshore Mooring holders not using their mooring for a period of seven days or more are to inform the Harbour Authority. These moorings, where practicable, will be made available to visitors on weekly contracts. In the event of a mooring being re-let by the Harbour Authority, the mooring License holder will receive a rebate of their mooring fees. The level of rebate will be set and reviewed annually.

6.8 Foreshore Pontoon Berths

- 6.8.1 The Harbour Authority pontoon berths are generally for vessels up to 2 metres beam and 5.5 metres length overall. There are a small number of larger berths for vessels up to 2.3m beam. Customers requiring a larger berth should make their requirement clear on their waiting list application.
- 6.8.2 Pontoon berths at Batson, Victoria Quay and Kingsbridge will be allocated only to private vessels, owned by South Hams District council tax payers using their craft for their own purposes. Priority on Shadycombe Pontoon is given to business berths. Private berths given up on Shadycombe will normally transfer to business usage on re-allocation.
- 6.8.3 Pontoon facilities are rated to take up to a maximum size of vessel. Customers will be charged according to this maximum size rather than the length of boat they berth on the facility.
- 6.8.4 Mooring holders not using their pontoon berth for a period of seven days or more are to inform the Harbour Authority as detailed in 6.0.2. These pontoon berths, where practicable, will be made available to visitors on weekly contracts. In the event of a mooring being re-let by the Harbour Authority, the mooring License holder will receive a

rebate of their mooring fees. The level of rebate will be set and reviewed annually.

6.9 Salcombe Town Landings – Whitestrand and Normandy Pontoons

- 6.9.1 Following the redevelopment and improvements to the Salcombe Town Landings in 2011, the function of Whitestrand and Normandy Pontoons has changed.
- 6.9.2 From October to March Whitestrand Pontoon will be the Salcombe Town Landing. Between April and September Whitestrand Pontoon will be the commercial landing for all commercial vessels that have paid for a Whitestrand landing licence. Between 1900 and 0800 daily there will be two visitors' berths for vessels up to 11m. These berths can be booked in advance through the Harbour Office and will be charged at the normal visitor rates for the full 11m berth.
- 6.9.3 Whitestrand will continue to provide tender berthing for craft up to 4.25m. This service will be charged for in July and August when a courtesy launch and remote overflow parking facilities will be provided.
- 6.9.4 From October to March Normandy Pontoon will provide berthing for visiting yachts for up to 30 minutes. Between April and September Normandy Pontoon will be extended and provide two distinct functions. The Northern section will be the Town landing for picking up and setting down only, no unattended berthing. On the back of the Northern section Town Landing there will be berthing for craft of up to 5.5m for 2 hours in any 24 hour period. The southern section of the Normandy Pontoon will provide temporary berthing for visiting yachts for up to 30 minutes and tender berthing for visiting yachts.

6.10 Normandy Pontoon

- 6.10.1 Overnight berthing is generally not allowed on Normandy Pontoon. The southern end of Normandy Pontoon will be kept available overnight for the RNLi to berth casualty vessels. In exceptional circumstances the Harbour Master's permission may be given for longer berthing on Normandy Pontoon. Generally visiting yachts are limited to 30 minutes.
- 6.10.1 Double berthing on Normandy Pontoon is prohibited as it constrains the channel.

6.11 House Boat Moorings

- 6.11.1 The number of commercial houseboats will not exceed three. Whilst there shall be no increase allowed in the number of houseboats in Salcombe Harbour, replacements will be permitted subject to the design of replacements being first approved by the Harbour Board.

6.11.2 Permanent residence on houseboats is prohibited.

6.11.3 The charge for houseboats shall be twice the basic harbour due and moorings charge for the size of an equivalent vessel.

6.12 Fishing Boat Moorings

6.12.1 The total number of fishing vessels on deep water moorings shall not exceed 25.

6.12.2 Fishing vessel moorings will be charged at the standard annual rate.

6.12.3 Three months' notice will be required for new fishing vessels, excluding replacement vessels, requiring harbour moorings.

6.12.4 The Harbour Authority will give priority to recognised local commercial fishing vessels, providing the vessel is being used for fishing as a full time business activity, subject to availability of a suitable mooring.

6.12.5 If stern frames are fitted, the expense of any necessary reorganisation of mooring pattern will have to be borne by the vessel's owner; and the Harbour Board will give no guarantee that an appropriate re-arrangement of the mooring pattern will be possible for individual cases and certain vessels might be required to relinquish their existing berths.

6.12.6 The Harbour Authority will make a number of Store box moorings available in Castle Bay and Ditch End for allocation to Fishermen and Fish Merchants.

6.13 Commercial Moorings

6.13.1 Businesses requiring additional moorings, and new businesses requiring a facility to support that business will submit a written request with their justification for additional moorings to the Harbour Board by 30 November annually, for consideration during mooring allocations for the following season.

6.13.2 In assessing the reasonable needs of a marine business the Harbour Authority will consider all relevant factors. These may include but are not limited to:

- a. The number of moorings available for allocation and the overall % of moorings allocated to commercial activity;
- b. the number of moorings currently available to that business;
- c. the number of boats (licensed as pleasure boats) belonging to that business which are regularly hired out as part of a hire boat business;

- d. the number of boats owned by customers of that business for which a *bona fide* “complete service” is provided, viz the care and control of a customer’s boat throughout the year (except for short temporary periods when a customer removes their boat to sail personally), ensuring a customer’s boat is safely moored, during the winter, removing a customer’s boat from the harbour and arranging for winter storage, and carrying out all necessary repairs and maintenance to a customer’s boat. Any lesser service than this “complete service” will be disregarded by the Harbour Authority.
- e. The service the business is proposing to offer.

6.13.3 No single factor illustrated above shall outweigh the other factors. Any information supplied to the Harbour Authority under this paragraph will be treated as commercially confidential.

6.13.4 In relation to a marine business not providing the majority of services detailed above, e.g. a sailing school etc; similar factors will be considered by the Harbour Authority in determining the number of berths for that business.

6.13.5 Where the whole or part of a business is sold:

- a. If the whole business is sold, including the business name and goodwill, then the Harbour Authority will transfer the moorings to the new owners so long as there is no change of usage of the moorings. If the moorings are held on licence (private mooring tackle), the moorings will become Harbour Authority owned and maintained facilities.
- b. Where a recognisable or significant quantity of business assets have been sold this shall be reported “in confidence” by the present holder of a Moorings Licence (or Harbour Moorings License) to the Harbour Authority. In addition, where a recognisable or significant quantity of business assets have been purchased from an existing holder of a Mooring Licence or Harbour Moorings License) in the expectation of such licences being surrendered by the present holder to the Harbour Authority and the Harbour Authority granting new licences to the purchaser of those business assets , or on expiry of the present holder’s Moorings Licences, the Harbour Authority may in accordance with the policies contained herein adjust the number of licences allocated to the seller of those business assets, and may, at its discretion, grant an appropriate number of new licences to the buyer of those business assets.

6.13.6 Where, in the opinion of the Harbour Authority, a business no longer reasonably requires the renewal of the present number of berths allocated to it, then, on the expiry of those licences, the number of

berths may be reduced or not renewed. This will follow a period of consultation between the business and the Harbour Authority.

6.13.7 Harbour facilities used by businesses for commercial sub-letting purposes will be charged a 50% surcharge on the standard facility charge.

6.14 Laying up

6.14.1 No vessel shall be permitted to lay-up on its moorings for more than 2 years.

6.14.1 Laying up on the foreshore is not permitted without the written permission of the Harbour Master.

6.14.3 Vessels not in regular use and, in the professional opinion of the Harbour Master are un-seaworthy, will be directed to be removed from the harbour and the mooring will revert to the harbour Authority for re-allocation.

6.15 Insurance

6.15.1 All craft using the Estuary must be covered for third party liabilities. The level of third party liability will be reviewed annually by the Harbour Board and will invariably follow the current industry standard amount. Failure to maintain insurance cover will result in the withdrawal of mooring/launching facilities.

6.15.2 Customers will be required to sign to confirm that they have adequate insurance cover when renewing a mooring License and or when registering a boat.

6.15.3 The licensee shall, if requested, be obliged to produce evidence to Salcombe Harbour Authority of all such insurance within 2 days of being requested to do so. If the insurances have lapsed or been withdrawn or avoided, the Harbour Authority have the right to remove the boat from the berth and either to place it ashore on hard standing or to place it on a mooring or staging or other facility in the harbour or elsewhere. The costs of any such removal will be charged to the owner at normal commercial rates.

6.16 Disabled Access

6.16.1 There is a legal obligation on the Harbour Authority to provide disabled access to facilities wherever this is reasonably practical. The Harbour Authority has sought to meet these obligations for physically disabled access at:

Whitestrاند Pontoon Salcombe
Normandy Pontoon Salcombe

Batson Pontoon Salcombe
Kingsbridge Basin Pontoon, Kingsbridge

6.16.2 The Harbour Authority has no dedicated berthing arrangements for sailors with disabilities, however if a customer has a specific need or requirement the Harbour Authority will endeavour to make arrangements to meet the requirement.

6.17 Private Foreshore Mooring Licences

6.17.1 Private Foreshore Mooring Licences are private moorings established on foreshore which is privately owned within the statutory harbour limits. Prior to the granting of a Private Foreshore Mooring Licence, for which there is no charge, the Harbour Authority will consider the implications of the mooring on safe navigation and the pre-existence of any Harbour Authority Moorings or licences within the vicinity. Private Foreshore Mooring Licences will be recorded on the Harbour Records of Moorings and must be maintained in accordance with the mooring specifications in Appendix 1.

6.17 Crime Prevention Security

6.17.1 The Harbour Authority levies a security charge on all facility holders. This finances a Crime Prevention Security Contractor to augment the presence and patrolling outside of the hours covered by the Harbour Staff.

6.17.2 Free mooring facilities will be provided, and harbour dues be waived for vessels operating temporarily within the Harbour on behalf of Devon and Cornwall Constabulary and the Severn and Devon IFCA.

Foreshore Mooring Tackle Specification

FORESHORE MOORING AREAS	Max. length O/A 14 FT	Max length O/A 18ft	Max length O/A 22 ft	Max length O/A 28ft	Max length O/A 32 ft	Excess of 32 separately assessed
1. Ferry crossing – seawards at Salcombe	B	C	D or E	E or F	F	
2. Ferry crossing – inwards to Fishpond Corner – Snapes Point and Gullet Point	A or B	C	D	E	F	
3. South Pool and Waterhead creeks East of Gullet Point	A	B	D	E	F	
4. Batson and Shadycombe creeks north of Fishpond Corner	A	B	D	E	F	
5. East and West foreshores in “Bag” between Snapes point and Halwell Point	A or B	B or C	D	E	F	
6. Frogmore Creek East	A	B or C	D	E	F	
7. North of Charleton Point to High House Landing including Newbridge and Balcombe Creek	B	C	D or E	E or F	F	
8. North of High House Landing to New Quay pontoon, Kingsbridge	A	B or C	D	E	F	
9. North of New Quay Pontoon to include Kingsbridge Creek	A	B or C	D	E	F	

Where two specifications are quoted, then the heavier tackle specification should be used unless the boat is of light displacement for her length.

MOORING SPECIFICATION ‘A’

For use with a vessel up to a maximum length of 5.49 metres (18’) overall in a maximum expected depth of 4.5 metres (14’8”) in the areas set out in the mooring category plan.

- (i) 30 cms. (12”) diameter hand pick-up buoy with 13.64 kg. (30lb) buoyancy.
- (ii) 2 metres (6’6”) of non-floating rope.
- (iii) 3 metres (9’8”) of 10 mm (3/8”) chain.
- (iv) 1 x 10 mm (3/8”) swivel and shackles to fit.
- (v) 2 metres (6’6”) of 13 mm (1/2”) chain
- (vi) 1 x ¾ cwt block – suitably flat and reinforced, fitted with a 13 mm (1/2”) connecting eye.
- (vii) All shackles to be seized with galvanised wire. The block to be dug in below surface mud

MOORING SPECIFICATION 'B'

For use with a vessel up to a maximum length of 5.49 metres (18') overall in a maximum expected depth of 4.5 metres (14'8") in the areas set out in the mooring category plan.

- (i) 30 cms. (12") diameter hand pick-up buoy with 13.64 kg. (30lb) buoyancy
- (ii) 2 metres (6'6") non-floating rope.
- (iii) 2 metres (6'6") of 10 mm (3/8") chain
- (iv) 1 x 13 mm (1/2") swivel and shackles to fit.
- (v) 4 metres (13'1") of 13 mm (1/2") chain
- (vi) 1 x 1 1/4" cwt block – suitably flat and reinforced, fitted with a 13 mm (1/2") connecting eye.
- (vii) All shackles to be seized with galvanised wire. The block to be dug in below surface mud

MOORING SPECIFICATION 'C'

For use with a vessel up to a maximum length of 5.5 metres (18') overall in a maximum expected depth of 5.5 metres (18') in the areas set out in the mooring category plan.

- (i) 30 cm (12") diameter hand pick-up buoy with 13.64 kg (30lb) buoyancy
- (ii) 2 metres (6'6") of non-floating rope.
- (iii) 4 metres (13'1") of 10 mm (3/8") chain.
- (iv) 1 x 13 mm (1/2") swivel and shackles to fit
- (v) 4 metres (13'1") of 13 mm (1/2") chain.
- (vi) 1 x 1 1/4 cwt block – suitably flat and reinforced, fitted with a 13 mm (1/2") connecting eye
- (vii) All shackles to be seized with galvanised wire. The block to be dug in below surface mud

MOORING SPECIFICATION 'D'

For use in a vessel up to a maximum length of 6.71 metres (22') overall in a maximum expected depth of 5.5 metres (18') in the areas set out in the mooring category plan.

- (i) 30 cm. (12") diameter hand pick-up buoy with 13.64 kg. (30lb) buoyancy.
- (ii) 3 metres (9'8") of 8 mm (¼ ") non-floating rope
- (iii) 2 metres (6'6") of 8 mm (3/8") chain.
- (iv) 1 x 13 mm (½ ") swivel and shackles to fit.
- (v) 4 metres (13'1") of 13 mm (½ ") chain
- (vi) 2 metres (6'6") of 16 mm (5/8") chain
- (vii) 1 x 1 ¾ cwt block – suitably flat and reinforced, fitted with a 16 mm (5/8") connecting eye.
- (viii) All shackles to be seized with galvanised wire. The block to be dug in below surface mud

MOORING SPECIFICATION 'E'

For use with a vessel up to a maximum length of 8.53 metres (28') overall in a maximum expected depth of 5.5 metres (18') in the areas set out in the mooring category plan.

- (i) 1 x 120 cm (46") circumference mooring buoy
- (ii) Pick-up chain suitable to vessel concerned – minimum 10 mm (3/8")
- (iii) 1 x 16 mm (5/8") swivel and shackles to fit
- (iv) 6 metres (19'7") of 13 mm (½ ") chain
- (v) 2 metres (6'6") of 19 mm (¾ ") chain
- (vi) 1 x 2 ¼ cwt block – suitably flat and reinforced, fitted with a 19 mm (¾ ") connecting eye.
- (vii) All shackles to be seized with galvanised wire. The block to be dug in below surface mud

MOORING SPECIFICATION 'F'

For use with a vessel up to a maximum length of 9.75 metres (32') overall in a maximum expected depth of 5.5 metres (18') in the areas set out in the mooring category plan.

- (i) 1 x 120 cm. (46") circumference mooring buoy
- (ii) Pick-up chain suitable for vessel concerned – minimum 10 mm (3/8")
- (iii) 1 x 16 mm (5/8") swivel and shackles to fit.
- (iv) 6 metres (19'7") of 13 mm (½ ") chain
- (v) 3 metres (9'8") of 19 mm (¾ ") chain
- (vi) 1 x 3 cwt block – suitably flat and reinforced, fitted with a 19 mm (¾") connecting eye
- (vii) All shackles to be seized with galvanised wire. The block to be dug in below surface mud

MOORING SPECIFICATION KINGSBRIDGE QUAY

For use with a vessel up to a maximum length of 6.1 metres (20') overall in a maximum expected depth of 3.5 metres (11'5") in sheltered areas as set out in the mooring category plan.

- (i) 30 cms. (12") diameter hand pick-up buoy with 13.64 kg. (30lb) buoyancy. Properly marked with buoy reference number.
- (ii) 2 metres (6'6") of non-floating rope. (Only for floating buoy when vessel not in).
- (iii) 2 metres (6'6") of 10 mm (3/8") chain
- (iv) 2 metres (6'6") of 13 mm (1/2") chain
- (v) 1 x ¾ cwt block – suitably flat and reinforced, fitted with a 13 mm (½") connecting eye
- (vi) All shackles to be seized with galvanised wire. The block to be dug in below surface mud

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 specified² (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 March³ 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 Batson and Victoria Quay Pontoons 7 months, South Sands 5 months.

³ Batson and Victoria Quay Pontoons 1 April – 31 October, South Sands 1 May – 30 September.

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
- (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.
- (c) It is mandatory for all licensees to appoint an agent. An agent is a locally based person who can act on the licensee's behalf at such times that the owner is unavailable. This can be a friend or a professional, but they must have agreed to be the agent.

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) The licensee shall, if requested, be obliged to produce evidence to Salcombe Harbour Authority of all such insurance within 2 days of being requested to do so. If the insurances have lapsed or been withdrawn or avoided, the Harbour Authority have the right to remove the boat from the berth and either to place it ashore on hard standing or to place it on a mooring or staging or other facility in the harbour or elsewhere. The costs of any such removal will be charged to the owner at normal commercial rates.

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 £125 are contracted to pay for that facility. If the facility is returned to the harbour before 1 March the contract will be cancelled and the deposit lost. If the facility 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.

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 July 2011

SOUTH HAMS DISTRICT COUNCIL

BERTHING VESSELS within Salcombe Harbour and Kingsbridge Estuary

TERMS AND CONDITIONS of a MOORING LICENCE
(for laying private mooring tackle or pontoons
on the Council's fundus or foreshore)

16. Duration of Licence

The Licence will:-

(a) run for the maximum duration of 12 months (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;

(b) commence on 1 April and expire on 31 March of the following year ("the expiry date"), 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:-

- (v) the Council has sent to the licensee a retention form and request for a registration fee; and
- (vi) 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
- (vii) 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
- (viii) the balance of the licence fee demanded on the invoice is paid by the date demanded on the invoice,

then the mooring licence shall be deemed to run for a further 12 months period immediately following the expiry date; this being subject to the residency requirements of the Moorings' Policy.

17. Unless a mooring licence is renewed as mentioned in paragraph (b) above then it will expire on the expiry date of the 31 March of the relevant year.

18. Entitlement of Mooring Licence

Subject to the terms and conditions herein contained :-

- (a) to lay down mooring tackle or pontoons of the type and specification (if any) and in the position shown on the mooring contract or the invoice demanding the licence fee (the mooring facility”); and
- (b) to berth against the mooring facility either:-
 - (i) the vessel named on the printed mooring licence or the invoice demanding the licence fee; or
 - (ii) (if no particular vessel is named on the said licence or the said invoice) a vessel of the maximum length, beam, draught and type specified in the said licence or said invoice.

19. 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 issue such written notice. Should forfeiture occur then the whole of the licence fee shall be retained by the Council.

20. 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.

21. Removal of vessel from Mooring Facility

- (a) On the expiration or earlier determination of this licence the licensee shall remove the mooring facility from all those parts of Salcombe Harbour and the Kingsbridge Estuary within the freehold or leasehold ownership of the Council.
- (b) Should the licensee fail to comply with the obligation set out in 6 (a) then the Council may do so at the expense of the licensee.
- (c) Should the Council be put to the expense of removing the mooring facility in accordance with paragraph 6 (b) then the Council may at its discretion after the removal of the mooring facility sell the same (in complete or partial satisfaction of the expenses due to the Council under the said paragraph 6 (b)) or destroy the same.

22. Prohibition on Assignment/ Sub-letting etc

- (a) The mooring 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
 - (iii) MAY use the mooring facility to berth a customer's vessel, in order to provide a "complete service" to that customer;
 - (iv) 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.

23. Laying Down and Maintenance of the Mooring facility

- (a) Initially the mooring facility shall be laid down in a proper manner to the satisfaction of the Harbour Master.
- (b) Thereafter the mooring facility shall be maintained in a proper manner to the satisfaction of the Harbour Master.
- (c) Should the need for repairs or replacement of the mooring facility arise (over and above usual maintenance) howsoever such damage is caused, then such repairs or replacement (with a similar type of compatible mooring facility) shall be carried out without delay.

24. Own Risk and Indemnity

- (a) This licence only enables the licensee to berth against the mooring facility that vessel described on the Council's mooring 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 subject to the insurance provisions below.
- (c) It is mandatory for all licensees to appoint an agent. An agent is a locally based person who can act on the licensee's behalf at such times that the owner is unavailable. This can be a friend or a professional, but they must have agreed to be the agent.

25. 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) The licensee shall, if requested, be obliged to produce evidence to Salcombe Harbour Authority of all such insurance within 2 days of being requested to do so. If the insurances have lapsed or been withdrawn or avoided, the Harbour Authority have the right to remove the boat from the berth and either to place it ashore on hard standing or to place it on a mooring or staging or other facility in the harbour or elsewhere. The costs of any such removal will be charged to the owner at normal commercial rates.

26. 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.

27. 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.

28. 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.

29. 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.

30. 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.

16. 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.

17. 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.

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- (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 mooring licence.

19. 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 Sept 2010

AGENDA
ITEM

9

SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

9

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	26 March 2012
REPORT TITLE	STRATEGIC BUSINESS PLAN 2012 - 2017
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of report:

To review the final draft of the Strategic Business Plan 2012-2017 with a view to recommending to Council the adoption of the Plan.

Financial implications:

There are no direct financial implications from this report. However the Plan sets the financial strategy for the Harbour Authority for the period 2012-2017.

RECOMMENDATIONS:

That the Harbour Board RESOLVES to recommend to full Council to adopt the Salcombe Harbour Strategic Business Plan 2012-2017.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

- 1.1 The first edition of the Strategic Business Plan dated 2 August 2007 covered the period 2007 to 2011.
- 1.2 The second edition of the Strategic Business Plan 2012 to 2017 has been produced and is at Appendix 1. During the process to develop this plan there have been two rounds of consultation, the first with the harbour Community Forums and the second with the general public.

2. STRATEGIC BUSINESS PLAN 2012 - 2017

- 2.1 The Strategic Business Plan sets out the strategic aims of the Harbour Authority and its financial strategy. Each project will stand alone and be subject to the normal planning process, including consultation where appropriate.
- 2.2 It is proposed that the Harbour Board recommend the adoption of the Second Edition of the Strategic Business Plan to Full Council.

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).

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications from this report.

5. RISK MANAGEMENT

- 5.1 The risk management implications are:

Risk	Mitigation
The Harbour Authority is not delivering a satisfactory service to harbour users.	The Harbour Board, through its contact with harbour Community Forums will monitor the stakeholders' reaction to the service provided and amend the Strategic Business Plan to remain relevant.
The Harbour Board has insufficient resources to deliver the full extent of the strategic plan.	The strategic plan will prioritise projects and if necessary, consider alternative measures to fund projects.
The Harbour Board fails to comply with its statutory responsibilities.	Continuous monitoring and annual audit by an independent designated person will highlight potential issues early to enable corrective action to be taken.
The Harbour Board is accused of discrimination in its allocation of harbour facilities.	The Harbour Authority has a moorings allocation policy which is strictly adhered to and kept under constant review.

<p>Crime escalates within the estuary.</p>	<p>The Harbour Authority has an excellent working relationship with the Devon and Cornwall Constabulary, with regular liaison meetings to discuss crime trends. The harbour staff patrol the Estuary daily and are augmented by a contract security patrol, the role and effectiveness of this patrol is kept under constant review. The Kingsbridge Boat Club has established a Boat watch service which augments the Police and the harbour Security patrols.</p>
<p>Health and safety.</p>	<p>Harbour staff adheres to a training plan audited by the Harbour Board's Port Marine Safety Code independent advisor on a bi-annual basis.</p>
<p>Data Protection, disclosure of information and Freedom of Information (FOI).</p>	<p>Harbour records, including customer accounts are maintained within the office. Staff training is given to prevent any unauthorised disclosure. FOI forms are required before any information is given out.</p>
<p>Corporate activity with an impact on Areas of Outstanding Natural Beauty, National Parks, and Sites of Scientific Interest.</p>	<p>The Harbour Authority part fund the AONB Estuaries Officer who monitors all activity within the estuary to ensure the Harbour Authority fully respects the ANOB and SSSI status of the Estuary.</p>
<p>Financial Risks and Impact on Councils Assets</p>	<p>By monitoring performance in relation to the Strategic Objectives, the Harbour Board will be in a strong position to invest Harbour Funds where they can provide the best value for money and return on investment and safeguard the Harbour's future on behalf of the District Council.</p>

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Community Life Economy
Statutory powers:	Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
Considerations of equality and human rights:	None
Biodiversity considerations:	Biodiversity is an integral part of the SBP 2012-2017.
Sustainability considerations:	Sustainability is an integral part of the SBP 2012-2017.
Crime and disorder implications:	Crime prevention is an integral part of the SBP 2012-2017.
Background papers:	Strategic Business Plan 1st Edition dated 2 August 2007. SBP 2012-2017 Consultation Document. SBP 2012-2017 Consultation Feedback
Appendices attached:	1. Strategic Business Plan 2012-2017

Ian Gibson
Harbour Master

Salcombe Harbour Board
26 March 2012



South Hams
District Council

Improving the well-being of the people of the South Hams

South Hams District Council

Salcombe Harbour Authority

**Strategic Business Plan
2012-2017**

**2nd Edition
Final Version
26 March 2012**

Chairman's Introduction

This is the second five-year Strategic Business Plan compiled by the Salcombe Harbour Board since the Board's re-constitution following the Municipal Ports Review in 2006.

The first plan covering the period 2007 to 2011 was in hindsight incredibly ambitious but great progress has been made. The harbour's infrastructure is now in a much better condition than it was five years ago following an extensive replacement and refurbishment programme. A financially affordable and environmentally sustainable method of maintenance dredging has been successfully employed and we now have a maintenance dredging strategy for the future. The imbalance in the harbour's fees and charges structure has been addressed with visitors' charges being frozen since 2006. This, along with shoulder-season discounts and an improvement in the facilities offered to the crews of visiting yachts, has halted the decline in visitor numbers, which account for approximately one third of the harbour's annual income.

The Board believes that we are in a reasonably strong position to address the immediate challenges of the next five years during which we can look at the longer term strategy for managing the Harbour. Our challenge centres on providing 21st century facilities within the constraints of the AONB and SSSI, so not ostensibly changing the character of the estuary. This will be quite a task when neighbouring harbours offer walk-ashore facilities with water, electricity and readily available shore side hotel services. Facilities such as these are rapidly becoming the minimum expected by leisure boaters.

Our approach will focus on providing an excellent customer experience, whilst improving the infrastructure and access to facilities and utilities within the limitations already alluded to. This will require an innovative and sometimes radical approach to solving the difficult issue of facilities and utilities without a marina. Therefore, other than a continuation of the improvements to the mooring arrangements at Kingsbridge and easier access to facilities and utilities, this next five years is likely to be a period of consolidation during which we can build on Salcombe's reputation as a safe haven with a friendly welcome.

I would like to thank all the members of the Harbour Community Forums and the numerous harbour users who have engaged with the consultation process and helped to shape the strategy for the next five years. Access to and from the water was a common theme of the consultation feedback and will be an issue the Board will carefully consider within this plan.

Cllr John Carter
Chairman Salcombe Harbour Board
26 March 2012

The Harbour Authority and the Harbour Board

Salcombe Harbour, as a municipal port, is a strategic asset for the South Hams. Set in an Area of Outstanding Natural Beauty (AONB) and Site of Special Scientific Interest (SSSI) Salcombe is a unique harbour with a world renowned reputation as a sailing destination. As the Statutory Harbour Authority, South Hams District Council has constituted the Salcombe Harbour Board, which operates as a committee of the full Council. In recognition of the successful implementation of the Municipal Ports Review and its recommendations for best practice in decision making and accountability, strategy and business planning, and review of the performance and finance Salcombe Harbour was awarded Leading Lights status in 2008 by the Department for Transport, Department for Communities and Local Government and the British Ports Association.

The Harbour Authority discharges the roles and statutory duties which derive from the Harbour by the Pier and Harbour [Salcombe] Confirmation Act 1954. The 1954 Act is based on the Harbours, Docks and Piers Clauses Act 1847 which gives the Harbour Master certain statutory powers concerning the management of the Harbour. Additionally, the Harbours Act 1964 provides for the operation to be self-financing with the Authority able to fix its own rates in order to pay for any work to be done.

Salcombe is a Local Lighthouse Authority working under the guidance and direction of Trinity House. As such Trinity House inspect all local navigation marks and aids annually. Changes and improvements to the navigation aids and marks are discussed directly with Trinity House during these inspections.

The purpose of this document is to set out where Salcombe Harbour is today, and to understand how the harbour is used and how best to meet the requirements of the future. The plan reflects the Harbour Board's aim to provide first-class facilities for harbour users whilst not ostensibly changing the unique character of the Estuary. The plan has been developed in consultation with local stakeholders. It considers the future prospects of the harbour and how it will meet the requirements of stakeholders both now and in the future. The strategies detailed in this Strategic Business Plan will impact on both the local communities and harbour users alike and will be kept under constant review, with progress being reported in the Harbour Board's annual report.

Harbour Users

Salcombe Harbour, as a regional marine leisure destination, is a catalyst for marine and tourism based businesses throughout the District. The users of the estuary include the small but active Salcombe shell fishing fleet, the leisure boat owners who have a harbour mooring facility and the 6,500 yachtsmen who visit each year¹.

¹ 2011 figures.

The Harbour Authority is delighted with the proposed investment by South Hams District Council in the repair and redevelopment of the Fish Quay, which should safeguard the fishing industry within Salcombe for future generations.

The estuary also supports many non-boating activities. Commercial activities include scallop dredging², oyster farming and there is a wide range of recreational activities ranging from wildfowling and angling to rock pooling, swimming and snorkelling. The estuary has a particularly strong history of scientific study by the Plymouth based Marine Biological Association and is frequently used for educational visits and academic research by Plymouth University and the United Kingdom Hydrographic Office (UKHO). There is a good network of footpaths and bridleways including the nationally acclaimed South-West Coastal footpath which comes into the estuary for its vital ferry link.

It is important for the Harbour Authority to understand Estuary Users requirements so that their needs can be fulfilled both now and into the future.

The Nature of Salcombe Harbour

The harbour extends from the entrance, which is south of the famous bar, north between Salcombe and East Portlemouth, encompassing Batson, South Pool, Frogmore, Blanksmill, Collapit and Bowcombe Creeks to Kingsbridge at the head of the estuary, which is five miles from the open sea. In all, the estuary represents almost 2000 acres of tidal water from which 19 million M3 of water moves in and out on spring tides.

The Estuary has a rich and diverse natural and historic heritage which is located within an Area of Outstanding Natural Beauty (ANOB) and Site of Special Scientific Interest (SSSI). This has many benefits, including stunning scenery and white sandy beaches; however there are also a number of constraints which are designed to protect the delicate environment.

The estuary's distinctive historic landscape contains a variety of important archaeological features. As well as the many historic wrecks and hulks it is overlooked by military defensive sites, for example the 16th century artillery castle at Fort Charles, fortifications from the Civil War and the Napoleonic wars as well as the Second World War. The edge of the estuary demonstrates links to the industrial past, for example lime kilns near the water's edge. Archaeological evidence is also preserved within the sediments and at the edges of the estuary as palaeoenvironmental deposits.

With a 5.0 metre tidal range there are some extremely strong tidal streams at spring tides. This results in a large proportion of the harbour drying at low water including the Kingsbridge Basin and most of the creeks. This severely restricts access for boating but reveals a completely different environment with unique flora and fauna to be explored.

² December to March annually.

Salcombe is predominantly a leisure harbour with an active shell fishing fleet but there is no commercial trade. However the estuary does benefit from a number of internal ferries which operate to East Portlemouth, South Sands and Kingsbridge and an external ferry link to Dartmouth which was re-established in 2010. There are also boats which take visitors on harbour tours and fishing trips. Many people make their living from marine related businesses which include an array of boatyards and marine related service industries.

Good water quality within the Harbour is fundamental to the Harbour's continued success as both a fishing and a leisure harbour. Salcombe is one of very few harbours where you can bathe off a beautiful beach within the shelter of the harbour. The Harbour Board are fully committed to working with other agencies and harbour users to improve the quality of the water. In 2011 South Sands beach was awarded a Blue Flag and this is expected to be renewed in 2012.

Salcombe is a small boat harbour. There are some boats up to 14m, but the majority are small boats of less than 6m. This proliferation of small boats generates considerable congestion at the main landing points, particularly the Salcombe Town Landings at Whitestrand. The improvements planned for winter 2011/12 should help, but it will take some time for the harbour users to become familiar with the changes and for the Harbour Authority to get the best out of the new landings. The number and variety of boats using the estuary frequently bring different user requirements which have to be managed. This works best when harbour users acknowledge other users and work together to de-conflict their activities. Salcombe has an active dinghy sailing fraternity which hosts numerous regattas and events for a variety of class association including Salcombe Yawls, Merlin Rockets, National 12s, and Wanderers. The Harbour Authority has and will continue to work closely with the Salcombe Yacht Club, the Island Cruising Club, the Rowing Club and other groups of Harbour users through the Harbour Community Forums to ensure the continued success of the many regular annual events and where possible encourage new ones.

Despite there being a predominance of small boats within the harbour, Salcombe is not a suitable harbour for high speed water sports. The harbour has an 8 knot speed limit with a 6 knot zone through the main area of the harbour where the majority of the moorings are located. There are currently no plans to change this and the current bye laws will continue to be enforced. The Harbour Board policy is initially to educate, but persistent offenders will be prosecuted and may have their mooring contract cancelled.

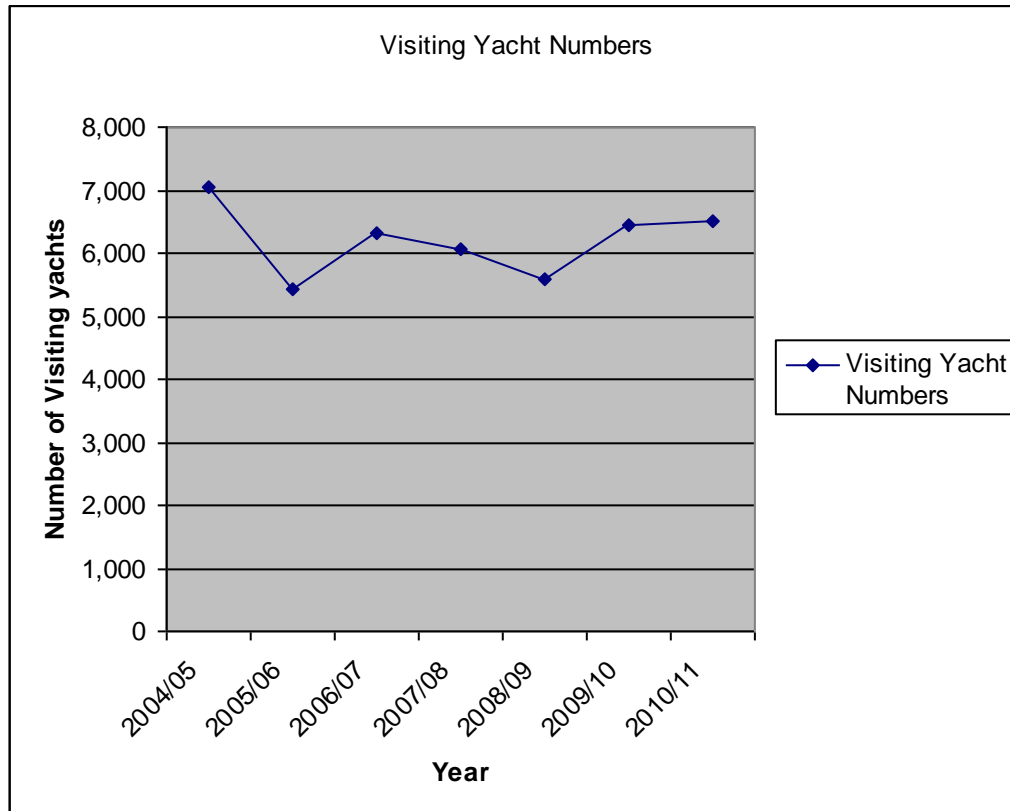
Because the Harbour is so busy in the high season, there is a continuing requirement for all harbour users to understand how others enjoy the estuary and endeavour not to interfere with them. Members of the Harbour Board regularly meet and work with the five Harbour Community Forums. Currently there are no plans for any formal zonation of the harbour, but all users need to work together to minimise conflicts of interest.

There is a sand bar at the harbour entrance which tidally constrains deep draft vessels entering the port. In south or south easterly winds, the bar can prevent entry or exit at all states of the tide and particularly during the ebb tide. The coastline either side of the entrance is savage with strong tidal streams and little shelter from the prevailing SW wind, Salcombe provides the only safe haven for small vessels between Plymouth and Dartmouth. This has resulted in the RNLI stationing two lifeboats at Salcombe, one a Tamar Class All Weather Lifeboat, the other an Atlantic Class Inshore Lifeboat. The Harbour Authority has an excellent working relationship with the RNLI and will aid the facilitation of this important rescue service whenever possible.

Although a very popular yachting destination, Salcombe's ability to accommodate large numbers of visitors is limited. Some improvement in facilities, coupled with a realistic approach to visiting craft charges with healthy discounts in the early and late season to match the level of services provided and staff cover, has helped reverse a worrying decline in visitor numbers experienced in 2005/06. There is potential for limited growth in the visitors sector, particularly outside of the main season, but this is currently constrained by the lack of facilities both afloat and ashore. Developing facilities ashore (showers etc) has proved difficult to date and will remain a high priority for future development. However plans are now in hand to provide showers in 2012.

Visitor Numbers:

2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
7,061	5,414	6,333	6,061	5,597	6,443	6,506



Moorings Policy

The Harbour Authority provides deep water swinging moorings, deep water high density moorings (not connected to shore), drying swinging moorings, drying pontoon berths (attached to shore) and drying berths in the Kingsbridge basin. Several local boatyards also provide a variety of moorings and pontoon berths, catering for customers who do not qualify for an allocation of a District Council facility. The provision of moorings as opposed to marina berths is expensive in manpower and maintenance, but has the advantage of leaving the foreshore unchanged and so maintaining the traditional character of the estuary. As pressures increase on harbour facilities, the policy of high density moorings in developed areas of the harbour will be continued: this will enable large areas of the Harbour to remain without moorings so ensuring that there are areas which are totally unspoilt by any form of development, providing a superb environment for wildlife.

The Board plans to review the Moorings Policy, most probably in 2012. This review is unlikely to change the core principle of allocating moorings to local residents, however if the Government changes the rules on Council Tax and removes the 10% discount for second homes, this would have implications for the waiting lists for moorings.

There is little scope to increase estuary usage from the current mooring stock. A number of years ago the Harbour Board capped the number of moorings in order to limit any further development and maintain the character of the estuary and there are no current plans to change this policy. This policy protects the harbour from over-development and also controls the level of boating activity during the peak summer months. There are waiting lists for most harbour facilities; however there has been a trend in recent years for the moorings at the head of the estuary to be less popular, with short or no waiting list in Frogmore and Kingsbridge. It is proposed to continue the improvements to the moorings at Kingsbridge during this plan period and to start considering some alternative and innovative options for Frogmore for the follow on plan 2018 -2022.

The Board clarified their position on private pontoons and landings in 2010. The Board takes the view that the cumulative effects of a proliferation of walk-ashore pontoons would represent a loss of foreshore within the SSSI and be detrimental to the appearance of the Estuary within the AONB. Even when located on private fundus, moored pontoons require a Mooring Licence which will not normally be granted if a pontoon is for private use. Applications for commercial pontoons and pontoons providing public access will be judged on their individual merits and environmental impact. Generally the Board are opposed to private pontoons and landings. The consultation process during the development of this Plan brought to the Board's attention requests for public landing pontoons at Ditch End and New Bridge and for a private pontoon at "The Moorings" Kingsbridge. At this stage the Board does not propose to support any additional pontoons, however the request for the public landing pontoons will be retained for future consideration, but beyond the scope of this current plan.

Support to the local shell fishing fleet will continue with preferential allocation of moorings for fishermen whose main occupation is fishing.

Maintenance Dredging

Over the past five years the Harbour Board has developed a financially affordable and environmentally sustainable strategy for maintenance dredging based on the Water Injection/Agitation methodology. Following the development of a silt deposition model for the entire estuary, it is possible to predict where dredge spoil will deposit. This, coupled with extensive pre- and post-dredge monitoring, has given the Harbour Authority, Natural England and the Environment Agency confidence in this form of dredging and that it has no negative environmental impact. As a result the Harbour Authority will conduct regular maintenance dredging of the Batson Creek to the Fish Quay public slipway and Batson Pontoons, as well as around the Kingsbridge basin. The Authority will also facilitate maintenance dredging of the access to Lincombe Boatyard. Dredging in any other part of the harbour is unlikely to be considered viable as this would be classed as Capital Dredging and require a full environmental impact assessment and disposal licences.

Marine Crime

Marine crime is an issue the Board takes very seriously. Levels of marine crime have been effectively controlled by a successful Boatwatch Scheme implemented and delivered by the members of the Kingsbridge Estuary Boat Club (KEBC) and the provision of a Night Security Patrol. The Board intends to work with the KEBC to support their initiative and to maintain a Night Security Patrol, paid for by a security levy on mooring holders. Working relationships have always been excellent with the Devon and Cornwall Police and are set to improve even further with the co-location of the Salcombe Police with the Harbour Authority in the Harbour Office at Whitestrand.

Harbour Board

The terms of reference of the Salcombe Harbour Board are to administer Salcombe Harbour in accordance with the 1954 Act, the recommendations of the Municipal Ports Review (2006 updated 2009) and the policy of the Council, and to advise the Council on riparian matters affecting the Harbour, subject to overall control of staffing and finance by the Council.

The Harbour board was re-constituted in October 2006 following the recommendations made by the DfT and DCLG in the Municipal Ports Review and has four District Councillors and six co-opted members, all of which have demonstrated their fitness for purpose and bring a range of appropriate skills to the Board. Board members³ are:

Councillor J Carter – Chairman
Mr C Harling – Vice-Chairman
Councillor – M Hicks
Councillor – S Wright
Councillor – K Wingate
Mr J Barrett
Mr T Bass
Mr H Marriage
Mr M O'Brien
Mr P Waring

To support the Harbour's governance arrangements and involve harbour users and community groups, five Harbour Community Forums have been established. They are:

The Salcombe Kingsbridge Estuary Association
The Salcombe Kingsbridge Estuary Conservation Forum
The Kingsbridge Estuary Boat Club
The Salcombe Shell Fishermen
The Kingsbridge and Salcombe Marine Business Forum

³ 2011

These Forums are linked to the Harbour Board within the Board's constitution and provide the mechanism for harbour related issues, proposed projects and other aspects being considered by the Harbour Board to be discussed as part of the formal consultation mechanism for the Harbour Board. The addition of the Kingsbridge and Salcombe Marine Business Forum is an exciting development which will provide the opportunity for the Marine Businesses to engage more closely with the Harbour Authority in the development of policies which directly and indirectly affect their livelihoods.

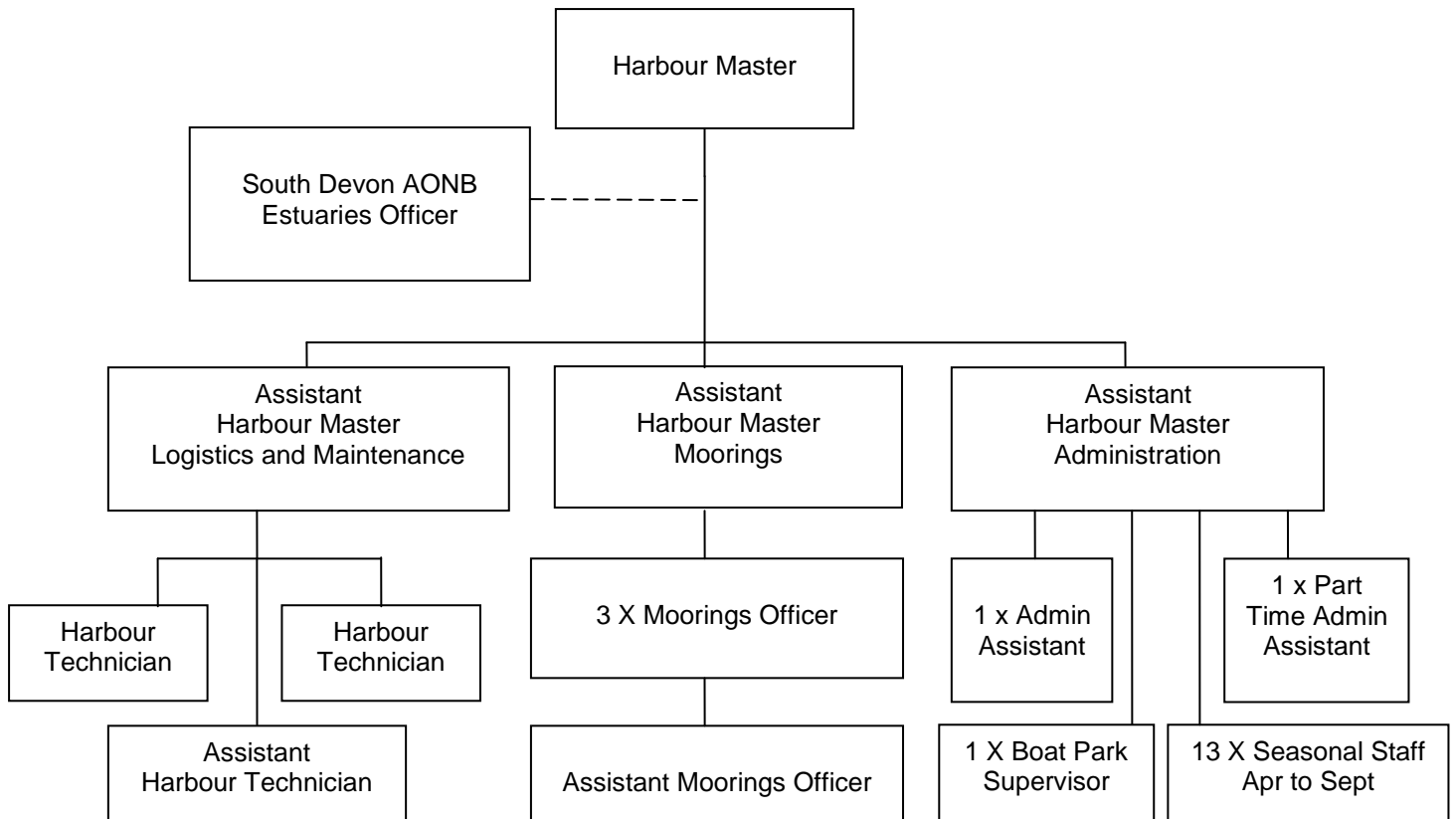
There is always the opportunity for further community groups to be added and recognised as time progresses.

Harbour Staff

The Harbour Team consists of 13 full time posts, organised into three sections; Administration, Logistics & Maintenance and Moorings. The permanent staff are augmented by up to a further 11 seasonal staff who contribute to the management of the harbour and boat parks throughout the busy summer season. Staff cost represent 37% of harbour total costs.

The Harbour is labour intensive because of the nature of the port, with moorings rather than marinas. This increases the annual maintenance and requires staff to be afloat to direct visitors and patrol the Estuary from the Bar to Kingsbridge. An efficient and comprehensive water taxi service is also provided throughout the year.

A comprehensive staff training programme is maintained to ensure the Harbour is compliant with the requirements of the Port Marine Safety Code.



Real Estate

South Hams District Council (SHDC) leases the fundus from the Duchy of Cornwall. The current lease runs until 2028.

SHDC owns property adjoining the harbour, like the slipways and quays at Kingsbridge and Bocombe and, in Salcombe, Jubilee Pier, the Fish Quay and Batson car park which is used for winter boat storage. Responsibility for these facilities does not fall to the Harbour Board and the harbour gets no revenue from these facilities, but they are managed for SHDC by the Harbour Staff. The Harbour Authority has an office at Whitestrand and a workshop in Island Street, which are rented from the District Council.

Infrastructure

The Harbour owns a range of marine infrastructure to deliver its service output, including:

- Whitestrand Pontoon – Salcombe town access
- Normandy Pontoon – Salcombe town access
- Victoria Quay – Small craft berths
- Shadycombe Pontoon - Small craft berths
- Batson Pontoon - Small craft berths and slipway activity
- Kingsbridge Pontoon - Small craft berths
- Visitors' Pontoon – Visitors' pontoon berths
- Residents' Pontoon – Residents pontoon berths

South Pool Pontoon – Small craft landing
Frogmore Pontoon – Small craft landing
Visitors' deep water mooring (24)
Residents' deep water moorings (267)
Residents' foreshore moorings (399)
Whitstrand remote pontoons (40m plastic)
Fireworks Pontoon

Plant

The Harbour operates a range of launches and mobile plant including:

Harbour Launches/workboats (3)
Harbour Yacht Taxis (2)
Harbour Patrol boats (4)
Mooring Maintenance Barge
Mobile crane
Fork Lift Truck
Slipway Hoist (on behalf of SHDC)
Boat scrubbing filtration system (on behalf of SHDC)
Waste collection re-cycling Pontoon (2)
Black Water reception facility

Harbour assets are valued at £671,229⁴.

What Harbour Users have told us – Public Consultation

This plan has been compiled with the assistance of and input from the Harbour Community Fora and a round of Public Consultation, for which the Board are extremely grateful.

Customer Satisfaction

The provision of a first-class service to residents and visitors has been one of the Harbour Board's objectives over the period of the previous five year plan. The measure of the Harbour's performance against this objective is customer satisfaction, which has been gauged by Customer Opinion Surveys.

Opinion Surveys

Opinion surveys of customers have been conducted, with similar questions to allow direct comparison, in 2008, 2009 and 2010. In 2008 and 2009 an opinion meter was positioned in the Harbour Office for customers to access whilst visiting the office. In 2010, as the opinion meter was no longer available, a paper questionnaire was incorporated into the Harbour Guide⁵.

2008	2009	2010
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⁴ April 2011.

⁵ 10,000 copies distributed.

Question			
Have you noticed any improvement in the service and facilities Salcombe Harbour offers to you?	56%	83%	57%
Do you use the water taxi?	46%	73%	57%
Have you made use of the water taxi discount tickets?	28%	40%	14%
Do you consider Salcombe to be a safe harbour?	75%	85%	100%
Has speeding and anti social behaviour from other harbour users adversely affected your enjoyment of the estuary?	54%	37%	28%
Are conservation issues important to you?	76%	83%	100%
Do you consider the Harbour Staff welcoming, friendly and helpful?	75%	83%	100%
Do you consider Salcombe Harbour offers Value for Money?	60%	75%	71%
Will you consider using the Harbour again in the future?	84%	90%	85%

Opinion surveys in the paper format utilised in 2010 were not well supported, a return was made to an electronic survey for 2011 onwards, utilising the District Council's new computer-based system.

Performance Targets

The Harbour Board endorsed the introduction of a set of local Performance Indicators in 2006 and to have them reported as a standing agenda item each quarter.

SH1	A visual check of all harbour owned and maintained facilities, landings, pontoons, mooring berths, navigational marks and beacons
SH2	Infrastructure defects
SH3	Launch serviceability
SH4	Major Plant un-serviceability (Crane, Barge, Fork lift truck & Van)
SH5	Slipways and steps Inspected and cleaned
SH6	Failure of navigation lights, marks and beacons
SH7	Estuary Patrols
SH8	Inspection and preventative maintenance moorings
SH9	Mooring failures
SH10	Re-allocation of mooring berths surrendered to Harbour Authority
SH11	Weather forecast to be posted at Whitestrand
SH20	Compliance with Port Marine Safety Code
SH21	Compliance with Merchant Shipping Act 1995 Section 198(1) Trinity House inspection of local aids to navigation.
SH22	H&S Incidents and accidents (Staff)
SH22A	H&S Incidents and accidents (Public)
SH23	Speeding Offences detected

SH24	Minor Collisions
SH30	Crime figures
SH31	Night Security Patrol
SH32	Permanent Staff Turnover
SH32A	Staff days Lost to unauthorised Absence
SH33	Customer Complaints
SH34	Income from visiting yachts
SH35	Visiting Yachts
SH36	Visiting Yacht Nights
SH37	Yacht Taxi – Passengers carried
SH40	Water Quality - Recorded number of pollution incidents
SH41	Guided Events
SH42	Litter Pick Up Events
SH43	Recycling of yacht refuse

The Performance Indicators are designed to keep the Harbour Board and the harbour users up-to date with how the harbour is performing and to attempt to identify trends in performance and availability of services to inform future decisions. This has worked well over the past five years enabling beneficial changes to be made to the equipment replacement programme, extending the life of many items and identifying areas which will need replacing in the future. Two large ticket items of concern for the medium to longer term are the mooring barge and the yard crane. The Mooring Barge is programmed for a refit every 5 years and the yard crane is currently programmed for replacement in 2015. This date has been moved forward several times and will be kept under constant review.

Salcombe SWOT Analysis

STRENGTHS	WEAKNESSES
Natural Harbour AONB; Sandy Beaches	At capacity in high season
Fit for purpose Harbour Board	Reputation
Statutory legislation ensures firm control	No public showers
Comprehensive byelaws	Limited walk ashore berthing
Dedicated, trained and experienced staff	Seasonality
Passionate local population	Limited opportunities for development
Support of SHDC	No commercial income
Diversity and richness of natural and historic environment	Reliance on water taxi
Green credentials	Boat park congestion and limited capacity
Closeness to France and the Channel Islands	
OPPORTUNITIES	THREATS
Changes in boating trends	Damage to reputation
Seasonality - Spare capacity outside of high season	Resistance to change
Yacht Club and owner association rallies	Seasonality – customers not having quality experience in high season, lack of facilities out of season
Importance of quality leisure opportunities	Perception of falling behind the competition
Loyalty to Salcombe, capturing the interest of the next generation	Increasing expectations from boating public
Green tourism	High fuel prices
Climate Change	Changes in boating trends
Water Taxi	Income affected adversely because of unallocated facilities
Boat park lifting and scrubbing facility	Climate change, summer storms, flooding of coastal fringe
Port of arrival from France and the Channel Islands.	Water quality
	Complacency

STEEP Analysis

Issues

SOCIAL	<ul style="list-style-type: none"> • Passionate local population • High percentage of second home owners • Perception that sailing is elitist • Maintaining a skilled workforce when cost of living is so high and salaries/wages so low • Lack of affordable housing, particularly for harbour employees • Intense spatial restrictions preventing improvement of facilities • Redevelopment of Salcombe Town Landings • Marine Crime • Antisocial behaviour
TECHNOLOGICAL	<ul style="list-style-type: none"> • High cost and limited life of marine infrastructure • Strategy of deep water moorings rather than marinas, this creates access to shore issues • Requirements of yachtsmen for services and utilities • Expectation of customers to be able to book and pay online
ECONOMIC	<ul style="list-style-type: none"> • Waiting list for most annual harbour facilities • Changes in boating trends • Decreased desirability of swinging moorings in creeks • No commercial trade • Seasonality of business • Small but active shell fishing fleet • Economic downturn • Constraint on growth of facilities • Ever increasing cost of operating harbour • Drive for value for money • Lease of fundus from Duchy of Cornwall to 2028 requires Harbour to be operated in an efficient and businesslike manner and develop facilities
ENVIRONMENTAL	<ul style="list-style-type: none"> • Harbour is within AONB and is an SSSI • Resistance to development • Requirement for regular maintenance dredging • Pollution from water treatment works, ageing sewer system and farm run off • Climate Change • Several areas of harbour immediate hinterland susceptible to flooding • Policy of DWM rather than marinas • Importance of Historic Environment
POLITICAL	<ul style="list-style-type: none"> • Municipal Harbour established by statute and governed by the harbour Authority through the Harbour Board • Harbour Authorities relationship with other Council

	<p>departments and the management of assets essential to the success of the harbour: Boat park, fish quay, workshops, Whitestrand car park, Harbour Office and Jubilee Pier.</p> <ul style="list-style-type: none"> • Policy of allocating harbour facilities to local people
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Actions

SOCIAL	<ul style="list-style-type: none"> • Encourage and interact with local community Forums • Conduct regular Customer surveys • Moorings Policy to address requirements of residents and second home owners • Maintenance of a pricing structure that does not disadvantage local residents • Support the Island Cruising Club • Consider discounted rates for charitable activities • Maintain a comprehensive staff training programme • Regular review of staff pay and conditions • Seek innovative solutions for the provision of shore based facilities. • Consider how best to inform public of changes to the operation of the Salcombe Town Landings • Continue policy of providing additional security from marine crime • Bye-law enforcement policy
TECHNOLOGICAL	<ul style="list-style-type: none"> • Replacement infrastructure should reduce maintenance load • Provide essential facilities within the strategy of moorings rather than marinas • Seek to improve access to facilities, particularly showers, and utilities • Continue to improve access from moorings to shore and from shore to estuary • Develop ability for on line payment of invoices • Requirement for efficient yacht taxi service.
ECONOMIC	<ul style="list-style-type: none"> • Keep Moorings Policy and facility pricing structure under constant review • Look for changes in boating trends and deliver appropriate and relevant services • Seek to provide walk ashore facilities for small boats in Kingsbridge, Frogmore and South Pool • Encourage dinghy open events • Continue to offer a range of discounts and incentives to visiting yachtsmen • Salcombe is essentially leisure harbour which supports a small but active shell fishing fleet. Should play to this strength and not actively seek commercial trade. • Active management of facilities and services during

	<p>high season</p> <ul style="list-style-type: none"> • Continue to provide out of season discounts to encourage visitors during shoulders of the main season • Consider an advertising campaign • Continue with programme of affordable improvements during economic downturn so that Harbour Authority is well placed to meet increased demand and customer expectations in the future • Seek opportunities for sustainable development within constraints of no additional moorings • Keep policies and procedures under constant review to ensure best value for money is achieved • Keep requirements of lease agreement in sharp focus, maintaining good working relationship with Duchy of Cornwall • Review harbour charges annually with the aim of delivering value for money • Consider charges for facilities with restricted tidal access.
ENVIRONMENTAL	<ul style="list-style-type: none"> • Harbour Authority to work closely with AONB Estuaries Officer and Natural England to protect and make best use of natural environment • Support the Estuary Management Plan • Seek to build on “green credentials” to conserve the estuary • Sustainability to be a key element of all project specifications • Work closely with stakeholder groups to identify discreet development opportunities • Increase public awareness of harbour environmental policy • Environmental offset integral part of future developments • Continue with strategy of water injection dredging supported by silt deposition prediction modelling in close liaison with Natural England • Work with AONB, South West Water, Natural England and Environment agency to improve water quality • Work with District Council and Environment agency to minimise affects of flooding • Work with Devon County Council Historic Environment Service, South Hams District Council Conservation Officers and English Heritage to protect and make best use of the historic environment. • Encourage Green Tourism
POLITICAL	<ul style="list-style-type: none"> • Follow DfT Guidelines for good governance and ports best practice • Regular review of Harbour Authority powers and bye-laws

	<ul style="list-style-type: none">• Contribute to the development and delivery of the Council's Master Plan for its Salcombe assets• Enforce the Moorings policy of allocating moorings to local people, residency being proven by Council Tax payment• Regularly review Moorings Policy• Following a number of radical changes to policy and harbour management a period of consolidation will help reinforce changes and allow operation of the harbour to settle
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These actions will form the basis of the Harbour Authorities Aims for the coming five year period.

Vision

The Board's vision is:

To retain and enhance the character of Salcombe and Kingsbridge Estuary whilst updating harbour facilities to meet the requirements and expectations of harbour users in the 21st century.

Mission Statement

The Board's Mission Statement is:

The Board is committed to running a safe, efficient and welcoming harbour that caters for the needs of harbour users and the environment.

Corporate Values/Core Principles

The core principles that underpin all the activities of the Harbour Authority are:

- Safety
- Stakeholder Involvement
- Value for Money
- Environmental Stewardship
- Support local employment

Aims

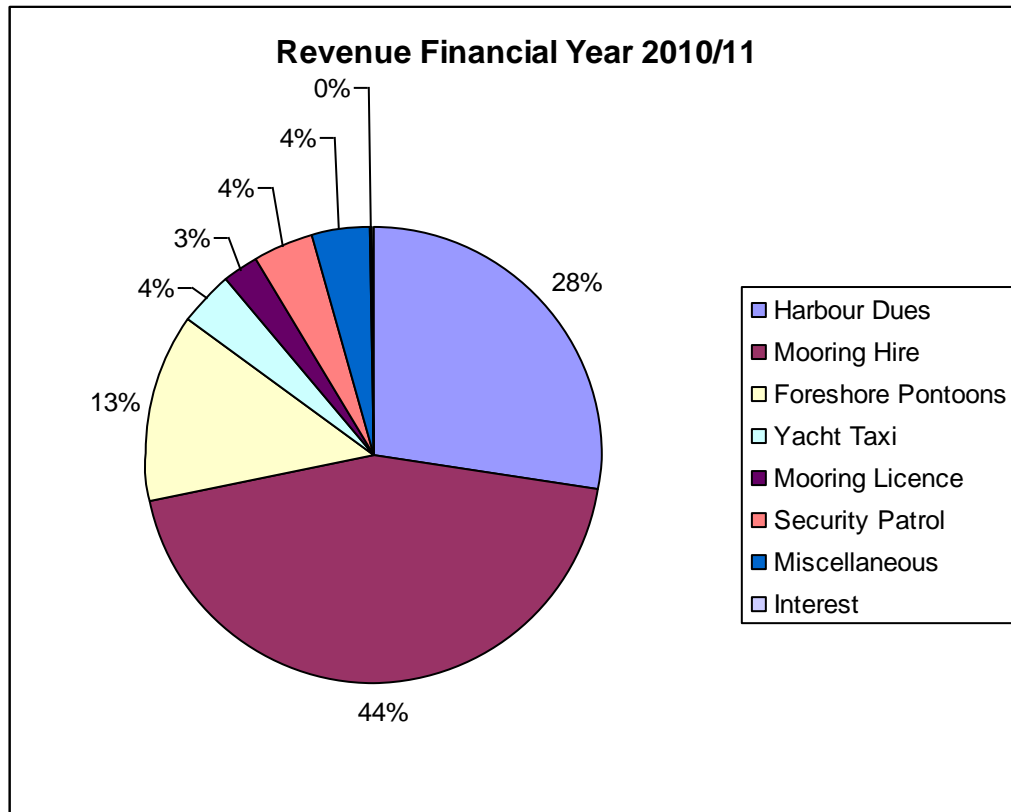
The Harbour Board has identified four Aims for the next five years. The Aims are expanded at the Annex with more detail of how the Harbour Board intend to progress towards their achievement. The Aims are:

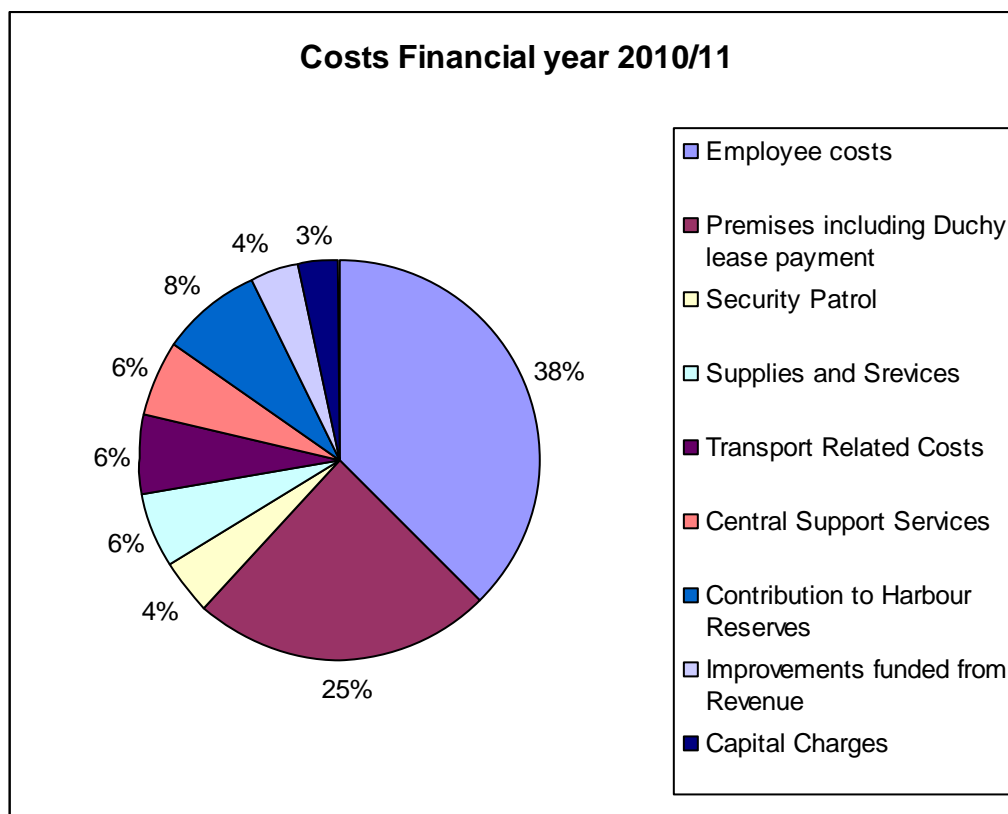
- To operate a safe harbour following the guidance in the Port Marine Safety Code
- The provision of a high level of customer service and satisfaction
- To maintain and develop the harbour infrastructure to meet the needs of harbour users and the environment
- Long term security of tenure

Future Funding Strategy

Revenue Budget

The Harbour Authority sets a balanced budget with the Harbour's finances effectively "ring fenced". Revenues raised by the harbour are spent operating and improving harbour services. The Harbour Authority makes an annual contribution to reserves to fund replacement of some capital items, the remainder being financed by capital borrowing from the District Council.





Harbour Reserves

The Harbour Authority operates three separate reserves; the General Reserve, the Renewals Reserve and the Pontoon Reserve. No regular contribution is made to the General Reserve as it is funded from any surplus generated in year. Alternatively any unforeseen over expenditure or shortfall in projected income will be balanced from the General Reserve. Historically this reserve has built up steadily over the year, which has provided a fund to contribute towards capital projects. Most recently, the General Reserve funded the maintenance dredging completed in February 2011.

No change in this strategy is proposed at this stage of the Strategic Planning Process. The Renewals Reserve is used to fund replacement plant and machinery and has been receiving a contribution of £26,000 each year. With the forecast renewals programme for the next five years this level of contribution should suffice. The Pontoon Reserve is used to fund, or part-fund, the pontoon replacement programme. The larger projects which require capital borrowing receive a contribution towards the project costs from this reserve. The contribution to the Pontoon reserve has been £45,000 per year, it is considered prudent to increase this by £5,000 to £50,000. The level of the harbour reserves at 31 March 2011 was:

Reserve	Balance at 31 March 2011
General Reserve	134,668
Pontoon Reserve	140,613
Renewals Reserve	122,841
Total	398,142

Forecast Reserve Expenditure and Capital Borrowing Requirements

	Pontoon Reserve	Capital Borrowing	Renewals Reserve
2012/13	0		11,000
2013/14	150,000	50,000 ⁶	12,000
2014/15	0		60,000
2015/16	65,000		102,000
2016/17	105,000		21,000

Projected Income and Expenditure showing projected annual % increase in prices to meet shortfall assuming capital projects are financed from reserves

Projected Income and Expenditure in £K to 2016/17						
	2012/13	2013/14	2014/15	2015/16	2016/17	RPI Used
	£	£	£	£	£	%
Employee Costs	345,000	355,400	366,100	377,100	388,400	3%
Capital Borrowing	30,000	35,100	35,100	35,100	35,100	0%
All Other Costs	488,900	508,500	528,800	550,000	572,000	4%
Total Revenue Expenditure	863,900	899,000	930,000	962,200	995,500	
Contribution to Reserves	71,000	76,000	76,000	76,000	76,000	
Total Expenditure	934,900	975,000	1,006,000	1,038,200	1,071,500	
Income Forecast	929,100	934,900	975,000	1,006,000	1,038,200	
Shortfall	5,800	40,100	31,000	32,200	33,300	
Income on which increase will apply	594,400	600,200	640,300	671,300	703,500	
Annual % increase	1%	6.7%	4.8%	4.8%	4.7%	

⁶ Improvements to berthing arrangements in Kingsbridge basin.

Financial Strategy

Because of the uncertain economic climate, it is particularly difficult to generate accurate cost predictions for even a relatively short time ahead, let alone a full five years. However, it is obviously necessary to do so for the purposes of laying out a five-year plan. The forecast costings in this plan should therefore be taken as indicative only at this stage.

Several assumptions have been made in the financial predictions above, these are:

- Business income will remain at historical levels (2005 to 2011)
- Inflation is $\geq 4\%$ throughout the period
- 0% increase in staff costs in 2012/13
- Public sector pay will be tightly controlled, for this model it has been set at 1% below inflation for FYs 2013 to 2016.
- The 2011/12 figures have been taken from the revenue budget for that year, the 1% increase was applied to annual and foreshore facilities, charges for visiting yachts were frozen.
- In FYs 2013 to 2016 the mean % annual increase in fees and charges is across all facilities, visitor and resident.
- The cost of capital is based on a 20-year loan from the District Council at the bank rate in 2011.
- If the rate of inflation is different from the 4% or the staff pay awards is different from the 1% below inflation 2013 to 2016, which this model is based on, changes to the annual % increase in harbour charges will be made during the annual budget setting process.

The financial strategy is based on the premise of fulfilling the actions outlined above and detailed in the Annex. The revenue budget will be set annually and will aim to work within the % increases outlined, but should the economic situation in the Country change and the assumptions are no longer valid, departure will be inevitable.

The policy of contributing regularly to reserves will continue, this will enable plant and machinery to be replaced and for pontoon projects to be funded, sometimes not completely and in these cases reserve funds will be topped up with capital borrowing.

Key Actions

The Harbour Boards vision is 'To retain and enhance the character of Salcombe and Kingsbridge Estuary whilst updating harbour facilities to meet the requirements and expectations of harbour users in the 21st century.'
The Harbour Authority's Aims and Objectives are detailed at Appendix 1.

Plan Review

Progress against the Aims and Objectives of the Five Year Plan will be reviewed annually and reported in the Annual Report. The next five year plan will be published in 2016.

1. To operate a safe harbour following the guidance in the Port Marine Safety Code		
1.1	Maintain Comprehensive Staff Training Programme	Ongoing
1.2	Review staff structure pay and conditions	Annually
1.3	Follow DfT Guidelines for Good Governance and Ports best Practice.	Ongoing
1.4	Review Harbour Authority powers and bye-laws	Annually
1.5	Audit of PMSC compliance by designated person	Annually
1.6	Inspection of navigation lights and marks by Trinity House	Annually
1.7	Review all navigation marks and beacons	Annually
1.8	Conduct regular maintenance dredging of Batson Creek to the fish quay and public slipway, Kingsbridge Basin and the access to Winters Boatyard at Lincombe.	2015/16
1.9	Comply with the UKHOs' Code of Practice for the provision of Hydrographic information.	Ongoing

2. The provision of a high level of customer service and satisfaction		
2.1	Harbour Board meet a minimum of six times each year	Annually
2.2	Develop dialogue with harbour Community Forums	<ul style="list-style-type: none"> • Ongoing • Each Community Forum has an Allocated Board Member for Board Liaison
2.3	Develop public information strategy	<ul style="list-style-type: none"> • Harbour Guide • Web site • Newsletter • Annual Report • South Hams Magazine • Press releases • Local Notices To Mariners • District Council Board Members attend Town and Parish Council Meetings • Board working group consider public information message • Twitter • Facebook
2.4	Conduct Customer Satisfaction Survey	Annually

2.5	Review Moorings Policy	<ul style="list-style-type: none"> • 2012 • Continue Policy of allocating moorings to Residents of South Hams • Active management of public landings especially in high season • Seek opportunities for sustainable development within the constraints of no additional moorings
2.6	Review Fees and Charges	Annually
2.7	Support the District Council's plans to re-develop the Salcombe Fish Quay	<ul style="list-style-type: none"> • Support during project delivery • Support with management of the asset • Optimise access to water through Boat park and slipway
2.8	Review operation of yacht taxi service	2014
2.9	Develop e-payment and on line services	Ongoing
2.10	Benchmark Port Activities through membership of British Ports Association, UK Harbour Master's Association and South West Regional Ports.	Ongoing
2.11	To reduce marine crime.	<ul style="list-style-type: none"> • Maintain Security Patrol • Support KEBC Boat watch scheme • Work closely with Devon and Cornwall Police

3. To maintain the harbour infrastructure to meet the needs of harbour users and the environment		
3.1	Provide essential facilities within the policy of moorings rather than marinas	Policy ongoing
3.2	Seek to improve access to facilities and utilities	<ul style="list-style-type: none"> • Fresh Water • Power • Showers • Waste disposal • Black water disposal • Public landings • On line payments • Fuel • WiFi
3.3	Replace Normandy Bridge	2013/14
3.4	Replace Victoria Quay Pontoons	2015/16
3.5	Replace Shadycombe Pontoons	2016/17
3.6	Replace Dentridge Commercial Pontoons	2016/17
3.7	Seek to provide improvements to berthing arrangements at Kingsbridge	<ul style="list-style-type: none"> • Variety of options exist for resident berths • Increase capacity of visitor berthing • Consider viability of Ferry Steps

3.8	Consider future berthing arrangements in Frogmore and Southpool Creeks	Consultation only during period of this plan
3.9	Work alongside SHDC in the management of the Council's waterfront assets.	<ul style="list-style-type: none"> • Slipways • Landings • Piers • Sea walls
3.10	Harbour Authority continues to fund the South Devon AONB Estuaries Officer	Ongoing
3.11	Support The Estuary Environmental Action Plan	Water quality issues
3.12	Support the Phosphate Free Salcombe	Financial commitment 2011 to 2014
3.13	Investigate viability of a VHF re-bro station within Estuary	2014
3.14	Support the District Council's embryonic Master Plan for its assets within Salcombe.	<ul style="list-style-type: none"> • Phase 1 – Redevelopment of the Salcombe Fish Quay • Subsequent Phases <ul style="list-style-type: none"> • Provision of Industrial Units at Batson • Re-location of the Harbour Workshop • Improvements to public open space at Whitestrand.

4. Long term security of tenure		
4.1	Consider future boating trends and provide suitable and appropriate facilities and services	Annual Harbour Board Workshop
4.2	Keep requirements of lease agreement in sharp focus, maintaining good working relationship with Duchy of Cornwall	Ongoing
4.3	Ensure Harbour Business Users have access to the facilities they require, within the constraints of the harbour's capabilities and limitations.	Ongoing
4.4	Identify all foreshore encroachments with Duchy Staff	Ongoing
4.5	Work with Duchy and IFCA to resolve fishing licensing issues	Ongoing

AGENDA
ITEM

10

SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

10

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	26 March 2012
REPORT TITLE	TOPICAL HARBOUR ISSUES
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of Report

To consider a range of topical harbour issues which do not warrant a separate report in their own right.

RECOMMENDATION

That the Harbour Board RESOLVES to note the report.

1. BACKGROUND

- 1.1 As the season approaches, there are a range of issues which the Board and the Public should be aware of.

2. TOPICAL HARBOUR ISSUES

2.1 Showers.

- 2.1.1 The District Council approved the planning application in January 2012 for two shower facilities at Whitestrand, built onto the existing toilet block. A drawing of the proposed showers is at Appendix 1.
- 2.1.2 The project has unfortunately had to be slipped by 9 months and is now scheduled to start in November and complete by Christmas 2012.
- 2.1.3 The cost of this project, now that it will not be completed in house, will not be known until after the tender process.

2.2 Salcombe Town Landings

- 2.2.1 The project was completed on time and to budget by WALCON. Having completed the project the Normandy extension has been removed until the beginning of April when it will be returned.

2.2.2 Between April and September the re-developed Town landings will function as detailed at Appendix 2. In summary Whitestrand will be the commercial landing with two 11m berths for boats between 1900 and 0800 daily. The back of Whitestrand will continue to provide berthing for tenders up to 4.2m. Normandy will be the Town Landing with berthing for boats up to 5.5m on the back. The new extension will provide the facilities for visiting yachts to berth for 30 minutes and for their tenders. During the winter months the function of the town landings will revert to how it has historically been.

2.3 Information Strategy - Twitter

2.3.1 The harbour now has a twitter account. The intention is for twitter to form a part of the harbour's information strategy, being used to keep interested customers up to date with changes and developments within the Harbour.

2.3.2 Customers and interested individuals can follow the Harbour [@Salcombeharbour](#).

2.4 Fish Quay Re-development

2.4.1 The District Council's project to repair and develop the Fish Quay is moving forward as planned. Planning permission has been granted and matched funding has been secured from the European Fisheries Fund.

2.4.2 The next steps are Site Investigations, which will take place in April, thereafter there will be a tender process with a view to starting the construction work in October 2012 with a completion date of April 2013.

2.4.3 Assuming all goes to plan there will be some disruption to normal access and services over the winter of 2012/13. With careful planning and some compromise from Fish Quay, Boat Park and Car Park users' disruption should be minimised.

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.

4.2 The cost of the shower project is currently unknown; this project will be funded from the General reserve.

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:	Community Life Economy Environment
Statutory powers	The Pier & Harbour (Salcombe) Order Act 1954
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 2nd Edition dated 26 March 2012.
Appendices attached:	1. Plans for showers at Whitestrand 2. Salcombe Town Landing Arrangements

Ian Gibson
Harbour Master

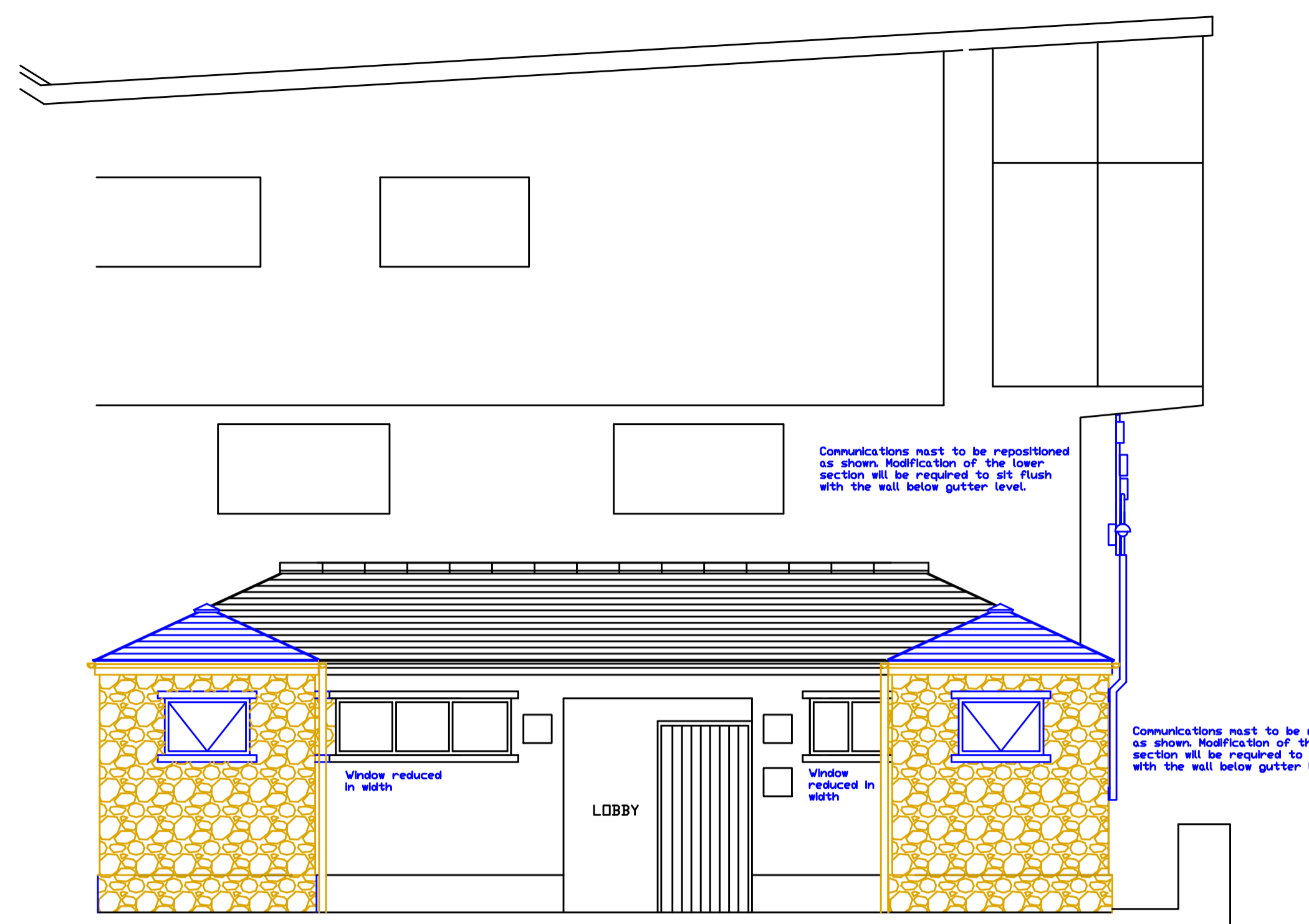
Salcombe Harbour Board
26 March 2012

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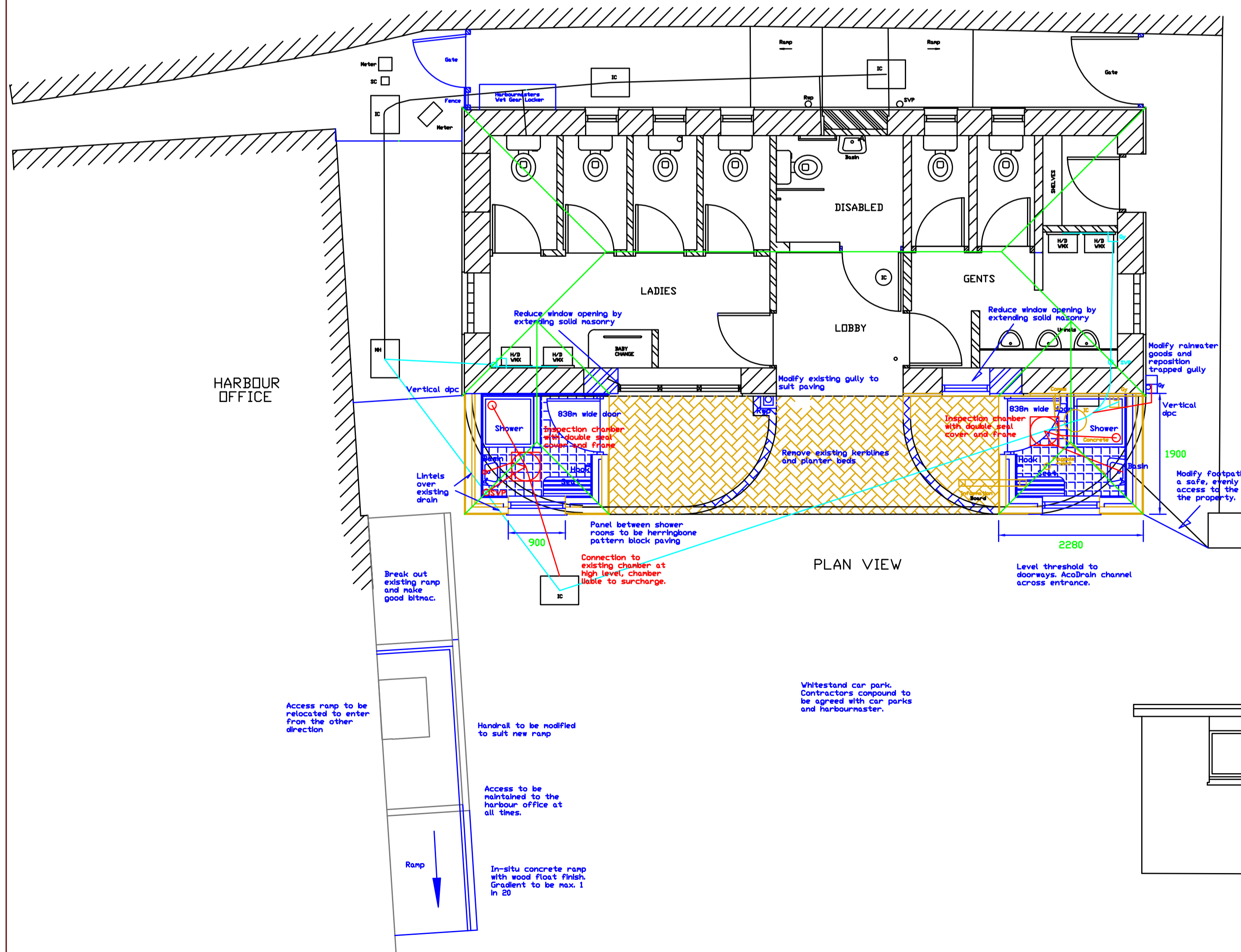
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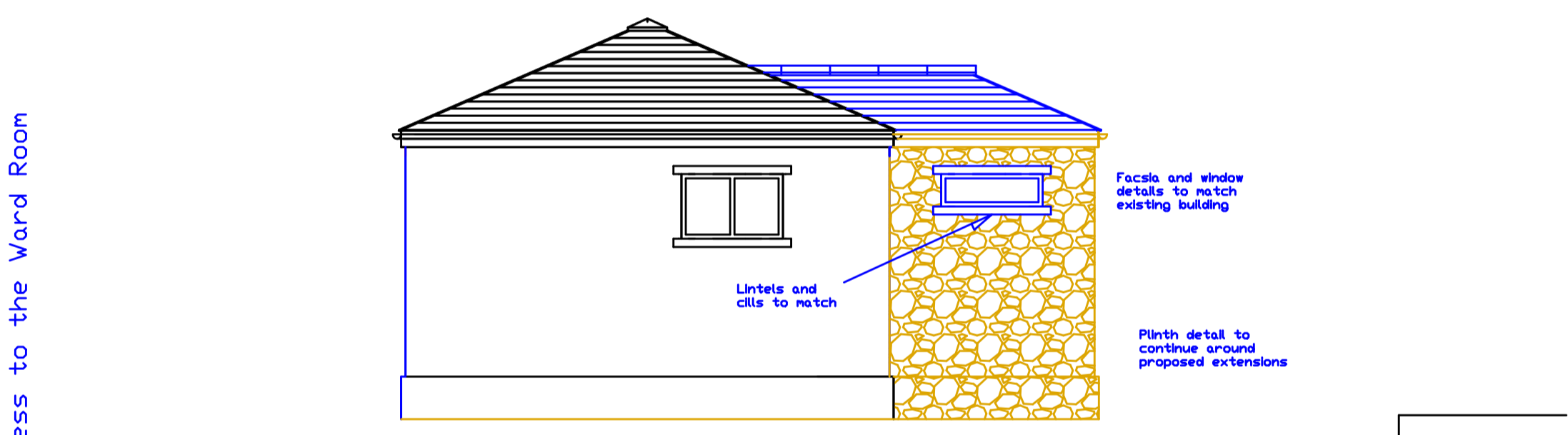
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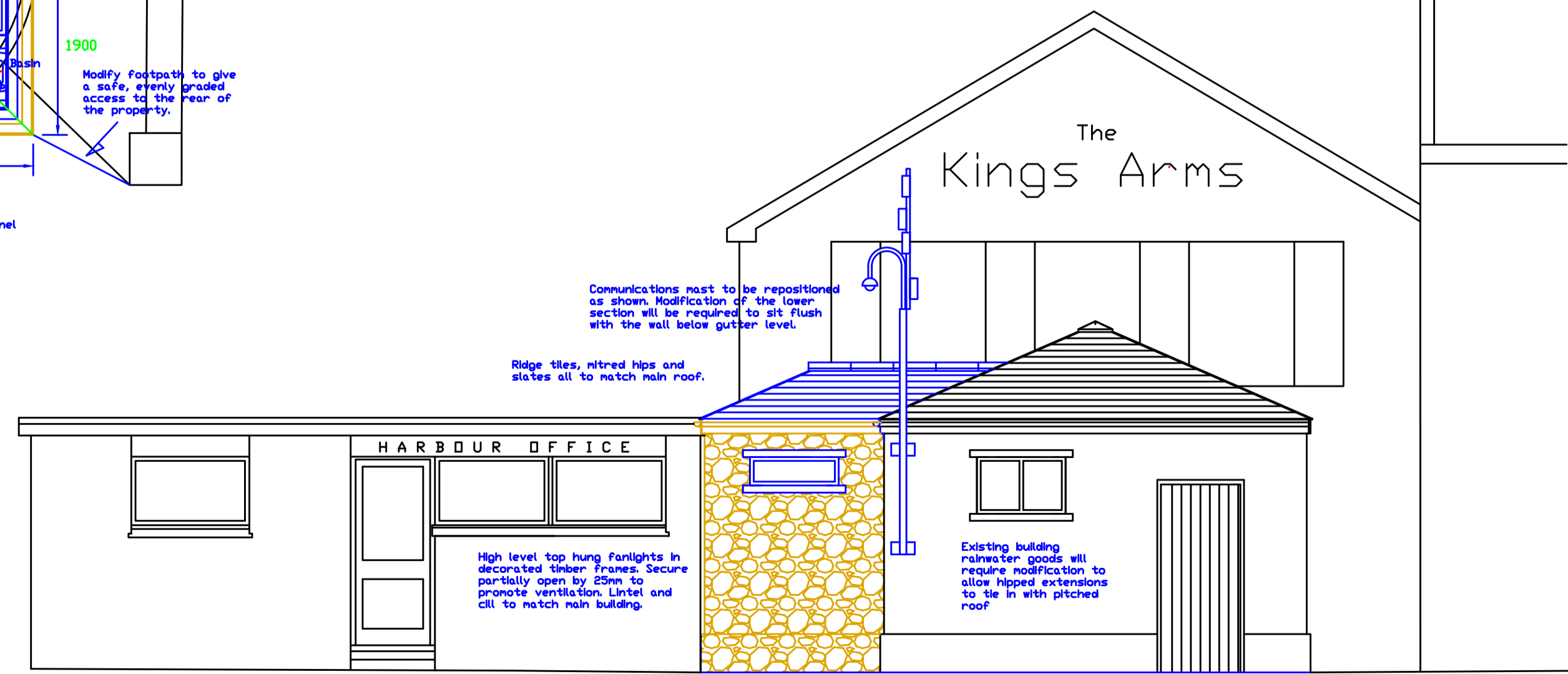
PROPOSED FRONT



PLAN VIEW



WEST



EAST

REVISIONS:

Issue	Date	Subject
A	24/1/11	Flat roof deleted. Hipped slate roofs added. Natural stone externally.

Project: Proposed Shower Facilities, Whitestrand Toilets Salcombe

Title: Plans and Elevations

SOUTH HAMS DISTRICT COUNCIL
 FOLLATON HOUSE, PLYMOUTH ROAD
 TOTNES, DEVON, TQ9 5NE
 South Hams District Council
 Tel: (01803) 861234 Fax: (01803) 866151

Katherine Cassar BSc (Hons) MRICS
 Head of Assets

Scale: 1:50
 Date: 19/10/2011
 Drawn: P Taper
 Checked:

Drwg. No. 41/104 -1
 Issue A

New arrangements for Salcombe Town Landings

April - September

Tenders & small boat mooring
(under 4.2m)
Charges will be made in July or August

- Whitestrand Pontoon**
Commercial landing for:
- Yacht taxi
 - ICC courtesy launch
 - South Sands ferry
 - Estuary cruises & trips
 - Fishing trips
 - Hire boats
 - Overnight berthing by arrangement

Whitestrand Overflow Pontoon
July and August
(under 4.2m)

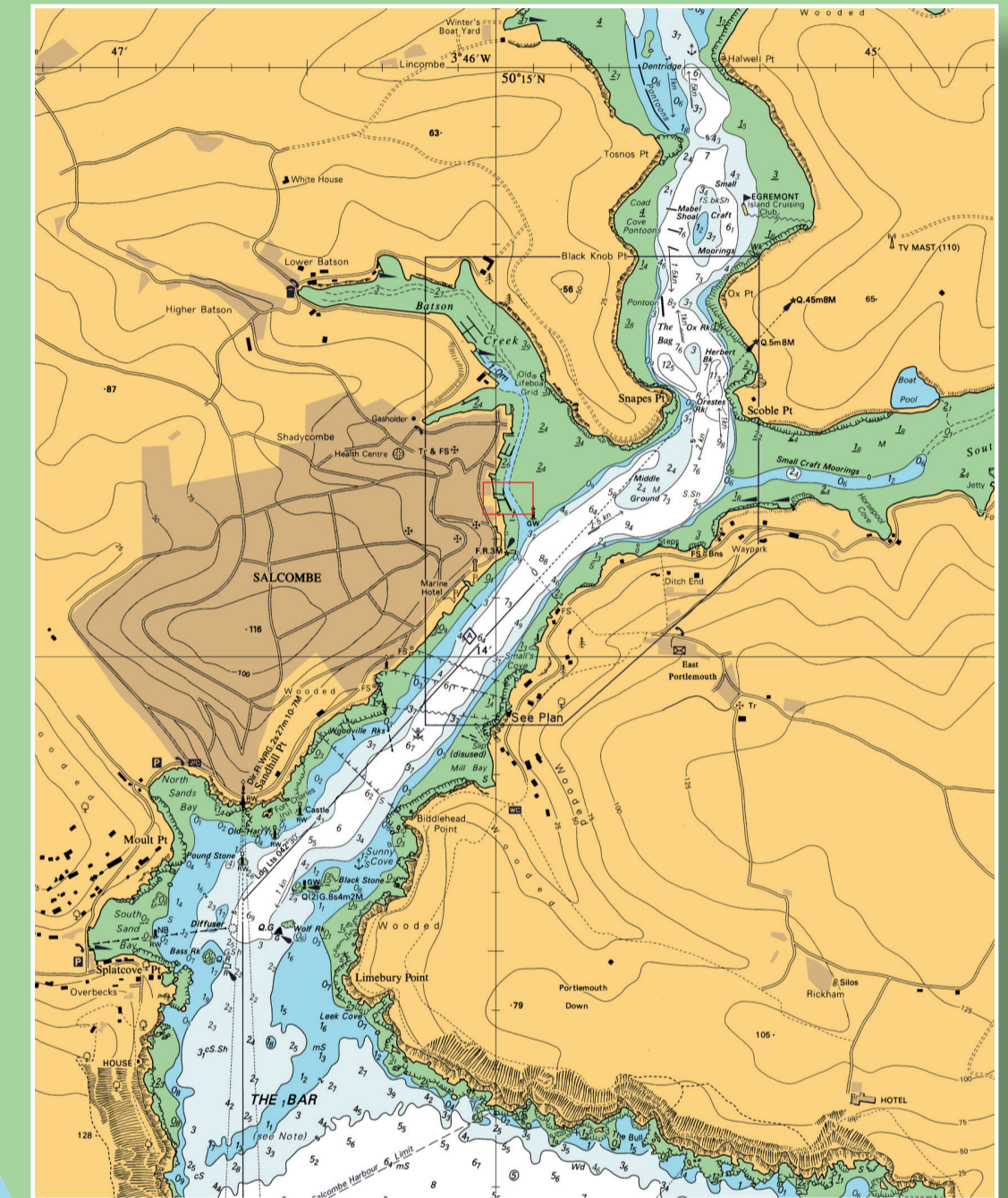
Normandy Pontoon
Town landing for pick-up and drop-off only.
No Berthing.

Short stay finger berths
5.5m max up to 2hrs in any 24.
No overnight berthing

Visiting yacht tenders
up to 3.5m

Normandy Pontoon
Visiting Yachts.
30 minutes max.

Refuse Pontoon
General waste.
Recycling point for:



Harbour Office

Whitestrand Car park



Public Slipway

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AGENDA
ITEM

AGENDA
ITEM

SOUTH HAMS DISTRICT COUNCIL

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	26 March 2012
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 note the report.

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:

- 28 May 2012
- 9 July 2012
- 24 September 2012

2.3 Performance Management

2.3.1 Reviewed quarterly with the report for the 4th quarter of financial year 2011/12 being presented on 28 May 2012.

2.4 Year End Budget Report 2011/12

2.4.1 To be presented to the Board on 9 July 2012.

2.5 Harbour Annual Inspection

2.5.1 To take place on the morning of 9 July 2012.

2.6 Moorings Policy

2.6.1 The Moorings Policy was last reviewed in 2007 and is under review in 2012.

2.6.2 A working group was formed at the Board meeting on 7 November consisting of:

Cllr Carter
Cllr Wright
Mr Harling
Mr Marriage
Mr Barrett

2.6.3 The working group meet on 21 February and prepared the draft Moorings Policy document for the first round of consultation with the Harbour Community Forums.

2.6.4 The target date for the finalisation of the Moorings Policy review is 24 September 2012.

2.7 Compliance with the Port Marine Safety Code

2.7.1 The Harbour is audited bi-annually by the designated person. A report of the Audit forms part of the agenda of this meeting.

2.7.2 The next interim inspection will be during July 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:	Community Life Economy Environment
Statutory powers	The Pier & Harbour (Salcombe) Order Act 1954
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 2nd Edition dated 26 March 2012. Constitution of the Salcombe Harbour Board (as adopted by Council on 25 June 2009)
Appendices attached:	

Ian Gibson
Harbour Master

Salcombe Harbour Board
26 March 2012

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**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD
HELD AT CLIFF HOUSE, SALCOMBE ON MONDAY, 26 MARCH 2012**

Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr R J Carter (Chairman)	*	Mr J Barrett
*	Cllr M J Hicks	*	Mr T Bass
*	Cllr K R H Wingate	*	Dr C C Harling (Vice Chairman)
*	Cllr S A E Wright	*	Mr H Marriage
		∅	Mr M O'Brien
∅	Cllr P W Hitchins (Lead Executive Member)	*	Mr P Waring

Item No	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Salcombe Harbour Master and Member Services Manager

SH.56/11 MINUTES

The minutes of the meeting of the Salcombe Harbour Board held on 30 January 2012 were confirmed as a correct record and signed by the Chairman.

SH.57/11 URGENT BUSINESS

The Chairman advised that there were two items of urgent business which he had agreed could be raised at this meeting.

Firstly, the Harbour Master advised the Board that the Dart Steam Railway & River Boat Company would not be operating the Rivermaid service for the following season.

Secondly, the Harbour Master advised that he had received an approach from the Island Street Bar to request a pontoon at the back of their premises. The Harbour Master would progress discussions if the Board gave a steer that the application could be considered. Following a brief discussion, during which the Board Members confirmed that they were generally supportive as this pontoon was for public use and would encourage business, the Harbour Master was asked to continue with the appropriate discussions.

SH.58/11 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, and the following was made:

Cllr S A E Wright, Dr K Harling, Mr J Barratt and Mr P Waring all declared a personal interest in item 8 Moorings Policy (minute SHB.61/11 refers) by virtue of having moorings. They all stayed in the meeting and took part in the debate and vote thereon.

SH.59/11 **PUBLIC QUESTION TIME**

A Member of the public was in attendance, and wished to utilise the Public Question Time session.

Mr John Binns thanked the Harbour Master for taking time to attend the recent meeting of the Kingsbridge Estuary Boat Club where he briefed the Club on current Harbour issues. He also asked that the Harbour Board note that Ian Drinkwater, the co-ordinator of Boat Watch for the last five years, had stood down. The Boat Club were in the process of splitting out his responsibilities and appointing a high level co-ordinator. Harbour Board Members and the Harbour Master asked that their thanks be passed to Mr Drinkwater, acknowledging that his contribution to fighting marine crime had been excellent and greatly appreciated.

SH.60/11 **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

No meeting had taken place; the next meeting was scheduled for May 2012.

Salcombe Kingsbridge Estuary Association (SKEA)

There was no update given to the meeting.

Kingsbridge Estuary Boat Club

Mr Binns had given an update as part of the Public Question Time session.

South Devon & Channel Shellfishermen

There was no update given to the meeting.

Kingsbridge and Salcombe Marine Business Forum

There was no update given to the meeting.

SH.61/11 MOORINGS POLICY

The Board considered a report which reviewed the draft Moorings Policy and sought approval for publication of the draft for public consultation.

The Harbour Master introduced the report, and advised the Board that he had misgivings over what was being presented as he felt that it was no longer appropriate to distinguish between different types of residents.

A lengthy discussion followed, and points made included the following:

- One Member stated that the idea of two lists was not to reward for payment but to distinguish between those who lived in the local area all year and those who did not. However if the Council's view was that in all other respects payment of 100% council tax meant entitlement to all facilities, then the Board should follow;
- Another Member felt that the drafting of the policy was not helpful and that the process should be simpler i.e. priority given if you lived and worked in the area, then if you were a second home owner and finally if you had no relationship with the area whatsoever. However, other Members felt that using council tax payment as an indicator would at least provide a measure; otherwise the priority would be random and subject to abuse. A Member added that this was already the case as some second home owners paid full council tax to ensure they were on the right list;
- One Member stated that moorings were a scarce resource and that demand would increase once the financial climate improved. He felt that concerns over losing customers in the long term were unfounded;
- A number of Members felt that one list would be more appropriate, but it would be important that the method for managing it was clear and transparent and that the policy itself was justifiable.

To bring the debate to a close, the Harbour Master stated that he had heard enough to be able to make minor amendments to the draft policy, and if Members were in agreement he would proceed with publishing the draft policy for public consultation.

It was then:

RESOLVED

That the Draft Moorings Policy Consultation document be published for the first round of consultation with the Harbour Community Forums, with a consultation closing date of 25 May 2012.

SH.62/11 STRATEGIC BUSINESS PLAN 2012-2017

The Board considered a report which reviewed the final draft of the Strategic Business Plan 2012-2017 with a view to recommending to Council the adoption of the plan.

The Harbour Master introduced the report, and following a brief discussion, it was then:

RECOMMENDED

That Council be recommended to adopt the Salcombe Harbour Strategic Business Plan 2012-2017.

SH.63/11 TOPICAL HARBOUR ISSUES

The Board considered a report which summarised a range of topical harbour issues that did not warrant a separate report in their own right.

The Harbour Master introduced the report and made the following comments:

- Showers – planning permission had been granted and the project would go out to tender to start after October 2012 half term;
- Town Landings – the town landings were in place. A Board Member noted that the town landings now offered a fabulous facility and wondered if overnight berthing would be offered at Normandy. In response, the Harbour Master stated that this might be a possibility for the future;
- Information Strategy: Twitter – the twitter account was now up and running and had around 80 followers. It was proving to be a useful medium to keep harbour users informed of useful information including events within the harbour, safety messages and local notices to mariners;
- Fish Quay Re-Development – this was a District Council project with a total cost of £1.4m, of which £700,000 would come from the District Council and the balance from the European Fisheries Fund. The project had been scaled back from the initial aspirations to cover essential elements. The work, which is programmed to take place between October 2012 and April 2013 will cause some disruption to normal services, including access to the fish quay, additional usage of the public slipway and car/boat parking arrangements.

It was then:

RESOLVED

That the contents of the report be noted.

SH.64/11 **MATTERS FOR FUTURE CONSIDERATION**

The Board considered a report which identified matters for future consideration by the Harbour Board.

In introducing the report, the Harbour Master confirmed that once the strategic business plan was in place, actions would then cascade from it.

It was then:-

RESOLVED:

That the matters be noted.

(Meeting commenced at 2.30 pm and concluded at 4.10 pm).

Chairman

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