

**MINUTES OF THE MEETING OF  
THE SALCOMBE HARBOUR BOARD  
HELD AT CLIFF HOUSE, SALCOMBE ON MONDAY, 11 JULY 2016**

<b>Members in attendance</b>			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr J Brazil (Chairman)	*	Dr C C Harling (Vice Chairman)
*	Cllr J A Pearce	*	Mr M Long
*	Cllr K R H Wingate	*	Mr M Mackley
*	Cllr S A E Wright	*	Mr H Marriage
		∅	Mr A Thomson
		*	Mr M Taylor
*	Cllr P Smerdon (Chairman of SHDC)		

Item No	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Executive Director (Service Delivery and Commercial Development (SD&CD)), Salcombe Harbour Master, Assistant Salcombe Harbour Master (Logistics and Maintenance), Solicitor, Finance Business Partner and Senior Case Manager

**SH.01/16 MINUTES**

The minutes of the meeting of the Salcombe Harbour Board held on 29 February 2016 were confirmed as a correct record and signed by the Chairman.

**SH.02/16 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 were made:

Cllrs Wingate and Wright and Dr Harling, Mr Mackley, Mr Marriage and Mr Taylor all declared a disclosable pecuniary interest in all related agenda items by virtue of having moorings or paying harbour dues to the Council. As a result of the Solicitor granting each Board Member a dispensation, they were all able to take part in the debate and vote on any related matters (Minute SH.05/16 refers).

**SH.03/16 PUBLIC QUESTION TIME**

In accordance with the Public Question Time procedure rules, a member of the public raised concerns over the recent media reports regarding potential development at Whitestrand and on the Kingsbridge slipway. In response, the Chairman outlined the process and stated that consultation would take place. He also urged residents to contact their local Ward Members with any concerns or comments.

SH.04/16      **FEEDBACK FROM HARBOUR COMMUNITY FORUMS**

The Board received verbal update reports from the Board Members who attended the Harbour Community Forums. The updates were given as follows:

**Salcombe Kingsbridge Estuary Association (SKEA)**

The representative confirmed that the Association was still active although there had been no communications recently.

**Salcombe Kingsbridge Estuary Conservation Forum (SKECF)**

The representative had been unable to attend the latest meeting.

**South Devon & Channel Shellfishermen**

It was noted by the Board that communications with the Council had improved. The Assistant Harbour Master reported that long awaited bins had finally arrived for Fish Quay.

**Kingsbridge and Salcombe Marine Business Forum**

The representative of the Forum advised that concerns had been raised over the prospective tenancy of new industrial units in Salcombe. The Board felt that the Council should support marine industry in the area and it was agreed that the Chairman would write to the Executive Director (Strategy and Commissioning) to ask for a meeting to discuss this matter.

**Kingsbridge Estuary Boat Club (KEBC)**

There were no issues to raise.

SH.05/16      **CODE OF CONDUCT DISPENSATIONS**

The Solicitor reminded the Board of the implications under the new Code of Conduct. She went on to advise that having a mooring or payment of harbour dues constituted a contract with the Council, and therefore should be declared as a Disclosable Pecuniary Interest (DPI). In the event of declaring a DPI, a Member would have to update their Register of Interest forms immediately. As a number of Board Members were in this position, the Solicitor granted a dispensation to all Members to enable them to take part in the meeting, (as stated in Paragraph 8.1 (c) of the Members Code of Conduct) as otherwise the meeting would be inquorate. This dispensation would be in force until the next Annual Council meeting in May 2017.

SH.06/16      **UPDATE ON THE LOCAL AUTHORITY CONTROLLED COMPANY**

The Executive Director (SD&CD) introduced a briefing note that set out the current position on the Council's proposal to form a Local Authority Controlled Company (LACC) and some options for consideration by the Salcombe Harbour Board in relation to the current hosting arrangement of the Harbour team.

Members of the Board then had a detailed debate and the following points were raised:

One of the advantages of the LACC proposal was that it provided a agility and flexibility. There was an opportunity for the LACC to host the Harbour staff which would provide the simplest solution but may result in a loss of control; an alternative view was that moving the LACC forward would be more straightforward without the inclusion of the Harbour staff initially;

A number of Members raised concerns about the level of protection for staff if they were transferred into the LACC. TUPE Regulations were outlined, and the point was made that terms and conditions for staff could change, either in the LACC or if the staff remained as part of the local authority. However, the Board was advised that the Transformation Programme had delivered more efficient ways of working, there was no intention to use the LACC to reduce staff and that the ambition of the LACC was to grow and expand its business;

The Board was advised that an Informal group of Members were currently working together to explore elements of the Business Case in more detail and would conclude their work before the proposals were considered at meetings of the Executive and Council later this month.;

A number of Members felt that the Board should look to go forward as an organisation in its own right, particularly as it was self-financing;

The Executive Director (SD&CD) confirmed that a further report would be brought back to the Board if the Council resolved to progress with the LACC proposal.

## SH.07/16 **YEAR END FINANCIAL REPORT**

A report was presented that advised Members of the Harbour's final trading position in 2015/16 together with brief details of the main variations from the original budget. A summary of harbour reserves was also provided.

The Finance Business Partner and Harbour Master responded to specific questions. The Board asked that its thanks to the Finance Business Partner be noted.

It was then:

### **RESOLVED**

That the income and expenditure variations for the 2015/16 financial year and the overall trading surplus of £18,800 be noted and the surplus be allocated to the Harbour's General Reserve fund.

SH.08/16     **STRATEGIC BUSINESS PLAN**

The Harbour Master presented a report that asked Members to consider the Strategic Business Plan which articulated the strategic aims of the Harbour Authority and its financial strategy for the next 5 years, including forecast borrowing requirements where necessary. Stakeholder engagement and public support were essential and the report asked for the Board's approval to commence a period of public consultation prior to proposing to Council in September 2016 that the Plan be adopted in time for 1 April 2017.

Members discussed some elements of the Business Plan objectives in more detail. Members agreed that the consultation process would be important and hoped that masterplan issues and the need for a commercial focus would be picked up during the consultation process.

It was then:

**RESOLVED**

That a public consultation of the proposed Strategic Business Plan 2017-2022 be commenced, with a view to proposing to full Council in September 2016 that it be adopted from 1 April 2017.

SH.09/16     **ANNUAL REPORT**

Members were presented with a report that proposed that the Annual Report be published so that Harbour users, other stakeholders, and members of the public were informed of progress made against the Harbour Authority's legal and other obligations and responsibilities.

It was then:

**RESOLVED**

That the Annual Report be published.

SH.10/16     **HARBOUR MASTER'S REPORT**

The Harbour Master presented a report on topical harbour issues that could be of interest to the Board or affected the Harbour.

The Board raised questions on the items relating to the Egremont, the Rivermaid and the Ice Cream boat. In respect of the item relating to Jubilee Pier refurbishment, thanks were expressed to Mr Malcolm Mackley for his help in submitting a bid to the Coastal Communities Fund (CCF).

Following the discussion on each item, the following recommendations were **PROPOSED**, **SECONDED** and on being put to the vote declared **CARRIED**.

It was then:

**RESOLVED**

1. That the Harbour Master's report, including the decision to award a night security contract be noted and that authority be delegated to the Harbour Master to award the preferred tender for the night security patrol;
2. That authority be delegated to the Harbour Master to erect navigational marks up South Pool creek; and
3. That authority be delegated to the Harbour Master to progress a proposal to run an ice cream boat on a trial basis and set out the strict operating boundaries.

(Meeting commenced at 2.00 pm and concluded at 4.50 pm)

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Chairman