

Report to: **Salcombe Harbour Board**

Date: **16 July 2018**

Title: **Egremont Update**

Portfolio Area:

Wards Affected: **Salcombe and Thurlestone; Kingsbridge;  
Stokenham and Allington and Strete.**

Relevant Scrutiny Committee:

**Overview and Scrutiny Committee**

Urgent Decision: **N** Approval and **Y**  
clearance obtained:

Date next steps can be taken:

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**Recommendations:**

That the Board **RESOLVES** to write to the Egremont Trust recommending either:

1. The withdrawal of the vacant Egremont mooring for reallocation having considered the current business case information available OR
2. Deferral of the decision on the Egremont mooring to the Board meeting of the 17 September 2018 to allow consideration of additional late business case information or any further information requested

**1. Executive summary**

- 1.1 This report considers the options for the Board in light of the publicity regarding the Egremont's return to a future mooring in Salcombe.

## **2. Background**

- 2.1 The Egremont provided a sailing school facility in Salcombe between dates 1976 – 2012. In 2012 the vessel was transferred from the Island Cruising Club to the Egremont Trust (Salcombe)
- 2.2 The Egremont remained on a mooring for 4 years whilst it was not operating and left for a major refit in 2016. No major work has been undertaken since February 2017. No monies have been paid to the ship yard to date to the knowledge of the Harbour Board.
- 2.3 The Egremont Trust have ambitions to bring the ship back to Salcombe as a water sports, training activity centre with accommodation and room for social functions. Brief details have been published but no full business plan has been provided to the Harbour Board despite numerous requests.
- 2.4 The Harbour Board has been criticised for not supporting the project but, without a formal business plan, containing robust environmental impact and health and safety plans (including the logistical requirements from within the harbour) the Board have had insufficient information to form a decision.

## **3. Harbour Bye Laws**

- 3.1 The Harbour Board is responsible for managing the harbour in accordance with the Council's Harbour Bye Laws. The Bye Laws govern the mooring of vessels and require Good and Orderly Conduct of persons within the Harbour, for example laws relating to Intoxicated or Disorderly Persons, Nuisances and Bright Lights.
- 3.2 In order to maintain a safe and attractive environment the Harbour Board should be confident that all users of the Harbour and those operating a leisure facility/hospitality vessel will be able to secure compliance with the Bye Laws.

## **4. Salcombe Harbour Authority (SHA) Moorings Policy**

- 4.1 Objectives of Policy  
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 mooring facilities 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. SHA reserves the right to amend the Policy from time to time.

## 4.2 **Conditions of a Mooring**

The following conditions (shown in italics) are included in the Council's Moorings Policy and are relevant to this matter:

*6.0.4 Mooring facilities left unused for a period of two years will be reallocated.*

- 4.2.1 In September 2018 the Egremont will have been absent from its moorings for 2 years. The shipyard have suggested that if works are to commence the timescale would be another 2 years before it could return.

*6.4.1 Under the terms of the Harbour Authority Lease from the Duchy of Cornwall, licences to customers for harbour facilities can only be for one year. Consequently all mooring facilities are re-allocated annually.*

*6.4.2 Providing customers continue to fulfil the mooring facility allocation criteria, mooring re-allocation will be straightforward. Where mooring holders no longer meet these criteria, the facility will be re-allocated.*

- 4.2.2 Exceptions have been made previously to accommodate the longstanding arrangements with Winters and Yeowards Boat Yard.

## **5. Response from Duchy of Cornwall**

- 5.1 The SHB lease the estuary fundus from the Duchy of Cornwall, on which all the harbour facilities and moorings sit. This condition derives from the statutory requirement in the Pier and Harbour Order (Salcombe) Confirmation Act 1954. In light of the conditions referred to above the views of the Duchy were sought.
- 5.2 Tom Stratton – Deputy Land Stewart – Western District – Duchy of Cornwall sent a letter dated 22<sup>nd</sup> March 2018 to Richard Martin stating the Duchy could not support a 25 year mooring lease and it was unlikely to support such a change of use. The Harbour Board was consulted in this process and advised its' position as set out in the report above.

## **6. Discussions with the Egremont Trust and concerned parties.**

- 6.1 There has been correspondence between the Egremont Trust and the Harbour Board and other relevant parties since January 2018. This demonstrates the ambitions of the Trust and the repeated requests from the Harbour Board to receive a financially robust business plan in order that it could consider if and how the Harbour Authority would be able to support the project.

- 6.2 On the 4 July the Harbour Board received a document from the Egremont Trust entitled "Operational /Business Plans for the Ship"
- 6.3 As Salcombe Harbour sits within a designated SSSI, consideration should be given to the views of stakeholders such as Council, South Devon AONB, Salcombe Town Council, East Portlemouth Parish Council and South Pool Parish Council in considering the proposal being put forward by the Egremont Trust.

## 7. Timescale.

- 7.1 Given the time lag of the publication of the report and the Harbour Board meeting any supplementary information provided by key stake holders will be forwarded directly in order to assist with the decision making process.

## 8. Summary

- 8.1 It remains uncertain that the proposal for the Egremont is achievable. Detailed information requested from the Trust setting out its' Business Plan and how it seeks to address the legislative requirements, and confirms the financial resilience of funders has not been received.
- 8.2 There is no reliable timetable for the return of the Egremont and the mooring remaining vacant for a second year the Harbour is losing income. The Harbour Authority has a large waiting list for deep water moorings and cannot afford to leave this area vacant for any longer.
- 8.3 The Harbour Board welcomes all leisure/commercial ventures which are consistent with its objectives but as of yet this project remains so uncertain the Harbour Board is unable to offer a Mooring.

## 9. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Harbour Board needs to be guided by its adopted policies. Applications for planning permission may be required by the operator
Financial	N	Whilst the Mooring remains vacant there is a loss of income to the Harbour Board.
Risk	Y	Some adverse publicity if the Harbour Board does/doesn't support the project without explaining its reasons
Comprehensive Impact Assessment Implications		

Equality and Diversity	N	None
Safeguarding	N	None
Community Safety, Crime and Disorder		
Health, Safety and Wellbeing		
Other implications	N	

## **Appendix 1:** Business Plan

### **Background Papers:**

Salcombe Harbour Bye Laws  
Salcombe Harbour Moorings Policy

Egremont Letter CSS to RM 15 January 2018  
Egremont Letter JB to TS 06 March 2018  
Duchy of Cornwall sent a letter dated 22 March 2018 to Richard Martin  
Egremont Letter TS to RM 22 March 2018  
Egremont Letter JB to RM 11 May 2018

Egremont Email – Copy of letter sent from Sharpness Shipyard to RM 30  
May 2018