

**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD
HELD AT CLIFF HOUSE, SALCOMBE ON MONDAY, 16 JULY 2018**

Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr J Brazil (Chairman)	*	Ms A Jones
*	Cllr J A Pearce	*	Mr M Long
∅	Cllr K R H Wingate	*	Mr M Mackley
∅	Cllr S A E Wright	*	Mr H Marriage (Vice-Chairman)
		∅	Mr I Stewart
		*	Mr M Taylor

Item No	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Salcombe Harbour Master; Deputy Monitoring Officer; Finance Community Of Practice Lead; and Senior Specialist - Democratic Services
9	SH.7/18	Community Of Practice Lead Assets; and Senior Specialist Assets

SH.1/18 WELCOME

On behalf of the Board, the Chairman welcomed Cameron Sims-Stirling to his first Board meeting since recently being appointed to the role of Salcombe Harbour Master.

SH.2/18 MINUTES

The minutes of the meeting of the Salcombe Harbour Board held on 6 November 2017 were confirmed as a correct record and signed by the Chairman.

SH.3/18 CODE OF CONDUCT DISPENSATIONS

The Deputy Monitoring Officer reminded the Board of the implications under the adopted 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 Deputy Monitoring Officer 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 2019.

SH.4/18 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:

Ms Jones, Mr Mackley, Mr Marriage and Mr Taylor each 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.3/18 above refers).

Cllr J Brazil and Mr Taylor both declared a personal interest in agenda item 12: 'Update on the Egremont' (Minute SH.10/18 below refers). Cllr Brazil declared his interest by virtue of having previously been employed by the Island Cruising Club (ICC) and remained in the meeting and took part in the debate and vote thereon. Mr Taylor declared his interest by virtue of being a member of the ICC Committee and also remained in the meeting and took part in the debate and vote thereon.

SH.5/18 PUBLIC QUESTION TIME

In accordance with the Procedure Rules, the following members of the public addressed the Board:

(a) Tim Tucker (South Sands Ferry)

Mr Tucker stated his concerns over the recent dinghy races and the fact that the Harbour had been closed for a 50 minute time period. Whilst accepting that it was inappropriate for the Board to consider this matter further at this meeting, Mr Tucker asked that consideration be given in the future to implementing alternative measures rather than closing the Harbour (e.g. by imposing staggered start times).

(b) Dick Martin (Egremont)

Mr Martin highlighted agenda item 12 (Minute SH.10/18 below refers) and read a statement in support of the Egremont retaining its mooring. In urging the Board to reconsider its current stance on the return of the Egremont, Mr Martin's statement made specific reference to:-

- (i) the local economic benefits arising from the Egremont's return;
- (ii) the intention of the Egremont to offer sailing and other watersport opportunities to disadvantaged children. Mr Martin asked that the Board give consideration to the wellbeing of these children before making a final decision;

- (iii) his confidence that the Egremont would not become a noisy party ship. It was confirmed that the intention would be for a well-managed, tightly controlled facility to be created that would not be a nuisance in the Harbour;
- (iv) the intended corporate hospitality events would ensure the financial wellbeing of the business;
- (v) these proposals not constituting a new business start-up;
- (vi) the contents and tone of the Board letter having caused a crisis in confidence amongst the financial backers who were supporting the business venture. Furthermore, Mr Martin questioned whether it was fair for the Egremont to lose its rightful home especially when considering that £300,000 had already been spent on its restoration;
- (vii) the Egremont's Moorings having been paid up to and including March 2018. In addition, Mr Martin clarified that no further payments had been made since he had not received an invoice for payment beyond this period;
- (viii) the ship having previously been an eyesore and an embarrassment. Mr Martin reassured the Board that the returning ship would come back to the Harbour in an excellent condition;
- (ix) his guarantees that all aspects of the returning ship would be fully compliant with the safe running of the Harbour. Moreover, the ship would be an environmentally friendly vessel;
- (x) the Rivermaid. For clarity, Mr Martin informed that the viability of the Rivermaid was an important part of the overall project and its operation was financially unsustainable without the Egremont;
- (xi) it being his wish to present the financial modelling that underpinned the project to a future Board meeting. When questioned, Mr Martin reiterated that he had no reason to doubt the veracity of the finance that supported this project.

In conclusion, Mr Martin thanked the Board for enabling him the opportunity to make his address and he hoped that he could work with the Board to bring the Egremont back to Salcombe.

(c) Stephanie Danby

Ms Danby informed the Board that she had previously been an ICC instructor and had started a petition in support of the Egremont just five days before this meeting. At the time of this meeting, Ms Danby advised that the petition had already obtained 983 signatures and she urged the Board to support the project.

(d) Martin Jenkins

Mr Jenkins highlighted the Harbour's adopted Strategic Business Plan and emphasised that a number of facets within this document (e.g. supporting a thriving local economy, the importance of taking stakeholder engagement seriously and employment in the marine industry) were relevant to the Egremont project. Mr Jenkins proceeded to urge the Board to support the project.

(e) Phil Pritchard

Mr Pritchard expressed a contrary view to the previous speakers and questioned where the Board would stand in the event of the Egremont returning and the business not succeeding. In addition, Mr Pritchard made reference to the proposed future hospitality uses for the vessel and asked the Board to think very carefully before making its decision.

(f) Martin Beck

Mr Beck acknowledged that there was an emotional connection with the Egremont and was aware that vast amounts of money had been loaned and/or gifted to support it. Having taken a keen interest in the project, Mr Beck had not seen a Business Plan and was still to be convinced that the proposals would be financially viable. In order to generate revenue, Mr Beck emphasised the need for the operation to be highly commercial and a training school would not go far enough in this respect. Whilst expressing the view that times were changing, Mr Beck felt sorry for the Board and Mr Martin alike but remained of the view that, in the absence of a robust Business Plan, the vacant Egremont mooring should be reallocated. Finally, Mr Beck recognised that, despite there remaining a demand for a sailing school, the ICC required a new vision.

(g) William Tucker (local landowner)

Mr Tucker handed a letter to the Chairman that stated that, as a local landowner, he would not enter into any easement for services with any party without having previously consulted the Harbour Authority.

SH.6/18

FEEDBACK FROM HARBOUR COMMUNITY FORUMS

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

Salcombe Kingsbridge Estuary Conservation Forum (SKECF)

The representative advised that an issue had been raised regarding water quality that had consequently been addressed by the Environment Agency in September.

South Devon & Channel Shellfishermen

It was noted that Mr Stewart (the newly appointed Board Member) would become the Board representative on the Forum.

Kingsbridge and Salcombe Marine Business Forum

The Forum had welcomed the appointment of the new Harbour Master and it was noted that dialogue between him and the local marine businesses was frequent.

Kingsbridge Estuary Boat Club (KEBC)

The representative advised that he had no issues to report to this meeting.

East Portlemouth

The representative advised that he had no issues to report to this meeting.

SH.7/18 UPDATE OF BATSON MASTERPLAN

The Senior Specialist (Assets) conducted a presentation that made reference to 7 key elements:-

- A multi-deck car park at Shadycombe;
- New units being created alongside the south Quayside;
- The construction of a new Harbour Depot;
- The proposal for permanent boat parking to the north;
- The proposal for seasonal boat and car parking to the south;
- Exploration of community housing being built on Croft Hill; and
- The potential for buildings to be constructed on the back of the Quay for commercial units with residential use above.

In conclusion, the Senior Specialist (Assets) advised of the intention for a further community stakeholder event to be held in September.

In the ensuing debate, the following points were raised:-

- (a) With regard to the proposed commercial units, a Member questioned the apparent lack of parking provision in that area;
- (b) Some Members expressed their deep reservations over the loss of boat, car and trailer parking that would result from the current proposals. Indeed, such were the extent of these concerns, that some Board Members stated the need for these issues to be resolved before they would be able to support these proposals;
- (c) In respect of the multi-deck car park proposals for Shadycombe, a Member highlighted the detrimental visual impact and the extensive engineering works that would be required in order to achieve this element;
- (d) The Board reiterated its wish for some form of incentivised scheme to be in place to ensure that the proposed new commercial units be allocated to genuine local marine businesses. Furthermore, a Member requested that construction costs be kept as low as possible to ensure that the units remained affordable for such local businesses.

In conclusion, it was noted that an officer meeting was to take place in the upcoming weeks to discuss these matters further and the Harbour Master was asked to reflect the Board's concerns at this meeting.

SH.8/18 **2017/18 YEAR END FINANCIAL REPORT**

Members were presented with a report that advised of the Harbour's final trading position in 2017/18 together with brief details of the main variations from the original Budget.

In discussion, reference was made to:-

- (a) the new environmental projects. A Member expressed his disappointment that only £1,893 of the £5,000 funding for environmental projects had been used in 2017/18;
- (b) the schedule of loans. Officers advised that there was one loan currently outstanding which the Board may deem appropriate to repay earlier than was required. Also, the Board noted the potential for an additional loan to be taken out to construct some new pontoons towards the end of 2018;
- (c) the security patrol fees. Whilst acknowledging that the contract ran for a further three years, some Members expressed their scepticism that the current security patrol was providing adequate value for money to the Authority.

It was then:

RESOLVED

1. That the income and expenditure variations for the 2017/18 Financial Year be noted;
2. That the overall trading surplus of £33,784 be noted; and
3. That the surplus (as referred to at 2 above) be allocated to the Harbour's General Reserve Fund.

SH.9/18 **HARBOUR MASTER'S REPORT**

A report was considered that summarised a number of topical issues that affected the Harbour.

In the ensuing discussion, reference was made to:-

- the Board being supportive of the intention to publish the Annual Report in September 2018;
- the Moorings Policy. The Board agreed the suggestion in the published agenda report to establish a Working Group to review the current Moorings Policy.

In terms of timescales, it was felt that this should be undertaken during the winter with the Group recommendations then being considered by the Board at its meeting on 25 February 2019. With regard to its membership, it was agreed that Cllr Brazil, Ms Jones, Mr Long and Mr Marriage would serve on this Working Group;

- the Board supporting the proposal, as part of the retention policy, for the Harbour Authority to request a current copy of the Council Tax bill of the facility holder;
- the noting of the appointment of the new 'Designated Person';
- amending the date of the 2019 Harbour Board Inspection. The Board agreed that the Inspection (and subsequent Board meeting) should be held on Monday, 24 June 2019;
- the creation of a one page performance report. In the future, the Board asked that a performance report be included in the Harbour Master report that included the latest statistical information relating to: yacht visitor nights; the number of launches from Batson; and the number of harbour dues paid at Batson.

It was then:

RESOLVED

1. That the proposal to publish the Annual Report in September be supported;
2. That a Moorings Policy Review Working Group (comprising of Cllrs Brazil, Ms Jones and Messrs Long and Marriage) be established with the intention of reporting its findings to the Board meeting on 25 February 2019;
3. That the Board support, as part of the retention policy, the proposal for the Harbour Authority to write to every facility holder requesting a current copy of their Council Tax bill;
4. That the appointment of the new 'Designated Person' be noted;
5. That the 2019 Annual Harbour Inspection (and subsequent Board meeting) be held on Monday, 24 June 2019; and
6. That a one page performance report be included in future published editions of the Harbour Master's report to the Board.

SH.10/18 **EGREMONT UPDATE**

A report was considered that presented the options for the Board in light of the publicity regarding the Egremont's return to a future mooring in Salcombe.

In discussion, the following points were raised:-

- (a) A number of Members made reference to the eloquent points that had been made during the Public Forum (SH.5/18 above refers) and recognised that this was a very emotive (and difficult) issue for the Board to determine. In particular, Members wished to put on record their gratitude to Mr Martin, who had worked tirelessly on this project;
- (b) One of the major issues for the Board to weigh up was the potential liability and risk implications that would be placed on the harbour should the vessel return. A Member also reminded the Board that the vessel was yet to become compliant with a number of regulations (including fire and rescue matters). In addition, it was the adopted policy of the Board that any application for a 'hotel vessel' in the Harbour would be refused and there was a consequent need to maintain the integrity of the Moorings Policy;
- (c) A further cause for concern was felt to be the continued absence of any due diligence or a robust business plan that was able to provide sufficient confidence to the Board that the project would be financially viable;
- (d) Some Members expressed the view that the vast majority of operational difficulties associated with the project would be resolved if the vessel was berthed alongside a Quayside;
- (e) To counter some of the local comments that had been expressed, Board Members emphasised that the argument that the primary reason for the recommendation was to enable for additional moorings to be placed in the Harbour was simply not true;
- (f) Whilst incredibly regrettable, a number of Members felt that they had no option other than to withdraw the vacant Egremont mooring for reallocation.

It was then:

RESOLVED

That, having considered the current business case information available, the Egremont Trust be advised that the vacant Egremont mooring is to be withdrawn and reallocated.

(Meeting commenced at 1.30 pm and concluded at 3.55 pm)

Chairman