

**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD
HELD AT THE YACHT CLUB, SALCOMBE ON MONDAY, 10 JULY 2017**

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 A Thomson
		∅	Mr M Taylor
*	Cllr R D Gilbert		

Item No	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Salcombe Harbour Master, Commercial Services Group Manager, Assets Community Of Practice Lead, Deputy Monitoring Officer, Finance Business Partner and Senior Specialist - Democratic Services

SH.1/17 CHAIRMAN'S ANNOUNCEMENTS

On behalf of the Board, the Chairman welcomed those in attendance and thanked the Harbour Master for arranging a successful and informative tour earlier in the day.

SH.2/17 MINUTES

The minutes of the meeting of the Salcombe Harbour Board held on 20 February 2017 were confirmed as a correct record and signed by the Chairman.

SH.3/17 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 2018.

SH.4/17 **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:

Cllr Wright, Ms Jones, Mr Marriage and Mr Thomson 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.3/17 refers).

Cllr R D Gilbert declared a personal interest in Item 7: 'Feedback from Harbour Community Forums' (Minute SH.6/17 below refers) and specifically the proposal to establish a Harbour Community Forum for East Portlemouth by virtue of his property ownership in the parish and remained in the meeting during consideration of this matter.

SH.5/17 **PUBLIC QUESTION TIME**

In accordance with the Public Question Time procedure rules, it was noted that there were no questions raised at this meeting.

SH.6/17 **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 Board noted that, to date, all attempts had been unsuccessful to reinvigorate the Forum. As a consequence, the Board agreed that SKEA should be deleted from the list of recognised Harbour Community Forums.

Salcombe Kingsbridge Estuary Conservation Forum (SKECF)

The Board was advised that one main issue had been raised at the most recent meeting of the SKECF that related to speeding boats in the South Pool Creek. The representative confirmed that this matter had already been reported to the Harbour Office.

South Devon & Channel Shellfishermen

It was noted that an operational Fish Quay meeting had been held recently and had been well received and had resulted in improved dialogue and working relations. Looking forward, it was felt that a more strategic level meeting would be useful and it was agreed that one would be arranged to take place on 4 October 2017 at 6.00pm. It was confirmed that all Board Members were welcome to attend this meeting and the Harbour Master was tasked with booking a venue.

In discussion, Cllr Gilbert advised that he served on the IFCA (Inshore Fisheries and Conservation Authority) Board and he was happy to provide a conduit link between the Board and Forum.

With regard to the practice of balloons being thrown during the Regatta Crabbers Race, concern had been raised that the balloons were not biodegradable. As a result, the Board agreed that a letter should be sent on its behalf to the Chairman of the Shellfishermen expressing support for the intention of the ban. In addition, a Member advised that he would also raise this issue with the Regatta Committee.

Kingsbridge and Salcombe Marine Business Forum

The Forum representative made reference to safety concerns at Batson Slipway especially during peak times when it became particularly congested with vehicles and pedestrians. Of particular concern was the potential for boats to career down the slipway and it was felt that straps from cars to boat trailers should be doubled up. In recognising the issues, it was agreed that the Harbour Office would give consideration to methods of enforcing safety improvements on the Slipway.

Secondly, the Forum had expressed confusion in respect of parking and restrictions between the Batson Units and the car park. In reply, the Assets Community Of Practice Lead advised that a meeting had been held with the Master Planning consultants who had concluded that car parking would drive solutions in the area. Furthermore, it was hoped that an indicative plan (before costings) would be available in a few months' time, with one of the key drivers being to create additional car parking capacity.

Specifically regarding the Batson Units, it was agreed that officers would keep the Forum representative aware of progress and officer committed to attending the next meeting of the Forum.

Kingsbridge Estuary Boat Club (KEBC)

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

East Portlemouth

The Chairman advised that he had received a formal request for an additional Harbour Community Forum to be formally recognised by the Board that would focus on issues related to East Portlemouth. In conclusion, the Board agreed to trial the Forum, with the Chairman being appointed as its representative.

SH.7/17

2016/17 YEAR END FINANCIAL REPORT

The Board considered a report that advised of the Harbour's final trading position in 2016/17 together with brief details of the main variations from the originally approved budget.

In discussion, reference was made to:-

- (a) pontoon berth hire. In reply to a question, the Board was advised that an incentive was in place for mooring holders to release their pontoon for alternative hire, with a 12-14% rebate being applied in such instances;
- (b) refuse collection / office cleaning. In response to a question, officers advised that they would provide an explanation for the £1,534 variation for the refuse collection / office cleaning expenditure outside of the meeting;
- (c) credit card handling charges. Officers informed that the variations in handling charges were attributed to the Harbour having been undercharged in previous years and then overcharged in 2016/17. The Board recognised the need to bear this in mind during the fee and charge setting process for 2018/19. It was confirmed that the merits of implementing a BACS payment system had been considered. However, it was felt that this system was not currently a feasible alternative;
- (d) the Marine Infrastructure Reserve. Officers advised that this Reserve balance stood at £93,879 at the end of March 2017. In highlighting the extent of the potential costs of the repair works to the Kingsbridge Quay wall, the Board noted that this Reserve may need to be used to help fund this project;
- (e) the overall trading surplus. The Board welcomed the surplus and wished to put on record its congratulations to the Harbour Office and the Finance Business Partner for this achievement.

It was then:

RESOLVED

1. That the income and expenditure variations for the 2016/17 financial year and the overall trading surplus of £46,621 be noted;
2. That the overall trading surplus be allocated to the Harbour's General Reserve Fund; and
3. That officers be congratulated for achieving an overall trading surplus.

SH.8/17

GOVERNANCE OF SALCOMBE HARBOUR

Consideration was given to a report that clarified the relationship between South Hams District Council and the Board. In particular, the report set out the individual and collective roles and responsibilities of Board Members and outlined the boundaries of their powers and delegated authorities.

In discussion, the following points were raised:-

- (a) For clarity, it was noted that the Council's Executive had no direct responsibility over the Harbour Board. It was also confirmed that all recommendations that were generated by the Board were ultimately presented to the full Council for determination;
- (b) A Member was of the view that the report did not contain sufficient detail regarding the Council's statutory and non-statutory duties and powers as the Statutory Harbour Authority for Salcombe Harbour. The relationship between the roles of the Council (as both a Local Authority and a Harbour Authority) was felt to be a particularly sensitive issue that needed ongoing careful consideration;
- (c) With regard to the role of the Harbour Master, the Board expressed some anxieties that the postholder was spending too much time away from the Harbour on other Council business. In light of these anxieties, Members requested receipt of a copy of the Harbour Master's Job Description and a supporting briefing note that highlighted the responsibilities associated with the Dartmouth Lower Ferry function and being the Council's Marine Officer;
- (d) In questioning its relevance, a Member asked that reference in the published agenda report to the rising costs of social care (that was a County Council function) should be ignored;
- (e) Some Members stated that asset ownership was of particular interest to the Board. As a consequence, a wish was expressed for consideration to be given to the Harbour Authority taking on responsibility for the 'ownership' of as many of these assets as was practically possible;
- (f) The Board was advised that Cornwall Council was currently in the process of developing a Hybrid Trust form of Governance. In recognising that this proposal was currently being considered by Parliament, the Board stated that a similar model could be appropriate for this Harbour Authority. As a result, the Board requested that this model be included in an options paper for consideration at a future meeting.
- (g) Officers gave assurances that the purpose of this agenda item was not to seek any final recommendations in respect of the intended financial plan and indicative revenue raising opportunities. As an additional assurance, it was also confirmed that further reports would be presented to the Board before any final recommendations were sought.

It was then:

RESOLVED

1. That the report be noted; and
2. That the Council be **RECOMMENDED** to adopt, in principle, the intended financial plan and indicative revenue raising opportunities (as outlined in paragraph 4 of the presented agenda report) to ensure long-term financial sustainability, with further reports to be presented to the Board prior to any final recommendations then being made.

SH.9/17

INTRODUCTION OF SAFETY AND ENVIRONMENTAL MANAGEMENT SYSTEM

Members considered a report that proposed that the existing Safety Management System and Environmental Management System be merged into a combined Safety and Environmental Management System (SEMS). The report noted that this was driven by the recognition that risks and hazards had both personnel and environmental consequences that are best mitigated holistically.

In discussion, the following points were raised:-

- (a) Members reiterated their concerns that were raised during the previous agenda item (Minute SH.8/17 above refers) in relation to the wider responsibilities of the Harbour Master. Since the Harbour Master (who was also the Principal Safety Officer for the Harbour Authority) had taken on wider corporate duties for the Council, assurances were sought that associated safety and risk implications were being mitigated as far as was practically possible.

As a further point, reference was made to the current management structure of the Harbour Authority and the Harbour Master was tasked with undertaking a review to ensure that there was a clear (and formal) chain of command and responsibility between the three Assistant Harbour Masters. In so doing, the Board requested that this be presented to its next meeting, with the approved way forward then being included in the SEMS;

- (b) the definition of a 'vessel'. Members asked that the Deputy Monitoring Officer provide a written legal opinion to the Board regarding whether or not MV Egremont should be defined as a 'vessel'.

It was then:

RESOLVED

1. That the updated Safety and Environmental Management System and the procurement of the associated safety and environmental management software system MARNIS be adopted, up to a cost of £4,000; and

2. That the Board consider at its next meeting the recommendations of the Harbour Master in respect of the current management structure to ensure a clear (and formal) chain of command and responsibility between the three Assistant Harbour Masters.

SH.10/17 **HARBOUR MASTER'S REPORT**

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

In discussion, reference was made to:-

- (a) an update on MV Egremont. In expressing its concerns over the condition of some of its pontoons, the Board requested that the Harbour Master write to the owners of the Egremont. It was felt that this letter should advise that some of the pontoons were dangerous and should be removed before the end of September 2017;
- (b) MV Rivermaid. It was noted that the Rivermaid Ferry had begun operating on Sunday, 9 July 2017 and Members requested that the Ferry be retained as a standing agenda item for the Board within the Harbour Master's Report;
- (c) the Annual Report. The Board was assured that a draft version of the Annual Report would be circulated separately to all Members with it then being formally presented to the Board at its next meeting on Monday, 25 September 2017;
- (d) the Kingsbridge Pontoon gates. It was confirmed that the issue with the gates had now been resolved and the Harbour Master was asked to check with the Kingsbridge Town Council Clerk regarding CCTV provision in the area of the pontoon.

It was then:

RESOLVED

That the report be noted.

(Meeting commenced at 2.30 pm and concluded at 4.20 pm)

Chairman