

**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD**

HELD AT SOUTH POOL VILLAGE HALL, SOUTH POOL ON MONDAY 2 JUNE 2014

Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr J Brazil (Chairman)	*	Mr G Burrell
*	Cllr M J Hicks	*	Dr C C Harling (Vice Chairman)
∅	Cllr K R H Wingate	∅	Mr M Mackley
*	Cllr S A E Wright	*	Mr H Marriage
		∅	Mr A Thomson
		*	Mr M Taylor
∅	Cllr H D Bastone (lead Executive Member)		
Non-Board Members also in attendance:			
Cllrs P Coulson and J A Pearce			

Item No	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Salcombe Harbour Master, Head of Assets, Deputy Monitoring Officer and Democratic Services Manager

SH.01/14 WELCOME

As this was the first Board meeting since both the Chairman had been re-appointed and the Harbour Master had commenced his employ with the Council, the Chairman introduced and welcomed all in attendance.

In addition, the Vice Chairman confirmed that he had received a letter of gratitude from the now retired previous Harbour Master, who wished to thank the Board for the presentation which he had received at the last Board meeting.

SH.02/14 MINUTES

The minutes of the meeting of the Salcombe Harbour Board held on 31 March 2014 were confirmed as a correct record and signed by the Chairman.

SH.03/14 URGENT BUSINESS

The Chairman advised that he had one item of urgent business which he had agreed could be raised at this meeting. The item related to whether or not the Board was supportive of a proposal to commission a survey to assess whether or not the Bar had moved during the recent storms and was deemed urgent in light of the timely nature of this matter. In light of the proposal containing financial information, the Chairman confirmed that it was his intention for this item to be taken at the end of the meeting in exempt session (Minute SH.12/14 below refers).

SH.04/14 DECLARATIONS OF INTEREST

Members were then 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, Dr Harling, Mr Marriage, Mr Burrell 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 the Deputy Monitoring Officer was granting a dispensation under Paragraph 8.1 (c) of the Code of Conduct (minute SH.06/14 refers), all Members remained in the meeting and took part in the discussion and debate on all agenda items.

SH.05/14 PUBLIC QUESTION TIME

The following issues were raised during the public question time:

1. Question from Mrs Elizabeth Bennett (South Pool Parish Council)

In light of the poor condition of the slipway at South Pool, Mrs Bennett asked whether the Board could consider this matter as an agenda item at a future meeting. In response, the Head of Assets informed that there was some confusion concerning the ownership of the slipway and she would investigate this issue further and report back to the South Pool Parish Clerk in due course.

2. Question from Mr Patrick Smith (South Pool Resident)

Mr Smith asked the Board to have another look at the issue of navigational markers in South Pool Creek. In making his request, Mr Smith made reference to there being no markers in the Creek, despite it being a very well used area for boat users. In reply, the Chairman advised that the Board had previously considered this matter and emphasised the fine balance between the unspoilt character of the Creek and the safety issues. In conclusion, the Chairman confirmed that he was happy for the matter to be considered by the Board as an agenda item at a future meeting.

SH.06/14 **CODE OF CONDUCT DISPENSATIONS**

The Deputy Monitoring Officer 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 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 2015.

SH.07/14 **FEEDBACK FROM HARBOUR COMMUNITY FORUMS**

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

Salcombe Kingsbridge Estuary Association (SKEA)

The representative for SKEA had submitted his apologies to this meeting and there was therefore no update given.

Salcombe Kingsbridge Estuary Conservation Forum (SKECF)

The representative for SKECF advised that a meeting had not been held recently and there was therefore no update provided.

Kingsbridge Estuary Boat Club (KEBC)

The representative for KEBC advised that the Club was very pleased with the recent construction of the new pontoons.

South Devon & Channel Shellfishermen

The representative for the South Devon & Channel Shellfishermen had submitted his apologies to this meeting and there was therefore no update given.

Kingsbridge and Salcombe Marine Business Forum

The representative made reference to a paper which the Forum had asked to be noted by the Board. The paper expressed concerns which had been caused by the introduction of Business Rates for agricultural buildings, including for the purposes of boat storage. Whilst content to pay Business Rates, the Forum felt that the valuation levels which had been set were far too high and did not reflect the income being generated.

Following a brief discussion, some Members advised of their in principle support for the campaign of local businesses to pay a fair and reasonable level of Business Rates and requested that the representative provide a further update to the next Board meeting.

SH.08/14 HARBOUR DIRECTIONS

The Board was asked to consider an application to the Department for Transport (DfT) for the power to make Harbour Directions.

It was noted that in line with the time constraints associated with making a formal application, this matter would need to be presented to the Council for a decision before the end of June.

In discussion, the Board agreed that the draft response letter should be amended to ensure that the sentence relating to 'collisions involving high performance sailing dinghies' should be deleted.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to endorse that the Harbour Authority applies to the DfT to be considered for the power to make Harbour Directions. The Harbour Authority has had regard to the content of and agrees to comply with the code of conduct on Harbour Directions, in particular:

- a. To maintain a Port User Group and to apply dispute resolution procedure such as is set out in the code of conduct when required; and
- b. To have regard to supplementary guidance issued from time to time by the National Directions Panel on the subject of harbour directions.

SH.09/14 PERFORMANCE MANAGEMENT

Members were presented with a report that set out the Harbour's performance against agreed Performance indicators (PIs).

The Harbour Master introduced the report and took Members through the key elements and advised them of more detail where appropriate.

In conclusion, the Board wished to put on record its gratitude and appreciation to the Harbour staff for their efforts in obtaining another excellent performance report.

It was then:

RESOLVED

That the report be noted.

SH.10/14 **MATTERS FOR FUTURE CONSIDERATION**

The Board considered a report that identified matters for future consideration by the Harbour Board. The Harbour Master introduced the report and highlighted the key issues.

In discussion, the Board welcomed the proposal to convene its annual workshop in October 2014, which would enable for informal strategic discussions to take place.

It was then:

RESOLVED

That the report be noted.

SH.11/14 **EXCLUSION OF PUBLIC AND PRESS**

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

SH.12/14 **SURVEYING THE BAR**

As raised under urgent business (Minute SH.03/14 above refers), an exempt item was presented in respect of whether or not the Board was supportive of a proposal to commission a survey to assess whether or not the Bar had moved during the recent storms.

Having been informed by the Harbour Master of the details of the proposal, the Board expressed its support for the survey to be commissioned on the terms as outlined to the meeting.

It was then:

RESOLVED

That the proposal to commission a survey on the Bar on the terms as outlined to the meeting be endorsed.

(Meeting commenced at 2.30 pm and concluded at 3.25 pm)

Chairman