

## Dart Harbour and Navigation Authority

### Minutes of a Meeting of the Dart Harbour and Navigation Authority held at The Clifton Room, The Guildhall, Dartmouth on Monday 11<sup>th</sup> February 2019, commencing at 1830 hrs.

**PRESENT:** Zoe Briant-Evans (ZBE)  
Mike Burden (MB)  
Captain Mark Cooper (MC) - Harbour Master/CEO  
Julian Distin (JJD)  
James Dodd (JD) – Vice Chairman  
Shona Duncan (SD)  
John Ellwood (JE)  
Tristan Harwood (TH)  
Mark Hubbard (MH) – Chairman  
Melanie Lessels (ML)  
Tony Tudor (TT)

**IN ATTENDANCE:** Penny Johns (PJ) Senior Administrator

#### 018/19 Apologies for Absence

Apologies were received from TD and RE.

#### 019/19 Minutes of the Meeting held on 8<sup>th</sup> January 2019.

It was **proposed** by JJD and **seconded** by JD with all in favour “**that the minutes represented a true record of the meeting**”.

#### 020/19 Action Grid - Status of Actions set on 8<sup>th</sup> January 2019.

#### Ongoing Actions

<b>Issue/Min No</b>	056/18.3
<b>Description</b>	Planning (MMO and SHDC) Concordat
<b>Action Required</b>	MC to write to the MP to ask why SHDC are not participating in the concordat with the MMO.
<b>Status</b>	Ongoing July - Ongoing – SHDC said in June they are going to reply to the letter and to expect the response to be positive. Sept – Still no response from SHDC. MC advised that he would continue to progress this and write to Sarah Wollaston (MP) Jan 19 HM met with SHDC/MMO before Christmas. Dart Harbour will need to keep and track all planning applications owing to inefficiency of MMO process (letter to MMO follow). SHDC will make it clear when approving terrestrial planning that DHNA and MMO and land owner (duchy) need to approve plans below MHW line. November - It was noted that Chris Brook (SHDC) will speak to Guy Pedrick (SHDC) to progress this.
<b>Meeting discussion</b>	No discussion
<b>Update</b>	Feb 19 – DHNA now acting independently to the MMO but keeping them informed of judgements. MC advised that he had written to the Fish Hoek developers to advise they need a MMO Licence, but that they also need to come to Dart Harbour for mooring licences.

<b>Issue/Min No</b>	072/18
<b>Description</b>	<b>Draft Deed between SHDC and Dart Harbour</b>
<b>Action Required</b>	MC and TT to input to the wording in relation to the Act.
<b>Status</b>	Sept. TT/MC to continue to develop wording for Management Agreement for SHDC. Jan 19 - HM discussed with SHDC in Dec – SHDC trying to get the first draft through their lawyers.
<b>Meeting Discussion</b>	Ongoing – still waiting for SHDC
<b>Update</b>	Feb 19 – Drafts received from SHDC require scrutiny and to send to our lawyers for their input. It was noted that the Board would need to think about how to deal with the sign off.

<b>Issue/Min No</b>	<b>104/18.1</b>
<b>Description</b>	<b>Dart Harbour Communities Group (DHCG) (Formerly Group Non Bens)</b>
<b>Action Required</b>	JJD to assist JD to develop the DHCG in 2019
<b>Status</b>	
<b>Meeting Discussion</b>	No discussion at the meeting
<b>Update</b>	Complete

#### **Actions Agreed at January 2019 meeting**

<b>Issue/Min No</b>	<b>009/19.2</b>
<b>Description</b>	<b>Byelaw Enforcement.</b> MC advised that he had interviewed the persistent speeder who had been adamant that he was not causing a wash. MC had shown him the video of the wash and he agreed that it was excessive and commented that the way he had been approached was not good and felt that the staff need not be so overbearing.  TH advised that he would provide contact information for a prosecution lawyer who could be approached for advice for future reference.
<b>Action Required</b>	<b>ACTION:</b> TH to pass contact details to MC for the prosecution lawyer. TH developed draft enforcement policy, which also includes other offences that may be prosecuted, in addition to speeding. TH advised that this was the proposal of a lawyer who regularly prosecutes offenders and it was noted that Falmouth also use this method.
<b>Status</b>	Feb 19 – Enforcement Policy has been drafted to be reviewed in March Board Meeting Complete

<b>Issue/Min No</b>	<b>011/19</b>
<b>Description</b>	<b>Interim Review of the Moorings' Policy</b> <b>It was agreed</b> that a formal review of the policy be initialised as part of the annual review and that a small sub group is set up to start the process.
<b>Action Required</b>	<b>ACTION:</b> JJD/JD to prepare a revision of the Moorings Policy for future consideration of the Board.

<b>Status</b>	Ongoing
<b>Issue/Min No</b>	<b>012/19</b>
<b>Description</b>	<b>Fish Hoek Planning Application</b>
<b>Action Required</b>	<p><b>ACTION 1</b> : TH to develop a statement of the obligations, responsibilities of the Authority with regard to commenting on the marine aspects of planning applications.</p> <p><b>ACTION 2:</b> individual board members who have objected to planning applications (including Fishhoek) should note that they are not permitted to participate in discussions about it at Board meetings to ensure that transparency is maintained .</p>
<b>Status</b>	<p>February 2019. A discussion took place about Board Members' conflicts of interest in relation to Fish Hoek. <b>It was agreed</b> to discuss the policy of conflicts of interest and to develop a policy for this for clarification of Board Members' responsibilities.</p> <p><b>ACTION 3:</b> It was suggested that a sub-committee consider this matter.</p>

#### Completed Actions to Note

<b>Issue/Min No</b>	<b>012/18</b>
<b>Description</b>	<b>Marketing Report</b>
<b>Action Required</b>	<p>To increase the website budget and to begin the recruitment of the PR/Marketing contractor using the principles. Interviewed and companies with 8 people or more with an approximate hourly rate £30 per hour.</p> <p>To discuss this more broadly in one of our workshops with market research and mooring analysis.</p> <p><b>ACTION:</b> MC to progress the recruitment of a PR/Marketing contractor and the website upgrade. Completed Susie Hudson lead.</p>
<b>Status</b>	<p>Ongoing</p> <p>July: Began website scoping with the first meeting with the new contractor on Friday 6 July. Contract let for scoping activity in order to provide firmer view of cost estimate for design and implementation.</p> <p>MC advised that because of the high cost of the proposed website, it had been agreed to section the work and to review, approve and pay in phases. The innovative development is hoped to ease the visitor and mooring journey through site. All staff have been involved in developing FAQs to support the development of the new site.</p> <p>MC advised that the Instagram platform is building and showing what we do on the river posted by two River Officers on a regular basis.</p> <p>The Marketing Consultant will be developing a communications plan which will show how the Authority incorporates messages from the Board into positive messages to raise the reputation of the Authority.</p> <p>Nov: Marketing consultant engaged in Marketing, PR and communications on both on-line and off-line channels. Major projects include project management for new Dart Harbour website, developing a marketing and communications strategy, customer analysis and</p>

	<p>improving stakeholder engagement. Day to day tasks include report writing, social posting and authoring copy for publications.</p> <p>In early 2019 there will be an additional task of managing and authoring the copy for the new website. It is anticipated that additional time will be required to complete this task in parallel with the commitments outlined above.</p> <p>Jan 19 - Marketing Strategy (including cruise ships) for 2019 included in 2018 Annual Meeting future objectives and included in 2019 staff objectives where appropriate. Anticipate this being a relatively slow time activity as Harbour Guide and Website review take up capacity.</p>
<b>Meeting Discussion</b>	<p><b>It was agreed</b> to remove this item from the action grid and to add to the regular agenda as a standing item.</p> <p><b>ACTION:</b> PJ to include as a standing item on the agenda.</p>
<b>Update</b>	Complete:

<b>Issue/Min No</b>	<b>110/18</b>
<b>Description</b>	<b>Young Champions Awards</b>
<b>Action Required</b>	ZBE to review the Young Champion Awards scheme and prepare a proposal for the January 2019 Board meeting
<b>Status</b>	In progress – ZBE not at January meeting.
<b>Update</b>	Complete

<b>Issue/Min No</b>	<b>011/18.6</b>
<b>Description</b>	Cruise Ships
<b>Action Required</b>	MC and TT to liaise with Dartmouth Town Council (DTC) to improve liaison and arrange a meeting with the mayor and David Gent.
<b>Notes</b>	It was noted that Dart Harbour are still marketing to attract cruise ships. This task would be better suited to a tourist office, for instance on decisions about shopping, leaflets and visitor experiences.
<b>Status</b>	Complete and now covered as part of the Marketing Strategy on standard agenda
<b>Update</b>	<p>July – MC met with the Chamber of Trade to discuss cruise ship marketing on 5/6<sup>th</sup> July to inform them about the benefits of cruise ships.</p> <p>Sept - MC advised that at the meeting, in July, the Mayor and Cllr Gent advised they were very supportive, but wanted to get support from Town Councillors. It was noted that the matter has not yet gone to Council. MC suggested that Dart Harbour should meet with businesses to encourage their support to welcome passengers, to volunteer to help to support the TIC and to try and link some of the business</p> <p><b>It was agreed</b> that there should be more PR activity around cruise ships to gradually change opinions, to continue activity and to engage with the Town Council more.</p> <p><b>ACTION:</b> MC to develop the PR strategy with the Authority's Marketing and PR Consultant and to use our own PR to change the mood of the populace.</p> <p>Jan 19 to be covered by action on marketing strategy - Update Part of Marketing Strategy for 2019 included in 2018 Annual Meeting future objectives and included in 2019 staff objectives where appropriate. Anticipate this being a relatively slow time activity as Harbour Guide and Website review take up capacity.</p>
	February 2019. MC talked to DTC in the council chamber to put across the point of neighbourhood plans and their strategy regarding economic

	<p>areas to be in line with Dart Harbour. DTC advised that they are keen to work with us and requested that MC produces a monthly report for their information. MC advised that their level knowledge was poor. TT advised that he had received good feedback from Cllrs. It was also noted that DTC cannot revisit the Neighbourhood plan for six months MC recommended that even if DTC does not have a neighbourhood plan they should agree a principle level. It was suggested that this be discussed as part of the Communities Group.</p>
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<b>Issue/Min No</b>	<b>009/19.3</b>
<b>Description</b>	<p><b>Finance.</b></p> <p>MH advised that a review of the financial system to provide a health check had taken place and a report has been received from The Finance Department. He advised that there were areas where improvements could be made to make the system work better, but there had been no major concerns. A report for the Board would be prepared in the future.</p>
<b>Action Required</b>	<b>ACTION:</b> MH to continue to keep the Board informed.
<b>Status</b>	Complete

<b>Issue/Min No</b>	<b>014/19</b>
<b>Description</b>	<b>Board Meeting Dates 2019</b>
<b>Action Required</b>	<p>A discussion took place and <b>it was agreed</b> to move 2019 dates back to the second Monday of the month.</p> <p><b>ACTION:</b> PJ to change dates and venues for the remainder of meetings in 2019.</p>
<b>Status</b>	Complete

<b>Issue/Min No</b>	<b>015/19.1</b>
<b>Description</b>	<p><b>Anchor Chain.</b></p> <p>JD expressed concern over the condition of a ground chain circulated as part of the weekly update by MC, and asked whether there should be more frequent inspections.</p> <p>RE advised that there would be a need to check the main stream mooring tackle before the World comes in.</p> <p>MC explained that the ground chain well dug in and regularly inspected and would get an explanation from the Moorings Manager and report back to the Board.</p>
<b>Action Required</b>	<b>ACTION:</b> MC to circulate report from the Moorings Manager to the Board.
<b>Status</b>	Complete

<b>Issue/Min No</b>	<b>015/19.2</b>
<b>Description</b>	<b>Mervyn King</b>  It was noted that Mervyn King (Chairman of the Authority between 1994 and 1997 and again between 2001 and 2002), had passed away and <b>it was agreed</b> to fly the Dart Harbour flag at half mast on the day of his funeral.
<b>Action Required</b>	<b>ACTION:</b> MC to fly the flag at half mast on Friday 11 <sup>th</sup> January.
<b>Status</b>	Complete

**021/19 Urgent Business brought forward at the discretion of the Chairman**

There was none.

**022/19 Declarations of Interest**

Board Members were invited to declare any personal or disclosable pecuniary interests including the nature and extent of such interests.

There were none.

**023/19 Questions from the Public.**

There was one member of the public present.

Alan Sherratt asked whether Dart Harbour had carried out an environmental audit and suggested it may be beneficial to involve college students and to invite ideas on areas the Authority should be considering.

MH advised that Dart Harbour should look at methods of communicating and consulting and should get more engaged with South Devon College on how they engage with students to improve and enhance the marine industry. It was noted that there could be an opportunity to link to the environment.

JD explained the nature of water testing undertaken by the EA the results of which are available through their Catchment Data Explorer ported on their website. The results are historical but reflect constant testing for a variety of elements and chemicals from numerous sites in the estuary. At present the overall assessment of the Dart Estuary is set at 'Moderate'. With respect to bathing water quality, the only tests for this are done at Castle and Sugary coves and do not reflect water quality for bathing in the river itself.

JJD advised that he picks up plastic he finds in the river and advised that it is the smaller particles that are worse for the environment and more difficult to remove.

## **024/19 Stakeholder Groups**

### **024/19.1 Dart Harbour Communities Group (DHCG)**

The next meeting is scheduled for 14<sup>th</sup> March and JJD will represent Dart Harbour as JD is not available.

### **024/19.2 River Dart Commercial Users Group (CUG)**

It was noted that Andrew Pooley (formerly Dart Steam Railway and River Boat Company) was no longer on the group and that Ben Morris (Dolphin Haven) is now Vice Chairman. The Chairman is John Holman (Darthaven Marina). JJD advised that feedback from Dolphin Haven indicated that a number of official bodies are working as if the MCZ is already in place in relation to planning matters

Their next meeting is set for 13<sup>th</sup> May. It was noted that this clashes with the Dart Harbour Board Meeting.

**It was agreed** to advise CUG of this.

**ACTION:** JJD to advised CUG of the clash of dates.

### **024/19.3 Association of Dart River User Clubs (ADRUC)**

The next meeting has not yet been set.

### **024/19.4 Dart Estuary Forum**

The next forum is scheduled for 30<sup>th</sup> April.

JD advised the Board of a meeting (JD and MC) with the EA to discuss their Mitigation Measures process. This is an assessment of existing developments that are perceived to have had an impact on the ecosystems and is a legal requirement arising from the Water Framework Directive. They want to identify where mitigation measures might be possible, subject to their impact on current operations and activities. The EA had a list of generic questions and it had already been identified that only two of these may apply to Dart Harbour. It was noted that the Authority will need to co-operate with the EA and consider what mitigation measures could be made, if any projects qualify. It was disappointing that the EA were unwilling to provide a report on progress to date or written guidelines on the processes involved. However they are keen to be seen to be working in partnership with all involved and as such the Dart Estuary Forum seems to be the right platform for them to apprise the interested community of their work.

MC advised that the BPA members had not heard of this activity and was uncertain about why the EA would choose Dartmouth. It was noted that the EA operate two ports themselves but there was no information about whether they were involved. After a short discussion at the meeting the majority of Dart Harbour projects were ruled out arbitrarily, but the Authority would need to bear in mind that the EA have the backing of the law. The EA did agree to provide a letter to Dart Harbour setting out what had been agreed, but this had not yet been received.

**It was agreed** to keep a watching brief on this matter.

**ACTION:** JD to keep board informed.

## **025/19 Operational Report (including PMSC and Safety)**

MC reported on the Operational Report, and the following matters referred to:-

- a) Allocations it was noted that these were 68% complete for down river berths. This figure is due to the number of early give ups received following the registration fee invoices (98% collected). Allocations are going well.
- b) Mooring Maintenance. This is progressing well and MC advised that the plan for this work is complicated, as it is dependent on manning the barges with right number of staff. This is easier in the early part of season, but it is normal to be left with the harder to do areas, where tides are more important. MC advised that progress is due manpower as there had been less absence with 98% attendance in the last week.

## **026/19 Marketing Strategy Update**

MC is aware of the need for a strategy and a draft was being prepared. MC also advised that the Marketing/PR consultant is involved in the website rebuild, the harbour guide and other PR matters.

SD advised that the strategy should come before website.

MH responded that the areas for a marketing strategy were previously undefined and the website is a good mechanism for developing the emergent strategy.

SD understood the rationale, but advised that a broader communication strategy and a public interface in general would be needed.

MH explained that progressive activity is now taking place.

SD advised that when developing the strategy it may be worth looking at it in a broader context.

A discussion took place when the following comments were made:-

- a) JD asked if there was a clear process that would lead to a product such as an articulated strategy.
- b) SD advised that this should be more than a marketing strategy, but should include a communications strategy, both defensive and proactive.
- c) ZBE and JJD highlighted the organisations reputational need in this area.
- d) MC advised that the strategic plan needs to be starting point.
- e) MH advised that there is a need to build this work into the cycle of activity and the Board needs to have a full discussion on this subject.

## **027/19 Financial Management**

MH advised that The Finance Department carried out a review on Dart Harbour finance systems. A number of activities had been identified to look at in a smarter and better way. There was nothing particularly to report but we can move forward in some areas eg operational systems. MH explained that there will be a need to come to discuss the financing of large capital projects for which we could be accounting and holding funds in a



better way would be more advantageous. This would form part of a broader picture on how we tackle improvements in finance management.

**ACTION:** MH to circulate The Finance Department's report to the Board.

## **028/19 Dart Harbour Community Fund (Formerly Young Champions)**

ZBE reported on her review of the Young Champions Award. This scheme was focused at young people in a variety of categories, and donated small sums of money to schools and youth groups. The fund was run by Dart Harbour, and was found to be both administratively and manpower intensive. Furthermore, it became increasingly difficult to cultivate interest from local groups to apply. This scheme is no longer viable for a number of reasons; the management of education has changed and donating money direct to schools is less attractive. The sums of money were also not enough (£200-500) of an incentive to encourage groups to apply, and the criteria too narrow.

**ZBE proposed** that Dart Harbour look to nominate an amount of pre tax profits to become the Dart Harbour Community Fund (DHCF). To be effective this sum needs to be in the region of £2,500 per annum. There is a precedent for this amongst Trust Ports as the Port of Dover has a Port of Dover Community Fund. The aims of the fund should be for Dart Harbour to support worthy causes within the River Dart Catchment area. The precise criteria for the fund can be discussed; but advice from both Dover and local Charity experts are that DHNB should consider as wide an inclusion as possible; but with 'encouraged criteria' as recommended below.

The following are recommended as criteria, and take inspiration from the Dart Harbour Strategic Plan, whilst still retaining the Young Champions concept.

Dart Harbour are keen to hear from projects that;

- Improve the lives and welfare of young people
- Have a positive impact on the environment
- Have a link with the River Dart
- Engage with as many members of the local community as possible

In order to ensure the longevity of this project it is recommended that the administration of the fund be handled by the Devon Community Foundation. The Devon Community Foundation (DCF) is a registered charity that administers and distributes a large number of grants locally. The Port of Dover use the Kent Community Foundation for the same purpose. The DCF would not only administer all aspects of the fund, but also have an awards panel that would make application decisions. This allows Dart Harbour to take a step back, and avoids any issues regarding conflicts of interest or making partisan decisions. Awards can be made to single, or multiple bodies and can be made to the same organisation more than once. The DCF would undertake all relevant checks of applicants to ensure the integrity of the fund. Awards cannot be granted to individuals. The DCF would require a (negotiable) admin fee of around 10% of the amount donated by Dart Harbour. Dart Harbour can still visit projects that are awarded the money, and generate positive PR from such awards. DCF would also assist Dart Harbour in this. A cheque to DCF could be awarded annually at the AGM. In terms of criteria, practicalities and administration the DCF (who have a huge amount of experience in this area) could provide us with further advice. The benefits of administering charitable funds in this way

are many, not least it ensures the longevity of the fund despite turnover of Board Members and personnel.

A discussion took place and **it was proposed by JJD, seconded by TT with all in favour** to:-

- a) Budget for an amount of £2,500 annually;
- b) Use the name Dart Harbour Community Fund (DHCF);
- c) Endorse and modify the fund criteria;
- d) Appoint ZBE as the lead for the DHCF, and to
- e) Approve and enter into discussion with DCF to administer the fund.

## **ACTIONS**

- a) PJ to Update the current entry on the website (Complete).
- b) Dart Harbour to generate its own PR around the new fund.
- c) ZBE to enter into discussion with DCF.
- d) Invite the Devon Community Fund representative to a board meeting or working meeting.

### **029/19 Workshop Meetings**

A discussion took place about the Workshop Meeting on 13<sup>th</sup> May and **it was agreed** to delve into strategy in more depth and to spend time how we do high level strategy. This would include the HR and communications strategies.

JJD had concerns that it would have an impact of the Moorings Policy review, but MH advised that it was unlikely to impact on this.

**ACTION:** PJ to circulate a Doodle Poll for the timings of the May workshop meeting and to arrange for Totnes and Kingswear venues be booked for the two Board meetings outside Dartmouth.

### **030/19 Correspondence**

Board Members to advise on any correspondence received.

MC reported that he had received a supportive letter from Sarah Wollaston MP regarding the fishing pontoon funding application.

### **031/19 Any Other Business**

The Classic Channel Regatta is held every two years with a cross channel element, based here and in Paimpol, France. The French mayor hosts the event free of charge. Dart Harbour gave a discount of 3 nights for price of 1 last year and MC had identified that we were recovering our costs. The organisers have asked if we could do for free. The excess fees collected go to a charity for young disadvantaged people. MC recommended that Dart Harbour should recover its costs. It was also noted that Dart Harbour do not get much publicity for supporting the event.

A discussion took place as follows:-

- a) Dart Harbour should drive the PR to ensure we get recognition for the significant contribution. There will be approximately 100 boats of around 10m LOA paying £20 each for three nights with moorings and taxis.
- b) ZBE suggested that we could charge and make a donation to their charity.
- c) JE – should give discount, but not free.
- d) MC advised that other organisations make money, but we would be losing money.

**It was agreed** to retain the charging rate as per previous year (1 day charge for a 3 day visit, extra nights to be charged at normal rate).

### **032/19      Move “In Committee”**

It was proposed by ZBE and seconded by JJD with all in favour, “*that the meeting move into Committee*”.

### **IC 015/19      Decisions Made “In Committee”**

It was proposed by ZBE and seconded by JE with all in favour “to ratify decisions made “In Committee”.

### **IC 010/19      Designated Person (DP) Role**

A report had been circulated to the Board to consider an alternative provider of the DP role.

It was noted that much discussion had taken place, over last two years, concerning the DP role. The essence of which was that SE does a thorough job, but the Authority does not have any benchmarking comparison with other ports. The options before the Board are to decide whether:-

- a) We can continue with our current arrangement.
- b) We can supplement our current arrangement with an alternative supplier and add additional review during 2019 with that alternative supplier. Depending on outcome, we can make a decision on this approach on the basis of that additional review
- c) We can move to an alternative supplier with a soft handover during 2019.
- d) We can move to an alternative supplier with no handover.

A discussion took place about these options and **it was proposed by JJD, seconded by TH with all in favour** to pay one of the larger commercial providers to do a genuine benchmarking piece to gauge our level.

**ACTION:** MC to approach suitable organisations for more information and costs.

### **033/19      Date of next Meeting**

Monday 11<sup>th</sup> March at 1830 hrs in The Clifton Room, The Guildhall, Victoria Road, Dartmouth.