

Dart Harbour and Navigation Authority

Minutes of a Meeting of the Dart Harbour and Navigation Authority held at The Stoke Gabriel Boating Association on Monday 9th July 2018, commencing at 1830 hrs.

PRESENT: Mark Hubbard (Chairman)
Zoe Briant-Evans (ZBE)
Mike Burden (MB)
Captain Mark Cooper (MC) - Harbour Master/CEO
Julian Distin (JJD)
James Dodd (JD) – Vice Chairman
Tristan Harwood (TH)
Tony Tudor (TT)

IN ATTENDANCE: Penny Johns (PJ) Senior Administrator
Chris Brook (SHDC)

Julian Williams (JW) (SGBA Commodore) welcomed the Board to the SGBA and gave a brief update on the history of the association. It was noted that the association is now 40 years old, has around 40 adult and 200 junior members. Its fleet comprises 30 sailing dinghies and 2 canoes/kayaks. The association owns the land and the clubhouse building which was built during 2016 for £250,000 which included some funding from Sport England. The association has a workshop for safety boats, storage for sails and lockers for engines and other equipment. The SGBA has collaborated and been consulted about harbour dues and the SGBA feel that a satisfactory outcome has been reached. The SGBA welcome the installation of the new temporary pontoon at Mill Point. Other members of the SGBA committee were present including Neil Millward (Chair of Trustees), Brian Deacon (Vice Commodore) and Roger Stobbart (Ex Commodore).

MH thanked the SGBA for their hospitality.

063/18 Apologies for Absence

Apologies were received from RE, JE, TD, OH. TD had provided comments applicable to some agenda items.

064/18 Minutes of the Meeting held on 11th June 2018.

JJD asked for clarification on item 053/18.2 i). **It was agreed** to amend the minute to:-

.... Enhancements and New Developments will require stakeholder consultation including the Environment Agency (EA) and AONB and Dart Harbour should develop a consultation procedure with stakeholder groups.

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

065/18 Action Grid - Status of Actions set on 11th June 2018.

Ongoing Actions

Issue/Min No	003/18.1
Description	Young Champion Award
Action Required	MC to approach Kit Noble at the Royal Dart Yacht Club to ask if he would be interested in being co-opted to the Board to run the scheme.
Status	<p>Ongoing</p> <p><i>February:</i> MC advised that he had spoken to Kit Noble and Sue Pudduck and will continue to take this forward by arranging a meeting to discuss further. MC felt there was a need to broaden the membership on who can take this up. JD suggested that Anna Christie at Dart Sailability and the stakeholder groups. MH recommended that representatives from Totnes are also included in this scheme.</p> <p><i>April:</i> MC advised that there is a problem with resource to run this project. He stated that Kit Noble and Sue Pudduck are keen to take part, but they are keen for a Board Member to take an interest. Following a discussion it was agreed that TT be the Board Representative for the Young Champions Awards.</p> <p>ACTION: TT and MC to liaise with Sue Pudduck and Kit Noble to take forward and arrange a meeting in May.</p> <p><i>July:</i> MC advised not complete – Action continues</p>

Issue/Min No	011/18.6
Description	Cruise Ships
Action Required	MC and TT to liaise with Dartmouth Town Council to improve liaison and arrange a meeting with the mayor and David Gent.
Notes	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.
Status	<p>July – MC met with the Chamber of Trade to discuss cruise ship marketing on 5/6th July to inform them about the benefits of cruise ships.</p> <p>MC advised that Tricia Daniels had spotted an opportunity with a French cruise operator who are in the process of building 2 to 3 new high end 150m ships. She offered them a hospitality visit to Dartmouth and although they didn't visit they booked two ship visits for 2019. MC advised that Tricia is happy to continue with the marketing aspect now that the TIC are providing the visitor welcome.</p> <p>MC advised that the Chamber of Trade has withdrawn funding for the town cryer.</p> <p>JD advised that this is not Dart Harbour business, but the Town Council's business.</p>

	A meeting with Dartmouth Town Council is proposed and MH suggested that it would be interesting to see how the meeting with them goes.
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Issue/Min No	012/18
Description	Marketing Report
Action Required	<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>ACTION: MC to progress the recruitment of a PR/Marketing contractor and the website upgrade. Completed Susie Hudson lead.</p>
Status	<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>

Issue/Min No	025/18.5 GDPR
Description	It was agreed to continue to develop the GDPR road map for compliance.
Action Required	MB and PJ to develop further
Status	PJ gave an update on continuing progress and MB advised that he is happy with the progress being made.

Issue/Min No	027/18 Pilotage Services
Description	<p>It was agreed:</p> <p>(a) To supplement the pilotage services utilising the two Fowey Pilots already registered with DHNA as follows:</p> <p>(b) That Fowey Pilots conduct pilotage for large vessels (over 90m LOA) entering the river with HM/RE understudying and able to provide advice to pilot on local knowledge in accordance with a formal risk assessment.</p> <p>(c) That RE/HM conduct pilotage for vessels entering the river of less than 90m LOA.</p>

	<p>(d) That RE/HM conduct pilotage for all vessels anchoring outside the Castles.</p> <p>(e) That DHNA Board invite Captain Rich Eggleton to join the Board as a co opted member for pilotage experience and to assume the position of DHNA senior pilot.</p>
Action Required	MH and MC to implement the decisions taken above
Status	<p>Ongoing:</p> <p>July: MC reported that first run of pilotage procedure approved by the Board went well and the next act of pilotage requiring Fowey assistance will be for Saga Pearl 2 during Regatta.</p> <p>MC will provide a report after the 2018 season to include any recommendations from the Fowey Pilots.</p> <p>MC advised that the first ship requiring Fowey pilots to be present for training took place in June. The process ran well and feedback was given to RE. MC explained that tugs or Hercules will be utilised when necessary to assist with pushing.</p> <p>MH summarised that it is fundamental to encourage pilotage for large vessels and that this activity requires forethought and planning.</p>

Issue/Min No	053/18.1
Description	Environment Agency MCZ Consultation
Action Required	MC and JD to gather more information and report back to Board Members
Status	Ongoing – Agenda Item for Jul 18

Issue/Min No	056/18.3
Description	Planning (MMO and SHDC) Concordat
Action Required	MC to write to the MP to ask why SHDC are not participating in the concordat with the MMO.
Status	<p>Ongoing</p> <p>July - Ongoing – SHDC said in June they are going to reply to the letter and to expect the response to be positive.</p>

Issue/Min No	057/18.2
Description	Finance
Action Required	MC and TD to prepare outline capital plan and circulate to Board Members
Status	<p>Ongoing</p> <p>July – A plan has been prepared and distributed for discussion at this meeting</p>

Issue/Min No	059/18.1
Description	Dartmouth Chronicle
Action Required	MC to lead on PR stories and any relevant press cuttings to be circulated in the weekly update
Notes	No significant cuttings in the last month.
Status	Ongoing

066/18 Urgent Business brought forward at the discretion of the Chairman

066/18.1 Ferries

MC advised that he had received an application for a ferry licence to run to Stoke Gabriel. The licencing is currently overseen by SHDC with support from Dart Harbour for safety checks on vessels and boatman testing. There is currently no guidance on how many licences may be issued. MC also advised that there had been some competition and clashes between different ferry operators. MC had also received another request for a ferry to come from Torbay to Dartmouth. It was noted that there needs to be a plan to prevent facilities becoming overloaded, in order to avoid conflict between the different operators and to encourage a thriving community.

A discussion took place and the following comments noted:-

- a) TH advised that MC should evidence any decisions taken in relation to licencing vessels.
- b) ZBE asked for confirmation that Dart Harbour can retract licences. MC responded that this can happen.
- c) MC advised that he had a meeting with the ferry operators to advise them to work together and support each other, and felt that the current conflicts would settle down.
- d) JJD advised that because the long established Dartmouth to Dittisham ferry operators have put in the most investment in the real value of facilities (eg the kiosks) and that they have been running for decades, they will naturally envisage a problem in conceding the timetable to other operators. JJD felt that some friction was unavoidable. JJD felt that the Authority's role is (1) marine safety powers, and (2) a landlord interest in certain facilities, eg Dittisham pontoon.
- e) MC advised that he had not seen much differences to the patterns on the Town Jetty. He advised that some ferries sit there and should not be loitering. MC advised that he would speak to Torbay Harbour to find out what the behaviour is like there.
- f) TT indicated that SHDC have to authorise the ferries and they should dictate what insurance cover they should have in place. He also advised that the Harbour Act is clear that Dart Harbour can also check and specify insurance requirements.

It was agreed that Dart Harbour will not unreasonably refuse or withhold licences and a definition of what is reasonable or unreasonable, should be identified. **It was also agreed** that MC should liaise with TT regarding the wording in relation to insurance requirements and monitor the impact of use on the Town Jetty.

067/18 Declarations of Interest

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

There was no change in previously recorded interests.

068/18 Questions from the Public.

068/18.1 An update in relation to a question raised by Alan Sherratt, at a previous meeting, in relation to the potential to develop a digital sticker with chip. MC advised that Dart Harbour now issues brown triangle stickers to identify boats under 4m or with no mechanical propulsion. MC also advised that it was interesting to note that, since this change, more than 50 boats have registered that were not registered last year between 3 and 4 metres.

There was a 15 minute period for questions from members of the public.

A representative of the Totnes Boating Association (TBA) (Ex Commodore) asked about rights to the shoreline in Stoke Gabriel as notices had been put up advising that no parking is allowed on the foreshore. He advised that he had parked on the foreshore for 30 to 40 years and asked why this was now an issue. He understood that access needs to be maintained as the SGBA have rights above mean high water.

JW (SGBA) responded and advised that this question is not for Dart Harbour and advised that if people are unhappy with the SGBA they should complain to them. He explained that Nick Prust spent an hour with him and this was discussed. JW explained that the Parish Council had put up a sign at end of the slipway stating that access was for launch and recovery of boats only. JW explained that the SGBA have difficulties with some members of SGPC, and the SGBA are working with them to resolve the issues.

Congratulations were given to Dart Harbour on the new pontoon at Mill Point which was thought a wonderful asset and hoped that this could be developed further in the future. It was noted that everyone in village and the TBA are now using Stoke Gabriel more than they did before.

Neil Millward (NM) had observed that quite a few people using the pontoon have benefitted businesses in Stoke Gabriel. Although this is positive, the businesses would benefit from a better representation in the harbour guide. NM hopes the pontoon will be continued in future years.

MC advised that he had only had one negative comment, third hand that the pontoon was bringing the 'wrong sort' of people into SG. MC advised that the pontoon would be removed before Regatta. MC suggested that those people who support the pontoon should write in so that Dart Harbour can evidence its success.

MC advised that he would like to get the pontoon higher up the beach and would like to be more certain about the timing of use. NM advised that there is a tide gauge at Stoke Gabriel which has been there for 12 years. This gauge is calibrated to local chart datum, within 2cm and this could help to resolve uncertainty. SGBA also produce a tide tables booklet for Stoke Gabriel.

MC advised there would be a need to run the trial on the pontoon for another season before anything permanent, which could involve footpath access etc is considered, as this could become complicate and involved to finalise.

MH advised that the Authority will take a view after the pontoon trial and continue to look at the next stages, with the aim to try and test to see what works well.

069/18 Stakeholder Groups

069/18.1 River Dart Non Beneficiary Group (Non Bens)

MC advised that he had consulted stakeholder groups about the proposed MCZ for the Dart.

069/18.2 River Dart Commercial Users Group (CUG)

There had been no meeting.

069/18.3 Association of Dart River User Clubs (ADRUC)

There had been no meeting.

069/18.4 Dart Estuary Forum

JD advised that he attended a workshop run by the Bio Regional Learning Centre (Totnes) sponsored by the Catchment Partnership, involving a number of organisations with an interest in Catchment Management of the River Dart local areas (focussed more on upstream areas rather than the Estuary). The team were promoting the concept of a River Charter, that would be signed up to by all the local authorities with an interest in the river from its source to the sea; that would be managed by a River Council; and that each local authority would endeavour to nominate two River Wardens (think Tree Wardens) who would monitor their own part of the river and report to the River Council. The council meetings would provide a Forum for debate on River issues JD advised that he was finding it hard to capture anything material coming out of this apart from more talk, and with the Catchment Partnership, the Estuary Steering Group, and now the Dart Estuary Forum, that perhaps there were enough groups already. However, he stated that the Harbour Board should continue to provide a presence at all of these meetings to monitor developments and possibly identify good ideas that had potential to become real/practical projects for the future.

070/18 Operational Report (including PMSC and Safety)

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

MC advised that there was not a great deal to report this month.

070/18.1 SV Lord Nelson

This vessel had been encouraged to visit 3 times this year. She is run by the Jubilee Sailing Trust for disabled young people. The current scale of charges is fairly black and white and there is currently an ability to give a 25% discount to charities. The invoice for the SV Lord Nelson is currently in the region of £500 per visit. MC advised that he proposed to offer them a 50% discount, in order to encourage them to visit more often. The vessel is attractive on the Town Jetty and creates a lot of local interest.

070/18.2 Taxi Income.

Following the decision to reduce Yacht Taxi fares by 50% the consequence has shown that more journeys are taking place with 50% more ticket sales. Although more taxis are

running the wages are not currently showing an increase. More taxi drivers are being employed, running double shifts on summer evenings. There are likely to be more repairs on boats because of the additional hours, and a relative number of breakdowns. MC feels that the new system is really working well. It was noted that banner flags have been installed on the boats, primarily as an enhancement to safety, but with the added benefit that customers can see their whereabouts and advertise the service.

070/18.3 Finances

It was noted that income was £130,000 up because payment has been received for the Noss mooring work.

070/18.4 DA/DB Join Up

MC advised that the parts have been delivered and the join will be in place ready for regatta and run as a trial.

071/18 Correspondence

Board Members to advise on any correspondence received.

There was none.

072/18 Dartmouth Scrubbing Grid

MC advised that a copy of the draft deed with SHDC had been circulated to Board Members. He advised that progress is being made and negotiations are getting to the point where the financial implications are understood. A management agreement is also being developed which includes the management of the Dartmouth Scrubbing Grid.

It was noted that in the draft management agreement, SHDC have indicated they are happy to improve/repair and this can be fast tracked once the agreement is signed.

072/18.1 Draft Deed between SHDC and Dart Harbour

MC advised that some elements of the negotiations and discussions could be discussed in the open meeting. He advised that the 75% of goods landed on the Embankment were payable to SHDC. This clause applies to money taken for all goods that come across the quay. Dart Harbour would like clarity on the management agreement and that the fees payable are more than rental for the Town Jetty.

Chris Brook (CB) (SHDC) was present and was invited to contribute to the discussion.

CB advised that negotiations have been going on for more than 3 years. He advised that SHDC require that the wording of the management agreement states that SHDC owns some fundus, the quay walls, Bayards Cove and in the proposal the Council wants to operate like the Duchy of Cornwall (Duchy) and take a 17.5% share of income. SHDC do not know if this is currently being levied. SHDC want to put in place simplified mechanisms and believe in open book accounting. SHDC want to understand what

administration is going on in relation to SHDC assets. CB advised that the 75% landing dues are written in statute and just shows DHNA. This is not aimed at passenger landing fees, but for the landing of goods (eg crab, fish, fuel) on the embankment. Currently SHDC don't charge, so nothing is being paid to them at the moment.

MC advised that the agreement needs to be specific in order to allay concerns that SHDC will come back for the 75%, although that may not be the intention of SHDC.

CB advised that he feels the parties are in a position where they can agree terms and the next stage is to define detail in the management agreement, agree heads of terms and appoint a lawyer to draw up the deed.

MH advised that the impact of this needs to be looked at, as there are items that cost money that appear in the area of interest, but SHDC have also expressed they are not of interest.

CB advised that if charges are levied then SHDC need to know. If none are currently levied, eg fuel transfers, then it may be worth thinking about.

It was noted that Dart Harbour has no obligation to charge and the Act defines it. It was felt that the Deed needs to be more specific.

TT advised that Dart Harbour will need to look at the Act in order to input the right wording, that this could be done before the Deed is agreed.

MC suggested that a charge in lieu of any landing charge on the Town Jetty could be considered (eg £12k)

ACTION: MC and TT to input to the wording in relation to the Act.

073/18 Environment Agency MCZ Consultation

MC presented the background to the MCZ Consultation that was under way. Dart Harbour needs to respond to this consultation by 20th July. He advised that in the past there has been at least 1 proposal to put a MCZ around Dartmouth with one in the river, this concluded with consultation. This earlier MCZ was not recommended for establishment as there was little evidence of the impact. MC advised that in this round, there seems to be more information, it covers the area above the Anchorstone to Totnes, while the DEFRA report only shows an impact on oyster fishermen, there are no figures for that impact.

The Annexes mention management measure control activity in river, which will not be in place until a MCZ is designated. MC advised that he was unable to talk to DEFRA, but had spoken to the British Ports Authority (BPA), other harbour master, the AONB, Natural England (NE) and the MMO. All these organisations were unable to explain what the management measures would be. Other HMs have given some idea and that it could be compared with SSSI's and that the Authority could be told not to pull chain and to use divers.

MC advised that the Authority could not afford to employ divers for moorings maintenance and would not do it. The Authority could be made to stop moving moorings around and any development would require an impact evaluation report. MC advised that the Authority would never be able to afford to do that. The use of environmental moorings

would not be possible because of the tidal stream. MC advised that he had zero confidence in the proposal and that on the last occasion the Authority objected on the grounds that we did not know enough and the current situation is the same. MC advised that the Ecospan survey had given more confidence on the presence of the tentacled lagoon worm.

A discussion took place and the following comments made:-

JJD commented that the current consultation has not gone any further into the technical aspects, although DEFRA are stating that the aquaculture of pacific oysters. In the past, when the Authority had its own Environmental Officer, conservation zones were generally thought to be welcome, however, JJD could see why MC is worried. He advised that the AONB had advised that if there was a SSSI it would still be possible to have yacht racing and there should be nothing to be concerned about.

JJD felt that the principle of protection for the Dart environment was sound, such as to have good biodiversity, primarily habitats of intertidal mud, reed beds, bird life, 'low energy' rocky shoreline and nursery value for many species, but that Dart Harbour should seek reassurance that maintenance dredging of the channel can take place, eg dredging at Totnes to ensure navigation.

MC advised that he had asked the Estuary Officer if he could write some conditions, but he has not replied to date.

MH advised that it was most disturbing, that the terms "improve" and "manage" are not defined in any of the MCZ documents.

MC had concerns about how an MCZ would impact on maintaining the navigable water from the Anchorstone to Totnes.

It was **proposed** by MH and **seconded** by JD with all in favour that MC prepare a response following appropriate consultation with the stakeholder groups to state that Dart Harbour is unable to support the proposed MCZ because:-

- a) The Dart Harbour and Navigation Authority (DHNA) Board have been unable to assess the potential impact of the designation of the Dart MCZ on the future of the river owing to the lack of clarity over the potential impact and no detail at all on potential management measures in the consultation documentation (Ref A-D).
- b) Discussion with staff from other ports and harbours suggests there could be significant impact on the Harbour Authority and river-based recreation and commercial activity which would in turn impact upon the economy of the communities on and around the river. Without an understanding of the detail of management measures and the impact these will have, DHNA object to the establishment of the Dart MCZ.

ACTION: MC to complete consultation with stakeholder groups and respond to the consultation by 20th July.

074/18 Capital Plan and Cash Reserve

On 30 June 2018 MC distributed three documents to Board Members

- A. DHNA Cash Reserve Brief
- B. Cash reserve Calculation
- C. 10 Year Capital Plan

These documents demonstrated the financial resilience of the Authority by modelling the impact of three scenarios where the economy took a downturn. On the 3 July Board members who were available attended a short non public meeting to discuss these and consider the consequences for future years. Since the meeting on 3 July to discuss the proposals was non public, it was considered appropriate for the group to support recommendations for decisions at this Board meeting.

JJD advised that future consideration should be given to the long term risk posed to the Authority if the Duchy of Cornwall did not renew the lease and a long term plan would be necessary.

074/18.1 Cash Reserve:

Setting the cash reserve at £640K provides the resilience for the Authority to survive in the event of any of the three scenarios modelled including a worst case 30% drop in income for one year followed by a 20% drop for 4 consecutive years.

074/18.2 2018 Budget:

The budget should be set for 2018 to ensure that the finances of the Authority do not fall below the cash reserve. The long term plan which includes a calculation of the annualised expense for major maintenance and capital expenditure suggests that the average spend should be around £277K per year (again requiring RPI related increase). For 2018 it was felt that the aim should be to spend in the region of £290k on the items included below.

1. Item - Infrastructure	Replace	Life	Annual	2018
Low Water Landing	80000	40	2000.00	50,000
DB 18 pontoons	120000	40	3000.00	50,000
DA 21 Pontoons	120000	40	3000.00	50,000
Waste Pontoon Maintenance	10000	25	400.00	10000
Dittisham Pontoon Maintenance	20000	25	800.00	20000
Stoke Gabriel Pont Maint	10000	25	400.00	10000

Item - Boat	Replacement	Life	Annualised	
Lynx	80000	30	2666.67	50000
Artemis	30000	30	1000.00	5000
Phoebe (additional taxi)	40000	20	2000.00	0
Outboard Engines	6000	2	3000.00	6000
Item - Moorings	Replacement	Life	Annualised	
Mainstream Admiralty Buoys	10000	1	10000.00	10000
Item - Chain	Replacement	Life	Annualised	
38mm	29000	20	1450.00	29000
Totals				290,000

074/18.3 Future Budgeting and Treasury Function

In order to ensure that the Autumn budget meeting does not become a capital planning meeting it was recommended that the Board conduct a long-term planning activity in the spring of each year. Additionally, it was agreed that the Authority should endorse the decision taken in June's board meeting to engage a contractor to provide treasury services. This advice should include recommendations on the investment of a proportion of the cash reserve.

The Board considered these reports and it was **proposed** by MH **seconded** by JD with **all in favour** to:

- a. Set the cash reserve at £640k for 2018 and adjust this as required in future years based on RPI.
- b. Revise capital budget as follows with HM monitoring the expenditure to ensure that funds do not drop below the cash reserve.
- c. Engage Treasury Services and Conduct advance planning of the following years capital expenditure in advance of the budget meeting.

ACTION: MC to implement the cash reserve, capital budget and engage treasury services during September 2018.

075/18 Any Other Business

There was none.

076/18 Move "In Committee"

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

077/18 Decisions Made “In Committee”

It was proposed by JD and seconded by MB with all in favour “*to ratify decisions made “In Committee”*”.

078/18 Date of next Meeting

Monday 10th September 2018 at the Clifton Room, The Guildhall, Dartmouth at 1830 hrs