

# Dart Harbour and Navigation Authority

## Minutes of a Meeting of the Dart Harbour and Navigation Authority held in The Studio at the Flavel Centre, Flavel Place, Dartmouth, on Monday 12<sup>th</sup> October 2009, commencing at 1400 hrs.

<b>PRESENT:</b>	Mr S Ellyatt	Chairman
	Mr E Fleck	Vice-Chairman
	Mr M Cast	
	Mr N Hockaday	
	Mr T Pollard	
	Ms S Pudduck	
	Dr J Walker	
	Captain D White	Harbour Master
<b>IN ATTENDANCE:</b>	Mrs P Johns	Senior Administrator
	Ms K Distin	Finance Manager

### 1. Apologies for Absence

Apologies were received from Mr J Scott.

### 2. Questions from the Public

There were three members of the public present.

- 2.1. Mr Gary Walker informed the Board that he had volunteered to assist in rekindling the Leisure User Group. He had offered his services but to date had not received any communication from the group.

The Chairman assured Mr Walker that the Authority would encourage the LUG to make contact.

- 2.2 Mr John Baron of the Non Beneficiary User Group (Non Bens) was present and he reported that at their meeting on 8<sup>th</sup> October Non Bens had agreed to incorporate RAMROG into its membership providing that they relinquished their accreditation with Dart Harbour as a separate user group.
- 2.3 A small business operator based at Noss Marina was especially concerned that their worries were not being considered by Noss Marina Ltd especially in relation to a new lease and their future operations after the proposed development took place. He was concerned that the company would be squeezed out.

The Chairman responded that the Authority will continue to support the marine industry, he explained that the Authority has objected to the planning application made by Noss Marina Ltd on the grounds that there was not enough space or protection for the marine industry and indicated that the Authority had requested that consideration be given to protecting rents for marine businesses. Dr Walker explained that as far as land development was concerned the Authority has no

jurisdiction, but as a statutory consultee, the Authority has objected to the planning application.

### **3. Minutes of Meeting held on 14<sup>th</sup> September 2009**

It was proposed by Dr Walker and seconded by Mr Cast with all in favour **“that the minutes represented a true record of the meeting”**.

### **4. Matters Arising from Minutes held on 14<sup>th</sup> September 2009**

#### **Questions from the Public (2.3)**

A site meeting had been held with Mr Mackley at Gurrew Point and an extension to the slipway was requested to enable Mr Mackley to launch a boat from his land. The lower half of the current slipway was not usable and need refurbishment. **It was agreed** to approve the refurbishment of the slipway subject to sight of the design and approval by the Duchy of Cornwall.

**ACTION:** Harbour Master to follow up and write outlining the approval subject to Duchy approval.

#### **Harbour Master’s Report**

The Health & Safety Audit report has been received and the Harbour Master would ensure this was circulated for the November board meeting.

**ACTION:** Senior Administrator

### **5. Agenda Items**

#### **5.1 Draft Budget and FRS17**

Mr Pollard reported that there are a few items in the draft budget that require clarification with the Finance Manager but the Authority aims to keep expenditure in 2010 broadly flat with 2009 levels. Mr Pollard had been impressed in Fowey with the range of documentation available for the public and proposed that it was appropriate for Dart Harbour to produce a more informative document either for the annual report and accounts or as a general publication for stakeholders & the public.

**It was agreed** to produce a more professional document to demonstrate the Authority’s financial position &/or for general information.

**ACTION:** Mr Pollard

#### ***Capital Expenditure***

Mr Pollard explained that the capital expenditure estimate for 2010 is high because of the inclusion of the Hoodown project. He also reported that the Hoodown development was inefficient from a tax point of view, but this was unavoidable.

Mr Hockaday reported that the estimate for Hoodown was quite subjective and more accuracy will be needed in the capital expenditure programme going forward.

Maintenance costs are flat from a budget point of view. The Harbour Master reported that some chain and at least 10 new large buoys will be required, most probably before the end of 2009.

Overall the Authority's finances are healthy. The low point in cash in the bank, is in February prior to the annual invoicing, when it is in the region of £900,000. Even if the Authority spends on the Hoodown project the Authority will only reach a low point of £250,000 in 2012/13 (based on current income & expenditure projections).

Mr Hockaday expects that the Authority should allow £200,000 to £300,000 every year for capital expenditure.

The timings and items on the capital programme need revision and agreement. Major expenditure (eg the Town Jetty) needs consideration and thought should be given to the possibility of more up to date or innovative ways to carry out the programme.

**It was agreed** that a new capital programme was required for the next 10 years.

**ACTION:** A meeting to take place between Harbour Master, Mr Pollard, Mr Hockaday and the Finance Manager to develop the capital programme for the next 10 years.

The Authority has three types of expenditure – routine, capital expenditure and refurbishment. The monthly finance reports need to bring this out more clearly to enable more efficient project management.

**ACTION:** Finance Manager to include routine, capital and refurbishment expenditure separately in the monthly reports. This will also be discussed at the meeting proposed above.

It was noted that the Young Champion Awards was not capital expenditure but should be shown under marketing or public relations.

### ***Income***

It was proposed to increase the charges by 3.5% with the shellfishermen on the Kingswear Commercial KP pontoon attracting a further 2%. The fundus rental for private moorings and running moorings will be increased by a total of approximately 5%.

It was proposed not to increase the charges of the Yacht Taxi service for 2010.

**ACTION:** Finance Manager to prepare a report showing the financial position of the Yacht Taxi service.

Dr Walker mentioned that he had received complaints concerning the recently introduced administration charge for berth transfers during the winter period. The Finance Manager explained that the charge was brought in solely for berth holders who requested to move to a more convenient mooring for the winter period. This generated the requirement for contracts and research to locate an appropriate mooring to suit their request. It was noted that those berth holders moved at their own choice and therefore generated additional work which is why the charge was brought in. The charge was not applied to two location mooring holders as their winter relocation was a requirement of the Authority.

It was noted that as a not for profit organisation the Authority cannot profit from harbour dues which are used for providing the statutory duties of the Authority. **It was agreed** that it would be useful to have a breakdown of harbour dues and the costs showing the total strategic costs.

**ACTION:** Finance Manager to prepare breakdown of harbour dues and associated costs.

### **Visitor's Fees**

Discussion took place about whether or not to increase the charges to visitors to the river in 2010. There is an issue about rounding the figures which is required to make collection of fees straightforward (rounding to the nearest 10p). **It was agreed** to keep the fees the same for 2010. The issue of VAT increasing would be handled at the time especially with regard to the rounding issue.

**ACTION:** Finance Manager to note.

### **FRS17**

It was noted that the pensions liability is now under the small company provision which means the FRS17 valuation is due every three years, instead of every year. The Auditor overlooked this. Therefore a valuation could be done or the change noted in the accounts. The accounts will be revised.

The auditor has changed identity from Grinter Johnson to operate his own company (Northcott Trumfield). Mr Pollard noted that although the Authority is quite happy with his services the Authority needs to remain aware of other providers. The Finance Manager reported that she was happy to continue working with the current auditor. No action at this stage.

## **5.2 Financial Report**

Mr Pollard reported that bank accounts were healthy and that most of the income has been received at this stage. It was noted that the payment to the Duchy of Cornwall has not yet taken place but a large payment of at least £130,000 will be made before the year end.

The purchases for maintenance will need to be adjusted for actual expenditure by the year end (see comments on chain requirements in 5.1 above).

If the cash position is strong at the year end and capital expenditure on target it may be prudent to put an additional payment into the pension fund early to benefit from reducing the actuarial deficit.

The actual overheads are up because of the pension contribution being paid in advance. Other expenses are broadly on track. The money on deposit is reviewed regularly. It is anticipated that interest rates will stay low for two years.

Waste disposal costs are continuing to rise.

### **5.3 Noss on Dart**

The Chairman reported that he had studied the planning application and the application for mooring licences submitted to the Authority by Noss Marina Ltd (NML). A letter had been sent to South Hams District Council (SHDC) objecting to the planning application with the main objections relating to the small size of the boatyard and the visual impact. A copy of the letter was sent to NML together with a separate letter concerning the marina statement. Some aspects of this will be covered In Committee because it concerns a legal agreement that has not yet been finalised.

#### ***Marina Footprint***

It was noted that the negotiation group had met with NML during the morning of 12<sup>th</sup> October, prior to the Board Meeting. Notes of the meeting had been taken and the marina footprint had been adjusted with compromise made on both sides. The area is 90% in line with the Authority's previous requirements. A plan was circulated showing the extent of the marina area and **it was agreed** that the area is acceptable to the Authority with the relocation of 4 Dart Harbour moorings. NML will provide new drawings of the revised marina footprint to Dart Harbour and SHDC to accompany the planning application showing.

#### ***Mooring Licences***

The Chairman explained that the granting of mooring licences would be conditional upon various points that were being drafted into a legal agreement. The licences would also be conditional upon NML adhering to the agreed marina footprint. At this stage the Authority is only approving the footprint and NML will need to apply for the licences.

It was noted that NML have been asked to make a 10 minute presentation to the Annual Meeting on 7<sup>th</sup> December.

There is no intention to move the Distin moorings to the South of the proposed marina area. It is anticipated that there will be a 25m space which means they can stay in situ.

**ACTION:** Harbour Master to check out the Southern end.

### **5.4 Dart Harbour Young Champion Award**

Ms Pudduck announced that the launch had taken place on 1<sup>st</sup> October and a few schools and keen groups had attended. Those present were keen to role the scheme out to their young people.

If schools and organisations are not clear about the process then Ms Pudduck would be happy to go to provide more information.

It was noted that there is interest from Salcombe in rolling out a similar scheme.

### **5.5 Hoodown Improvement Project**

Mr Cast announced that there had been no marine organisms found by the environmental survey that would have any impact on the planning application. The architects will resubmit the application as soon as possible.

Discussion took place and **it was agreed** to consider the full business case and likely costings once outline planning permission was obtained and to obtain an interim account from the architects.

Ms Pudduck asked if the architects were investigating whether there were any grants available for incorporating renewable energy. If there is a new build this should be investigated.

Mr Fleck asked about whether the business case should be commenced to run alongside the outline planning application. **It was agreed** to obtain outline permission in the first instance and then consider the business case before applying for detailed planning permission.

**ACTION:** Mr Cast to continue lead on this.

## **5.6 Board Selection 2009/2010**

The Board vacancy had been advertised in the local press and to date only one application has been received. **It was agreed** to ensure the Friends of Dart Harbour have received details.

**ACTION:** Senior Administrator

## **5.7 Annual Meeting 2009 (7th December 2009)**

The 2009 Annual Meeting would take the same format as in 2008 to include a presentation about the Young Champion Award and the development at Noss Marina. Mr Hockaday stressed that it was very important that the presentation time slots were adhered to, as in the past speakers had overrun. **It was agreed** to prepare an agenda for the Annual Meeting for the November board meeting.

## **6. Stakeholder Groups**

Discussion took place about the effectiveness of the Stakeholder Groups and **it was agreed** to arrange a meeting with the groups in the New Year.

**ACTION:** Harbour Master and Senior Administrator.

**6.1 River Dart Non Beneficiary Group** – Ms Pudduck attended the meeting of the RDNB on 8<sup>th</sup> October. It was noted that Philip Gibbon was unwell and **it was agreed** to send him a get well card. One topic of interest was concerning the Transition movement which covered renewable energy and the possibility of tidal power generation at Greenway. Representatives of RAMROG were present and they will now be represented on the DNB Group subject to their informing Dart Harbour that they would relinquish their accreditation as a separate stakeholder group for a trial period of 12 months. Minutes of the meeting will be sent to Dart Harbour in due course for publication on the web site. The next meeting will be held on 25<sup>th</sup> February 2010 at the Royal Dart Yacht Club.

**6.2 Commercial Users Group** – The Harbour Master had attended their meeting on 21<sup>st</sup> September. A representative from NML was present and considerable concerns were

expressed by the CUG over the proposed development at Noss.. The next meeting was planned for 14<sup>th</sup> December 2009.

**6.3 Leisure Users Group**– It was noted that all the books for the LUG were being held by Mike Deeley. Investigation needs to take place to find out about the current situation. A review is required which needs to be instigated by Dart Harbour. The Trust Port Review requires that the port consults with stakeholders rather than making arbitrary decisions. It was proposed to invite discussion at the annual meeting. A meeting of the three groups would also be held in the New Year. This meeting was originally arranged for early 2009 but At the time Ramrog objected to proposed chairman of the meeting. **It was agreed** help to organise this.

**ACTION:** Harbour Master.

#### **6.4 Riparian and Mooring Rights Owners Group (RAMROG)**

It was noted that a letter had been received from Roger Robson, the Chairman of RAMROG informing the Authority that RAMROG would relinquish its accredited stakeholder status with immediate effect (dated 5<sup>th</sup> October 2009). **It was agreed** to confirm receipt of the letter in writing.

**ACTION:** Harbour Master.

### **7.1 Harbour Master's Report**

The Harbour Master made a verbal report to inform the board that Triton has recently had a new cabin and was back in service and that there had been no health and safety incidents since the last meeting.

### **7.2 Office Report**

The Senior Administrator commented on the office report as follows:-

#### **Winter Mooring Administration**

The majority of the winter moorings have been allocated, contracts have been sent out and invoices issued.

#### **Harbour Guide 2010**

Advertising costs will not increase in 2010.

## **8. Any Other Business**

### **Staff Training**

The Chairman reported that he had received a request that the authority support a team building day. The event would take place on a weekend. Consideration to be given to the logistics, including who would attend, when it would take place and where it would be held. **It was agreed** to fully support this event.

**ACTION:** Harbour Master to liaise with staff.

## **Estuary Officer**

It was noted that the Board had not received a report from the Estuary Officer for some time. **It was agreed** that he should attend and report to two board meetings each year (Spring and Autumn).

The Authority should be receiving a regular report. **It was agreed** to chase this up.

**ACTION:** Senior Administrator to write to SHDC and invite the Estuary officer to make a presentation to the December board meeting.

## **Postal Strike**

It was noted that a postal strike may take place and that consideration will need to be given about how to communicate with customers. The Senior Administrator mentioned that there is not a high volume of post at the current time but that appropriate methods of communication would be sought if there was a disruption to the postal service.

## **10. Move into Committee**

It was proposed by Mr Pollard and seconded by Mr Fleck with all in favour, "***that the meeting move "Into Committee"***".

## **11. Decisions made "In Committee"**

It was proposed by Mr Hockaday and seconded by Mr Cast, with all in favour "***to ratify decisions made In Committee"***".

## **12. Date of next Meeting – Monday 9<sup>th</sup> November 2009 at the Flavel Centre, Dartmouth at 2.00pm.**