

# 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 14<sup>th</sup> December 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	
	Mr J Scott	
	Dr J Walker	
	Captain D White	Harbour Master
<b>IN ATTENDANCE:</b>	Mrs P Johns	Senior Administrator
	Mr N Mortimer	Estuary Officer (Part Meeting)

## 1. Apologies for Absence

There were no apologies.

## 2. Questions from the Public

There was one member of the public present.

There were no questions.

## 3. Stakeholder Groups

**3.1 River Dart Non Beneficiary Group** - The next meeting is set for February 2010.

**3.2 Commercial Users Group** – the Harbour Master reported that he is attending their meeting in the evening

**3.3 Leisure Users Group** – the Harbour Master reported that the Royal Dart Yacht Club were making progress towards reinstating the Leisure User Group.

Discussion took place concerning the Stakeholder Groups and the following comments were noted:-

- (a) The Authority should be more proactive in communicating with stakeholders.
- (b) Consider making the Dart Harbour website more interactive for stakeholders
- (c) There are a large number of stakeholders who do not engage with the stakeholder groups, but it was considered that there are currently no big issues which would find more people wanting to lobby the Authority.
- (d) It was suggested that some questions (as part of the Moorings' Policy review) be circulated to all stakeholders with the annual invoice and newsletter mailout in February.

- (e) The Stakeholder Groups should be given a specific task with key questions and be asked to report to the next Annual meeting.
- (f) The Stakeholder Groups should be published in the Harbour Guide.

**It was agreed** to publicise the Stakeholder Groups in the Harbour Guide, send a questionnaire with the invoice and newsletter and to investigate improvements to the website.

**ACTION:** Senior Administrator.

#### **4. Minutes of Meeting held on 9<sup>th</sup> November 2009**

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

#### **5. Matters Arising from Minutes held on 9<sup>th</sup> November 2009**

**5.1 Capital Expenditure.** Mr Pollard reported that he was liaising with the Finance Manager on the reporting of routine, capital and refurbishment expenditure for future board meetings.

Mr Fleck requested that deadlines are included, if appropriate, for any future actions.

#### **6. Agenda Items**

##### **6.1 Nigel Mortimer (Estuary Officer)**

The Chairman welcomed Nigel Mortimer, Estuary Officer to the meeting. Mr Mortimer updated the Board on the following areas of work.

**Coastal and Marine Access Bill.** The Estuary Officer has been making formal representations as part of the consultation process on this bill. The Harbour Master also reported that he had received the formal consultation documentation and had reported in the past as part of his monthly report. The Dart area is within the “Marine Reefs and Coastal Caves” section but the new bill will not change things for many people. Some areas, for example the sea grass beds in Torbay are not currently protected, but these will need to be included as special areas over the main areas already identified. The Estuary Officer impressed upon the board that it was important to respond to consultation documents.

**Marine Planning Consultation.** Regional areas are being drawn up. Currently the Dart area is split in the east for one region and the west for another region. The area will include the tidal estuary. The Estuary Officer will email the website link to the Harbour Master so that the Authority can participate in the consultation process.

**Natural Environment and Rural Communities Act 2006.** The Estuary Officer has participated in a workshop regarding this Act. He advised the Authority that the Act requires that all organisations give due regard to nature conservation and to help biodiversity.

**South Devon AONB Management Plan.** The latest document is available in the Harbour Office and further copies can be obtained from SHDC. Dart Harbour have a duty to give due regard to the AONB Management Plan.

**Devon Maritime Forum.** Scheme overseen by Jim Masters the Estuary Officer will provide a URL link so Board Members can access this information.

**Coastal Foreshore Planning Applications.** The Estuary Officer makes comments to the planning authority on relevant foreshore planning applications. Applications include properties on or over foreshore, run off and relevant building works.

**Events Programme.** This included a rockpool ramble event planned at Castle Cove, Dartmouth, but unfortunately there was no attendance.

### **South Devon AONB Estuary Projects**

- Slipway Signage. South Devon Local Action Group funding has been granted for a slipway signage project giving sustainable boating advice. The signs will follow the house sign for the RNLI signs. The Harbour Master reported that the authority is being consulted concerning the new signs
- Honeypot Site Interpretation of the view – without the water.
- Coffee table book of underwater views – to help engage local people
- Sea grass meadow awareness raising
- Schools resource package to get schools involved
- Self guiding trails on pod casts or mobile audio trails

Discussion took place with the Estuary Officer when the following comments and questions were made:-

- (a) Concern over how or if the AONB Unit would be operated if South Hams District Council was abolished and a unitary council installed. The Estuary Officer was not aware of what the outcome would be for the AONB Unit at this stage.
- (b) Dart Harbour would like to know when the Authority would have an opportunity to influence the project planning for the Estuary Officer.
- (c) The Chairman suggested that the Estuary Officer attend Dart Harbour board meetings more frequently. It was suggested that he attend before the Annual Meeting (November) and six months later in May.
- (d) The Estuary Officer should also be available to make a presentation to the Annual Meeting at the beginning of December.
- (e) The Board requested that further information be supplied to them about what the Estuary Officer and Authority have agreed to provide and pay for.

**ACTION:** Senior Administrator to investigate the Authority's obligations regarding the Estuary Officer post and provide an update to the January board meeting.

## **6.2 Hoodown Improvement Project**

Mr Cast reported that the planning application has been verbally approved with conditions and it is awaiting the signature of the planning officer. It is anticipated to receive the formal approval by the end of this week.

Discussion took place concerning a scoping meeting. Mr Cast will lead the meeting with the architect. The meeting will define the scope of the building project, phasing, ancillary works and the business case. Mr Hockaday reported that the building improvement to

Hoodown was likely to generate around 25% savings as more works could be carried out in-house. Mr Hockaday also reported that the business case would need to be discussed following the scoping meeting. The following cycle of “scope – costs – rescope - costs” would need to be carried out until the final project scope and costs were agreed.

### **6.3 Board Selection 2009/2010**

Mr Cast reported that the independent board selection panel consisting of Sir Geoffrey Newman, Cllr John Tucker, Mr Terry Connolly (representing the Stakeholder Groups) and himself (representing the Chairman) had interviewed three potential board members. The panel recommended that Mr Joseph Murtagh be appointed as a Board Member from January 2010.

It was proposed by Dr Walker and seconded by Mr Cast with all in favour **“that Mr Joseph Murtagh be appointed as Board Member to the Authority for a three year term commencing in January 2010”**.

### **6.4 Annual Meeting**

The Chairman reported that the Annual Meeting had been a very interactive and positive event. He proposed that a report be prepared on the Town Jetty for discussion at the January 2010 board meeting. The report should cover who owns the different sections, together with charging, income and costs associated with the Town Jetty.. The 2010 Annual Meeting should feature the Town Jetty. Following comments made by a member of the public concerning the charges made to Dart Pleasure Craft (DPC), at the Annual Meeting, it was noted that the Authority had actually increased the charges to DPC by a significant amount and further increase may need to be considered.

The Board considered that SHDC may be happy for the Authority to take over the pontoon bridge section, but it was felt likely that they would charge a footfall onto the bridge. It was noted that the Authority currently pay £12,000 to SHDC plus rates and insurance.

The lighting for the 2010 Annual Meeting will need to be revised as the spotlights were very uncomfortable for the speakers as they could not see the audience.

Discussion took place about a comment by a member of the public who would like to see a cheaper charging system for local people . It was noted that this has been considered in the past and the Authority had made the decision to provide a range of different facilities which were priced according to the type of facility rather than who uses the facility.

It was noted that the presentation by Stephen Corner of Noss Marina Ltd to the Annual Meeting had been received very well. There were several questions for Mr Corner. The overall impression from the audience at the Annual Meeting was one of acceptance of the marina development.

The Chairman thanked the Senior Administrator and the staff involved in organising and attending the Annual Meeting.

### **6.5 Noss on Dart**

The Chairman reported that he was reluctant to sign the Agreement between the Authority and Noss Marina Ltd concerning the Noss on Dart development while it included any

reference to the size of the boat yard area. This is because the Authority have formally objected to the planning application on the grounds that the boatyard area was too small. **It was agreed** to hold the agreement (unsigned) until the planning application had been approved. It was also agreed to write to Noss Marina Limited to give an update regarding the Agreement.

**ACTION:** Harbour Master to contact Ashfords, Solicitors regarding the agreement and to remove the clauses referring to the size of the boat yard. Harbour Master/Senior Administrator to write to Noss Marina Ltd with an update.

## 6.6 Higher Ferry

The Harbour Master circulated a photograph showing the proposed changes to the lighting arrangements on the new Higher Ferry. The new lighting arrangements will rectify the problems currently being experienced. It was noted that the Higher Ferry will be off service on 11<sup>th</sup> January 2010.

The Harbour Master informed the board that the Lower Ferry would be off service on 17<sup>th</sup> and 18<sup>th</sup> January 2010 for slipway repairs.

## 6.7 South Devon Shellfishermen

The Chairman reported that he is trying to continue dialogue with the South Devon Shellfishermen (SDS) in order to finalise the dispute concerning mooring charges on the Kingswear pontoon. In the past the Board have agreed that the charges be increased over a period of years to achieve parity with the other berth holders on the Kingswear pontoons, this will mean that replacement of the pontoons in the future can be funded as part of the “user pays” philosophy of the Authority.

**It was agreed** to continue the dialogue with the Chairman of the SDS.

**ACTION:** Chairman to report back to January board meeting.

## 7.1 Harbour Master's Report

The Harbour Master's report was circulated and noted.

**Health and Safety-** There was a Health & Safety incident in November when a small powered vessel was reported in the early hours of the morning circulating in mid river with its engine running but with nobody on board. A four hour search involving a rescue helicopter and all the emergency services was conducted in the lower part of the river but no persons were reported missing and nothing was found. The local Coastguard teams conducted a shoreline search at first light but again nothing was found. It was eventually concluded that the boat had been stolen from its mooring and then abandoned with its engine still running.

It was noted that a serious incident had occurred on Sunday 13<sup>th</sup> December at Darthaven Marina. A report would be made in due course.

**Ship Visits-** The Harbour Master reported that as an Executive Member on Destination South West committee he has a good opportunity to influence the cruise ships visiting Dartmouth. The fact that the port receives so many visits is down to continued hard working in generating an interest with cruise ship operators.

**Mill Tail, Totnes.** Discussion took place about siltation in this area. The Harbour Master reported that in order to dredge this area a licence will need to be obtained and the waste would have to be taken away by lorry. This option was not considered to be feasible. **It was agreed** to investigate who owns the sluice gate and waterway further up stream and whether the Authority could negotiate with them to arrange to open the sluice gate.

**ACTION:** Harbour Master to ask Nigel Mortimer, Estuary Officer to find out who owns the Mill Tail leat and sluice gate(s).

**Finding Sanctuary** – The Chairman reported on the Finding Sanctuary project which is a partnership project which aims to secure a healthy and productive future for the coasts and seas of South West England. Over four years, the project will work with stakeholders to design a network of Marine Protected Areas (MPAs). The goal of the MPA network is to safeguard our region’s undersea habitats and marine life, and to help ensure the long-term sustainability of marine resources in the region. **It was agreed** to feedback to the project concerning the tidal Dart.

**ACTION:** Harbour Master to provide feedback to the Finding Sanctuary consultation.

## 7.2 Finance Report

### Bank Accounts

	November 2008 £	November 2009 £
<b>DHNA</b>	101,884.40	51,903.53
<b>Cater</b>	701,635.47	931,546.47
<b>Pilot</b>	10,802.00	11,334.48
<b>Waiting List</b>	114,505.00	121,705.00

The Finance report was circulated and noted.

Mr Pollard reported that a payment of £48,000 has been made to the Duchy of Cornwall for rent in December. A further £80,000 will be paid to the Duchy. The Authority is currently slightly under budget for the accounting year.

Mr Hockaday reported that as the actuarial report has not been received for the pension scheme the Authority will be in a tax paying position this year.

It was noted that the income generated from electricity has doubled on last year, which means that the recharging berth holders for the electricity they consume is being effective.

## 7.3 Office Report

The Office report was circulated and noted.

## **8. Any Other Business**

### **8.1 Friends of Dart Harbour**

Mr Cast reported that the scheme was picking up and a keen "Friend", Mr John Holl, had agreed to act as co-ordinator for the group. **It was agreed** that Mr Holl is invited along to the February board meeting to give an update. There are currently 14 people on the list with skills such as architects, fire and health & safety experts, environmental skills, waste management and mechanical engineers.

**ACTION:** Senior Administrator to contact Mr Holl and provide him with a copy of the database and invite him to attend the February board meeting.

### **8.2 Health & Safety Course**

Mr Scott reported that he has booked to attend a health and safety course during January 2010. Mr Scott requested that health and safety be placed on the agenda as an individual item.

**ACTION:** Senior Administrator to add health and safety as a regular agenda item.

### **8.3 Dinghy Pontoon**

The Chairman reported that he had been approached at the Annual Meeting about dinghies chained to the short stay dinghy pontoon. The Harbour Master reported that he was not aware of dinghies chained to this pontoon but that dinghies could tie up to the green pontoon above the double steps. The Authority will warn boat owners about any dinghy overstaying the time limit on the short stay pontoon and if not removed will tow away and charge a recovery fee.

### **8.4 Dittisham Sailing Club**

The Chairman reported a possible health and safety issue regarding the running moorings located near Dittisham Sailing Club. He had received a report that stakes were sticking out of the mud and causing a trip hazard.

The Harbour Master responded that he was not aware of a health and safety issue at this location.

Dr Walker agreed to arrange a meeting with Jonathan Weeks at the site for an inspection.

**It was agreed** to inspect the area to check and if necessary make safe the area.

**ACTION:** Harbour Master and Dr Walker.

### **8.5 Key Projects and Board Responsibilities for 2010**

Mr Fleck circulated a draft programme of key projects and responsibilities for 2010. Following discussion **it was agreed** that the board members participate in the relevant projects.

## 8.6 Moorings Policy

Mr Scott reported that he would be happy to become involved in preparing the new Moorings' Policy.

**It was agreed** to begin amending the policy in January 2010 and the following methods used to assist the process:-

- (a) Check the legality of the current Moorings' Policy with Ashfords before the next board meeting. **ACTION:** Harbour Master in December 2009
- (b) A meeting to be convened to decide the questions for the initial questionnaire, the key dates and methodology. **ACTION:** Senior Administrator - meeting to be arranged in early January
- (c) Questions to go out with the Newsletter which will be followed up at the consultation meetings. **ACTION:** Senior Administrator by mid February.
- (d) A sequence of consultation meetings in Dartmouth, Totnes, Kingswear, Stoke Gabriel and Dittisham.
- (e) Consultation by email and on the website
- (f) Staff feedback – their huge experience needs to be considered
- (g) Fundamental policy will be that there will be no additional moorings laid.
- (h) Consultation with the stakeholder groups in late March/April
- (i) A draft document for Autumn 2010
- (j) Final document to be ready for Annual Meeting 2010.

## 8.7 Boathouse, Maypool

The Harbour Master reported that the Boathouse at Maypool has been sold and the new owner wants to continue to moor his boat at the end of the pontoon in that location. This is against the current Moorings' Policy, however the owner has a letter written by Mr R Baron giving the Authority's permission to moor the boat on the pontoon. It was noted that in view of the time elapsed since the letter was written the Authority had no power to withdraw the facility for him to moor his boat on the pontoon.

## 10. Move into Committee

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

## 11. Decisions made "In Committee"

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

## 12. Date of next Meeting – Monday 11<sup>th</sup> January 2010 at the Flavel Centre, Dartmouth at 2.00pm.