

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 8th April 2019, commencing at 1830 hrs.

PRESENT: Mike Burden (MB)
Captain Mark Cooper (MC) - Harbour Master/CEO
James Dodd (JD)
Shona Duncan (SD)
John Ellwood (JE)
Mark Hubbard (MH) – Chairman
Melanie Lessels (ML)
Tony Tudor (TT)

IN ATTENDANCE: Penny Johns (PJ) Senior Administrator

048/19 Apologies for Absence

Apologies were received from JJD, RE, ZBE, TH and TD.

049/19 Minutes of the Meeting held on 11th March 2019.

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

050/19 Action Grid - Status of Actions set on 11th March 2019.

Action Grid - March 2019.

Issue/Min No	072/18
Description	Draft Deed between SHDC and Dart Harbour
Action Required	MC and TT to input to the wording in relation to the Act.
Status	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. 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. Mar 19 – 1st draft of lease and management agreement received in Feb 19 – SHDC board paper for discussion on March Agenda.
Meeting Discussion	Ongoing – A list of comments on the management agreement and leases has been sent to SHDC and awaiting a response from SHDC. MC advised that there is some misinterpretation by SHDC particularly in view of any improvement to Dart Harbour facilities. It was noted that Dart Harbour want to be able to adjust prices and

	not be beholden to SHDC to make improvements. TT advised that SHDC has no right to dictate Dart Harbour's actions on our own infrastructure that is not on their fundus.
--	--

Issue/Min No	011/19
Description	Interim Review of the Moorings' Policy It was agreed 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.
Action Required	ACTION: JJD/JD to contact the Board Members not present and to prepare a revision and consultation mechanism with appropriate changes.
Status	Ongoing
Meeting Discussion	JJD had met with JD, and had broadly agreed a structure so as to be easy to understand and to be able to navigate the document as simply as possible. Two main sections had been suggested to include:- <ul style="list-style-type: none"> a) The principle policy and a geographical overview of the moorings and berthing facilities on the river; b) Issues of allocation concerning Stakeholders, berth holders, waiting lists and licences. JJD will circulate a skeleton document before Mays board discussion to gain initial feedback from Board Members.

Issue/Min No	012/19
Description	Fish Hoek Planning Application
Action Required	ACTION 1 : TH to develop a statement of the obligations, responsibilities of the Authority with regard to commenting on the marine aspects of planning applications. ACTION 2: individual board members who have objected to planning applications (including Fish Hoek) should note that they are not permitted to participate in discussions about it at Board meetings to ensure that transparency is maintained .
Status	February 2019. A discussion took place about Board Members' conflicts of interest in relation to Fish Hoek. It was agreed to discuss the policy of conflicts of interest and to develop a policy for this for clarification of Board Members' responsibilities. ACTION 3: It was suggested that a sub-committee consider this matter. Feb 19 HM has written to both owner and developer as discussed in Feb Board Meeting – outlining policy and stating that this does should not prevent them from applying to the Authority. April 19 – Awaiting any formal application from owner developer – action complete (for now)
Meeting Discussion	MC advised that he had written to the owner and developer to advise that Dart Harbour has not seen an application for a MMO licence and advised them about the Dart Harbour Moorings' Policy with a descriptive explanation from the previous policy and

	<p>advised that Dart Harbour is the relevant authority for all mooring licences.</p> <p>MH advised that the Board was quorate taking into account those Board Members who had recorded conflicts of interest. It was agreed to keep the policy regarding conflicts of interest under review. TT advised that at SHDC Councillors declare an interest, which does not prevent them from participating in meetings.</p> <p>Emailed back acknowledging letter, will be applying not ready yet.</p>
--	---

Issue/Min No	024/19.4
Description	Dart Estuary Forum
Action Required	<p>It was agreed to keep a watching brief on this matter. ACTION: JD to keep board informed.</p>
Status	<p>Mar 19 – HM followed up with Peel ports on status of Dart. April 19 present at estuary forum. Action Complete – EA to include discussion in Estuary Forum</p>

Issue/Min No	028/19
Description	Dart Harbour Community Fund (Formerly Young Champions)
Action Required	<p>A discussion took place and it was proposed by JJD, seconded by TT with all in favour to:-</p> <ul style="list-style-type: none"> 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. <p>ACTIONS</p> <ul style="list-style-type: none"> a) Dart Harbour to generate its own PR around the new fund. b) ZBE to enter into discussion with Devon Community Fund (DCF). c) Invite the DCF representative to a board meeting or working meeting.
Status	a) PJ to Update the current entry on the website (Complete).
Update	Mar 19 – ZBE has taken advice and will form a small working group to encourage and take forward 2019 applications.
Meeting Discussion	<p>ZBE advised that she had met with the DCF, who are pleased we are progressing this. The criteria for the award needs to be agreed and it was felt that the geographical link to the River Dart was most important and that, in the first instance any worthy beneficiary would be considered. This criteria could be narrowed down in future years. ZBE also advised that a panel would need to be agreed and it was suggested that ZBE, MC and a third person (perhaps from the Communities group) would work on this. It was noted that DCF will carry out due diligence on the scheme, but Dart Harbour would have some final say and input through the</p>

	<p>panel. A benefit may emerge from this scheme to help to shape where money comes/goes, particularly if there are influential people on the panel.</p> <p>April 19 – ZBE putting final preparations in place for 2019.</p> <p>ZBE had informed MC that the charity already has contacts in the area and there could be a Panel meeting as early as June.</p>
--	---

Completed Actions to Note
Actions Agreed at March 2019 meeting

Issue/Min No	037/19
Description	St Christophe II Update
Action Required	ACTION: TT/MC to report back to the Board on the progress of this claim and counter claim.
Status	April 19 – No change since defence submitted It was noted that MC would follow up to find out more information.

Issue/Min No	040/19.4
Description	Dart Estuary Forum
Action Required	JJD and AS to be added to the list. PJ to add JJD and Alan Sherratt to the invitation list for the Estuary Forum.
Status	Action Complete

Issue/Min No	043/19
Description	Enforcement Policy
Action Required	All Board Members to review the Enforcement Policy and respond if they have any queries to MC
Status	April 19 Distributed by HM – minimal changes received from Board (JJD). Policy discussed with Enforcing solicitor (Fred Howells). Training will be required for river staff (PACE and evidence gathering), to ensure correct info collected for witness statements so suitable for prosecution.

Completed Actions to Note

Issue/Min No	024/19.2
Description	River Dart Commercial Users Group (CUG)
Action Required	Their next meeting is set for 13 th May. It was noted that this clashes with the Dart Harbour Board Meeting. ACTION: JJD to advised CUG of the clash of dates.
Status	Complete – date moved to 3 rd June 2019.

051/19 Urgent Business brought forward at the discretion of the Chairman

There was no urgent business.

052/19 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.

053/19 Questions from the Public.

There was one member of the public present.

Alan Sherratt suggested that it may be an idea to make the river carbon neutral.

A discussion took place and **it was agreed** to give consideration to environmental issues as part of the strategic plan review, taking into account that Dart Harbour are not responsible for leading environmental endeavours, but to lend our support through the Dart Estuary Forum and provide financial support for appropriate projects identified by the Estuary Forum.

ACTION JD to lead on environmental discussions in relation to the strategic plan.

054/19 Stakeholder Groups

054/19.1 Dart Harbour Communities Group (DHCG)

A meeting was held on 14th March, but minutes had not yet been circulated. There was good attendance and feedback and the group are now beginning to see the benefits of a neighbourhood plan and propose to work together on that.

054/19.2 River Dart Commercial Users Group (CUG)

Next meeting is due on 3rd June 2019.

054/19.3 Association of Dart River User Clubs (ADRUC)

Next meeting is planned for 11th April 2019.

054/19.4 Dart Estuary Forum

The next forum is scheduled for 30th April.

055/19 Operational Report (including PMSC and Safety)

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

055/19.1 Allocations slightly higher turnover of moorings this year and it was noted that Dart Harbour can sometimes allocate immediately in shallower and less popular

areas. The waiting lists are complex and allocation is dependent on boat length. MC is considering holding moorings given up back and reconfiguring the lengths to support the waiting list demand.

MH advised that some promotion may be needed in some areas, where the available mooring stock is not what the waiting list customers are waiting for. MC advised that he would like to change some trot moorings into pontoons.

A trial scheme will run this year to install a temporary pontoon next to the railway line in Kingswear. Some of the existing running mooring holders will be offered a position on this pontoon. For safety reasons, MC will try and choose appropriate berth holders, where access via the bank is difficult. There would be a condition for berth holders using the new temporary pontoon that they must wear life jacket on pontoon.

MC advised that there is definitely a high demand for pontoons and less demand for trots.

MC advised that currently we don't allocate from the list in order, because the moorings are boat length sensitive and he would like to change this so that charges are related to mooring length rather than boat length, this would enable the waiting list to be allocated from the top rather than skipping down to the first appropriate boat length. This should be considered as part of the Moorings' Policy review.

055/19.2 Training

MC advised that the Deputy Moorings Manager attended a COSSH course and advised that it had identified that Dart Harbour will need to more work as this had become more complex. MC advised that Dart Harbour are not miles out, but some work needs to be done.

055/19.3 Vessel Maintenance

MC advised that there are funds in the budget for a replacement yacht taxi, but we are struggling to find an appropriate vessel. MC advised that he would struggle to get a 12 passenger boat, so would be considering an 8 passenger vessel that can also be used as a patrol vessel.

056/19 Correspondence

Board Members to advise on any correspondence received.

056/19.1 Private Mooring Licence

Private Mooring licence. MC advised he had an email concerning the maintenance of a private mooring in Bow Creek. MC had responded that the onus was on the private mooring holder to maintain the mooring and the customer was happy with the outcome.

056/19.2 Tender Berths

MC advised that he had received an email complaining about the length of wait for a berth on the Stoke Gabriel pontoon. The customer has two boats on swinging moorings and has to carry her tender to the slipway. She advised that there are rotten boats and empty

berths on the pontoon. MC advised that he intended to investigate the installation of a dinghy rack at Stoke Gabriel as there is no scope to extend the pontoon.

There is currently a ratio of berths on dinghy pontoons of 75% tenders to 25% dinghies, which is in place to allow main moorings to be let. MC advised that he proposed to change the ratio on the LWL as the reduced taxi fees have reduced the demand for tender berths.

056/19.3 Land for Sale at Totnes

MC advised that he had been informed of a piece of land for sale opposite the Steam Packet with a suggestion that Dart Harbour may wish to purchase the land. A discussion took place and **it was agreed** that the Authority could see no benefit to owning this land in view of the responsibility of ongoing maintenance to the land and the limited opportunities for berthing opportunities at the site.

057/19 Any Other Business

There was none.

058/19 Move “In Committee”

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

059/19 Date of next Meeting

Monday 13th May at 1830 hours at The Guildhall, Dartmouth – Special Workshop Meeting – No public in attendance.