

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 10th February 2020, commencing at 1830 hrs.

PRESENT: Zoe Briant-Evans
Captain Mark Cooper (MC) - Harbour Master/CEO
Tim Dewing (TD)
Julian Distin (JJD)
James Dodd (JD)
Richard Eggleton (RE)
John Ellwood (JE)
Tristan Harwood (TH)
Mark Hubbard (MH) – Chairman
Melanie Lessels (ML)
Tony Tudor (TT)

IN ATTENDANCE: Penny Johns (PJ) Senior Administrator

018/20 Apologies for Absence

Apologies were received from MB and JE. SD was not present.

019/20 Minutes of the Meeting held on 13th January 2020.

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

020/20 Action Grid - Status of Actions set on 13th January 2019.

Issue/Min No	Description	Who	Status	Notes/Follow on actions
069/19	May workshop meeting Update	MC	In progress	Develop areas of action on Harbour Directions and report to the Board – Waiting for final draft of Shoreham HRO. MC advised that a draft notice has been prepared for the press, for when MMO start consultation. Consultees will be guided to the consultation area at MMO.
083/19.2	Risk Register	RE/MC/ ZBE/TD MB	Need to schedule review or Register	RE/MC to identify the areas. Risk register sent to Chairman. <ol style="list-style-type: none">1. Mike review of systems.2. Financial Risk, TD3. Safety ZBE/RE

				MC advised that individual Board Members are being tasked to different risk areas. MB to do risk in relation to financial systems. It was noted that an annual review of the risk register needs to take place.
098/19	Finance System Review	MB	In progress	To develop plan to move from cash accounting to accrual accounting. MC advised that MB is still working with KD on the new methods of working.
085/19.3	Board Training Event	RE/JJD	In progress	27 th March. Falmouth Harbour. Re advised that 27 th March has been set and arrangements made with Falmouth Harbour, hotel booked and outlined the itinerary.
115/19	Budget Planning	MC	Ongoing MH Update	a) MC to implement the budget for 2020 b) MH to review the fundamental structure of the organisation in relation to the In Committee discussion about JE.

Actions Agreed at January Board Meeting

Issue/Min No	Description	Who	Status	Notes/Follow on actions
012/20	Dart Harbour KPI Proposal	MC/PJ	ongoing	Test the proposed KPIs during the next month and to amend the ops report to reflect these KPIs.
		MH/PJ		Review the Dredging Policy and to decide how and where this should be considered.
		Board Members	ongoing	Review the proposed KPIs and make suggestions that are linked to strategy.

ACTIONS FROM MCA HEALTH CHECK

Description	Who	Status	Notes/Follow on actions
Emergency Procedures Action: Dart Harbour to review Emergency procedure to encompass, Oil Spill, Fire (both already included in written procedures) and include Collision and Grounding. Target date for basic draft of procedure		Emergency Plan in draft – v1.0 In process of staffing	.

end of Jan 2020. This action is connected to the wider coast guard activity to identify capabilities of ports to deal with a major at sea incident. Coast Guard and South Devon Contingencies, Events & Ops Planning Officer have accepted Dart Harbour recommendation to use the 2020 incident command table top training to check and develop local plans to dovetail with CG emergency plans			
Weather Action: Poor visibility has been included in Dart Harbour MarNIS Navigation Risk Assessments along with suitable controls/mitigations (to assess weather before ship movements and use appropriate equipment if visibility is restricted). Commercial Passenger vessel operators have been contacted to raise awareness of the need to cover this off in their own safety systems/RA. Larger vessel operators have been asked to confirm any mitigations and controls for poor visibility.		Ongoing	Waiting for information from a commercial user. Our own risk OK, more about commercial users

006/20 Urgent Business brought forward at the discretion of the Chairman

There was no urgent business.

021/20 Declarations of Interest

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

MH drew Board Members' attention to sections 3.24 and 3.25 of the Trust Ports Guide to Good Governance (GGG) and circulated the two clauses for reference.

3.24 All trust ports need to maintain a register of interests for its board members and chairs should be prepared to answer questions from stakeholders about its contents. It is the responsibility of the chair, chief executive and individual members to ensure that it is kept up to date. In addition, all trust ports should, through the chair and chief executive provide board members with guidance and help them to identify and register what may constitute a conflict of interest and what action would be appropriate to resolve it. Registers of interest should include • pecuniary and non-pecuniary interests of members, their close family and associates which relate closely to the port's activities; and • hospitality or gifts, that could not be considered insignificant, accepted by the board member or close family associated with the port and its operations.

Conflict of interest

3.25 In the course of board business it is possible that a member's declared interest may present a conflict of interest with the matter under discussion. In these circumstances, board members must declare such conflicts either before or at the

board meeting in advance of any discussion of the item concerned, and should offer to withdraw. The chair, in consultation with the board, should decide whether or not a conflict does arise, and if it does should ask the member to withdraw from the meeting for the duration of the item, or invite them to stay to contribute on a factual basis only. The fact that a member has declared an interest and the way in which this is handled should be recorded in the minutes.”

TD advised that he no longer has a conflict over La Crevette planning application as he has moved house.

MH asked JJD to describe his interests in view of the fact that he runs a business on river and that one family member has a mooring business and another works for Dart Harbour.

JJD reported that for the ferry operation it is easy to see where there may be an impact on the business and current proposals do not affect the running of the business. In relation to his cousins, JJD explained it was more complicated and that it would depend on the matter under discussion, for instance if they were having moorings taken away, there would clearly be a conflict, but if discussing general proposals, JJD feels comfortable talking about his views.

MH stressed that all Board Members are bound by the GGG and the requirement to declare any conflicts of interest.

MH asked which Board Members present are not customers of Dart Harbour. It was noted that RE, ZBE, JD and ML are not customers.

JJD advised that in municipal ports boating members have to leave the meeting, however trust ports are more liberal about what board members can speak on. JJD would be reluctant to change this.

ZBE advised that it is a strength to have a variety of board members to obtain a balanced mix of views.

MH advised that it is about pecuniary and non-pecuniary interests and if board members are utilising the river, are paid for a service or a waiver is made for payment, then this should be recorded. MH is conscious that a conflict of interest should be raised and the Authority needs to make sure it complies with the GGG rules.

RE advised that he has a financial interest as he charges Dart Harbour to provide pilotage services.

TH advised that his interests include being friends with a local boat building company, he is a member of the South West Committee for the RYA and, as a lawyer with expertise in marine law, he has some clients based on the Dart.

TD asked whether it was appropriate for JJD to be writing the Moorings' Policy, in view of his family's mooring business.

JJD stated that he is licensed for one private mooring licence and his cousin operates a mooring business.

It was noted that the Board had approved JJD to review the Moorings' Policy.

022/20 Questions from the Public.

There were no members of the public present.

023/20 Stakeholder Groups

023/20.1 Dart Harbour Communities Group (DHCG)

The date for the next meeting has not been set.

023/20.2 River Dart Commercial Users Group (CUG)

Main topics from the meeting held on 27th January 2020.

- Fuel barge will be out for a refit for whole of March
- Premier Marina (Noss) - piling will not take place until October 31st, suction dredging is underway, and managers have been invited to view this operating on 18th Feb, Premier are hoping to finish dredging by mid March.
- Dolphin Haven – the area for development has been modified and all objections have been withdrawn.
- Slipway development. MC has introduced this group to Mike Ward for advice and the project is not going to apply for planning at this stage.
- There was generally good feedback about the Annual Meeting.

Next meeting is set for 1st June

023/20.3 Association of Dart River User Clubs (ADRUC)

The date for the next meeting has not been set.

024/20.4 Dart Estuary Forum

JD advised that the next Forum would take place on 17th March. JD advised that there is likely to be a change of chairman. Dart Harbour should also be represented on an upcoming Conference on River Basin Management.

025/20 Key Performance Indicators

The new style KPIs were circulated with the agenda and MC updated the Board on the information shown. It was noted that these KPIs are still being developed. These included:-

- a) PMSC – Lower Ferry – sludge from a hydraulic oil spill caused by a split hose on a gritting lorry. SHDC, Devon County Council and the Environment Agency were involved and information provided to the press. This was a very minor incident and no pollution was caused.
- b) A dead dolphin was found on a slipway. There was some press interest. Institute of Zoology removed the dolphin to do an autopsy. Reports to the press that the dolphin had been shot were erroneous.

- c) Minor incidents – MC advised that there is a seasonal element to this item, and the KPI is to encourage reporting of incidents.
- d) Budget – MC had nothing significant to report, but advised that the targets for this KPI should be reviewed. It was noted that variances tended to be timing issues. It was noted that professional fees are currently quite high because of current issues requiring legal work.
- e) Customer stakeholder complaints. There were no complaints, but the NPS did bring up some negative feedback.
- f) Net promoter score – The NPS scores for resident customers was 0.74 and from visitors 0.62. A NPS is a simple grading piece, series of scores, looking at the variation between visitors and residents. Both were really positive about the staff but visitors were less happy with facilities eg electricity/water/bathrooms. It was noted that this was interesting as a first time and will give an opportunity to see what policy could be developed from it.
- g) Recycling effectiveness – MC reported that there is room for improvement in this area to supply detail on where we send things, reviewing the waste management plan and staff awareness piece. MH advised that in terms of KPIs we are doing the right thing, by raising awareness to staff and customers.
- h) Berth utilisation – MC advised that it is a challenge to get stats that are useful. Used meterage/occupancy as a baseline. The following figures give an idea of the current berth utilisation.

83m of moorings are unoccupied (11 berths) = 1% of *total meterage.

542.8m are currently unlicensed and staff are in the middle of processing give ups and allocations for 2020/21 berthing year. Busy time with the end of the berthing year (31/03).

459.8m (of 542.8m) are occupied (winter/ temporary)

414m generates additional income

*Total meterage on river is 7605m (estimate).

MH advised that it would be interesting to compare in April, once the allocations have been completed.

- i) Mooring Maintenance – 73% complete (59% way through the mooring maintenance period. More work needed in this area of reporting.
- j) Nav lights – nothing to report.

JD felt that there is still too much detail in these KPIs.

MH would be interested to see what percentage of income is moorings and recommended to keep working on these KPIs.

ACTION: MC to continue to develop the KPIs.

026/20 North Embankment Consultation

The first consultation meeting took place at The Guildhall on 6th Feb and feedback forms are being received. Once the feedback has been collected the comments will be included in a report, after that a design would be developed. It was noted that there would be an opportunity to discuss in more detail in March.

027/20 Moorings' Policy

The draft Moorings' Policy was circulated with the agenda. A discussion took place and the following points noted:-

The Board need to understand the Moorings' Policy and own it as a board. MC advised that areas that create operational challenge need to be sufficiently clear, with policy or process so it can be delivered by staff. MC has reviewed this draft and highlighted areas where staff provided input at an earlier stage of the process.

JJD and MC will meet in March to review Board comments and prepare a draft to put to stakeholders after the March Board Meeting.

MH set as target to get ready for March meeting so can go to consultation during rest of March.

Different methods for consultation were suggested and that the first consultation with stakeholders should take place during April.

MH suggested making the stakeholder groups aware that there is a draft coming on a particular date and a deadline for their feedback to that document so that they can be prepared to give their response.

MC advised that it is not the staff's role to set policy and suggested that the policy needs to be consistent, so there can be no confusion or loopholes.

MH explained that the principle is to tighten up the policy document to minimise appeals.

It was agreed that Board Members should read and review the policy and give feedback to JJD in the next two weeks.

ACTION: Board members to read and review the draft Moorings' Policy and to give any comments to JJD in the next two weeks

028/20 La Crevette Consultation - MMO Application MLA/2019/00502

MC advised that he had drafted a letter to the MMO advising that according to Duchy Fundus charts the proposed development is outside of the fundus leased to them. MC felt that the proposed development is considered to have no significant impact on Navigation so long as any external lighting is discrete and does not ruin the night vision of mariners using the river by creating backlight or scatter.

The Board discussed the MMO application and **it was agreed** that Dart Harbour has the power to object on the grounds of navigation and felt that because paddle boarders and canoes use the gap, that the navigational channel would be lost. The Board also noted that Dart Harbour has authority wherever the water flows. The Board would like to see more specific drawings of the development so that they can judge the navigational aspects.

ACTION: A decision on the proposal would be made by email and MH to gather information to circulate to Board Members.

029/20 Correspondence

Board Members to advise on any correspondence received. There was no correspondence.

030/20 Any Other Business

There was none.

031/20 Move “In Committee”

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

032/20 Date of next Meeting

Monday 19th March at 1830 hours at The Guildhall, Dartmouth