

Dart Harbour and Navigation Authority

Minutes of a Meeting of the Dart Harbour and Navigation Authority held by Zoom on Monday 13th July 2020.

PRESENT: Mike Burden (MB)
Tim Dewing (TD)
Julian Distin (JJD)
James Dodd (JD)
John Ellwood (JE)
Tristan Harwood (TH)
Mark Hubbard (MH) – Chairman
Melanie Lessels (ML)
Tony Tudor (TT)

In Attendance/Observing: Richard Eggleton, Lara Moore (Ashfords)

Apologies: MC

1) Dart Harbour & Navigation Authority Governance

The Chairman welcomed Lara Moore (Ashfords) to the meeting.

Board Members will have an opportunity to ask LM questions in connection with the draft Dart Harbour & Navigation Authority Board Members' Guide.

The Chairman advised that the Ports Good Governance states "It is important to have a clear division of responsibility at the head of a Statutory Harbour Authority between the running of the board and the executive responsible for the running of the business" and "The Chair is responsible for the leadership of the board and ensuring its effectiveness."

The Authority needs to identify a clear division for the future.

LM gave details of her expertise to the Board, as a ports and harbour specialist, she is on the National Council of the UKHMA, secretary of Southern and Solent Ports, Consultant Editor for Holdsbury Law's, Ports and Harbours Edition (recently published), and carries out around 70% of the Harbour Board work in the country, in 2019 she acted for many harbour authorities both in the South West and across the country, with experience of governance and documentation. This work has been adapted to meet the exact requirements of Dart Harbour under its Orders and Acts.

LM commented on the document:-

- a) The guidance is based on the Dart local legislation,
- b) Ports Good Governance (GGG) explains the basic duties of Board Members.
- c) Constitution section is the 2002 Order with extra detail added, which is how Dart Harbour is set up in law.
- d) The Structure chart will need completing following review.
- e) The Scheme of Delegation is set out but needs refining, but shows the clear split between day to day operations (the CX/HM) and strategy/budgets (Board).
- f) Terms of reference are a pro forma set used for various committees which can be amended and sets out a clear structure on how to amend committees.
- g) Advice on minute taking and best practice.

- h) The Code of Conduct is based on the underlying 2002 Order and the requirement to sign a declaration.
- i) Protocol of interactions between board members and employees/officers sets out how this would be expected to work. This can be adjusted.
- j) Appointments. Reflects the 2002 order and the GGG in respect of board member appointments. This is not guidance as the 2002 order requires this to be followed when appointments are made and it would be a breach of statutory duties if this is not followed.
- k) GGG and PMSC should be read by all Board Members.

Board Members' were provided with answers to their queries, in the following areas:-

- Consultancy Advice.
- Risk Management.
- Business Plan.
- Timescales.
- Social Diversity.
- Board Member Selection.
- Duty Holder/Designated Person
- Consultation
- Planning/AONB
- Standing Committees

It was proposed by TT and seconded by TD, with all in favour to adopt the Board Member's Guide as the basis of our interpretation of the statutory rules and regulations on our practice of Governance, noting that some elements in the guide will be refined at a later date. Therefore, we consider this to be a 'live' document.

ACTION: Chairman

2) Board Administrative Support

A discussion took place concerning the appointment of independent administration and clerical support to the Board.

It was proposed by ML, seconded by ZBE with all in favour to provide the Board with a clerk who will undertake a range of services including the provision of minutes of Board meetings and more.

ACTION: ML and ZBE kindly accepted the challenge to agree the job specification and then to recruit a suitable person.

3) August Board Meeting

It was proposed by the Chairman that the next board meeting take place in August. This was unanimously agreed.

ACTION: Chairman to circulate dates to the Board.