

**Minutes of a Board meeting on Monday 10 July 2023 @1830 at the Harbour Office, Dartmouth and online**

In the text of the minutes Members (except for the Harbourmaster) and regular attendees are referred to by their given name and the first letter of their family name. In the Appendix their names and roles are listed together with a list of the abbreviations that may appear in the text.

Confidential items have been excluded.

**1. Administration**

1.1 Attendance – Apologies received from Anne-Marie C. Jack H and Ben M attended in place of the Harbourmaster, who was on leave.

1.2 Minutes – Tony D wished to make small changes to the minutes of the June meeting, removing the reference to the addition of the balance sheet to the management accounts presented to the Board, and clarifying the point that even if, which is unclear, Dart Harbour is protected under the Financial Services Compensation Scheme, bank balances more than £85,000 would not be protected under the scheme. The Board approved the minutes with these changes.

1.3 Declare interests – none.

1.4 Follow up actions from previous meetings

*Mooring Policy* – The position remains as at the last meeting; the Harbourmaster is working to complete the draft policy for consultation. This work has been delayed by more pressing matters.

*Strategy* – Publication of the updated Strategy has been held up by the need to get an editable format from the service provider who did the artwork when it was first published last year. This is with Tony Wheeler (Commercial Manager).

*Advisory Bodies* - The Harbourmaster has approached qualifying bodies to confirm their accreditation and has received a positive response from the Dart Harbour Communities Group.

Jetty at Dittisham Creek

Dittisham Parish Council discussed the jetty at a council meeting on 5 July. Joanna P attended. Dart Harbour has received a letter from the council dated 10 July saying that the meeting resolved unanimously to support the jetty provided that, as a minimum, the following measures are put in place:

- appropriate signage,
- a suitable contract,
- to manage public liability and insurance,
- to ensure an acceptable standard of construction and maintenance,
- to install safety measures that [Dart Harbour] decides are appropriate, ... and

- to ensure that this jetty does not create a precedent.

The council also shared 15 expressions of support and 4 objections received from the public.

The Board discussed the position considering the council's response and the earlier positive response from the AONB and agreed that, subject to the Harbourmaster entering an appropriate agreement with owner, the jetty be approved. The most important determining factors for Members in the circumstances that have arisen of being asked to give retrospective approval was that the jetty supports public access to the river and is not opposed by relevant Stakeholders.

The Board recorded that notwithstanding the grant of this approval,

- it is not acceptable to undertake works on the river without first obtaining approvals required from Dart Harbour and other authorities as applicable, and
- the approval of this jetty is not to be interpreted as a precedent for landowners to justify similar structures on the river. Dart Harbour remains opposed to the proliferation of private jetties or pontoons.

## **2. Harbourmaster**

### 2.1 Operation report

Jack H and Ben M took questions on the report. Points of discussion included the following.

#### *Pacific Oysters*

An established business proposes to collect Pacific oysters by hand and remove them to their aquaculture facility to be grown and sold for human consumption. The AONB supports the initiative. They will start collecting oysters at Stoke Gabriel. This could be a satisfactory way to address the proliferation of Pacific Oysters in the river.

### 2.2 Finance

Tony W shared a financial presentation shortly before the meeting but was unable to attend. Tim D reported that he had spent time on the accounts with the Harbourmaster since the last Board meeting and was satisfied that financial performance remains on track.

Tim observed that with a bank balance of £1.6m, care is required to ensure that the amount is justifiable in terms of the timing of Dart Harbour's income and operational expenditure (annual moorings income being received in spring), the statutory reserve, and the capital expenditure plan.

Members noted that, as agreed at the last meeting, the issues of a) the amount of the reserve, b) the mitigation of the risk of a bank that holds Dart Harbour's funds fails, and c) how to optimise the return on Dart Harbour's credit balances without taking unacceptable risks, sit with the Audit and Risk Committee, due to report in September.

### **3. Human Resources Committee June meeting**

John M summarised the meeting, (c.f. the Committee minutes).

The following activities are scheduled to take place before the next meeting on 11 September.

#### Members' appraisals

Tim D will hold a performance appraisal with each Member.

#### Board Appraisal

Members will complete the Board self-assessment questionnaire by way of performance appraisal of the Board as a whole.

#### Chair and Vice Chair 2024

Tim D and John M will indicate whether they wish to continue their three-year terms as Chair and Vice-Chair respectively in 2024.

[Tim D has since indicated that he wishes to continue to serve as Chair until 31/12/2024 when his term as Chair ends, at which point he will also step down as Member notwithstanding that his term as Member will then have a year remaining.]

#### Members whose terms expire on 31/12/2023

Tim D will discuss with each of Mike B, Tony D, and John M whether they wish to offer themselves to serve a further three-year term of office commencing on 1/1/2024.

### **4. Next meeting**

Monday 11 September @ 1830 – full Quarterly /in person

[meeting closed @2030]

## Appendix

### Dart Harbour Board

Name	Role
Paul Britton	Harbourmaster
Mike Burden	Member
Anne-Marie Coyle	Member
Tony Davis	Member, Chair of Audit and Risk Committee
Tim Dewing	Member and Chair
Julian Distin	Member, Chair of Safety & Environment Committee
Emma Magee	Member
John Milsom	Member, Vice Chair and Chair of Human Resources Committee
Joanna Poulton	Member
Lloyd Turner	Member
<b>Regular attendee(s)</b>	
William Lewis	Clerk
Jack Handley	Assistant Harbourmaster – Compliance
Ben Mahon	Assistant Harbourmaster – Logistics
Tony Wheeler	Commercial Manager

### Abbreviations

<u>Term</u>	<u>Abbreviation</u>
Accredited advisory body in terms of Article 14 of the HRO 2002	Advisory Body
Annual General Meeting	AGM
Association of Dart River User Clubs	ADRUC
Conservancy duty in term of the PMSC	Conservancy
Dart Harbour and Navigation Authority (a SHA)	Dart Harbour
Dart Harbour and Navigation Authority Act 1975	1975 Act
Dart Harbour and Navigation Harbour Revision (Constitution) Order 2002	HRO 2002
Dart Harbour and Navigation Harbour Revision Order 2021	HRO 2021
Dart House Limited (the company that owns the land and building housing the Harbour Office)	Dart House
Dart Harbour mooring	Berth
Dart Harbour User Group being Advisory Bodies referred to collectively in the HRO 2021	Dart Harbour User Group
Dartmouth Public Slipway Trust (Charity no. 1178833)	Slipway Trust
Dartmouth Town Council	DTC
Dartmouth Yacht Club	DYC
Department for Transport	DfT
Designated Person under PMSC	DP
Dittisham Sailing Club	DSC
General Direction in terms of the HRO 2021	General Direction
Harbours, Docks, and Piers Clauses Act 1847	1847 Act
Harbour Master and Chief Executive	Harbourmaster
Independent Statutory Auditor PKF Francis Clark LLP	Auditor
Maritime & Coastguard Agency	MCA
Mean High/Low Water Spring tide	MH/LWS
Member of Dart Harbour in terms of the 1975 Act	Member
Members of Dart Harbour referred to collectively	Board
Merchant Shipping Act 1995	1995 Act
Port Marine Safety Code (DfT & MCA)	PMSC
Ports Good Governance Guidance (DfT)	PGGG
Royal Dart Yacht Club	RDYC
Statutory Harbour Authority	SHA
Stoke Gabriel Boating Association	SGBA
Sit on top kayak	SOT

South Hams District Council  
South Devon Area of Outstanding Natural Beauty  
Stakeholder(s) in terms of PGGG Part A Section 2 and Part B S Section 2  
Stand up paddle board  
TMS Marine Limited (Dawlish)

SHDC  
AONB  
Stakeholder(s)  
SUP  
TMS