

**MINUTES OF THE MEETING OF THE SALCOMBE HARBOUR BOARD  
HELD IN THE LIBRARY, CLIFF HOUSE, SALCOMBE  
ON TUESDAY, 13 JUNE 2006**

**MEMBERS**

\* Cllr J S Beer - Chairman

- |                       |   |
|-----------------------|---|
| * Cllr H D Bastone    | * Mr J Barrett (Salcombe and Kingsbridge Estuary Association) |
| * Cllr J Brazil       | ∅ Mr T Bass (Royal Yachting Association)                      |
| * Cllr R J Carter     | * Mr G Foale (South Devon and Channel Shellfisherman)         |
| * Cllr P H Cook       | * Mr R Gilbert (East Portlemouth Parish Council)              |
| * Cllr C M Pannell    | ∅ Ms L Heape (English Nature)                                 |
| * Cllr S L Rankin     | * Mr D Penwill (Salcombe Town Council)                        |
| * Cllr G Rothwell     | * Mr E Johnson (Kingsbridge Town Council)                     |
| * Cllr D W S Thorning |   |
| * Cllr A R Vale       |   |

\* Denotes attendance

∅ Denotes apology for absence

Officers in attendance:

All Agenda Items – Head of Property Services, Solicitor, Acting Harbour Manager, Marine Conservation Officer, Member Support Officer and PA to the Strategic Director (Operations)

**SH.1/06 MINUTES**

The minutes of the meeting of the Board held on 21 March 2006 were confirmed as a correct record and signed by the Chairman.

**SH.2/06 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman advised the Board that Mr Rob Wheeler had recently resigned from Salcombe Town Council. Since he had been appointed to the Board in his capacity as a Town Councillor, it was noted that Mr Wheeler could no longer sit on the Harbour Board. The Chairman wished to thank Mr Wheeler for his support and hard work during his tenure on the Board.

The Chairman also introduced and welcomed the Head of Property Services, the Solicitor and the PA to the Strategic Director (Operations) to the meeting.

**SH.3/05 URGENT BUSINESS**

The Chairman advised that he had been made aware of concerns with regard to the issue of the shared ownership of houseboats. It was suggested that in an attempt to address these issues, a meeting would be arranged between the Chairman, the Acting Harbour Manager, the Head of Property Services and the owner of the houseboats.

The Chairman also informed the Board that it was his wish for a small working group to undertake some preparatory work regarding the issue of fees and charges before the new Harbour Master took up his position. With the agreement of the Board, it was noted that the working group would comprise the Chairman, Cllr Rankin, Mr J Barrett and Mr R Gilbert. It was intended that the working group would report its findings to the Board at its 5 September 2006 meeting.

**SH.4/06 DECLARATIONS OF INTERESTS**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

**SH.5/06 FUTURE GOVERNANCE ARRANGEMENTS**

A report was considered which updated the Board on the developments which had taken place since the previous report on Board Governance (minute SH.28/05 refers) and set out the revised proposals.

The report concluded that a newly constituted Harbour Board (as set out in the presented report) would ensure that the Harbour's future Strategic Business Plan Objectives were deliverable and that Salcombe remained an exemplar municipal harbour following the Department for Transport's (DfT) latest governance guidance. Furthermore, the work of the Harbour would also directly contribute to the overall corporate priorities of the Council and continue to meet the local needs of residents and users in and around the estuary.

During discussion, reference was made to:-

- (a) the suggested numbers to sit on the Board. It was noted that the Salcombe Kingsbridge Estuary Association (SKEA) had expressed concern that the membership of the Board could end up being fewer than the proposed number of 10. Officers advised that whilst it was proposed that the Board comprise 10 Members (4 of whom having to be elected Council Members), the flexibility of 'up to' 10 would still allow that the Board could be established if fewer than that number met the 'fit for purpose' criteria.

A Member was of the view that 10 Members would be too many and that an 8 Member Board would be more proactive. A debate ensued in which particular reference was made by Members of the need for the average harbour user and the riparian town and parishes to be sufficiently represented on the Board. The Board felt that clarification should be included in the Memorandum of Understanding whereby co-opted Board Members could not be elected Council Members.

In summary, the majority of Board Members were comfortable that the Board should comprise of up to 10 Members;

- (b) disapplying the political balance rules. Officers advised that legal advice had been sought and whilst it would require full Council support (with no votes against), it was possible to disapply the political balance rules to meet the fit for purpose requirements;
- (c) extending the application period for prospective Board Members to apply to join. The Board noted that it had been suggested to extend the application period due to the likelihood of a number of potentially interested parties being away during the peak summer period;
- (d) the 'Harbour Community Forums'. The South Devon and Channel Shellfishermen representative advised that he believed that his organisation had been omitted from the list as detailed in the presented report. Officers stated that they would investigate this point and also advised that there would be opportunities for further community groups (including those from an economic and commercial aspect) to be added to the current list;
- (e) management issues. It was felt that an additional key element of work for the new Board should be a degree of support and advice in relation to management issues, such as any staffing re-organisations proposed for the Harbour Office;
- (f) arrangements for meetings of the new Board. The Board expressed the view that arrangements such as the frequency of meetings, venues and start times were matters to be decided by the new Board at its first meeting;
- (g) attendance at meetings for each Forum. The Board felt that it would be an unrealistic expectation for the Harbour Master to attend every meeting for each Forum when invited. It was noted that it had already been acknowledged that Board Members would need to take responsibility for attending forum meetings and feeding issues back to Board Meetings;

- (h) adding agenda items. It was agreed that a mechanism would be incorporated into the constitution to provide an opportunity for Members of the new Board to add items of interest or relevance onto the agenda of a future Board meeting agenda;
- (i) the memorandum of understanding. A Member requested that the wording of the memorandum also refer to the riparian towns and parishes and the estuary and not solely to 'Salcombe Harbour'. In response, officers advised that they would check to ensure that the definition of 'Salcombe Harbour' in the 1954 Salcombe Harbour Order Act did include the riparian towns and parishes and the estuary. Should the definition not include these, it was noted that the wording of the memorandum would be amended accordingly;
- (j) the strategic business plan for the harbour. Members felt that an annually produced plan would absorb too much time for the new Board. It was believed that a new plan should be produced on a 3-year cycle with a review taking place annually;
- (k) the monitoring of risk management. The view was expressed that the obligation to monitor risk management should be incorporated into the memorandum;
- (l) the following sentence relating to the Board's finances (Page 15 of the presented report):

*'However, where such funds have risen to a level beyond that reasonably required for the proper operation of the Harbour, the Council may require those funds, or part of them, to be made available for general Council purposes.'*

The Board undertook a lengthy discussion on whether the sentence should be deleted or retained in the memorandum of understanding. In support of deletion, some Members highlighted their belief that any surpluses gained should lead to a reduction in harbour charges, particularly as visiting yacht numbers were currently falling. Another Member advised that the harbour should not be seen as a 'profit centre' by the Council, as other harbours had suffered when this course of action had been pursued. In contrast, other Members felt that the harbour was an asset of the Council, with not every resident of the district owning a boat or utilising the harbour. Further, the importance of the harbour being run as a business, in terms of generating a profit for reinvestment in the harbour, was also highlighted.

The Chairman advised that it was his view that appropriate reserves should be established to the benefit of the harbour. In the eventuality that surpluses became unnecessarily large, it was the Chairman's view that in business terms, the harbour would not be being run properly, as the surpluses should be spent to the benefit of the harbour. In this respect, the Chairman felt that the sentence should be treated as an 'insurance policy' to keep surpluses under control.

A motion whereby the Board recommend deletion of the sentence was then **PROPOSED** and **SECONDED**. When put to the vote, this motion was subsequently declared **CARRIED**.

### **RESOLVED**

That the report be noted.

## SH.6/06 **TOPICAL HARBOUR ISSUES**

A report was considered which informed Members of interesting current or future issues that might affect Salcombe Harbour and the Salcombe Harbour/Kingsbridge Estuary.

In presenting the report, the following points were raised:-

- a) Members were advised that the Harbour Office was now fully staffed for the summer period. Members wished to extend and record their gratitude to the harbour staff who had continued to deliver a high quality service during what had been a difficult and highly pressurised period;
- b) It was noted that visitor numbers had increased since the presented report had been published, largely due to the improved recent weather;
- c) The Board was informed that the Harbour Recycling scheme had been well received;
- d) In response to a question, the Board noted that design work had been undertaken for the replacement of the resident pontoon. It was proposed that works would be carried out during the winter period and would be part funded from Harbour reserves and part funded by a Council loan;

- e) The Marine Conservation Officer advised that 220 Year 9 students from Kingsbridge Community College had collected in excess of 100 bags of rubbish during a foreshore litter clean up of the estuary. The Board felt that this should be commended and expressed disappointment that the event had been portrayed in some sections of the media as a 'skive'. It was noted that advice was currently being sought from the Council's press office in an attempt to counter this claim.

**RESOLVED**

That the report be noted.

(Meeting commenced at 2.30 pm and concluded at 4.10 pm).

---

Chairman