

MINUTES OF THE ANNUAL MEETING
OF THE LITTLEHAMPTON HARBOUR BOARD
HELD IN COMMITTEE ROOM 1 AT THE ARUN DISTRICT COUNCIL CIVIC
CENTRE, MALTRAVERS ROAD, LITTLEHAMPTON ON
MONDAY 23RD MAY 2016 AT 10AM

Present: Mr P Bush (Chairman)
Councillor Elkins (Vice Chairman)
Councillor Buckland
Councillor Clayden
Mr R O'Callaghan
Councillor Peters
Mr T Squires
Councillor Dr Walsh

In Attendance: Mr C Braby, Treasurer to the Board
Mr B Johnson, Harbour Master
Mrs S Simpson Clerk to the Board
Mrs J Harris (Notes Secretary)

1. WELCOME AND NOTICES

The Chairman welcomed everyone to the meeting.

2. MOBILE PHONES

Members and the public were reminded that the use of mobile phones (other than on silent) was prohibited at Harbour Board and Sub-Committee meetings.

3. APOLOGIES

Apologies were received from Councillors Blampied and Mockridge and Mr Marchant.

4. DECLARATIONS OF INTEREST

Councillors Buckland and Walsh declared personal interests as County, District and Town Councillors in matters across the agenda relating to West Sussex County, Arun District and Littlehampton Town Councils. Councillor Peters also declared a personal interest as a County Councillor in agenda item 25, the West Sussex Local Minerals Plan.

5. APPOINTMENT OF CHAIRMAN 2016/17

- 5.1 Mr Bush and Councillor Dr Walsh were proposed as candidates for the Chairmanship of the Board and the proposals were duly seconded. Prior to voting on this matter, it was suggested that the Vice Chairman also became Chairman Elect but, following a discussion, it was agreed that the suggestion be deferred for future consideration. It was also advanced that it would be more democratic and less onerous on individuals if the Chairmanship of the Sub Committees was more evenly distributed among Board Members. A ballot for the Chairmanship was subsequently held and it was **RESOLVED** that:

Mr Bush be elected as Chairman of the Board for the ensuing year.

6. APPOINTMENT OF VICE CHAIRMAN 2016/17

- 6.1 Councillor Elkins and Councillor Buckland were proposed as candidates for the Vice Chairmanship of the Board and the proposals were duly seconded. A ballot was subsequently held and it was **RESOLVED** that:

Councillor Elkins be elected as Vice Chairman of the Board for the ensuing year.

7. APPOINTMENT OF MEMBERS TO THE PERSONNEL SUB-COMMITTEE

- 7.1 There were four positions which were currently held by the Chairman, Councillor Clayden, Mr Squires and Councillor Peters. There being no other nominations it was therefore **RESOLVED** that:

The Chairman, Councillor Clayden, Mr Squires and Councillor Peters form the Personnel Sub-Committee for the forthcoming year.

8. APPOINTMENT OF MEMBERS TO THE AUDIT SUB-COMMITTEE

- 8.1 There were four positions which were currently held by the Chairman, Councillor Peters, Councillor Clayden and Mr Squires. The Chairman stepped down from his role on this Sub Committee in favour of Councillor Elkins and there being no other nominations it was **RESOLVED** that:

Councillors Elkins, Clayden and Peters and Mr Squires form the Audit Sub-Committee for the forthcoming year.

9. APPOINTMENT OF MEMBERS TO THE PILOTAGE SUB-COMMITTEE

- 9.1 There were three positions which were currently held by the Chairman, Councillor Dr Walsh and Councillor Buckland. There being no other nominations it was **RESOLVED** that:

The Chairman, Councillor Dr Walsh and Councillor Buckland form the Pilotage Sub-Committee for the forthcoming year.

10. APPOINTMENT OF MEMBERS TO THE INFRASTRUCTURE PROJECT DEVELOPMENT GROUP

- 10.1** There were three positions which were currently held by the Chairman, Councillor Buckland and Councillor Squires, supported by the Harbour Master. The Chairman stepped down from his role on this Group in favour of Councillor Dr Walsh and there being no other nominations it was **RESOLVED** that:

Councillors Buckland and Dr Walsh, Mr Squires and the Harbour Master form the Infrastructure Project Development Group for the forthcoming year.

11. MINUTES

- 11.1** It was **RESOLVED** that the Minutes of the meeting held on 21st March 2016 (previously circulated) be approved and be signed by the Chairman.

12. HARBOUR OPERATIONAL REPORT

The Harbour Master presented a report (previously circulated) which detailed the operational activities undertaken in the harbour since the last meeting. In addition, the Harbour Master updated the Board on the following matters:

12.1 Commercial Trade

The Harbour Master reported that there had been two visits in May.

12.2 Leisure Trade

It was noted that the summer season had got off to a reasonable start.

12.3 Workboat Activity

The Harbour Master confirmed that the workboat had been contracted by Arun District Council to carry out repair work to the Met Mast. It was noted that the Mast was positioned outside the boundary of the Harbour and that the Mast's maintenance and lighting were the responsibility of the District Council. It was also noted that the Outfall Buoy remained unlit and that responsibility for this buoy lay with Southern Water.

12.4 Conservancy Duty - Survey

It was noted that the Wessex Explorer would be undertaking a survey of the Harbour as well as the entrance. The updated data would be incorporated in

the next publication of the Admiralty Charts and Members would be informed of any significant changes.

12.5 Local Notices to Mariners

The Harbour Master reported that a further Notice had been issued:

08/2016 – The Publication of the General Directions.

12.6 Safety MarNIS Report

The Harbour Master stated an incident report had been made following the recent outward bound trip by the Ben Varrey. Despite prior notice of the vessel's departure, a further warning had to be issued to an incoming boat that the channel needed to be clear of traffic while the ship was leaving the Harbour. The Harbour Master reported that the correct procedures in terms of issuing notifications and the Pilot boat had been observed.

12.7 Harbour Dues

The Harbour Master reported that 280 plaques had been issued to date and that the new system was working well.

12.8 Visiting Fishing Vessels

Referring to complaints that had been lodged with the Harbour Board concerning the behaviour of some visiting vessels, Councillor Buckland stated that, in his view, some of the issues constituted a nuisance and were in breach of section E29 of the General Directions. He therefore sought discussion of the issues in the non-exempt part of the meeting. In response the Chairman explained that, having examined the content of the correspondence and in view of the sensitivity of the matter, he was satisfied that this issue be considered by the Board during the exempt part of the meeting.

12.9 Yearly Comparison of Visiting Yachts on Town Quay

12.9.1 Noting a downward trend in the number of visiting yachts since the beginning of the year, Councillor Dr Walsh asked for a more detailed investigation into the reasons for this and to see if anything could be done to reverse the trend. He also observed that the Town Quay appeared cluttered with little room for visiting yachts and questioned if this was a good use of the Board's assets. Referring to a Board Resolution he believed had been previously passed prohibiting commercial vessels on the Town Quay and, noting that there appeared to be a mix of commercial and pleasure craft moored there, Councillor Buckland questioned if this was in breach of that resolution. It was agreed that Officers would look into whether the Board had made such a Resolution and take action if appropriate; Councillor Buckland was, however, unable to give any indication of when this resolution may have been made.

12.9.3 The Harbour Master went on to explain that the way in which the number of visiting yachts was measured had changed and that the decline was, in part, due to the fact that, in the past, there had been no distinction drawn between an overnight stay and a visitor. He also stated that the Harbour was managed as effectively as possible, balancing the needs of permanent and visiting vessels. The need to maintain the Town Quay and the Harbour as a visitor attraction was emphasised and there had been no incidents of visiting vessels being turned away. Recognising the complexities of managing and promoting the Harbour and noting the reasons for the fluctuations in trade and the need to capitalise on the recent improvements, it was suggested that formal feedback be obtained from users. Members were supportive of this proposal which it was felt would provide useful information for future development and it was agreed that Officers would investigate this further.

12.10 MEP Visit

Members of the Board had recently hosted an MEP visit to the Harbour and a further visit was planned for 3rd June 2016. It was noted that the meeting had provided an opportunity to highlight harbour issues at the European level.

It was therefore **RESOLVED** that:

The contents of the Harbour Operational Report be otherwise noted.

13. TREASURER'S REPORT

13.1

The Treasurer presented his report on the financial outcome of the 2015/16 Financial Year compared with Budget and 2014/15. Although the surplus for the year was relatively modest at £1,710, the Treasurer emphasised that this needed to be compared to a budgeted loss of £29,000. This significant turnaround in fortune the Treasurer reported, was entirely due to the inflow of unbudgeted work boat income

Councillor Dr Walsh declared a personal interest at this point as a Trustee of the West Sussex LGPS in the following matter.

13.2 Regarding future staff pension arrangements, the Treasurer confirmed that, as a result of conditions imposed on the Board at the time of entry to the Local Government Pension Scheme (LGPS), the Board would be required to use the LGPS as the qualifying scheme for Auto Enrolment under the new pension legislation. A full report on the future of pensions will be submitted by the Treasurer to the next Personnel Sub Committee meeting. It was **RESOLVED** that:

The Report be noted.

14. MINUTES OF THE AUDIT COMMITTEE MEETING 6th MAY 2016

- 14.1 The Board received the minutes of the Audit Committee Meeting held on 6 May 2016 (previously circulated) and it was **RESOLVED** that;

The Minutes of the Audit Committee meeting held on 6th May be noted.

15. **OUTCOME OF THE INTERNAL AUDIT**

- 15.1 The Board received a report from the Treasurer on the outcome of the 2016 Internal Audit (previously circulated). Noting the complimentary comments made by the internal auditor regarding the Board's accounting arrangements and financial records, Members expressed their thanks to the Treasurer and the Accounts Team for their work. It was therefore **RESOLVED** that:

The Report and outcome of the Internal Audit be noted.

16. **REVIEW AND ADOPTION OF THE ANNUAL GOVERNANCE STATEMENT (SECTION 1 OF THE ANNUAL RETURN)**

- 16.1 The Treasurer presented a report addressing the approval of the Annual Governance Statement (Section 1 of the Annual Return). The Treasurer took Members through all 8 questions appearing on the statement and explained at each point why he felt that the Board had satisfactorily met its obligations. He then asked members to carefully consider the recommendations before them. Members resolved that they were satisfied that they complied with all 8 questions on the Statement. It was therefore **RESOLVED** that the Board minute that with regard to Section 1 of the Annual Return:

- 1) **The Board acknowledge their responsibility for ensuring that there was a sound system of internal control, including the preparation of accounting statements.**
- 2) **The Board confirmed that to the best of its knowledge and belief, with respect to the accounting statements for the year ended 31st March 2016, they had complied with all 8 items.**
- 3) **The Chairman and the Clerk be authorised to sign Section 1 of the 2015/16 Annual Return on behalf of the Board.**

17. **MINUTES OF THE STAKEHOLDER GROUP (SG) MEETING 5th APRIL 2016**

- 17.1 The Board received the minutes of the SG meeting held on 5th April 2016 (previously circulated). The Harbour Master reported that the next meeting was scheduled to take place on 12th July and would be held at the Arun Yacht Club. An informal invitation also was extended to Members of the Board to attend. A discussion ensued about the role of Board Members in this forum and whether their presence would inhibit discussion. It was reported that meetings were positive and this would provide an opportunity for Board Members to engage informally with a range of users. It was agreed that the Clerk would email details of the next meeting to Board Members so that they could indicate their availability and it was **RESOLVED** that;

The Minutes of the Safety Group meeting held on 5th April 2016 be noted and that the Clerk be instructed to write to all members inviting them to future meetings.

18. REVIEW AND ADOPTION OF THE 2015-16 STATEMENT OF ACCOUNTS AND ANNUAL RETURN (SECTION 2)

18.1 The Board received a report from the Treasurer accompanied with the 2015-16 Statement of Accounts and Section 2 of the Annual Return (previously circulated). The Treasurer took members through each page of the accounts and explained the source of the figures on Section 2 of the Annual Return. The Treasurer also reported that the Audit Committee had reviewed the contents of both Section 1 and 2 of the Annual Return and the 2015-16 Statement of Accounts. The Board therefore **RESOLVED** to:

- 1) Approve and adopt the Annual Statement of Accounts for the year ending 31st March 2016.**
- 2) Approve and adopt Section 2 of the 2015-16 Annual Return, and that the Chairman be authorised to sign it on behalf of the Board.**

19. PUBLIC FORUM

There were seven members of the public present.

- 19.1 Mr Gibbs asked for an update on the possible installation of davits at Nelson Steps.
- 19.2 The Harbour Master reported that a quote had been received and that he was investigating whether it should be powered. There were additional implications that would need to be considered by the Board and a report would be brought forward for consideration in due course.
- 19.3 Noting that Harbour staff had been on duty when the mast on his boat collapsed recently, Mr Chapman asked why he had not been advised sooner of the problem.
- 19.4 The Deputy Harbour Master confirmed that he had been on duty and that as it was dark, he had been unable to see what had happened. Noting that Mr Chapman had been advised early the following day, the Chairman suggested that if he had any concerns about how the incident was handled that he should write to the Board.
- 19.5 In view of the "Open Port" Policy stance adopted by the Board in relation to the Harbour, Mr Boyce questioned why it was that a fishing vessel had recently been refused permission to unload its catch at the Harbour Board Workshop.
- 19.6 In response the Harbour Master explained that the term "Open Port" meant that vessels are afforded access only to the Harbour. The facility to unload a catch was only available to vessels who paid for Harbour Board Moorings and not to those who had different mooring arrangements. Therefore, the request had been refused as it would have set a precedent.
- 19.7 Mrs Boyce stated there were a number of outstanding queries to which she had yet to receive a response. These related to the MMO position on dredging and pontoon charges. She also asked that it be noted that she would be not

- be paying pontoon charges while the legal status of the charge remained unresolved.
- 19.8 These points were noted and it was confirmed that the Board were investigating Mrs Boyce's queries and would revert to her with answers in due course.
- 19.9 Regarding the recent removal of shingle from the Harbour, Mr Boyce informed the Board that, in response to a Freedom of Information request, he had been advised that the 12 tonnes recently removed had been sold for £158,000. He therefore asked what had happened to the other 6 tonnes that had been removed.
- 19.10 The Harbour Master responded that the shingle had been removed from the river by the Board using a contractor in the most cost effective way for the Board. He was unaware of the costs for subsequent use of the material in EA beach replenishment projects and so could not comment on that detail. He added that if Mr Boyce would like to write to the Board with his query and the figures he would like to examine then a full answer could be given.
- 19.11 Mrs Boyce asked when she could expect plaques in relation to the dues that had been paid on the ferry and Jenny B.
- 19.12 The Harbour Master agreed to investigate this and revert to Mrs Boyce.
- 19.13 Noting the surplus in the Board's accounts for 2015/16, Mr Boyce asked what level of surplus would trigger a reduction in Harbour Dues.
- 19.14 In response, the Treasurer explained the level of Harbour Dues was reviewed on an annual basis by the Board, taking into consideration expectations regarding the overall costs of running the harbour and the income generated. It was therefore not practical to do as Mr Boyce suggested.
- 19.15 Mr Chapman asked if the surplus could be put towards the proper provision of scrubbing piles in the Harbour.
- 19.16 The Harbour Master stated that any surplus would be used to offset the costs of running the Harbour as a whole and that the Officers would be preparing a paper with options for consideration by the Board at a later date.
- 19.17 Mr Boyce asked the Board to consider implementing a traffic light system in the Harbour to control traffic.
- 19.18 The Harbour Master responded that the current procedures to prevent a collision were considered adequate. They were however regularly reviewed and he noted Mr Boyce's suggestion.

20. EXEMPT BUSINESS

It was **RESOLVED** that:

Due to the confidential nature of the following items to be considered, that the public and accredited representatives of the press and other media be excluded from the meeting on the grounds that they involve the likely disclosure of business of personal information relating to an individual, the business of third parties and/or legal proceedings.

SUMMARY OF MATTERS DISCUSSED IN THE EXEMPT PART OF THE AGENDA

21. THE CONFIDENTIAL AND EXEMPT MINUTES OF THE MEETING HELD ON 21ST MARCH 2016

It was **RESOLVED** that the confidential and exempt minutes of the meeting held on 21st March 2016 (previously circulated to Members of the Board only) be confirmed as a true record and signed by the chair.

22. APPOINTMENT OF THE INTERNAL AUDITOR

The Board received a report from the Treasurer regarding the reappointment of the Internal Auditor (previously circulated to Members of the Board only). It was **RESOLVED** that:

Ms Hall be reappointed as the Board's Internal Auditor for 2016/17 at the current fee.

23. RENT REVIEW FOR THE OLD CUSTOMS HOUSE

The Board received a report from the Treasurer which contained the outcome of the rent review for the Old Customs House (previously circulated to Members of the Board only). Following consideration of the information before it the Board **AGREED the rent review and the manner that this would be communicated to the tenant.**

24. LEASE FOR RAILWAY WHARF

The Board had before it a report which contained a draft Heads of Terms for the proposed leasing of the Railway Wharf (previously circulated to Members of the Board only) and **RESOLVED** that:

The Clerk be authorised to draw an appropriate agreement as per the heads of terms set out in the report for the land at Railway Wharf.

25. LOCAL MINERALS PLAN

The Board received a report which contained the proposed wording for inclusion in the Draft Local Minerals Plan relating to the wharf sites owned by the Board and **RESOLVED** that:

The Content of the Draft Local Minerals Plan be noted and that the conclusions made by the Minerals Team regarding the wharf sites in Littlehampton be endorsed.

26. VISITING FISHING VESSELS

The Board received and considered a report which contained correspondence concerning the behaviour of some visiting vessels in the Harbour (previously

circulated to Members of the Board only). Following a discussion the Board **AGREED to note the roles and responsibilities of the Board and other authorities in terms of various reported activities.**

The meeting closed at 12.28pm.

CHAIR