



Harbour Office  
Pier Road  
Hons Littlehampton, West Sussex BN17 5LR  
BAHons  
Tel: 01903 721215  
CGMA Fax: 01903 739472  
Hons  
[Harbour@littlehampton.org.uk](mailto:Harbour@littlehampton.org.uk)

HARBOUR MASTER            B Johnson BSc  
DEPUTY HARBOUR MASTER   L Harrison

TREASURER                    C Braby ACMA,  
CLERK                            N Jones BSc

## **LITTLEHAMPTON HARBOUR BOARD**

### **Minutes of the Littlehampton Harbour Board Meeting held at the Committee Meeting Room 1, Arun Civic Centre, Maltravers Road, Littlehampton on 18 March 2013**

#### **Present:**

**Councillor Nigel Peters (Chairman)**  
**Councillor Tony Squires**  
**Mr Philip Bush**  
**Councillor Roger Elkins**  
**Mr Robert Boyce**  
**Councillor Dr James Walsh**  
**Mr John O'Flynn**

#### **In Attendance:**

**Miss Nicola Jones (Clerk to the Board)**  
**Mr Chris Braby (Treasurer to the Board)**  
**Mr Billy Johnson (Harbour Master)**  
**Mr Lee Harrison (Deputy Harbour Master)**  
**Mrs Gloria Marchant (Notes Secretary)**  
**Mr Gari Moyo (work experience secondment from Chichester University)**

#### **376. AGENDA ITEM 1: WELCOME & APOLOGIES**

Cllr Peters welcomed all. There were apologies from Cllr Tyler, Cllr Blampied, Cllr Wilkinson and Cllr Gammon.

**377. AGENDA ITEM 2: DECLARATIONS OF INTEREST:** Mr Bush declared a personal interest under Item 6 (s43 request from Arun Yacht Club (AYC)) as a Member of AYC. Mr Boyce declared a personal interest in Item 5 regarding a s43 application for 47 River Road as the the owner of the property was a business partner. Mr Boyce then declared a personal interest as a neighbour of the applicant for Item 6. Mr Boyce also declared a personal and prejudicial interest in Item 7 (Works Update for the Mud Dock and North Yacht Berth piles) and advised that he would leave the Meeting during that item. The Harbour Master and Clerk to the Board declared personal and prejudicial interests in Item 15 Annual Pay Review for Harbour Board employees. Both would leave the Meeting for the duration of Item 15. Mr Boyce added that he also had a personal interest in Agenda Item 4 as a land owner of some of the west bank area.

#### **378. AGENDA ITEM 3: MINUTES OF PREVIOUS MEETING & MATTERS ARISING:**

Cllr Peters moved to approve the Minutes of the Meeting held 4 February 2013.

Mr O'Flynn referred to the Operations Report on Page 3 and the reported failure of boarding. Mr O'Flynn asked if the EA works had directly caused the problem. The Harbour Master replied the damage was concurrent and loosely a result of but not attributable to any negligence by the EA works. Cllr Peters asked that this be noted in the Minutes. Agreed and noted.

The Harbour Master advised since the last Meeting that Mr Jim Petty was no longer an adviser to LHB as this role had now been filled by the Harbour Master. Mr Bush asked if Mr Petty was still under contract to LHB and the Harbour Master replied the only issue Mr Petty was still involved with for the Harbour Board had been the authorisation of new pilots, however correspondence had been received from Mr Petty recommending Mr Mark Bray be given this responsibility until such time as the Harbour Master was himself qualified and could fulfil this role. Mr Bush asked for confirmation that there were no public liability insurance issues and the Harbour Master confirmed this was the case. Cllr Peters asked for the Minutes to be amended to report that Mr J Petty no longer worked for LHB. Mr Boyce referred under Any Other Business to his announcement to "step down as Vice Chair" which had been minuted as "resignation as Vice Chair". Mr Boyce asked that this be changed to read "step down". Agreed and noted.

The minutes were approved by all as amended.

#### **379. AGENDA ITEM 4: HARBOUR OPERATIONAL REPORT:**

The Report having been circulated was taken as read. Commercial trade had been lower than expected in February but was up on budget for March. LHB continued to operate an open port and uninterrupted pilotage service. Worthing and Adur Council had provided a topographic survey across the entrance to the bar which had proved the results of the recent bed levelling. The Adurni was due in that day to conduct a pre-season bed levelling exercise. The shoal position at present was satisfactory. Some dredging had taken place on the bar between 7-9 February, with further dredging of leisure moorings planned in late March.

The Harbour Master reported on 3 Marine Management Organisation (MMO) consultations which had been responded to. Two of these were also the subject of s43 applications and were included as agenda items. The third was in regard to a seasonal racemark deployment by AYC.

On the West beach shoal bank and shingle matter, a firm date of 26 April had been given and plant should then be on site to move shingle etc.

The workshop was involved in craning several boats.

Cllr Squires asked for confirmation that the shoal bank figures would be recorded to provide a comprehensive history. The Harbour Master confirmed this and stated the aim was to manage the sediment process and shingle movement.

Cllr Elkins asked if the survey carried out was part of the detailed survey on this part of the south coast. He then asked what happened if MMO deadlines were not met. The Harbour Master replied the survey across the entrance of the harbour was conducted by a coastal management team. Regarding the MMO deadlines, the Harbour Master replied these were the deadlines for him to respond to the MMO.

Cllr Elkins stated that at a meeting he had attended the previous week regarding the river the modelling used had even showed where cables etc may be under the river. The Harbour Master confirmed that the data collected was to a high specification, usually using laser scanners installed on quad bikes. Unfortunately the river bed was too wet and the data had been taken manually but had achieved +/- 2 cms accuracy.

### **The Board**

#### **Resolved**

#### **To note the Report.**

### **380. AGENDA ITEM 5: SECTION 43 CONSENT FOR BROWNFIELD ESTATES PILING AND PONTOONS AT 47 RIVER ROAD:**

The Harbour Master reported work at this property had been discussed before and this application related solely to a request to drive in piles and attach pontoons in front of 47 River Road. Through consultation, LHB had agreed a maximum distance the piles, pontoons and boats should be from the property. It was felt there was no reason why the pontoons could not be erected as planned.

Cllr Dr Walsh expressed concern regarding the wall at the property next door down river which was already crumbling. Cllr Dr Walsh asked the Harbour Master if there was any news on this. The Harbour Master replied that ADC had given notice to the owner regarding the condition of the wall, however, the structure did not qualify as a building and there was therefore no duty to repair. Cllr Dr Walsh felt at some point it would become a flood risk. The Harbour Master believed matters had been overtaken by events and that Brownfield Estates may be in negotiations to purchase the structure. The site also was in the EA's flood defence work project area and Mr O'Flynn agreed to check what work was planned there.

Cllr Squires thought it best to do the entire project at once incorporating work on the structure if necessary. Following discussion, Cllr Peters confirmed LHB had no jurisdiction over the matter. Cllr Squires asked that the question be asked of Brownfield Estates in the hope that money might be saved. Noted.

### **The Board**

#### **Resolved**

**The works be approved by the Board and a s43 licence issued to Brownfield Estates with appropriate caveats as outlined in 3.1 to 3.5 inclusive of the Harbour Master's report.**

**381. AGENDA ITEM 6: SECTION 43 CONSENT FOR ARUN YACHT CLUB (AYC) BEACH RECYCLING AND DINGHY PEN APRON CONSTRUCTION:** The Harbour Master outlined the Application for a replacement licence regarding movement of sand and sediment from upstream of the groyne down the foreshore to the south. The Harbour Master had no concerns approving the work from a safety of navigation viewpoint. The Harbour Master added it was important to ensure that material was deposited only on land owned by AYC or with landowners' consent. The Harbour Master proposed approval of the works on this basis.

Cllr Dr Walsh referred to 7.2. and stated AYC should be required to meet the cost of dredging and this should be in the licence. The Harbour Master confirmed this would be the case.

Mr Boyce repeated his personal interest in the Item and asked if he could expand on the matter for the benefit of members and to perhaps suggest a modification to the wording of the resolution. Mr Boyce stated the application was principally for the Board to grant permission to AYC the construction of concrete aprons to the dinghy pen and for the movement of silt, mud, shingle etc arising from excavation etc carried out on land belonging to AYC. Mr Boyce referred to 6A in the Report on land ownership. He felt this information was misleading as the land as described in the application belonged to AYC and to Littlehampton Yacht Club (LYC). He felt there was a clear conflict of interest. LYC intended to bring a s43 before the Board regarding the creation of deeper water moorings and that this area was the area which would be filled with silt if this application were allowed. It seemed, Mr Boyce said, that there was an application to dredge the foreshore moorings and another seeking to fill them up.

Mr Boyce concurred with Cllr Dr Walsh on 7.2. Mr Boyce asked the Board to consider his comments and to include wording along the lines "that grant is to cover land solely owned by the applicant" in the Recommendation.

Cllr Dr Walsh referred to Item 7.2. stating "in the main channel and adjacent areas" could be added. Cllr Dr Walsh stated LHB could not be seen to be taking sides. This was not for LHB to resolve he said. The Harbour Master agreed stating LHB's prime concern was navigational safety. Expressing a personal interest, Mr Bush stated the Harbour Master was perfectly correct.

Cllr Elkins asked if Mr Boyce was right in suggesting amendments and expressed reticence about whether the matter was being dealt with procedurally in the correct way. Cllr Elkins referred this to the Clerk to the Board. The Clerk to the Board had sympathy with this view and suggested wording be amended to "by land owned and controlled by AYC". Cllr Peters asked if the Board was exceeding its jurisdiction and questioned deviation from the S43. Mr Boyce commented on the wording of the Act and noted that permission should be granted unless there is "interference with the use of the waterway". Mr Boyce emphasised the Act did not refer to safe navigation in isolation, but "use" of the waterways i.e. the whole of the harbour. Cllr Dr Walsh agreed.

Cllr Elkins was satisfied with the Clerk's proposed amendment. The Harbour Master added that in his response to the MMO he had mentioned work should not interfere with other land owners in the area. Cllr Dr Walsh noted that the second illustration/chart appeared to be out of date.

### **The Board**

#### **Resolved**

**That the works be approved by the Board on land owned or legally controlled by AYC and a s43 licence issued to Arun Yacht Club with appropriate caveats as outlined at 7.1 to 7.4 inclusive and at 8.1 of the Harbour Master's report.**

**The Board further resolved that the caveats at 7.2 be expanded to include adjacent areas to the main channel.**

- 382. AGENDA ITEM 7: REPORT ON WORKS UPDATE ON MARINE LICENCE L/2012/00450, ARUN TIMBER DOCKS, OSBORNE OF ARUN:** Mr Boyce left the meeting at 10.39am.

The content of the report having been circulated was taken as read. The Harbour Master summarised that Osbornes had a Marine Licence for the replacement of a jetty with pontoon bridge and replacement of pontoons on the Mud Docks and potential installation of pontoons on the south Mud Dock piles. The Harbour Master's view was that the replacement works were like for like but establishing pontoons on the south Mud Dock piles would require consent. There was a discussion regarding ownership of the piles at the Mud Dock. Cllr Dr Walsh asked if any supporting papers had been researched i.e. leases etc. The Clerk to the Board stated there was not much paperwork on file and it was difficult to establish ownership. Cllr Dr Walsh asked if the Norfolk Estate had been asked. The Harbour Master confirmed he had approached the Norfolk Estate but had not unearthed any relevant material. Cllr Squires suggested reviewing documentation in the Littlehampton Museum which may contain something. Cllr Elkins believed ownership had significant implications and that it would be worth trying to obtain proof of same. The Harbour Master agreed. The Harbour Master had spoken to boat owners who were under the impression that they paid dues to LHB to stay there. It was felt the matter could become significant if left unchallenged. Mr Bush felt it premature to discuss the matter without knowing this information. Cllr Peters to investigate further.

### **The Board**

#### **Resolved**

- 1. To note the works by the Arun Timber docks.**
- 2. To direct its officers to liaise as required to establish ownership of the disputed piles.**
- 3. That the Board directs officers to look into the feasibility of an interim holding licence as discussed above.**

**383. AGENDA ITEM 8: MARKETING STRATEGY TO INCREASE COMMERCIAL SHIPPING:**

The report was presented by Mr G Moyo, a placement student from Chichester University. Mr Moyo reported commercial shipping had decreased and there were two strategies he had identified which he felt could lead to improved revenue from commercial shipping. One strategy was Short Sea shipping whereby transport of goods comprised in part the sea or ocean but not in crossing the ocean. The second strategy for consideration was Port Centric Development where local business was encouraged to use the local port for its imports and exports.

From research carried out, only one other port was offering Short Sea shipping. Mr Moyo reported this method would keep the harbour going and would reduce road congestion. To implement such a strategy would require improvements in port services, cooperation and collaboration between ports and waterways and dredging of the bar. The disadvantage of such a strategy was that it required good internal land accessibility.

Port Centric Development encouraged local business to bring in anything needed by ship on the premise that closely related businesses be encouraged to use such a facility for importing/exporting. Obviously this strategy depended on local business. Mr Moyo had designed a brochure but did not have a printed copy available.

Cllr Dr Walsh stated the strategies had been investigated in the past and little had come of them. One reason was that the harbour's dredging issues were insuperable and were only managed by increasing harbour dues. Sea vessels were increasingly of greater length and draft making it more difficult for commercial ships to visit the harbour. Cllr Dr Walsh referred to the a report carried out some years previously on the commercial viability of Littlehampton port and its conclusion was that it would not succeed. Some time ago the Board had agreed that commercial shipping would continue to support operating costs until such time as the port could become a full leisure port. The dredging and infrastructure costs were also prohibitive to expanding the commercial side of the port.

Mr Bush stated that Mr Moyo had been invited to work on a specific task which he had. Mr Bush thanked Mr Moyo and felt it was never wasted to revisit such matters. Mr Bush added that whether the port was commercial, leisure or both, it would still require dredging. Mr Bush noted that recent shipping fuel increases might significantly change Mr Moyo's report. Mr Bush complimented Mr Moyo on his report.

Cllr Squires agreed with Cllr Dr Walsh and said it had been a long path to reach the decision to move to a leisure port. Cllr Squires thought there were few businesses locally using materials that would necessitate use of commercial shipping. Cllr Squires agreed that Mr Moyo had presented a very good report.

Cllr Elkins felt the Board should be careful of mixed messages. It had been agreed to move to a leisure port. Cllr Elkins suggested it might be possible to discuss commercial shipping with current commercial clients to see if present business

could be expanded upon. Cllr Elkins added there were a number of plans in progress involving infrastructure, transport etc to support the move to a leisure port.

Mr Boyce congratulated Mr Moyo on his report. Mr Boyce stated during the interim of progress towards a leisure port, there was a need to focus on generating as much revenue as possible from use of the harbour. Mr Boyce gave this his support provided it could be achieved at little cost. Mr Boyce proposed brochures be sent electronically where possible, using modern media to promote the harbour.

The Harbour Master wanted to use commercial shipping to maximise revenue at the current time. The Harbour Master stated that six ships' cargo dues alone were equivalent to harbour dues for the year from AYC and LYC. The Harbour Master believed it possible to increase commercial ships visiting from 2 to 3 per month.

Cllr Peters thanked Mr Moyo for his work and stated Mr Moyo had worked with professionalism and enthusiasm. All wished Mr Moyo well in his career.

## **The Board**

### **Resolved**

- 1. The Board notes the Report**
- 2. That the Board approves the development and distribution of electronic brochures for the proposed services.**

#### **384. AGENDA ITEM 9: TREASURER'S REPORT:**

Income was ahead of budget by £9673. Total expenses were below budget at £259,743. Commercial income exceeded budget but some of this gain would probably be lost by end of year due to the Bar dredging. Leisure income was down by just under £4,000. Operating costs were £44,086 below budget. This underspend was attributed to employee costs (the gap between Harbour Managers) and Legal and Professional fees (the HRO and Engineering Assessment by ADC which had still not been invoiced). It was thought by year end LHB would still break even. Cllr Dr Walsh noted commercial income was not vastly different to last year.

Progress on the trial of the LED for the lighthouse was queried and the Deputy Harbour Master replied the light would be trialled on 25 March and that associated costs were in the budget for the next year.

The Treasurer to the Board commented on the generation of income by commercial vessels reminding members that significant associated income came from commercial rents which amounted to some £84,000 which would be lost if commercial shipping ended. The Treasurer added that commercial rents bolstered LHB which was why there was activity to fill UMA wharf and generate a potential £15,000 per annum.

Mr Boyce enquired about new boats coming in to the port delivering steel at Railway Wharf for works. The Harbour Master stated Tarmac was keen to increase the amount of stone brought in by sea. Mr Boyce thought the relationship with Tarmac

was crucial and was looking to further cultivated it. Mr Boyce welcomed the steps taken by the Harbour Master.

Cllr Dr Walsh made reference to the Lyminster and Arundel by passes and stated that LHB should promote use of the harbour in connection with the construction of these new roads.

### **The Board**

#### **Resolved**

#### **To note the Report**

### **385. AGENDA ITEM 10: BUSINESS RISK REGISTER REPORT BY THE TREASURER TO THE BOARD:**

The Treasurer to the Board reported the Business Risk Register required review regularly and this had last taken place a year ago. The Risk Register covered many areas such as safety & conservancy; pilotage; moorings administration; maintenance of navigation and Emergency respons; records and accounts; regulation and governance; staff and training.

The Harbour Master and Treasurer to the Board had reviewed the Register together and identified some amendments. The amendments had been made and were appended on the Report.

### **The Board**

#### **Resolved**

#### **To approve the alterations and amendments to the Business Risk Register**

### **386. AGENDA ITEM 11: ANNUAL GENERAL MEETING 2013:**

The Clerk to the Board advised the Item was a reminder for all of the Annual General Meeting and that appointments were for four years duration.

Mr Boyce repeated that he had stepped down as Vice Chair and would not be looking to re-stand. Noted.

Cllr Dr Walsh commented it was unfortunate that this coincided with local voting. It might be that members of the Board might not be re-elected to the County Council and yet voted on to the Board for a further four year term a few days earlier. The Clerk advised it might be possible to consider amending the Constitution in this regard.

### **The Board**

#### **Resolved**

#### **To note the Report**

**387. AGENDA ITEM 12: PUBLIC QUESTIONS**

There were no questions from the public.

**388. AGENDA ITEM 13: CONFIDENTIAL BUSINESS:**

It was proposed by Cllr Squires and seconded by Mr Bush to enter Confidential Business. Agreed. All members of the public left the meeting.

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.

**389. AGENDA ITEM 14: BANK ACCOUNT MANDATE**

The Treasurer to the Board reported there were currently four signatories for cheques: Cllr Peters, Cllr Tyler, the Clerk to the Board and the Treasurer to the Board. The Treasurer added that he and the Clerk to the Board also had access to banking on line to pay the salaries. The Treasurer to the Board believed it now appropriate for the Harbour Master, Mr B Johnson, to be added as a signatory and to have access to on line banking in order to pay salaries.

Mr Bush proposed and Cllr Dr Walsh seconded. Agreed.

**The Board**

**Resolved**

- 1. The Board authorise the Harbour Master/Manager to be added to the bank mandate as an authorised signatory**
- 2. The Board authorise the Harbour Master/Manager to be an authorised signatory to the on line banking facility**

**390. AGENDA ITEM 15: ANNUAL PAY REVIEW**

The Deputy Harbour Master, Mr Moyo, The Harbour Master and the Clerk to the Board all left the meeting.

The Treasurer to the Board reported it was time to consider the annual harbour staff pay review. The Board had been very generous in awarding inflationary increases to date. The Treasurer advised the RPI at end January was 3.3% while the CPI was 2.7%. The budgeted increase to salaries was proposed at 2.5%. The Treasurer to the Board reminded all that this was discretionary and not obligatory.

Cllr Dr Walsh stated most public bodies were paying 1%. Cllr Dr Walsh did not think LHB staff were paid over highly and felt a 2.5% increase was reasonable. Cllr

Peters stated the staff at LHB were valued and thought the increase was warranted. Cllr Elkins stated he would like information on where staff sat in comparison to other harbour staff in terms of salary. Cllr Peters responded a study had been done when recruiting the current Harbour Master. The Treasurer to the Board added that £1500 had been paid for this report and that its content had been reviewed by the Personnel Sub-Committee.

The Treasurer to the Board would officially report the agreed increase in salary to staff. Agreed. Cllr Dr Walsh proposed and Cllr Squires seconded.

### **The Board**

#### **Resolved**

#### **That**

#### **The 2.5% pay increase be approved**

### **391. AGENDA ITEM 16: RENEWAL OF LEASE FOR THE FORMER BOARDROOM AT THE HARBOUR OFFICE:**

The Clerk to the Board had submitted a paper on renewal of the Lease of the Boardroom. It was reported that Action Boat Limited wished to enter into a further lease for a period of two years on the same terms at the current rent. Action Boat Limited were reliable tenants. The Officers felt it appropriate to renew the lease as stated at the current rent of £4,475 pa.

Mr Bush asked why if harbour dues had been increased by inflation, rent was not increased in the same way. The Harbour Master replied there were various tenants renting from LHB, all of whom were reliable and enjoyed a good relationship with LHB. Some tenants were an asset for the harbour being situated on the river acting as LHB's eyes and ears and working on a voluntary basis on the harbour board's behalf, even taking dues and giving assistance when boats were mooring.

Cllr Dr Walsh said in general that some rents had remained the same or even decreased due to the current market. Cllr Elkins felt rent review clauses should be in the agreement either after one or two years. Mr Bush stated such clauses should only refer to an increase in rent. The Clerk to the Board confirmed a rent review clause could be included.

### **The Board**

#### **Resolved**

**To authorise its Officers to make the necessary arrangements for Littlehampton Harbour Board to extend or enter into a new lease with Action Boat Limited for a further two years on the same terms as their current lease.**

**There being no further business the Meeting ended at 11.46am**