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Minutes of the Littlehampton Harbour Board Meeting held at the Millennium Chamber, Littlehampton Town Council, Littlehampton on 29th April 2013

Present: Councillor Nigel Peters (Chairman)
Mr Philip Bush
Councillor Roger Elkins
Mr Robert Boyce
Councillor Dr James Walsh
Councillor Alan Gammon
Councillor George Blampied
Councillor Dudley Wensley

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 Pam Barton (Notes Secretary)

392. AGENDA ITEM 1: WELCOME & APOLOGIES

Cllr Peters welcomed all. There were apologies from Cllr Wilkinson, Cllr Squires & Mr O'Flynn.

393. AGENDA ITEM 2: DECLARATIONS OF MEMBERS OF LITTLEHAMPTON HARBOUR BOARD

Cllr Dudley Wensley, who was newly appointed to the Board, read from the Declaration of Office and duly signed same. The Clerk to the Board reminded other Members of the Board that their appointments had expired on 1st April 2013 and therefore they would be required to make their declarations again. Members made their declarations as follows: Cllr Gammon, Cllr Peters, Cllr Dr Walsh, Cllr Blampied and Cllr Elkins. The Clerk to the Board then reminded Members that they should now look to appoint a Recreational Users representative and Commercial Users Representative.

Mr Boyce, who had been the Commercial Users Representative until the expiry of his term of appointment on 1st April 2013, stated he had sat on the Board for five years. Mr Boyce had enjoyed his role greatly and had seen many changes. Mr Boyce felt there was a big opportunity for Littlehampton to shine as a tourist destination with regeneration. Mr Boyce drew the meeting's attention to the complexities of his interests in the Harbour, and the pending MMO prosecution of Littlehampton Yacht Club of which Mr Boyce was an owner. In light of these issues he felt it was an appropriate time to step down, and would not be seeking re-election. Mr Boyce thanked everyone. The Chairman thanked Mr Boyce for his involvement with the

Board and said he was sorry to see him leave the Board. Mr Boyce joined the Members of Public present.

Cllr Peters moved on to the nomination for Recreational Users Representative. Mr Bush left the Meeting. Cllr Peters said unless there were other nominations, he believed Mr Bush should be nominated. All agreed. Cllr Peters and the Board agreed unanimously.

Mr Bush re-joined the Meeting and read and signed his Declaration of Office as Recreational Users Representative.

394. AGENDA ITEM 3: DECLARATIONS OF INTEREST:

No declarations of interest were made.

395. AGENDA ITEM 4: MINUTES OF PREVIOUS MEETING & MATTERS ARISING:

Clarification was sought over a small number of points arising from the minutes. Cllr Wensley asked at Item 379 if Arun and WSCC were approached. The Harbour Master/Manager replied both Worthing and Arun had been contacted and the work had been done informally rather than through official tender. Cllr Wensley asked if the first sentence of the Board's Resolution at the end of Item 381 was correct. This was confirmed. Cllr Wensley referred to Page 12, Item 391 and renewal of the lease for the former boardroom at the harbour office. Mr Wensley asked if professional valuers' advice had been sought about rent increases. Cllr Peters confirmed this. All then agreed the Minutes, which were duly signed by the Chairman.

396. AGENDA ITEM 5: AGM:

The Clerk to the Board reminded Members that it had been necessary to move the AGM as a result of the local elections taking place on 3rd May 2013. In accordance with Part 5 Section 1 (1.0)(1.1) of the Constitution, Members had been asked to agree to move the AGM to the meeting to be held on 17th June 2013. All members had agreed. The Clerk asked the Board to formally note this change. Cllr Wensley apologised that he would not be present.

The Board

Resolved

To note the change of date of the AGM for 2013 to 17th June 2013.

397. AGENDA ITEM 6: HARBOUR OPERATIONAL REPORT: The Harbour Master reported that there had been three ship visits in March. Railway Wharf would now be unavailable for commercial ops as it was storing EA sheet piling. Total commercial shipping was one above budget. There had been little leisure trade during the first few months of the year.

Monitoring of the shoal had been updated. The trial upgrade to the lighthouse light had been completed and the front transit light replacement had been received and would be installed. Bed leveling had been completed by the Adurni on 4 tides and a small amount of time was also spent dredging the bar. Approximately 8 tides remained on the annual budget for maintenance dredging throughout the year which would be done in relation to the surveys. The Harbour Master briefed the Board on the outcome of efforts which had been made to remove materials on the shoal bank to the west side of the harbour. An estimated 2k tonnes of shingle had been removed from the shoal bank. As this fed the bar at the entrance to the harbor, its removal would help deal with the management of the bar. The groyne on west beach

had been inspected and the bar would continue to be dredged. Numbers were currently being finalised with Tarmac for the cost of the work, which would be offset by the sale of the gravel removed.

Two MMO Consultations had been returned, one regarding Arun Yacht Club's beach recycling and the dinghy pen apron and one regarding Arun Yacht Club's seasonal racemark deployment. No further Section 43 applications had been received. Consents had been issued to Arun Yacht Club regarding beach recycling, and Brownfield Estates in respect of 47 River Road piling and Pontoons. The consultation had been received from Brownfield Estates re 47 River Road piling.

Brownfield Estates had consulted the Harbour Master regarding the condition of the retaining wall at 57 River Road. Emergency works were planned to stabilize the wall and at that time the Harbour Master was satisfied that no Section 43 consent was required at this point but had reassurances that Brownfield Estates would approach the Harbour Master should the situation change.

A consultation regarding Water Injection Dredge operations had been received from Arun Yacht Club. There was no requirement for a Marine Licence. Section 43 consent was to be submitted.

The ferry would be in operation weekends and holidays through to end September following a full inspection by harbor staff.

Amendments which finalised the design of the EA flood defence scheme had been agreed. There would be a meeting next week to discuss the exact marine implications of the work.

Harbour dues were coming in slowly. There had been 210 harbour dues renewals and 70 notices concerning boats removed. A decline in leisure trade at the Town Quay had been experienced, which was most likely due to the economic situation.

There were no questions.

The Board

Resolved

To note the Report.

398. AGENDA ITEM 7: PMSC, HEALTH & SAFETY AND OPERATIONAL TEAM MEETING:

The Harbour Master reported six incidents had taken place since the last Board Meeting. Two vessels had been set adrift through vandalism, an incident of fly tipping had occurred at Arundel which had been reported to Environmental Health, a vessel had been stranded at Ford, another was reported adrift and it was not known if this was due to vandalism or line failure. A vessel had run aground at the harbour entrance and a stolen van had entered the river at the slipway.

The Harbour Master reported on 27 March a member of casual staff tripped and fell on board the Jumna resulting in bruising and over 7 days off work. The incident had been reported to the HSE and corrective measures were being considered.

Three risk assessments had been reviewed and changed where appropriate. Cllr Wensley asked if there was likely to be a cost to LHB regarding any of the incidents and if so whether said cost would be recoverable. The Harbour Master replied there may be some cost, for example the vessels cut adrift cost time to

rescue the vessel. The Ford incident caused cost only to the person involved as the RNLI boat was used. Cllr Dr Walsh asked where the vessels had come adrift and the Harbour Master explained that both were on private pontoons. Cllr Dr Walsh asked if there was any security to prevent such incidents and the Harbour Master stated there was not. However, there had been dialogue with the Marine Police and police community support officers. An email had also been issued warning other river users and advising them to ensure vessels were tightly secured. Cllr Gammon asked if the fly tipping was significant and the Harbour Master replied there was not only garden refuse on the bank of the river which had been carried down in high tide but also some cardboard/delivery papers, including an address, for a large electrical item. The Harbour Master understood Environmental Health had sent correspondence to the address regarding the matter.

The Board

Resolved

To note the Report

399. AGENDA ITEM 8: PILOTAGE COMMITTEE MEETING:

Minutes of the Meeting held on 3 April 2013 of the Pilotage Committee were appended. The Meeting considered pilotage operations. It was noted that the Memorandum of Understanding with Shoreham Port required updating in light of new arrangements with Shoreham Port's pilot. Also of note was that a Sécurité broadcast was to be made prior to the vessel traffic information broadcast on local channel.

The Board

Resolved

To note the Report

400. AGENDA ITEM 9: Minutes of the Safety Stakeholder Group Meeting:

This Meeting had taken place on 26 March 2013 and Minutes were appended. The key issues were the Sécurité Broadcast as noted in Item 8, Arun Yacht Club dinghy racing risk assessments which had been updated in response to incidents logged on the river and a review of the reported incidents as detailed in Item 7. The review of the Arun Yacht Club dinghy racing risk assessments had been successful. Mr Bush referred to pages 31 and 32 and the reorganization of the coastguard which he found of interest.

Cllr Dr Walsh referred to navigation lights as highlighted on page 31 where it was reported a vessel had been without its statutory navigation lights. Cllr Dr Walsh suggested a Notice to Mariners to be followed up accordingly. The Harbour Master replied AYC had been alerted but it was not possible to compel skippers to put lights on. Even so it was good to highlight these issues.

Cllr Elkins referred to the item about the broadcast that had been made and asked what had changed. The Harbour Manager replied that traditionally before commercial movement, a pilot would broadcast on channel 71 to specify that he was coming in or going out to facilitate closing the channel to other vessels. As commercial vessels were unable to manoeuvre in the river this was a clear message for other river users to stay out of the way. Channel 71 was the Harbour's own local channel and it was important that those heading into the Harbour were also aware of movements. Therefore it was appropriate to broadcast a Sécurité message on Channel 16 advising mariners to listen on Channel 71.

The Board

Resolved

To note the Report

401. AGENDA ITEM 10: TREASURER'S REPORT:

The Treasurer to the Board reported on the figures for February. Since the last report a major shipping customer (Union Transport) had gone into liquidation owing in excess of £10k. It was not known at this time if any of this debt could not be recovered. The Treasurer advised that there had been concerns for some time with regard to the finances of Union Transport and so the debt had been actively managed. Apart from a small amount of the debt the outstanding invoices related to March 2013. The additional spend on dredging the bar of £5k, and the costs associated with the removal of the shoal and repairs to the West Works of £20k would need to be financed by cost savings identified in the most recent forecast. The £15k which had been allocated for the General Directions HRO would be carried forward to the next year.

Cllr Wensley queried the Treasurer's reference to traffic over the Easter period at 2.1 and asked why commercial shipping finished the year above expected figures. The Harbour Master explained that the budget assumed 2 ships per month but we had actually achieved 26 ship visits in the year and in addition extra income had been achieved on cargo dues. An early Easter and poor weather meant that little had been added to the leisure income in the last month of the financial year..in fact the Harbour Master reported that only three vessels called over the Easter Weekend netting £75..

The Board

Resolved

To note the Report

402. AGENDA ITEM 11: THE NEW LOCAL AUDIT BILL

The Treasurer to the Board explained that, with the demise of the Audit Commission, their audit work was now to be transferred to the private sector, the Department for Communities and Local Government (DCLG) had written to the three south coast precepting harbours, including Littlehampton, pointing out that if they wished to continue to account under the local government accounting regime the harbours would have to apply to be listed on schedule two to the new act. The Treasurer explained that reporting under the present local government accounting scheme meant that the harbour was treated exactly the same as a parish or town council. This made preparation of the accounts easier thus keeping costs down. The alternative was to account under the Companies Act which would lead to significantly more complex reporting and higher audit costs.

The Treasurer was therefore recommended that the Board should apply to be listed under Schedule 2. In a motion proposed by Cllr Dr Walsh and seconded by Mr Bush,

The Board

Resolved

To apply to list Littlehampton Harbour on Schedule 2 to the Local Audit Bill.

403. AGENDA ITEM 12: PUBLIC QUESTIONS

Mr Warren, representing Mr Parker, (commercial fishing boats), expressed concern at the proposal that mooring fees were to come in line with harbour dues and would fall due in April. This was a difficult time for commercial charter fishermen to pay as the majority of their income was earned in the summer months. The Harbour Master had recently spoken to Mr Parker and discussed the anomaly that LHB invoiced annually for harbour dues in April and for mooring in July. The Treasurer to the Board reminded the meeting that charter fishermen were able to spread the cost of their fees already through the direct debit scheme operated by the Board. They were not being asked to pay "up front".

Mr Warren asked the Board to note that AYC 's new groyne had increased sand levels on the scrubbing piles making them impossible to use. The Harbour Master would look at some images of same. The Harbour Master had been monitoring the effect, but reminded the meeting that the scrubbing piles belonged to AYC not the Harbour Board and therefore the accumulation of sand was not something the Harbour Master could become involved with. In terms of alternative facilities, the Harbour Master added crane and lift out facilities were available within the harbor and averaged £75 which he felt was a reasonable cost. The Harbour Master would monitor further.

Mr Chapman referred to the scrubbing piles. He stated that 10 years ago LHB controlled them, spent no money on them and then gave them to AYC and now they were unsafe and there were no facilities in the harbour. At Chichester or Itchenor it cost £15 to go on a clean level bed and scrub. Mr Chapman explained where the two piles could go to facilitate scrubbing. Mr Chapman then complained that harbour dues had increased which he believed was not logical. The Harbour Master replied the piles had gone to AYC some years ago and Mr Chapman asked why this was so. The Harbour Master reiterated there were other facilities for drying out e.g. Osbornes had a slip, Bridge Hard had sinkers etc. It was believed the issue was not so great that it demanded vast expense on piles. Mr Chapman asked why it would be a big expense. The Harbour Master said he could obtain quotes. The facility at Bridge Hard had cost £40 for concrete and some overtime due to the requirement to work at low water. The Harbour Master agreed Mr Chapman's request was valid.

Mr Chapman raised the matter of fin keel boats which needed piles. The Harbour Master stated there were facilities at Osbornes which could accommodate such vessels. Cllr Peters noted the point and said a quote could be sought. Mr Chapman replied this would not work as LHB had moved to the other side of the bridge which was the wrong place for a yard if you needed to go under the bridge. The Harbour Master stated the bridge opening/closing times could be booked.

Mr Gibbs stated he had thought nothing was happening on Bridge Hard and was pleased to hear this was not the case. The Harbour Master clarified for all exactly what the facility at Bridge Hard would be.

Mr Boyce asked what the cost of the Adurni was per tide. It was confirmed at £1000 per tide.

Mr Boyce was delighted to see the new website and internet medium and congratulated those concerned. He asked if it would be possible to publish pressure as well as wind speeds as pressure could affect tidal movement of the river in excess of a metre. The Harbour Master noted this. The tide gauge needed replacing and hopefully this would be done soon.

Mr Boyce asked if Halcrow would be doing a presentation in the future on flood defence. The Harbour Master replied it was planned to have a Pier Road users meeting. The Halcrow design was only recently received. The Harbour Master had spoken to the EA who wanted Halcrow to present to the EA before presenting to LHB.

Mr Warren referred to the Harbour Master's weather report and asked if it was in km per hour or knots. The Harbour Master confirmed it was in knots. Mr Warren thought the wind speed equipment might be inaccurate as there was disturbance from houses. The Harbour Master replied weather stations were not perfect and that in the river users were sheltered from the east. Mr Warren then stated that when chartering it had been possible to correspond tide height to what was on the bar. However if the bar was to be resurveyed at say, one metre above chart datum and .2 is deducted from the tidal reading on the weather station this would give an accurate live figure. The Harbour Master confirmed this was correct and explained how it was shown. Mr Warren stated the entrance needed to correlate with the bar. The Harbour Master replied this would be possible with a channel coastal station and this would be available in time, in cooperation with the EA.

Cllr Peters thanked the public for their interest and attendance. Members of the public left the Meeting at 11.15am.

Cllr Elkins had a question on the Public Questions regarding harbour dues and lump sum payments. He asked the Treasurer if commercial users were aware that they could pay monthly. The Treasurer confirmed users were aware of this. The Treasurer to the Board advised the timing for issuing invoices to leisure users used to be 1 July to end of June but this had been changed this year to bring them in line with the harbour accounts. Commercial harbour dues running from 1 July had not been changed. There had been concern from fishermen. The Treasurer to the Board reported the preference was to pay in July rather than in April and thus LHB had offered a monthly payment option to facilitate bringing them in line with leisure fees. The Treasurer to the Board added there was a small fee charged by LHB for those paying monthly.

Cllr Elkins referred to the piles that could facilitate cleaning deep keel boats and wondered if there would be any benefit or economy in installing one. He asked if there had been opposition to the piles. The Harbour Master replied there was no sound commercial reason to install the piles. There were not a lot of fin keel boats and there were other facilities at say, AYC and Osbornes. Cllr Elkins asked if there would be an opportunity to install such a pile in the future and the Harbour Master replied there would not.

Mr Bush asked if the scrubbing piles condemned by LHB (not AYC) could be reinstated as they were not at the end of their life. Nobody at AYC knew why they were condemned. The Harbour Master replied the piles seemed no worse than others. The Harbour Master stated maintenance dredging could be carried out to the front side to improve their condition. Cllr Elkins asked if the piles were condemned. The Deputy Harbour Master advised that a former Harbour Master had handed the poles back to AYC as they were not an LHB asset. The Deputy Harbour Master did not know why or whether the poles were condemned. Mr Bush asked if these piles could support a yacht with a six foot keel. The Treasurer to the Board believed it was Mr John Sharwood who condemned these piles some years ago. The Deputy Harbour Master reported that new piles were approx £7k per pile and at least two were required. Cllr Elkins asked if an engineer could do this work. Cllr Blampied asked if this could be done at the same time the East bank works were done. The

Harbour Master replied the cost of the pile was high which the Treasurer confirmed. Cllr Dr Walsh felt the Board was making a policy on the hoof and a proper look should be taken to assess safety. Cllr Blampied agreed and suggested if they were safe perhaps the contractors working on the East works could be asked to do the work using existing piles. The Harbour Master explained that piles would still have to be purchased as the existing were wooden. It was agreed an inspection and report was required.

404. AGENDA ITEM 13: CONFIDENTIAL BUSINESS:

Due to the confidential nature of the following items to be considered, it was proposed 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.

It was proposed by Mr Bush and seconded by Cllr Blampied to enter Confidential Business. Agreed.

All members of the public left the meeting.

The Harbour Master declared a personal and prejudicial interest in item 14 – Minutes of the Personnel Sub-Committee Meeting held on 8th April 2013. He left the meeting for the duration of item 14.

The Clerk considers minutes 405, 406 and 407 to be exempt under the Harbour Board's constitution and they will be considered by the Board for approval under Confidential Business