



**MINUTES OF THE LITTLEHAPTON HARBOUR BOARD**

**HELD IN COMMITTEE ROOM 1, ARUN DISTRICT COUNCIL CIVIC CENTRE,  
MALTRAVERS ROAD, ON**

**MONDAY 2<sup>ND</sup> SEPTEMBER 2013 AT 10AM**

**Present:** Councillor N Peters (Chairman)  
Mr P Bush (Vice Chairman)  
Councillor R Elkins  
Councillor A Patel  
Councillor A Squires  
Councillor Dr J Walsh  
Councillor D Wensley  
Mr G Langton

**In Attendance:** Mr C Braby (Treasurer to the Board)  
Mr B Johnson (Harbour Master)  
Mr L Harrison (Deputy Harbour Master)  
Mrs J Harris (Notes Secretary)

**447. CHAIRMAN'S WELCOME**

The Chairman welcomed Mr Langton to his first meeting as the Commercial Users Representative and introduced the new notes Secretary, Mrs Harris to the Board.

**448. APOLOGIES**

Apologies were received from Councillor Gammon and Mr O'Flynn.

**449. DECLARATION OF OFFICE**

Mr Langton read and duly signed his declaration of acceptance of office as the Commercial Users Representative on the Board.

**450. MEMBERSHIP**

It was noted that discussions were taking place at West Sussex County Council in respect of an appointment to fill the vacancy arising following the sad death of Councillor Wilkinson.

**451. DECLARATIONS OF INTEREST**

451.1 Councillors Dr Walsh declared a personal interest regarding the discussions on the future of the Harbour in relation to the Local Plan as a Member of Arun District Council. Mr Bush declared a personal interest as a member of Arun Yacht Club in relation to the discussion on additional moorings at the site.



#### **452. MINUTES**

452.1 Regarding Minute 436, the Pilotage Sub-Committee, the Chairman reported that Councillor Patel had expressed an interest in filling the vacancy on this Sub-Committee. This was unanimously agreed and it was therefore **RESOLVED** that:

**Councillor Patel be appointed to the Pilotage Sub-Committee.**

452.2 Regarding Minute 439, the provision of payroll services, Councillor Wensley confirmed that Arun District Council would provide this service to the Harbour Board at no cost and this was welcomed by the Board.

452.3 The Minutes of the meeting held on 29th July 2013 (previously circulated) were confirmed as a true record and signed by the Chair.

#### **453. HARBOUR OPERATIONAL REPORT**

453.1 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:

##### **453.2 Commercial Trade**

One budgeted ship visit had taken place and a larger vessel had made a scheduled visit to the harbour in the latter part of August. It was noted that the larger ship was significantly bigger in terms of tonnage and was outside the size of ship usually accommodated by the Pilotage Directions. Its visit had therefore been separately risk assessed. The feedback from the exercise would be used to update pilotage directions to cover this size of vessel. At the same time, the Directions would be updated for passenger vessel operations from the Town Quay, which were not presently covered, and the EA's workboats which would be used for the East Bank Flood Defence works. It was noted that the scheduled visit had gone well and that Members would receive a briefing outlining the updates to the harbour's Pilotage Directions in due course. Whilst the number of visits was lower than predicted, the Harbour Master remained optimistic that the situation would improve.

##### **453.3 Leisure Trade**

The Harbour Master reported that the figures for August were the best that the harbour had seen for this time of year in nine years.

##### **453.4 Dredging**

The Harbour Master reported that the additional prop washing and water injection carried out in July had been beneficial and that consideration was being given to undertaking this work on a more regular basis going forward.



#### **453.5 Section 43 Consents**

The Harbour Master reported two consents had been issued under delegated powers since his last report.. Regarding 5/13- a request from Osborne of Arun for consent for piling by Arun Timber Docks, the Harbour Master reported a condition had been imposed in line with comments previously expressed by the Board. An identical condition had been challenged by Osborne of Arun in relation to a previous application, and a similar challenge was expected.

#### **453.6 EA East Bank Flood Defence Scheme**

The dates for the modelling workshop had been confirmed and would take place on 4<sup>th</sup> and 5<sup>th</sup> September. The Harbour Master had specifically requested that hydraulic modelling be undertaken to have independent verification of the effects of the proposed works. .

#### **453.7 Harbour entrance sediment management**

The Harbour Master reported that work would focus on maintaining the level as stated in his report which was considered a reasonable depth.

#### **453.8 Harbour Revision Order**

The Harbour Master reported that having received legal advice which highlighted some difficulties associated with implementation, a clause relating to on the spot fines had been removed. The Board supported this decision and it was noted that the option to pursue offenders through the courts would remain. The Board noted that the draft order had been received and that the consultation programme would progress as planned.

#### **453.9 West Works Survey Report**

The Harbour Master reported that once the lower level report had been completed a ten year costed maintenance programme would be produced including an annual inspection regime agreed with Arun District Council. It was proposed that this be considered by the Board as part of the annual budget setting. The need for investment in the harbour infrastructure and a formal maintenance plan was highlighted and it was suggested that public service borrowing be investigated as a means of funding. Members recalled that structural surveys of the harbour had previously been undertaken and it was agreed that copies be circulated, as this would be of particular benefit to newer members of the Board.

#### **453.10 News on the River**

The Harbour Master reported thatthe Chairman of West Sussex County Council had visited and received a tour of the Harbour on 28<sup>th</sup> August. This had been well received and the Chairman thanked the Staff for the work that had gone into making



the visit a success. Members noted that a BPA Trust Port Briefing Seminar would be held on Thursday 24th October in London. It was noted that Councillor Dr Walsh wished to attend this seminar.

453.11 The Board went on to consider in more detail the proposed work to enhance the flood defences on the East Bank in terms of the long-term infrastructure and maintenance requirements of the harbour and the need to ensure that the Town was adequately protected against flooding in the future. Members wished to have a better understanding of the purpose of the hydraulic modelling and how this information would inform the proposed East Bank works.

453.12 The primary aim of the project was to provide flood protection for the Town and it had been suggested that should the modelling show that the proposed works were likely to have a detrimental impact on the ability of the harbour to function normally, the Board may not be able to give its consent to the works. This however was considered extremely unlikely and the Harbour Master explained that in his view, the technical data the modelling would provide was essential to understanding the impact of the works on the navigation channel and it was agreed that the technical data be circulated to the Board. It was noted that a special meeting of the Board had been convened for 12<sup>th</sup> September 2013 where consideration would be given to the EA's Section 43 request for consent for the works.

453.13 Although the long-term vision for the harbour was to move to a leisure-only port, the Board was also mindful of its existing contractual obligations and the negative impact on the Board's finances should commercial traffic cease. It was therefore acknowledged that the outcome of this exercise would provide a degree of comfort in terms of the Harbour being able to continue to remain fully operational after completion of the works. It was therefore **RESOLVED** that:

- 1) **A copy of the Halcrow report on the harbour infrastructure be circulated to the Board along with a copy of the report considered by members in November 2012.**
- 2) **The technical data from the hydraulic modelling be circulated to the Board.**
- 3) **The contents of the Harbour Operational Report be otherwise noted.**

#### **454. DISPENSING FUEL**

454.1 The Board received a report from the Harbour Master that set out proposals to allow the Harbour Board to sell fuel (previously circulated). The Harbour Master stated that once the flood defence scheme works had been completed, it would no longer be possible for vessels to re-fuel on the Pier Road Pontoon. In order to provide a safe and efficient alternative it was therefore proposed that, with the additional purchase of a new pump, the Harbour utilise existing equipment and sell fuel from the harbour workshop. It was proposed that the service be offered during normal office hours



when the workshop was staffed and therefore the impact on existing workloads would be minimal.

*Councillor Wensley left the meeting at 11.03am*

454.2 It was noted that the Littlehampton Marina was currently the sole provider of marine fuels within the harbour and that bertholders tended to own and operate their own bowsers to dispense fuel on pontoons. This could be dangerous especially in poor weather conditions and the practice required review. The Harbour Master emphasised that the aim was to improve the service provided to harbour customers by providing a safe and practical alternative to the current practice. Concerns were expressed about the capacity of the workshop fuel tank to meet demand, pricing arrangements and how the proposal might be perceived locally. The Harbour Master confirmed that the necessary arrangements to support the proposal were in place in terms of supply and that pricing would need to reflect the level of duty payable. *Councillor Wensley rejoined the meeting at 11.12am.*

454.3 The Board also considered the additional administration that would be required to support this service in terms of accounting and invoicing. On the basis that dispensing fuel would only be offered to approved commercial operators who were account holding customers, Members were supportive of the proposal. It was therefore **RESOLVED** that:

- 1) **Initially, the dispensing of fuel be limited to commercial vessels and account holding customers only.**
- 2) **Officers be authorised to purchase the equipment as identified in the report and obtain the required planning consents and permissions to facilitate the dispensing of fuel before the planned start of the flood defence works in October 2013.**

**Officers be asked to review current unregulated fuel dispensing arrangements.**

#### **455. TREASURER'S REPORT**

455.1 The Treasurer presented the income and expenditure statement and income analysis for the period to 31<sup>st</sup> July 2013 (previously circulated). Whilst commercial income remained below budget, despite the recent good weather and increase in visitor numbers, it was now unlikely that the shortfall in leisure income would be recouped this year. Members reflected on the figures and it was noted that income from commercial rents was in line with the budget. Members were pleased to note that the outsourcing of the payroll had gone well and that the new Accounting and Administration Officer was already proving beneficial. It was therefore **RESOLVED** that:

**The Report be noted.**

#### **456. FREQUENCY OF BOARD MEETINGS**



456.1 The Chairman sought views on a proposal to reduce the number of Board meetings to six per year. Members were supportive of the proposal providing that the Board could still be convened if urgent business arose. It was therefore unanimously **RESOLVED** that:

**The number of routine Board meetings be reduced to six per year.**

**457. PUBLIC QUESTIONS**

457.1 Regarding the dispensing of fuel, Mr Chapman asked if Members were aware that the Marina sold marine fuel at a discount and asked the Board to consider dispensing the fuel from a point closer to the Harbour Board's offices in Pier Road. Mr Chapman also questioned the reduction in the number of Board meetings and asked that they be better publicised.

457.2 Regarding the Osborne of Arun piling by the Arun Timber Docks, Mr Boyce asked if the Harbour Board had properly considered Osborne of Arun's objections to the conditions attached to the Section 43 consents recently issued, why the Board had not appointed a mediator to resolve the issues and strongly urged the Board to consider doing so.

457.3 In response, the Harbour Master stated he understood that Osborne of Arun was challenging the Board's condition being attached to application 5/13 for consent under Section 43 and that the Board had agreed to maintain its stance on this issue. The Chairman assured Mr Boyce that his questions had been noted and would be considered by the Board.

457.4 Subsequently, Mr Boyce asked for further information regarding the action taken by Officers to resolve the issue of ownership of the disputed piles at Ballast Wharf and the proposals by Osborne of Arun to create an additional 88 berths at the Arun Timber Docks. Mr Boyce asked the Board for a formal reply, containing details of their discussions on these matters. The Chairman undertook to provide a formal reply to Osborne of Arun on these points. He further advised Mr Boyce that the matter was scheduled for discussion under Exempt Business.

**458. EXEMPT BUSINESS**

458.1 It was **RESOLVED** that:

In a motion proposed by Cllr Dr Walsh and seconded by Cllr Squires:

**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**

459. **PENSION DISCRETIONS POLICY**

459.1 The Board received and approved a revised Policy document reflecting the fact that the Harbour Board was the formal decision making body on these matters.

460. **Ballast Wharf**

460.1 The Board received a verbal update from the Clerk on progress with resolving the disputed ownership of the piles at Ballast Wharf and the conditions attached to a Section 43 consent which had been disputed by Osborne of Arun and **RESOLVED to note the report.**

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**CHAIR**