

MINUTES OF THE MEETING **AGENDA ITEM 5**
OF THE LITTLEHAMPTON HARBOUR BOARD
HELD IN COMMITTEE ROOM 1 AT THE ARUN DISTRICT COUNCIL CIVIC
CENTRE, MALTRAVERS ROAD, LITTLEHAMPTON ON
MONDAY 20TH MARCH 2017 AT 10AM

Present: Councillor Elkins (Vice Chairman in the Chair)
 Councillor Buckland
 Councillor Clayden
 Mr Marchant
 Mr R O'Callaghan
 Councillor Peters
 Mr Squires
 Councillor Dr Walsh

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

106. WELCOME AND NOTICES

The Vice Chairman welcomed everyone to the meeting and informed members that the agenda item, Enforcement Policy for Directions, was not an exempt item and would be considered during ordinary business. The Clerk confirmed that the report was previously circulated to Members, published on the website and that additional copies had been placed in the public galley for information.

107. 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.

108. APOLOGIES

Apologies were received from Mr Bush (Chairman) and Mr B Johnson, Harbour Master.

109. DECLARATIONS OF INTEREST

The Treasurer declared a personal and prejudicial interest in Agenda Item 8, Purchase of a Patrol RIB as he was Treasurer of the Langstone Harbour Board and they were offering to sell the vessel to the Board.

110. PUBLIC FORUM

- 110.1 There were eleven members of the public present.
- 110.2 Mr Robinson addressed the Board regarding agenda item 9, the refurbishment of the scrubbing piles. He stated that he understood that the Harbour Master had met with the Arun Yacht Club Management Committee to discuss siting the piles. Whilst the Club were supportive of the Board's proposals there were concerns that the Club's lease on the land in question prohibited any sub-letting without the necessary consent being obtained from the landowner. As this would incur additional expense, Mr Robinson asked if the Board would meet the costs.
- 110.3 The Chairman stated that Officers would be presenting an update to the report that had been distributed with the papers on this matter which would include proposals which aimed to address this concern. He therefore thanked Mr Robinson for his comments which would be addressed when the Board came to consider this matter later in the meeting.
- 110.4 Regarding the minutes of the previous meeting, Mr Boyce stated that his question as set out in Minute 92.9 and the Harbour Master's response at Minute 92.10 were incorrectly recorded. Restating his question, he asked would the Board confirm that it was not going to moor vessels on the inside of Pier Road.
- 110.5 In response, the Deputy Harbour Master stated that it was his understanding that there was no intention to moor vessels on the inside of Pier Road. Thanking Mr Boyce for this clarification, the Board also **RESOLVED** that the minutes of the meeting held on 6th February 2017 be amended accordingly.
- 110.6 Regarding Minute 97 of the previous meeting, the Port Marine Code Safety (PMSC) Review. As part of the Risk Control, it had been recommended that the Board "resist the claim for the refund of harbour dues on pontoons" and Mr Boyce asked the board if it was appropriate to have this in the PMSC audit and to consider adding this to the Risk Register instead, which was due to be reviewed by the Board at this meeting.
- 110.7 In response, the Deputy Harbour Master explained that the PMSC included recommendations on a broad range of matters relating to the operation and governance of the Port. It was noted that these were suggestions for consideration only and that the Board has a duty to consider them.
- 110.8 Regarding Agenda item, 11, Review of the Risk Register, Mr Boyce stated that in his view it would be good practice to include details of the value of the mooring fees collected and any discount given, as a performance measure. He therefore asked the Board to consider this as part of the review.
- 110.9 The Chairman thanked Mr Boyce for his comments. He stated that the Board would bear this in mind when it came to consider the Risk Register Review later in the meeting.
- 110.10 Mr Draffan, in his capacity as Managing Agent for the Angmering Park Estate, expressed frustration at the length of time it was taking to obtain a signed lease regarding the Estate's moorings. He asked that pressure be brought to bear to get the documentation completed.
- 110.11 In response the Treasurer provided an update on the amount expended by the Board to date in terms of fees to try and reach an agreement with the Estate. The negotiations had become protracted as the Estate sought further changes. The Harbour Master had considered the latest proposed changes were far too restrictive and had rejected them. It was therefore judged that if

the Estate wished to pursue any further changes, they should do so at their own expense.

110.12 Mr Terry Ellis asked if the letter regarding the condition of the certain vessels moored in the Harbour had been sent to the owners as agreed at the last meeting.

110.13 In response the Deputy Harbour Master confirmed that the Harbour Master had sent letters to the owners in question but was unsure if the letter included a timescale for compliance.

111. MINUTES

111.1 Regarding Minute 94.2, Leisure activity and the letters that had been sent regarding the condition of some of the vessels moored in the harbour, the effectiveness of this course of action was questioned. The core function of the Board in terms of running the Port was noted and it was observed that the current mooring agreement did not include standards relating to the condition of vessels other than to ensure that they were seaworthy. The complexities of setting and monitoring standards and the concerns that had been raised with the Board and others were acknowledged. The Board however judged it prudent to see how matters progressed before considering further action.

111.2 It was **RESOLVED** that the minutes of the meeting held on 6th February 2017 (previously circulated) be corrected as set out in Minutes 110.4 and 110.5 above, and that they be approved and signed by the Chairman.

112. HARBOUR OPERATIONAL REPORT

112.1 The Deputy Harbour Master presented a report (previously circulated) which detailed the operational activities undertaken in the harbour since the last meeting. In addition, he also updated the Board on the commercial activity, leisure trade and work boat activity. It was also noted that the Section 43 consent regarding Littlehampton Yacht Club slipway repairs had been issued on 8th March 2017 and was approved with considerations for an independent MMO licence. It was **RESOLVED** that:

The Contents of the Harbour Operational Report be noted.

113. PURCHASE OF PATROL RIB

The Treasurer re-declared his personal and prejudicial interest in the following matter and left the meeting 10.29am.

113.1 The Deputy Harbour Master presented a report (previously circulated) which set out proposals to purchase a RIB primarily for use during the summer months to assist with policing activity in the Harbour. He explained that the workboat Erica did not have the right characteristics for this type of work and that the acquisition would ensure that she remained available for the commercial use identified in the Board's business plan. The engine was three years old and the RIB had a full-service history. Noting that the Board also had the in-house expertise to maintain the vessel, it was therefore **RESOLVED** that:

- 1) The purchase of the above identified RIB for £7,000 be approved.
- 2) The effectiveness of an improved patrol capability using a RIB be reviewed annually over the next three seasons.

Councillor Buckland abstained from the vote on this matter.

The Treasurer re-joined the meeting at 10.40am.

114. REFURBISHMENT OF THE SCRUBBING PILES

- 114.1** The Board had before it a report which contained proposals to refurbish the scrubbing piles (previously circulated). The report had however been superseded by events and the Clerk proceeded to provide Members with an update. She explained that, within the time frame available, it would be unlikely that she would be able to obtain the necessary legal consents that would be required and, so, Officers had decided to explore other options. Consequently, an alternative location at Bridge Hard had been identified which was more readily achievable in the short timeframe available. Thanks were expressed to the Arun Yacht Club for their cooperation to date and the Board **RESOLVED** that:

Subject to obtaining the correct permissions, the expenditure of £12,000 for the new scrubbing piles in the Harbour at Bridge Hard be approved.

115. TREASURER'S REPORT

- 115.1** The Treasurer presented the income and expenditure statement and income analysis for the period to the end of January 2017 (previously circulated). It was noted that the February figures had been completed and that there was nothing of significance warranting further action. Noting that the predicted year end out turn was unchanged, the Board therefore **RESOLVED** that:

The Report be noted.

116. REVIEW OF THE BUSINESS RISK REGISTER

- 116.1** The Board received a report (previously circulated) which contained proposals to update the Business Risk Register following the annual review by Officers. The Register was a key element of the Board's Internal Control System and the changes made were updates to mitigation measures. It was noted that the PMSC Designated Person reviewed the risk register as part of his annual audit. Thus, the Board **RESOLVED** that:

The recommended changes to the Business Risk Register be approved and that the Register be updated accordingly.

117. REVIEW OF THE INTERNAL CONTROL

- 117.1** The Treasurer presented a report (previously circulated) which addressed the Board's Internal Controls. The Board were reminded that in Section 1 of the

Annual Return, (at 2), they declared that they had maintained a system of internal control and that they had reviewed its effectiveness. The Board was satisfied that they complied with the Annual Governance Statement and therefore **RESOLVED** that:

- 1) **It was satisfied with the internal control arrangements.**
- 2) **It was satisfied that there was a proper system of Internal Audit in place.**
- 3) **The process was adequate to aid the Board, in its decision as to whether it was able to approve Question 2, Section 1 of the Annual Governance Statement.**

118. MEETINGS AND AGENDA PREPARATION TIMETABLE FOR 2017/18

118.1 The Board received a schedule of meeting and agenda preparation dates for 2017/18 (previously circulated). It was noted that the deadline for completing and approving the annual accounts would be altering in 2018 so that approval would be required by the end of May rather than the end of June. Members therefore asked that the date for the meeting that would approve the accounts for this period be noted and circulated well in advance. It was **RESOLVED** that:

The timetable of meeting and agenda preparation dates for 2017/18 be approved.

119. ENFORCEMENT POLICY FOR DIRECTIONS

119.1 The Board received a report (previously circulated) which contained a draft policy regarding the enforcement of the General Directions. The Policy set out the basis of the powers and principles of enforcement including a clear statement of the action that would be taken when dealing with alleged breaches of the Directions. This was considered robust and it was also noted that Officers would require training to implement the policy. It was agreed that the Clerk would revert to Members with information regarding the means of publication and notifications confirming that the Policy was in force. The Board therefore **RESOLVED** that:

- 1) **The Littlehampton Harbour Board Enforcement Policy for Directions be approved.**
- 2) **The Harbour Master develop appropriate training procedures for Harbour Board Staff.**

120. 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**

121. THE CONFIDENTIAL AND EXEMPT MINUTES OF THE MEETING HELD ON 6TH FEBRUARY 2017

121.1 It was **RESOLVED** that:

The Confidential and Exempt Minutes of the meeting held on 6th February 2017 (previously circulated to Members of the Board only) be confirmed as a true record and signed by the Chair.

122. CHAIRMANS UPDATE

122.1 Members received brief updates on current confidential matters affecting the Board as appropriate.

123. VOTE OF THANKS

Noting that Councillor Peters would be standing down at the local government elections in May 2017, the Board thanked him for his support as a Member and Chairman. In response Councillor Peters wished to put on record his thanks to Officers and Members for their support during his term of office.

The meeting closed at 11.17am.

_____ **CHAIR**