

EXETER HARBOUR BOARD

Date: Monday 27 September 2021
Time: 5.30 pm
Venue: Guildhall, High Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

Because of current social distancing restrictions brought about by the Corona Virus outbreak, this meeting is only open to members of the public who have registered to ask questions.

For the general public the [live stream can be viewed here](#) at the meeting start time via Facebook.

If you have an enquiry regarding any items on this agenda, please contact Sharon Sissons Democratic Services Officer (Committees) on 01392 265115.

Membership -

Councillors Harvey (Chair), Allcock, Buswell, Leadbetter, Pearce and Sparkes
Andrew May, Owen Michaelson, Richard Eggleton, Steve Sitch, Anthony Garratt, Paul Labistour

Agenda

- 1 **Apologies**
- 2 **Declarations of Interest**

Members are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

- 3 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

It is considered that the Board would be unlikely to exclude the press and public during consideration of the items on this agenda, but if it should wish do so, then the following resolution should be passed:

RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s) of business on the grounds that it (they) involve the likely disclosure of exempt

information as defined in the relevant paragraphs(s) of Part 1, of Schedule 12A of the Act”.

4 **Public Question Time**

A period of up to 15 minutes is available to deal with questions relating to the business of the Harbour Board from the public.

Details of questions should be notified to the Corporate Manager Democratic and Civic support via the committee.services@exeter.gov.uk email by 10.00am at least three working days prior to the meeting. For this meeting any questions must be submitted by 10.00am on Wednesday 22nd September 2021.

5 **Welcome**

The Chair of the Exeter Harbour Board, Councillor Harvey to present.

6 **Introduction**

Steve Carnell (Engineering, Waterways and Parking Service Manager) to present.

7 **Terms of Reference**

(Pages 5 -
6)

To note the terms of reference.

8 **Harbour Board Purpose**

Steve Carnell (Engineering, Waterways and Parking Service Manager) to present.

9 **Harbour Master's Report**

(Pages 7 -
14)

Grahame Forshaw (Harbour Master) to present.

10 **Incidents and Accidents**

Grahame Forshaw (Harbour Master) to present.

11 **Designated Person**

Steve Carnell (Engineering, Waterways and Parking Service Manager) to present.

Date of Next Meeting

The next scheduled meeting of the Exeter Harbour Board will be held on **Thursday** 16 December 2021 at 5.30 pm.

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HARBOUR BOARD

Terms of Reference for the Board as follows:

- (a) To maintain strategic oversight and direction of all aspects of the Harbour operation, including marine safety;
- (b) To be responsible for the development of policies, plans, systems and procedure for safe navigation;
- (c) To ensure that all assessments and reviews are undertaken as required to maintain and improve marine safety;
- (d) to ensure that the harbour authority sees and adopts appropriate powers for the effective enforcement of their regulations, and for the setting dues at a level which adequately funds the discharge of all their duties;
- (e) To appoint a Designated Person to provide independent assurance directly to the Duty Holder that the Marine Safety management system is working effectively;
- (f) To investigate the potential for applying for a Harbour Revision Order to empower the Council to take enforcement action on issues such as dangerous use of jet skis through Special Directions and to oversee a review of the Bye-Laws covering the Estuary.

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Harbour Master report to the Exeter Port Authority (EPA) Harbour Board

27th September 2021

Introduction

We have had an extremely busy summer period, with a lot of activity on our waters and surrounding areas.

The Lower Exe has hosted numerous large organised events such as the 5-day National RS200 Championships, with over 120 dinghies taking part, a national rowing event which attracted teams from all over the country plus a high number of yachts from other ports visiting Exmouth, Topsham and also Turf Lock.

There was a national junior kite surfing event in August and in October there will be a very popular paddle boarding event in mid-October.

The Exeter Ship Canal continues to be a popular stretch of water not only for rowers and kayakers, but also for stand up paddle boarders. Canal banks have been very busy with walkers and cyclists. At Double Locks and at the Turf in warm weather there have been many occurrences of people jumping into the water. This is against the bye-laws and the Police Community Police team are informed.

Staffing levels remain the same. We have a team of five at the canal, one manager, three operatives and a part-time administrator. At the Exmouth Trinity buoy store there are three patrollers, one full-time and two part-time (both currently on a one year full time contract). As Harbour Master, I also work from that location.

The canal team normally work a five day week with occasional Saturday work for additional requirements such as locking in at Turf, convoys down the canal in spring and autumn and 'out of hours' monitoring of changing river and canal levels. (The water levels need to be closely monitored to prevent over-topping of the canal banks and possible flooding at the double locks pub).

The team at Exmouth cover a seven day week operation.

Local Aids to Navigation

Almost all of our 42 Local Aids to Navigation have been inspected this year, through the winter months we will inspect and service the rest. Our last official inspection by Trinity House (TH) was eleven months ago, the report we had from that was good and I expect that TH will be in touch soon to arrange another visit as part of their annual checks in the South West.

The wreck off Cockwood harbour which is awash at MHWS has been marked with an Easterly cardinal mark.



Hydrographic Survey

The approach channel to the Exe was surveyed last April, the data that came back was circulated via the Port User Group (PUG) and also shared with the United Kingdom Hydrographic Office (UKHO). The UKHO have used the data to help with the production of the latest Admiralty chart of the Exe estuary. We have a reciprocal arrangement about to be finalised with the UKHO for the sharing of information. With the movement of sand in the river becoming more of a problem we have introduced a further Starboard lateral mark between no's 17 and 15 around Bull Hill bank.

Harbour Patrolling – use of Volunteers

Patrols using volunteer support were introduced two years ago. When we put out an advert, we had 50+ expressions of interest, 35 applications were submitted, 12 were interviewed and seven were taken on. We rely heavily on our group of six volunteers to assist with regular river patrols during busy times and at weekends. By using volunteers we can put out more patrols plus save costs. Our patrols advise boaters on speed limits around the estuary, they check around moorings for boats potentially breaking free and they also patrol the approaches. The vast majority patrol work is focussed on control of speeding craft.



We started out by asking the operators of speeding craft to stick to the speed limits and in most cases the response has been positive. During these two years we have come to recognise repeat offenders and the areas of concern where there is a possibility of accidents.

One particular problem is with Personal Water Craft (PWC) or jet-skis. As has been briefed previously we lack the correct powers to restrict the use of these craft. The Royal Yachting Association informed me that such was the increase in sales of these craft during the pandemic there is now no available stock of new craft in this country and there will not be for some time. After speaking to the operators it is also apparent that people are travelling further distances to get access to the river and open water. This large increase in PWC's in the river impacts patrols and their ability to ensure safety and speed control.



Above: a busy weekend for patrolling.

On the 6th of September the Department for Transport launched a consultation on proposals to bring PWC's in-line with the Merchant Shipping Act 1995. This will hopefully rectify the 'definition of a ship' anomaly. If classed as a vessel prosecution would be made easier and owners of these craft would be ultimately responsible for their safe operation on the river.

Port Marine Safety Code (PMSC)

As has been briefed previously, the EPA need to be compliant with the PMSC. Although not a mandatory requirement, the Maritime and Coastguard Agency (MCA) are making it abundantly clear that there may come a time when it will be so (the Department for Transport have again just issued a notice stating the same). In order for the Authority to become compliant, we will need to seek a Harbour Revision Order (HRO) to allow us to have the proper powers of direction and special direction to have the ability to exercise some control of the water not only in the river but also in the Exeter Ship Canal.

A Safety Management Plan will need to be written and adopted, the industry practice is to employ a marine consultant to create this.

Topsham Ferry

The Topsham ferryman is now a full-time member of staff and during the summer months the ferry has been running six days per week. From the end of September we will revert to running the ferry at weekends (weather and tide permitting), the school half-term break in October, and the week between Christmas and the New Year. After that the ferry will be lifted out of the water at the canal basin for winter re-fit. The service does run at a cost to the Council, but we are looking at ways of generating more income from the ferry service, bird watching trips for example, and trips for organised parties or groups in the warm weather evenings.

Small passenger carrying boat Licences

We continue to issue licences to commercial operators of small passenger carrying vessels in the Exe; these licences are typically for the two water taxi's that operate from the dock at Exmouth and also to the River Café passenger carrying craft. We also licence the Turf to Topsham ferry and also the Topsham to the canal ferry.

Marine services

We continue to provide a commercial moorings maintenance service to customers in the Exe. The service is popular, competitive in pricing and we are always looking to welcome new customers



Estuary team work stream for the next few months include:

Maintenance of navigation aids, give assistance to canal team, winterisation of customers' moorings, on water patrols, staff training and winter refit of workboats. Wrecks and abandoned boat identification, this will become a big issue in the future.

Exeter Ship Canal

Maintenance work

The canal team continue to carry out maintenance work on the raised banks and recently work has been carried out to stem leaks in the stretch just above Turf Lock. Tree clearing work has also been done and surveys have been carried out on some of the Lock gates showing work needs to be done to prevent leakage.



Commercial operators & organised groups

There is a commercial operator of a passenger carrying vessel in the canal; trips run from the Exeter quay as far as double locks and back again. This operator also has the concession from ECC to manage the Butts ferry which crosses the Exeter quay and also the pedalo craft in the river.

We are aware that there are numerous other businesses operating on the canal which are unlicensed or without concession. The question over licencing of organised activities afloat may need to be addressed in future.

Weed

Weed in the canal has been particularly thick this year. Although not popular with anglers and naturalists, the canal team did drag a weed breaking boom and chain along stretches of the water this last spring. This exercise only has limited effect. In the long term, a specialist weed clearing vessel will be needed to be crewed by our staff to keep the water clear.

The canal is a fabulous resource, ideal for recreation as well as commercial enterprise. To attract visiting craft and to provide a clean length of water for users the weed needs to be controlled.

Vessel storage/laying up

We offer seasonal and annual storage of vessels at the canal Basin and also at Turf Lock. The owner of a vessel wishing to store a boat on Council land enters into a contract with ECC for the whole of the period. Unfortunately due to differing circumstances, the Council has been left with a small number of vessels that have been abandoned or seized due to non-payment. This is not only an issue for this Council but one that most harbours have to deal with. We also have a small number of vessels which are being lived on by owners without official permission. The canal manager and I are looking at reviewing the clauses in our contracts and introducing the Inland Waterways Boat Safety Scheme to address our overall boat safety strategy.

Visitors to Turf Lock

We continue to attract a large number of visiting yachts to Turf and there is a visitors' pontoon with power and water set aside for their use during the summer months. There is space to introduce more pontoons to potentially increase income.

Canal team work stream for the next few months include:

Lock in boats for winter storage, convoys and cranings/laying up. Canal bank/tree/shrub maintenance, staff training, workboats and Topsham ferry craft winter refit.

Summary

The waterways of the Exe River and the Exeter Ship Canal continue to be a huge attraction to thousands of users every year. Our visitor moorings have been busy, and we are taking enquiries for moorings next year already.

Over the last two and a half years we have made great strides in raising the profile of our waterways.

There is pressure on the environment through increased usage, the Exe Estuary Management Partnership are looking at this from a sustainability view.

Grahame Forshaw

Harbour Master

Exeter Port Authority

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