

EXETER HARBOUR BOARD

Monday 11 March 2024

Present:-

Councillor Williams, R (Chair)

Councillors Leadbetter, Read, Snow and Williams, M and Messrs Garratt and Seddon

Apologies:-

Councillor Pearce, Ms Green and Messrs Eggleton, May and Michaelson

Also Present:-

Harbour Master Exeter Port Authority, Waterways Team Manager and Democratic Services Officer (PMD)

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MINUTES

The minutes of the meeting held on 14 December 2023 were taken as read and signed by the Chair as correct.

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DECLARATIONS OF INTEREST

No declarations of pecuniary interest were made.

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PUBLIC QUESTIONS

Mr John Monks asked the following question:-

“The Harbour Board received a presentation on the Exeter Ship Canal and Heritage Harbour Route Map in September. It decided to discuss it at the Visioning Day last month. What was the outcome of the discussion? Will the Harbour Board endorse the document as ECQT has done?”

In response, the Chair confirmed that members of the Board and waterways staff who attended the January Visioning Day had considered the Route Map and further explained that:-

- the activity had involved participants splitting into three small groups with each group allocated eight of the 23 projects/activities listed in the Route Map;
- participants considered synergies and fit of each activity against Harbour Board (HB) Terms of Reference (ToR), and the HB Vision Statement (VS);
- the Route Map had been welcomed by all attendees;
- responses from the three groups indicated overall synergy with ToR though a small number of projects were identified as being unrealistic; and
- questions about liability were raised around two projects, and potential conflict with HB ToR identified for two others.

She offered to write to Mr Monks with more detailed feedback.

Responding to a follow-up question from Mr Monks, the Chair confirmed that the Exeter Harbour Board acknowledged that the future of the canal was part of the future of the Board. She reiterated that the Board broadly supported the Route Map.

CHAIR'S ANNOUNCEMENTS

The Chair made the following announcements:-

Councillor Andrew Leadbetter

The present meeting would be Councillors Leadbetter's last as a member of the Exeter Harbour Board, as he had opted not to seek re-election to Exeter City Council in May 2024. The Chair thanked him for his contributions throughout his tenure on the Exeter Harbour Board.

Messrs Andrew May and Owen Michaelson

The present meeting also marked the end of Messrs May and Michaelson's terms as Exeter Board Members. The Chair thanked them for their contributions and advised that she would be looking at expressions of interest for the two vacancies created, stressing the importance of the skill set required.

Duty Holder

The Director Net Zero and Waterways had explained that there were two options regarding which body would be the Duty Holder of Exeter Port Authority: Exeter City Council or the Executive. The latter was the preferred option. He would be submitting a report to the April meeting of the Executive and confirmation would come from Full Council on 23 April.

Sharon Sissons

The Chair placed on record her thanks to Sharon Sissons, who would soon be leaving her role as Democratic Services Officer, for her work and dedication in administrating the Exeter Harbour Board.

EXETER PORT USERS GROUP UPDATE

The Chair of the Exeter Port Users Group (EPUG), Rex Frost, talked the Board through the key highlights from the most recent EPUG meeting:-

- the Draft Harbour Revision Order (HRO) had aroused many comments from various quarters, with a significant number of people seeing the HRO as a vehicle for increasing charges and imposing control where previously none was needed;
- the HRO did not set out how the Exeter Harbour Board would exercise management over several mooring authorities;
- while the drop-in sessions had been well attended and were useful for most, some attendees had used these occasions to air perceived grievances and conspiracies; and
- the winter weather has caused some continuing problems with navigation marks needing to be moved and replaced and occasional boats drifting off their moorings; also, the amount of sand disappearing off Dawlish Warren was likely to cause problems in the next few months.

On this last point, the Harbour Master advised that the geotubes were exposed and that a survey would be conducted by Shoreline Surveys at the end of March.

The Chair, having made reference to a public event held at Starcross, where one attendee expressed dissatisfaction at a questionnaire from Topsham Sailing Club thinking it was a Harbour Board document, requested that it be formally minuted that the questionnaire had nothing to do with Exeter City Council.

Members noted the update.

HARBOUR BOARD VISIONING EVENT REVIEW

Having already addressed the Harbour Board Visioning Day earlier in the meeting by answering a public question, the Chair gave a brief overview of the event as follows:-

Terms of reference

Members wanted to strengthen the wording around biodiversity in the terms of reference. The Chair proposed to discuss with Board members during the post-meeting informal session.

Material for the HRO

The material had been prepared for the pre-consultation, which had started on 1 February. It had also been suggested that the FAQ section on the website could be more user-friendly.

The Chair further noted members' support for the Route Map and felt that the Visioning Day had been a good team-building exercise. She read out comments sent by Mr Michaelson via email, in which he:-

- voiced support for the consolidated updates to the vision and mission statements;
- recognised that members discussed merging the vision and mission statements but noted that they did have slightly different purposes;
- felt there was room for improvement with regard to engaging with key stakeholders who had an influence on any future decisions the Harbour Board needed to make.

On the last point, Councillor Read made reference to the 'Duty to Cooperate' practice adopted by some authorities such as Brighton and suggested some research could be done into the matter. The Chair expressed support for looking at practices in place in other parts of the country. She also felt that the pre-consultation was a clear demonstration of the Board's willingness to engage with stakeholders, especially having been advised not to do it. Councillor Read and Mr Garratt suggested a formal approach to stakeholder engagement, which would include having representatives of Exmouth Town Council, Teignbridge District Council and East Devon District Council on the Exeter Harbour Board.

While Mr Seddon offered support for the principle of stakeholder engagement, Councillor Read proposed to table a recommendation about how best the Exeter Harbour Board could have an open discussion with key stakeholders for Exeter's waterways. Both the Chair and Councillor Snow stressed the need to discuss the legal aspect of such a proposal first before it could be taken any further, although the Chair confirmed that she supported the idea in principle. Mr Garratt made reference to committees such as the Tamar Bridge and Torpoint Ferry Joint Committee, which featured representatives from various authorities.

Members noted the update.

HARBOUR REVISION ORDER UPDATE

The Harbour Master talked the Board through the key points of the pre-consultation so far and made the following comments:-

- three drop-in sessions had taken place;
- the six-week period of pre-consultation would end on 15 March;
- most of the concern expressed by respondents centred around funding and

- costs;
- many positive comments had been received; and
- the HRO was a procedural exercise aimed at managing the waterways more efficiently.

The Chair advised that:-

- approximately 150 people had attended the drop-in sessions in total;
- their answers would be consolidated into several areas; and
- the consolidated answers would be put up on the ECC website within eight weeks of the end of the pre-consultation period.

She thanked the Waterways team for their help with the pre-consultation.

During discussion, the following comments were made:-

- Councillor Leadbetter stressed the importance of not underestimating people's fear of the unknown;
- the Chair remarked that most people's queries were addressed on the FAQ page of the website; and
- Mr Garratt advised that, from the feedback he had received, there was no objection to making the river a safer place but warned that it was naïve to think that no charges would have to be brought in.

Councillor Read felt that the Board needed to discuss the waterways budget and proposed to table a recommendation to have this added to the Exeter Harbour Board agenda. Members debated this suggestion and commented as follows:-

- the Chair stressed the need to examine the legality of the proposal first;
- Mr Garratt highlighted the importance of being upfront about charges but felt that, currently, this was not the right forum to discuss budgetary matters;
- Mr Seddon felt that visibility on the waterways budget would be good, if only for information;
- several members remarked that such data was publicly available;
- Councillor Read suggested that, although the data was in the public domain, the Harbour Board could still have a discussion about it.

Members noted the update.

HARBOUR MASTER'S REPORT

The Harbour Master introduced his report reminding members of the context of the recent audit and the lengthy document which came back, prompting a change in the reporting format. He made the following further comments:-

- 'Percy the Dredger' would not be coming to the river Exe, as it had gone to Blackwater in Essex instead;
- a lot of work had taken place clearing vegetation on canal bank edges;
- extra pontoons had been purchased from Dartmouth and would be positioned at strategic points;
- the harbour authorities had only just taken delivery of the new moorings barge;
- it could take up to four weeks in inclement weather to put buoys back in their place when they have broken free;
- on the issue of Maritime Coastguard Agency (MCA) coding for boats, further steps were being taken towards more compliance.

He responded to members' questions as follows:-

- the owner of the River Exe Café had come to see him about some issues (e.g. holding tanks) and, while the café was indeed managed by Teignbridge, the various stakeholders were in contact;
- contractors had been brought in to look at the inner set of gates at Turf Locks to reduce the water escaping;
- he would take it as an action to find out at what point discharges amounted to a serious incident, commenting that the worst thing that could happen was to have a discharge on a flood tide.

The Chair read out the following comments sent by Mr Michaelson via email:-

- *Within the management objectives the Harbour Master has given himself an objective of reporting incidents to the Marine Accident Investigation Branch (MAIB) within 24 hours. If an incident is at a scale which needs to be reported, the Harbour Master should also inform the Harbour Board members within 24 hours. I would also recommend that we prepare a reactive communications plan to deal with enquiries and to avoid speculation. This plan should set out who needs to be informed and when alongside a pro-forma communications statement which sets out the core information which needs to be included in a release.*
- *Our Harbour Master should provide in his report a standing update on all Health Safety and Environment incidents reported in the period. This should be on a period basis and a year-to-date basis so that we get visibility on the risks we are managing. My advice is that we need to see evidence of all the recorded incidents and a written report on all high potential near misses which we record. This is the only board I sit on which has no HSE report as a standing item.*

On the first point, the Harbour Master advised that this was already in place. On the second point, he advised that he currently used his own incident reporting system but he accepted Mr Michaelson's comment and offered to expand the incident reporting in his updates accordingly.

Members noted the update.

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DATE OF NEXT MEETING

The Chair advised that the next meeting would take place on Thursday 13 June at 5.30pm.

(The meeting commenced at 5.31 pm and closed at 6.46 pm)

Chair