

EXETER HARBOUR BOARD

Monday 29 September 2025

Present:-

Councillor Williams, R (Chair)
Councillors Cookson, Read and Snow

Lt Col David Marino, James Prescott, Colin Seddon, Charles Temple, and Shelley Rhodes.

Apologies

Councillor Rolstone.
Jane Green.

Also Present

Harbour Master Exeter Port Authority, Harbour Patroller, Democratic Services Officer and Head of Service Operations

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APOLOGIES

Apologies were received from Councillor Rolstone, and Jane Green.

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MINUTES

The minutes of the meeting held on 12 June 2025 were taken as read and signed by the Chair as correct.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT 1985) - EXCLUSION OF PRESS AND PUBLIC

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PUBLIC QUESTIONS

The Chair advised that no questions had been received from members of the public.

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CHAIR'S ANNOUNCEMENTS

The Chair provided the Members of the board with the following announcements;

- she had attended the Exe Estuary Management Partnership committee meeting in Exmouth;
- the Duty Holders had received a detailed briefing from the Designated Person, James Hannon.
- she had received an update from the engineers on the progress at Trews Weir and they had been invited to the next meeting to provide an update to Members; and
- the consultation period for the Harbour Revision Order was due to start on the 13th of October and would run for 42 days. The Harbour Master advised Members that this would be advertised in the Western Morning News for

two weeks and would be announced on the council webpages.

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EXETER PORT USER GROUP UPDATE

The Chair of the Exeter Port Users Group (EPUG), Rex Frost, was in attendance. His update had been circulated to Members and was taken as read and the following discussion points were made:

- Exmouth and Exeter East MP, David Reed had visited with his wife and they had both been taken out on the water;
- there had been discussions about the impact of Local Government Reorganisation on the Harbour Revision Order;
- there had been no new complications on the river; and
- harbour patrols were going well and there had been a decrease in misconduct.

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DESIGNATED PERSON PRESENTATION

The Chair welcomed the Designated Person, James Hannon, who gave a presentation, making the following points:

- an introduction to himself;
- 'Ports and Marine Facilities Safety Code' (PMSC) and 'A guide to good practice on port and marine facilities'
 - both had been updated in 2025;
 - both were reviewed by annually, with the guide potentially becoming more dynamic in the future;
- the PMSC was owned by the Department for Transport (DfT) and the guide was owned by the Maritime & Coastguard Agency (MCA);
- the Code sets out a national standard, but was not mandatory and was primarily for the use of the Duty Holder;
- the Code consisted of ten chapters, taken from the previous ten-point checklist for Duty Holders;
- conservancy had been consolidated into one area and was now more user friendly;
- there are ten key measures;
 - Duty Holder;
 - Designated Person;
 - legislation;
 - duties and powers;
 - risk assessment;
 - marine safety management system;
 - review and audit;
 - competence;
 - plan;
 - conservancy duty;
- the Code was flexible and could be used by all ports; and
- Exeter had had a gap analysis in March 2024 but this had been done using the previous Code and he expected the harbour authority to conform against the proportional requirements.

The Designated Person responded to Members' questions in the following terms:

- there were duties and laws that must be followed by people using the harbour, but the Harbour Revision Order would provide greater flexibility for how this was managed;
- the Code was supported by acts and regulations that applied in the law;
- the Marine Safety Management System was not a document but everything that was carried out, such as conduct on the water and the conduct of staff;

- Exeter was a competent harbour authority, but had been previously giving lots of effort on elements that were unnecessary such as pilotage;
 - Exeter were restricted to by-laws but this would change following the Harbour Revision Order;
 - the Harbour Master was extremely approachable and recognisable, and it was great to see a Harbour Master so actively engaged;
 - the PMSC maritime risk assessment did not follow HSE model and instead followed the International Maritime Organization model;
 - hazard identification workshops for all port users was recommended;
- the PMSC should be a standing item on the agenda moving forward; and PMSC did not apply to canals and at the moment they were not covered by any standard

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HARBOUR MASTER'S REPORT

The Harbour Master updated Members on the following:

- the current risk assessments had been carried out using the councils own systems and were a bit clunky currently;
- he wanted to assess what happens on the water with the Port User Group;
- the implementation of MARNIS;
- he wanted to hold HAZ ID workshops and felt it was important for harbour used to get involved with the process; and
- it was important that the Duty Holders were aware of the hazards and training would be held for Duty Holders.

The Harbour Master responded to questions from Members in the following terms:

- the waterways team had been working with boat owners and timescales had been agreed for completing work;
- it was council policy that live-aboards were not allowed as there was not sufficient facilities;
- there were issues with the towpath, and inspection and risk assessments was ongoing but there was not enough staff to carry out remedial work at this time;
- the canal team were doing there best to handle ASB the areas that they were responsible for, and were working closely with PCSO; and
- the PCSO comes to the harbour office for update frequently.

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WATERWAYS BUDGET INFORMATION

There were no questions from Members regarding the budget information.

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'SHOULD RIVERS HAVE RIGHTS?'

The Chair introduced Dr Séverine Saintier, a professor from the University of Exeter, who gave a presentation on the rights of rivers, making the following points:

- context;
 - regulatory framework was not largely protective of rivers;
 - a more eco-centric approach, such as the pacha mama philosophy could grant rivers legal rights;
- giving nature (rivers) a voice?
 - idea comes primarily from Latin American counties;
 - private law had huge importance and a huge role to play;
- rights of nature approach in the UK?
 - there is was a clear appetite, both top down and bottom up for a different way of doing things;
- cases in the UK;
 - there were Rights of Nature initiatives all across the UK;

- other possible tools;
 - communing could be applied to water;
- what about the Exe?
 - Friends of the River Exe (FORE) had adopted a more eco-centric relationship with the water
- what next?
 - work with stakeholders, including the community to develop a plan of action;
 - potentially appoint a guardian for the river; and
 - there were lots of other possibilities in both Devon and across the UK.

Dr Saintier responded to Members' questions in the following terms:

- it would be beneficial to carry out a survey on what was already happening across the UK and see if it would be possible to bring it to the Exe;
- this was not just about the water but also the river beings;
- Lewes Council had recognised the need for a charter for the River Ouse, and this was giving the river a voice during decision making;
- protection for salmon and migratory birds was not working because it was not enforced, the river would be considered in its own right;
- she wanted to apply for money from the University to publicise this and invite a councillor from Lewes District Council to attend two events, including one for the public;
- current legislation was not being enforced, nature needed to be considered at the beginning of decision making; and
- the threshold for protecting the river was very low, and was not meaningful for environmental impact.

(The meeting commenced at 5.30 pm and closed at 6.58 pm)

Chair