

## **EXETER HARBOUR BOARD**

Monday 27 September 2021

### **Present:-**

Councillor Harvey (Chair)  
Councillors Allcock, Buswell, Leadbetter, Sparkes  
Andrew May, Owen Michaelson, Steve Sitch and Anthony Garratt

### **Apologies:-**

Richard Eggleton, Paul Labistour and Councillor Pearce

### **Also Present**

Engineering, Waterways and Parking Service Manager (SC) Harbour Master (GF) and  
Democratic Services Officer (SLS)

Rex Frost, Chair of Exeter Port Users Group

### **1 DECLARATIONS OF INTEREST**

No declarations of discloseable pecuniary interest were received.

### **2 PUBLIC QUESTION TIME**

No public questions were received.

### **3 WELCOME**

The Chair welcomed members to the first meeting of the Exeter Harbour Board. He was pleased to introduce Rex Frost, Chair of the Exeter Port Users Group who was able to attend the meeting on this occasion. A standing item to allow a verbal update to be made on the Exeter Port Users Group would be included on future agendas.

Mr. Frost referred to the Exeter Port Users Group (PUG) and thanked the Chair for the opportunity to provide some background to the Group, which was a committee made up of 15 representatives from all parts of, and activities, on the river. Their membership was open to all businesses, clubs and associations within the harbour area. A PUG was also a requirement by the Department of Transport (DfT) as a consultative body of local water users. Grahame Forshaw, Exeter's Harbour Master, attended their meetings and they also kept each other up to date informally on activities on the river.

He raised a number of issues regularly considered by the PUG including:-

- an issue of sand drifting from Dawlish Warren coming into the river and causing silting up of the channel. Despite numerous meetings with various parties there was no satisfactory solution at present.
- poor water quality presented problems for swimmers and surfers caused by an overflow of sewage after heavy rain and run off from fields. There was currently no 'live reporting' of pollution levels, but he noted this was being considered nationally by Government.
- during the summer, he had accompanied the Harbour Master and Simon Jupp, East Devon MP, out to view the river. He was very interested in the issues raised. He hoped to invite Ben Bradshaw, Exeter MP on the water

for a similar information visit next season.

- registration of boats remained a continuing problem, and currently the only registration was via the mooring authorities, who were bound by data protection. He understood the Harbour Authority hoped to establish their own database of boats and owners.
- the presence of the Harbour Master, volunteers and patrol boat was very welcome, and whilst most water users adhered to the rules, there were some offenders such as jet skis which continued to be a source of aggravation, and a national move to control their use was awaited.

The Chair thanked Mr Frost for the update and he looked forward to seeing him at the next meeting.

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## **INTRODUCTION**

The Engineering, Waterways and Parking Service Manager, Steve Carnell outlined a number of issues relating to the Exeter Harbour Board which had held an informal session, via zoom, to introduce members to each other, to the officers and to the nature of the harbour. He also set out the appointment process which included the position of Chair who would be the serving Elected Member with Portfolio Holder responsibilities for waterways, and which was currently Councillor Harvey. The Chair, along with five other Members from the City Council were appointed at the Annual Council meeting in May. The Board would also always include two of the Elected Members for the Topsham Ward given the maritime nature of that particular area.

The six external Board members were also appointed following a recruitment campaign, seeking individuals with extensive experience across a range of criteria, including harbour management, health and safety, finance and law, marine heritage, tourism and leisure etc. Each external member was scored based on the evidence supplied and as a result two members were appointed for an initial one year term, two for two years and two for three years. The process had been undertaken with the Harbour Master and oversight by the Director responsible for Waterways. It should be noted that all subsequent appointments will be for a three year period and the maximum number of terms to be served will be two. The initial staggered approach would ensure continuity going forward.

The report was noted.

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## **TERMS OF REFERENCE**

The Chair referred to the terms of reference which were agreed at Council, as part of a report on Port Marine Safety Code, Pathway to Compliance. At the request of the Chair, a map was circulated to Members, (attached) depicting the areas of responsibility of the Board. The Harbour Master confirmed the area of responsibility as being from the Mill on the Exe at Blackwaller Weir, including the waters in the River Clyst from the railway bridge, extending to Turf lock and canal, Starcross, Dawlish Warren to Exmouth. The final demarcation point was the East Exe buoy which currently lay to the east of the current safety water mark. There had been some movement due to the river delta and general passage of the sea, but the demarcation point was set out in legislation and covered the most southern point. The Harbour Master agreed to research unalterable definitions of the limits of responsibility which would account for moving of the marker buoys. It was important to establish the position of the most southern limited for speed enforcement and should a Harbour Revision Order be made in the future.

The Chair thanked the Harbour Master for the clear explanation.

The terms of reference were noted.

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### **HARBOUR BOARD PURPOSE**

The Engineering, Waterways and Parking Service Manager had been requested by the Chair to outline the Harbour Board's purpose and function. It was suggested that a facilitated half-day workshop be held, attended by all Board members to contribute towards a consensus regarding purpose and function and a move towards more regulation of the waterways. An invitation would be sent to the Board Members for the facilitated workshop.

The Chair referred to issues for discussion which might include the Port Marine Safety Code, the many external influences such as the Exeter Canal and Quay Trust and commercial activities operating to take a view of what is happening in and around the waterways, as well as other bodies and organisations such as the County Council, Teignbridge District Council, East Devon District Council, the Topsham River Commissioners, and the Exeter Port Users Group who will all have an influence.

Members noted the opportunity for further discussion on the Board's purpose and aspirations.

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### **HARBOUR MASTER'S REPORT**

The Harbour Master, Grahame Forshaw presented his report and thanked those members of the Board who had been out on the water with him over the summer. He paid tribute to his dedicated team of staff and volunteers, as well as the value of having a patrol, validated by the number of incidents they had supported with other agencies on numerous occasions. He also welcomed the team's higher profile to continue with the approach to improve a pattern of behaviour that had been established by some users on the Estuary in more recent years.

The report was noted.

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### **INCIDENTS AND ACCIDENTS**

The Harbour Master circulated a list of incidents and accidents for information from the Council's own in-house reporting system. It was important to gather such data to establish any trends and to further an ambition to issue local safety notices to estuary users at some point. It was also intended that the profile of safety could be further raised through talks to a range of different groups.

The report was noted.

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### **DESIGNATED PERSON**

The Engineering, Waterways and Parking Service Manager stated that as part of the Port Marine Safety Code, a Designated Person should be appointed, to act in a similar role to that of an 'external auditor' in order to review the safety management systems that are in place and report directly and independently to the Harbour Board on such matters. Before employing Exeter's Harbour Master, 'marine advice' had been obtained from Teignmouth Harbour Commission, an arrangement that had worked well. They have expressed an interest in providing a Designated Person if required. However, it is widely regarded as a Harbour Board function to appoint the Delegated Person so he requested direction from the Board as to the approach to adopt in respect of making a further appointment. The anticipated fee

appeared to be well below any formal tender thresholds.

The Board agreed to continue with the current arrangement with the Teignmouth Harbour Commission until further discussion on this matter could take place at the Board's workshop to fully understand the process before making a final decision at the next Board meeting.

(The meeting commenced at 5.30 pm and closed at 6.30 pm)

Chair

DRAFT