

EXETER HARBOUR BOARD

Monday 17 April 2023

Present:-

Councillor Ruth Williams (Chair)

Councillors Ellis-Jones, Pearce, Read, and Messrs Garratt, May and Sitch

Apologies

Councillor Leadbetter, Snow and Messrs Adams, Eggleton, and Michaelson

Also Present

Harbour Master Exeter Port Authority (GF), Canal Manager (CA) and Democratic Services Officer (SLS)

Rex Frost - Chair of Exeter Port Users Group

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MINUTES

The minutes of the meeting held on 15 December 2022 be taken as read and signed by the Chair as a correct record.

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DECLARATIONS OF INTEREST

No declarations of discloseable pecuniary interest were made.

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PUBLIC QUESTIONS

No public questions were received.

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EXETER PORT USERS GROUP UPDATE

The Chair of the Exeter Port Users Group, Rex Frost presented a verbal update on the Group's recent activities, and last meeting on 30 March, attended by the Harbour Master, Grahame Forshaw including:-

- the welcome news that the volunteer patrols in the Estuary were now using the recently acquired rigid inflatable boat (RIB). New legislation would also help manage the use of Estuary, and in particular, those using personal water craft such as Jet Skis.
- the Group looked forward to the opportunity to comment as part of the Harbour Revision Order (HRO) process. They anticipated the Royal Yachting Association (RYA) were also likely to comment through their local legal representative as the River Exe was seen as a major leisure activity river. The issue of any charges levied within the HRO was not any clearer and it was noted that any such change would be set out as part of the public consultation in due course.
- the Harbour Master had suggested that the recent Shoreham HRO would offer a template for the River Exe, but Shoreham was a reasonably sized commercial harbour with a long established charging structure and the River Exe had no such history.
- the EPUG considered, that given there were several thousand leisure users who will be the likely fee payers, there will be a huge public interest in whatever plan is outlined.
- the Harbour Master would reschedule the planned visit to take the Newton Abbot MP, Anne Marie Morris on the River Exe to discuss the Estuary from

the West Bank of her Constituency due to inclement weather conditions.

Mr Frost responded to the following Members' comments and enquiries:-

- he would follow up the suggestion that there were four MP's covering areas leading to the Estuary and Canal, with an invite to the MP for Central Devon to come on the River Exe.
- jet skiers have always been a concern, but the new national legislation has decreed they should be treated the same as boats on the river, and could now be prosecuted under that legislation for anti-social behaviour.

A Board Member stated that the Royal Yachting Association (RYA) offered personal watercraft training, and he welcomed any effort to encourage a sponsored Jet Ski training school for the Estuary. The Harbour Master agreed to contact the Personal Watercraft Partnership, which was an RYA led initiative and report back to the Board.

Members noted the report.

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HARBOUR MASTER'S REPORT

The Harbour Master highlighted and updated a number of aspects of the circulated report.

- The Bascule Bridge was now operational again. The team had been busy using the boat crane, and also liaising with those customers who have had to wait to move their boats.
- the Waterways Team Manager had looked at a weed control boat in operation at Tiverton Canal, and although the boat was not suitable for Exeter's canal there were a number of features including the weed cutting operation with the weed laid on the bank. The Harbour Master anticipated the proposed action to control the weed in the canal by only cutting the middle third of the water to keep the waterway clear for rowers and kayakers would help to manage expectations as well as the navigable aspect of keeping the channel and view clear.
- the ownership of the Turf Hotel has changed along with their business model to include year round opening, which will have an impact on the canal access road, the numbers of people walking along the canal bank and boat use and a different ferry offer has been suggested, but will require more thought by the team on how this is managed.
- a recent pollution incident in the Canal Basin was dealt with quickly and the oil and residue had dissipated. The Waterways Team Manager advised that daily checks had been mounted to monitor the situation. It was unfortunate that the Exe Water Sports Association had held an open event on the following day.
- the new Rigid Inflatable boat (RIB) has replaced the City of Exeter patrol boat, which will be easier for staff and volunteers to respond and be afloat more quickly to any incidents in the river. The RIB will also be more visible with a warning light, harbour master insignia and radar for night use, as well as being more economical to run. An update will be made on its operation at the next Harbour Board meeting.
- it was anticipated that, by the end of the year, all of the vessels used by the team would be Maritime and Coastguard Agency (MCA) coded.
- the Harbour Patrol team would undertake further training before any enforcement on the Estuary commenced, as well as an opportunity to educate personal watercraft operators, reinforcing the message that personal watercraft operators and drivers could be prosecuted if they

endangered lives or property by their actions. There was a conflict of use between the speedboat racing area close to the Imperial Sports Ground and slipway which was also popular with paddle boarders, kayakers and kite surfers which the RIB patrols will help to manage.

- the Light Detection and Ranging (LIDAR) surveying exercise would provide an accurate measurement of the sandbanks and mud banks in the Estuary with just one small section of the river to complete.
- mooring servicing work would be completed soon despite the recent poor weather. Servicing the navigation aids will then commence with particular attention on No 17 and 35 buoys.
- work on the alternative power trains for boats using possibly hydrogen or battery power has continued. Exeter University have submitted a grant application and the outcome will be known by September.
- it is hoped the successful Estuary volunteers programme could be extended to educate people about safe behaviour around the canal.
- the Britannia, a sailing fishing boat was due to come into the Quay to complete restoration in the third week in September. A replica Thames sailing barge called the Snark will come in and stay in the Basin for the 23/24 winter period. The Thames sailing barge, the Lady Daphne was expected to come to Exeter next year.

The Harbour Master responded to the following comments:-

- he would continue to discuss the issues raised by Board members including the potential impact of greater visitor numbers and changes to the access, with the new owners of the Turf Hotel, as well as any opportunity to work together.
The Waterways Team Manager added that access and car parking was limited and was part of the Council's canal estate.
- the approach to greater enforcement of the Estuary would continue with more training and more equipment such as the provision of bodycams to deal with the potential challenges ahead.
- the recent pollution incident did not involve any heavy fuel and it was likely to be bilge water as the light liquid had mostly evaporated. There were no large amounts of emulsified fuel drifting around. The Waterways Team Manager added that it was often difficult to pinpoint the source of the pollution when investigating any diesel or bilge water spills. He had spoken to a number of boat owners and put out a preventative action message.
- Exmouth Dock was a harbour authority in their own right and would have a pollution response plan. He would speak to the Harbour Master at Exmouth Docks to discuss their arrangements for any such incident.
- an invoice had been raised in respect of the MV Johnny Eager and they hoped to recover the costs from the boat owner. Any non-payment would be referred to the legal team for action.
- a pause in the dredging work was not having any impact on the channel, and the removal of some material using an alternative means was work in progress.

The Waterways Team Manager also responded to a Board Member's comment and referred to the weed clearance and base of the bank effected by regrowth. No trees have been removed and tree planting had taken place near the Trews Weir allotments. The main thrust of the work was to preserve the canal, stopping any breach of the banks and more effort would be made to communicate better with the public about the approach to maintenance.

Members noted the report.

HARBOUR BOARD VISIONING EVENT REVIEW

The Chair referred to the Vision Day which had once again been very successful. An update of the core values and actions had been presented for approval.

Members made the following comments on the Vision Day:-

- the Council had passed a Motion seeking improvements to the water quality of the River Exe and waterways in general, and a reference in relation to the ecological health of the waterways or safeguarding of the wildlife and habitat should be included in the Vision Statement.
The Chair suggested the Board Member put forward more detail for further discussion.
- the overall statement does include references to the environmental well-being of the place without further detail being required.
- the Exe Estuary Management Partnership and South East Devon Habitat Committee focused on fauna and wildlife.
- the timing and type of public consultation will be key, with a formal consultation for the HRO to allow the public to comment, as buy in and agreement of the overall vision was necessary.
- as well as extensive consultation as part of the HRO application, there should be more engagement from the start to ensure the community understood the process.
- whilst consultation was vital, the Harbour Board meetings also offered an opportunity to remain informed and participate through questions to the Harbour Board or contact with Members to take the public on the journey.

The Chair thanked Members for their comments and feedback on the Vision Day event, which once again, had been very successful. A suggestion in relation to offering a separate space for the break out groups was welcomed. The opportunity for the Board to meet in a more relaxed setting was also appreciated by Members. Following on from that suggestion, it was suggested that an informal session lasting for 30 minutes or so would be held to raise future discussion topics for the Board, to commence from the next meeting.

Members noted the report and approved the Vision Statement for the forthcoming year.

HARBOUR REVISION ORDER UPDATE

The Harbour Master reported that two meetings had now been held with Ashford's Solicitors to discuss how the HRO process will proceed including the initial HRO application to the Marine Management Organisation (MMO). A further meeting would be held in early May to set out what the proposed pre-application public consultation will look like, as well as contact with the Exeter Canal and Quay Trust who manage part of the estate for the Council. It is hoped that the additional consultation will allay some of the concerns relating to charging, but provide some reassurance that it was to control the waters more effectively.

In response to Members' questions, the Harbour Master confirmed they were optimistic that they could submit the application for a HRO before the application price increased in October. It was anticipated that the overall timescale for the application to pass through Parliament could take up to three years. An invitation would be made for representative of Ashford's Solicitors to attend the next meeting

to provide an update to the Harbour Board.

Members noted the report.

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HARBOUR BOARD APPOINTMENT

The Chair confirmed that two External Member positions on the Harbour Board were due for reappointment. Members commented on the circulated draft advertisement, to ensure that the skills set was relevant. The advert would be posted on the Exeter Port Authority web site and sent to a number of interested organisations to share with their members. Board members made the following comments:-

- that experience in Environmental management along with ecology and conservation should be included;
- the advert be posted on the City Council's newsfeed, and the Exe Estuary Management Partnership's express newsletter;
- a Board Member suggested a younger demographic could be contacted through the members and sailing instructors of sailing clubs particularly as they had a long term stake in the future of the river.

Members noted the report.

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DATE OF NEXT MEETING

The Chair proposed a change in the date of the next meeting, with Members being canvassed on the 13 or 27 July.

A request had been made if it was possible to hold future Board meeting virtually, to allow some external members who might be called away on business at short notice to join the meeting. The Democratic Services Officer advised that the Harbour Board was a formally constituted meeting and as such could only be held in person. She would however, share the request and report back to the Board.

(The meeting commenced at 5.30 pm and closed at 6.45 pm)

Chair