

EXETER HARBOUR BOARD

Thursday 12 June 2025

Present:-

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

Apologies

Councillor Rolstone.

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APOLOGIES

Apologies received from Councillor Rolstone.

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MINUTES

The minutes of the meeting held on the 17 March 2025 were taken as read, approved and signed by the Chair as correct, subject to the amendment that in Minute 4, the word “three” is changed to “two” external vacancies on the Board.

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DECLARATIONS OF INTEREST

No declarations of pecuniary interest were made.

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

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PUBLIC QUESTIONS

A member of the public, Mr Frost submitted the following question, asked by Ms Evans in his place:

- “It is not clear from the accounts that there is any separate reckoning of moorings (a commercial enterprise) costs, fees and wages, compared to other EPA costs. Can the council please separate these streams of finance so that the running of the EPA operations is more transparent?”

The Chair advised that mooring repairs, including all costs associated with the delivery of the commercial service, are separated within the services budgets and have their own budget lines.

Ms Evans, in asking a supplementary question, enquired where these were made available for the public to see?

The Chair passed the question to the Head of Service Operations, who advised that this information is reported through the General Fund Reporting Programme through the Council.

Head of Service Operations provided an answer to the supplementary question; “Councils annual budgets accounts can be found on the following Council Page , [Annual accounts - Exeter City Council](#) in which the actual accounts commence from approximately page 29 onwards. Income & expenditure is broken down but not to a high level of granularity, however, members of the public can request additional detail through the Councils Freedom of Information process.

In comparison to the full Waterways budgets, the General fund mooring budget outturn report shows the budget was balanced for 2024/25-year end with income offsetting additional budget expenses “(See table).

Account description	ANNUAL BUDGET	OUTTURN FORECAST
PAY	126,180	129,078
SUB-CONTRACTORS & WORKS	2,000	0.00
BUOYS	0	0.00
RENTS	0	6,561.40
EQUIPMENT TOOLS AND MATERIALS	4,310	333
VOLUNTEER/STUDENT ESPENSES	0	5
BOAT MAINTENANCE	0	1,146
MOTOR FUEL	1,650	0
CAR MILEAGE ALLOWANCES	0	31
SALES	-3,850	-1,718
FEES	-16,920	-16,228
BUOYAGES	0	-17
MOORING SERVICE	-31,660	-40,331
WATERWAYS CONTRACT SERVICES	-2,450	-30,580
RENT	-42,780	-33,932
F231 Total	36,480	14,348

The Chair offered to direct Ms Evans to the appropriate place.

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CHAIR'S ANNOUNCEMENTS

The Chair welcomed the new External Members of the Board, Shelley Rhodes and Harry Temple, as well as the newly appointed Councillor J Cookson. The Chair expressed a wish for proper introductions following the arrival of a late Member. The Chair provided the board with the following announcements: -

- Mr James Hannon, the new DP (designated person), visited Exeter and spent the day with the Waterways Team;
- Anthony Garrett has completed his term as an External Member of the Board, and the Chair would like to send the Boards thanks for all his hard work, enthusiasm, and contributions to the Board; and
- the Chair asked the Harbour Master to update the Board on meetings scheduled for April 2025. He advised that the asset survey of sea defences partly completed, but there had not yet been a meeting to discuss the findings of the survey.

The Chair then welcomed questions from Members, providing the following answers: -

- the emergency action plan had been written, and had been sent to the DP for sign off; and

there had been no further progress with the floating restaurant/bar at the quayside (previous agenda no.7), but the Harbour Master would still be happy to discuss with Members further

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EXETER PORT USER GROUP UPDATE

The Chair of the Exeter Port Users Group (EPUG), Rex Frost was unable to attend this meeting, and sent Jane Evans, in his place. His update (appended) had been circulated to Members and was taken as read, and the following discussion points were made: -

- thanks were given to the Harbour Master for providing another additional

SOUTHEAST DEVON WILDLIFE- JOINT HABITAT MITIGATION STRATEGY **2024**

The Chair welcomed Neil Harris, Habitat Regulations Delivery Manager (East Devon District Council) from Southeast Devon Wildlife to the meeting, who provided a presentation on 'A Joint Approach to Habitat Regulations Mitigation'. The presentation discussed the following points: -

- Channel Marker;
 - it is evident that the weekend patrol boats had been a success, and that boat driving behaviour had seen an improvement; and
 - there is now a date set for the Exmouth and Exeter East MP, David Reed, to view and discuss the river, with the hopes of improving his understanding of the problems and attractions of the river.
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- Our history;
 - the strategy is a joint approach to habitat regulations and mitigation, formally constituted in 2016;
 - habitat regulations are a critical legislative requirement for local plan delivery, placing a legal duty on competent authorities to ensure mitigation is delivered before granting permission for any plan or project likely to affect European sites;
 - Southeast Devon;
 - Our Sites;
 - Devon contains internationally important wildlife sites; the Exe Estuary, Dawlish Warren, and East Devon Pebblebed Heaths, all with the highest environmental designations;
 - Decision Making;
 - Natural England has oversight on delivery of mitigation delivery; and
 - decisions are largely made using visitor strategies, which are then referred to an officer working group, there is an annual business plan, and a 5-year business plan. This goes to committee for ratification, and there is a review of measures each year.
 - Mitigation Delivery; and
 - wildlife wardens;
 - Devon Loves Dogs;
 - public awareness campaigns;
 - visitor access improvements;
 - complete redesign of signage;
 - Suitable Alternative Natural Green Space (SANGs)
 - Dawlish Countryside Park- funded through Council partners and is secured with a 999-year lease to The Land Trust.
 - What Next?
 - new local plans;
 - increase housing targets;
 - new strategy;
 - devolution; and
 - Planning and Infrastructure Bill.

The Habitat Regulations Delivery Manager responded to Members questions as follows: -

- there is increasing concern from charities nationally about the Planning and Infrastructure Bill;
- it is a legal requirement for new housing developments to be assessed, and this is carried out extrapolating data from current population access patterns;
- financial contributions are collected by council finance departments through

- planning obligations (Section 106 and Community Infrastructure Levy);
- the mitigation strategy has been developed with careful input from stakeholders and council partners to ensure appropriateness and proportionality;
- The strategy aims to provide certainty that environmental impacts will be addressed; and
- SANGs are classified as a priority infrastructure, which guides related planning and funding decisions, they are required to have 8 hectares per 1000 new population.

HARBOUR MASTER'S REPORT

The Harbour Master updated Members on the following: -

- a brief update into the investigation following the death of Delvin Musakwa;
- a review of canalside and quay signage was being undertaken and additional risk assessments for swimming in the canal;
- the smalt net has been removed;
- a canoe race down the river and the canal will be held next weekend, the canoe club has been asked to introduce another turning mark to reduce congestion during the race;
- there is still an issue with abandoned boats, with the three boats that broke free from their moorings last autumn still in situ. Where the owner of the boat is known efforts are being made to have them removed. The council will have a statutory obligation to do something about them if they become a hazard;
- recruitment of volunteers for the patrol team will begin soon as summer starts to progress;
- the Friends of Exeter Ship Canal were taken out on the water to ensure they were comfortable using the new electric motor in the patrol boat; and
- Ashfords have been in contact and progress will soon be made towards starting the 42-day consultation period for the Harbour Revision Order.

The Harbour Master responded to questions from members as follows: -

- the buoys placed off Sidmouth and Budleigh Salterton beaches are reduced speed buoys, however it is local acceptance that these are informal swimming area makers, though not legally defined as such;
- in discussions with the Head of Waterways team regarding the wording that needs to be put on signs;
- supplementary budget has been carried over to enable funding for Turf Lock gates;
- a barge along the canal that was being rented had been recently purchased at a reduced rate and they are in the process of working out a long-term plan for its use. This was supplemented by the Head of Operations, who made it clear a business case can be found in the Council minutes;
- there are numerous risk assessments for the canal, but these will be reviewed as part of the process following an incident in May.

The Chair then asked the Harbour Master to discuss the visit from DP Mr James Hannon. The Harbour Master discussed the following points: -

- James Hannon visited in March and was shown the infrastructure of the canal, and visited Exmouth;
- he was also shown the extent of the Port limits;
- he has been invited to speak at the Executive Committee.

(The meeting commenced at 5.30 pm and closed at 6.41 pm)

Chair

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Report to the Harbour Board, June '25

The summer has indeed shown how much sand has washed into the river. Boaters are very pleased that the HM has laid yet another Channel Marker between No.13 and 15 buoys as they were struggling to see where the channel has moved to. The winter storms have not only washed away or submerged the smaller rubber tube at the end of the Warren but also destroyed many of the gabion baskets which originally protected that end. The tip of the warren has eroded so much that the Stuart Line mooring which was well protected by the Warren last year is now completely exposed to the English Channel weather.

The weekend boat patrols have been quite evident on many weekends so far and there is no doubt that generally boat driving behaviour has been an improvement.

The Exmouth and Exeter East MP, David Reed, has set a date of July 25th for a visit to view and discuss the river. Grahame and I hope to improve his understanding of the problems and attractions of the river and help him to see its part in making this part of Devon a big tourist attraction as well as an asset needing careful management.

Rex Frost

Chair, Exeter PUG

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Management Objectives

Management Objectives for the Marine Safety Plan have split its into two sets, the first addresses 'Standing Objectives' the second set addresses 'Period Objectives'. This plan is owned by Exeter City Council on behalf of the Duty Holder and aims to address high level targets which will benefit all port and harbour locations and fulfils the requirement of the PMSC for the Duty Holder to maintain a Marine Safety Plan.

Standing Objectives

	Number	Provision	Objective	Target	Evidence
	1	Duty Holder	Duty Holders to have received training on their role and responsibility under the Code in the last three years.	To appoint ECC Executive Committee as DH	Action complete. ECC Executive are now appointed as Duty Holder, most members have received training, new member will receive training in September 2025
	2	Designated Person	To have undertaken an operational tour of Exeter waterways in the last three years.	DP selected and appointed in March 2025	Mr James Hannon from ABPmer visited in late March, he has been invited to meet with the Duty Holders to brief on the changes to the Port Marine Safety Code and the Guide to Good Practice.
	3	Legislation	Report by the Designated Person to the Duty Holder at least once per year.	Not yet, but will be an annual review	Awaiting report
	4	Duties and Powers	MAIB Reportable Incidents: make all reports to the MAIB within 24 hrs, with investigation followed up.	24 hrs initial report, investigation at incident close	Maritime activity report
			Incidents recorded and investigated (if necessary) within the agreed timeframe.	Initial action 7 days, investigation closed in 30 days	Maritime activity report
	5	Risk Assessment	All Marine Risk Assessments to be in date.	100% complete	Strata Service Solutions Ltd have agreed to support MARNIS and we are awaiting

					procurement. Once that is in place we will be able to start the HAZID process
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	Number	Provision	Objective	Target	Evidence
	6	Marine Safety Management System	All Policies reviewed on a three-yearly basis.	To have plan produced and available to all stakeholders within 6 months.	Not yet completed. See below.
			The Marine Safety Management System will be reviewed annually (or following any significant incident, industry or legislative changes).	To distribute widely, to keep numbered and dated reviews. To liaise with other stakeholders on the waterways about their own responsibility to the PMSC	To keep as an agenda item at the Port User group meetings. Once MARNIS system adopted, contractor will conduct a HAZ ID exercise with key stakeholder groups
	7	Review & Audit	Internal Audit	Staff reviews annually. Document checks annually	Audit complete, matters raised have been addressed
	8	Competence	Ensure staff with marine safety responsibilities are trained to undertake their duties.	100% of Essential & 80% of Desirable completed	Maritime activity report
	9	Plan	Publish a three yearly 'Marine Safety Plan' (this plan).	Plan currently being prepared	Internal Audit
	10	Conservancy Duty	Aids to Navigation: Three-year performance meets or exceed IALA performance threshold	To carry out annual liaison and inspection with Trinity House	Constant monitoring of navigation channels. Survey information shared with Port User Group
			Hydrographic surveys in date	Survey of the approaches completed March 2025	

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Gap Analysis update

	Number	Provision	Objective	Target	Evidence
	13	PMSC	Liaise with marinas and boatyards confirming work towards compliance	2025	Done, emails sent by HM to boatyards signposting towards PMSC training and compliance with the code
	15	Harbour assets confirmed with MCA	Assets declared on the list held by the MCA in case of Civil Contingencies Act 1984	2025	Done, list of assets compiled and sent by HM to the MCA
	6	Update Admiralty chart no2290	Port limits to be shown on Admiralty chart no2290	2025	Done, liaised with UKHO, now illustrated on the current chart no 2290 Task complete

Period Objectives

	Number	Provision	Objective	Target	Responsible Officer
	1	Duties and Powers	General Directions	Introduce General Directions and repeal current Bye-Laws – With lawyers Ashford's currently.	Harbour Master This work is still on-going, awaiting HRO
	2	Duty Holder	Marine Facilities	Identify Marine Facilities within the port area and seek compliance with the PMSC	Duty Holder, on-going training with Harbour Master
	3	Competence	Training	Issue Training Matrix and ensure all staff have appropriate training as required to undertake their duties	Funding for training courses identified
	4	Marine Safety Management System	Management of Navigation	Carry out a formal Risk Assessment of navigable waters	Harbour Master Ongoing work, awaiting HAZID workshop to complete
	5	Conservancy Duty	Aids to Navigation	Review of all AtoN's in the port	Graham Manchester This is ongoing work, annual servicing of all Aids to Navigation has just started now that the moorings season has ended
	6	Marine Safety Management System	Liaison and consultation with stakeholder	Improve lines of communication in place with Port User Groups. Regular meetings with the Commodores from sailing clubs around the river to ensure collaborative approach to managing the different racing areas	Harbour Master Done, regular meetings in place and open lines of communication with all user groups maintained

Maritime activity report

Canal team

Regrettably, there was a tragic incident at Clapperbrook bridge on the 5th of May which led to the death of 15 year old Delvin Musakwa. We are working with the Coroner and the local police about the tragedy.

Other items to report

The 72ft Yacht Big Spirit finally left the canal last week. We had to wait for the high tide on Wednesday evening until the canal team could let her pass through the Turf lock gates into the river where two boats from the river team were waiting to escort the yacht down to a mooring just off the Exmouth marina entrance. The yacht has a deep draught of 3.2 metres so we had to make sure the transit down river on a 3.7 metre tide was within a surveyed channel.

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Turf lock gates continue to cause concern. At the time of this Harbour Board meeting there will be a team of commercial divers on site effecting some small repairs to the cill and surveying or monitoring the deterioration of the gate mitres. We have still not managed to recruit an engineer to the vacant position we had advertised, so we are looking at bringing in external engineers to oversee a condition survey of all the lock gates and bridges that we are responsible for.

The salmon smolt net is still in place at the King's Arms gates, hopefully by the time of this Harbour Board meeting the net will be removed and then the access through the gates to and from the river and canal will be left open unless we have extended periods of rain when the gates may have to be closed to prevent flooding.

Since the last meeting of this Harbour Board, another three dilapidated boats have left the canal for disposal. There are still some more to go.

As briefed many times before, the boat storage contract has been re-written and sent out to customers underlining the requirement to have adequate insurance to cover the costs of an emergency lift out of the water in case of sinking. The new contract also reinforces the message that boats berthed in the canal must be kept in a seaworthy condition unless as a project for restoration. Also, the berthing contract is only for 50 weeks of the year, meaning for at least two weeks in each year the boat must leave the canal.

The Friends of the Exeter Ship Canal have now been briefed on how to use the former patrol boat that we have passed over to them for their use. Currently, the group are working on plans for the use of the boat which will be to broadly support canal operations.

Finally, we have a new member of the canal team, Luke Warlow joined us at the beginning of May, we wish him well in his new role.

River team

The moorings barge Port Constructor has now been purchased by the council meaning that the risk of not having a suitable vessel to undertake this work and the statutory work of maintaining the aids to navigation in the river has now receded.

Port Constructor will have to be re-coded with the Maritime and Coastguard Agency through the MECAL system because of the change in ownership but that should be completed by the end of June.

We have completed our normal spring work for East Devon District Council or laying all the 8 knot buoys off Sidmouth and Budleigh Salterton beaches. Strictly speaking they do not mark or denote a swimming area, but it is generally accepted locally that this is what they are there for.

Similarly, we have laid all the 15 No Powered Craft buoys off Exmouth beach that stretch from no 7 buoy off the Lifeboat station to Orcombe point.

For the next few months, the main thrust of work in the river will be to patrol the river at weekends and at other busy times to maintain a presence, and the work of servicing all the local aids to navigation in the river, and there are over 50 of those to do.

This is an incredibly difficult task to achieve, especially when we must factor in the weather for example, plus staff holiday leave entitlement and other surprises that come along, especially when there are so few staff (only two full-time and three part-time).

The survey of different parts the river that we had done in the spring have been useful. The main channel leading into the river shows little change in the banks and depths, whilst in the river the surveys prove that Bull Hill back has spread much further to the west, so much so that we have had to lay another intermediate channel marker between the buoy known as Little Russell and no 15 buoy in the area of the Bight. We have also had to remove a large mooring that we had under licence to us, just to help maintain a safe channel through the area.

There is the perennial issue of abandoned boats that appear in the river, some stranded and some in danger of being stranded or even worse, sinking in the channel.

We are constantly in communication with the different mooring associations when we identify a suspect vessel, but it can often prove difficult to locate an owner and sometimes more difficult to get the owner to do something about the apparent problem.

Unfortunately, the forthcoming Harbour Revision Order has still not progressed any further. I will update the board verbally at the meeting.

Incidents

Since the last report, in addition to the tragic death of Delvin Musakwa there have been the following incidents:

These numbers are not a realistic or complete picture of incidents that happen in the waterway. We have extremely limited resources and staff to cover the area of our responsibility, and similarly we can only record either what we see or what is reported to

Incident type	Number
Sinkings	1
Groundings	1
Collisions	
Speeding vessels	33
Machinery failure	
Engine breakdown	1
Injury afloat	
Vessels adrift	2
Swimmers in the main channel	
Navigation errors	
Capsized vessels	
Man overboard	
Vessels parted from moorings	
Other	2

Grahame Forshaw

Harbour Master

1st June 2025

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