

Minutes of the meeting of Commissioners held on Monday 13th July at 2.00pm

Note: Virtual Meeting due to COVID-19

Present: Tim Harford (Chairman) (TH), Alison Towler (AT), Jane Challener (JC), Richard Jenner (RJ), Bob Mitchell (BM), Chris Lisher (CL), Bill Peach (BP), Andrew Richards (AR), Paul Martin (PM)

Officers present: Ryan Willegers (RW) (Harbour Master & Chief Executive), Frances Moores (FM) (Treasurer)

In Attendance: Rupert Wagstaff (RWag) (LHAG)

1. APOLOGIES FOR ABSENCE

1.1 No apologies received.

2. DECLARATION OF INTERESTS

2.1 RJ declared that he was no longer a member of the RLymYC general committee.

3. MINUTES OF LAST MEETING (18th May 2020)

3.1 The minutes of the meeting were agreed.

4. MATTERS ARISING FROM MINUTES OF 18th MAY (NOT COVERED ELSEWHERE)

4.1 Agenda Item 9.2 – Pontoon & Moorings Project – RW reported that the action to erect ‘no feeding seagulls’ signs at Town Quay has not been progressed for two reasons. Firstly, since the pontoon started to be used, the issue with seagull mess has largely been negated. Secondly, the quayside is owned by NFDC and is in a heritage area and the number of signs that would be required to cover the quayside would be detrimental to the visual amenity.

5. COMMISSIONERS

5.1 Recruitment of new Commissioners – TH indicated that five applications were received and interviews took place on the 26th June 2020. Following a recommendation from the interview panel, the Commissioners approved by email the appointment of John Morrow and Mike Bowles. John’s appointment for a three year term takes effect from the 1st August 2020 and will fill the existing vacancy. Mike is co-opted from the 1st August to the 31st October 2020 and commences his first three year term from the 1st November on the retirement of Richard Jenner. Their first meeting will be on the 21st September. RW indicated it was necessary to formally ratify these appointments for the purpose of the minutes. **Proposed: TH Seconded: AT Vote: All in Favour**

5.2 Recruitment Policy – CL acknowledged that while he understood it can be difficult to recruit Commissioners, he had a concern that LHC may have too much bias towards mooring holders or members of the local yacht clubs which may make it difficult to remain truly independent when making certain decisions. RW indicated that in the past, Commissioners had sought legal advice on whether under LHC’s constitution being a member of a club or a mooring holder constituted a conflict of interest and as long as this was declared, the advice was that it did not. The 2002 HRO (article 16) sets out the proceedings for managing conflicts of interest and under article 16 (3) specifically sets out exclusions from the conflict of interest provisions contained in 16 (2). There was a general acknowledgement that regardless of the application of conflict of interest provisions, there was also public perception to

consider. BP suggested that LHC may want also want to consider if being an officer (as opposed to a member) of a club should be avoided.

PM raised a concern that once he retires, there will be no Commissioner on the Board working in a commercial marine environment and felt that the Commissioner selection needed to be more strategic in the selection process. RW indicated that when determining the skill sets required, an assessment is undertaken of existing board skills with the skill sets stipulated in LHC's constitution (2002 HRO). In the past, LHC had been very specific for certain posts (safety/accountancy) where specialised skillsets or qualifications were required but this does limit the number of applicants. On this occasion, taking account of the change in personnel, LHC advertised for candidates with experience of working in the marine industry, information technology, marine law, general business management, or commercial fishing.

There was discussion about considering advertising more widely and in different media in order to try and more effectively target certain skill sets.

Following further discussion, TH indicated that the matters raised warranted further consideration outside of the meeting and asked the Personnel Committee to consider and report. **Action: Personnel Committee**

6. LYMINGTON HARBOUR ADVISORY GROUP

- 6.1 Meeting – RWag confirmed that LHAG have rearranged their May meeting to the 22nd September, 2020.
- 6.2 Membership – RW reported that in line with the terms of LHAG's constitution, Peter Lock, the nominated representative for Lymington Amateur Rowing Club, Lymington & District Sea Fishing Club and Lymington Sea Scouts had been reappointed for a second three-year term with effect from the 30th July. Bob Chapman had also been reappointed for a second term with effect from the 3rd July to represent the interests of Hampshire & Isle of Wight Wildlife Trust.

Peter Upcher, the nominated representative for the Royal Lymington Yacht Club, Lymington Town Sailing Club, Lymington Sailability and Lymington RNLI comes to the end of his second term of office on the 31st August 2020. Under LHAG's constitution, after two consecutive terms have been served, LHC must invite the represented organisations to confirm whether they would like to reappoint or select a new person to represent their interests. RW wrote to the above organisations on the 16th June and was awaiting their response.

7. OFFICERS REPORT

Operations Manager – The Operations Manager's report was circulated with meeting papers and commented on visitor numbers. RW highlighted the significant reduction in visitor numbers in May and June due to Covid-19 restrictions preventing overnight stays. LHC had attempted to mitigate the loss of visitor income and the uncertainty surrounding how long lockdown would last by committing to seasonal lets to fill the mid river visitor moorings and a proportion of the walk ashore berths. Questions were invited. No questions arose.

Treasurers Report – The Treasurer's report was circulated with the meeting papers and the Treasurer took the Commissioners through the casual income section of the report. Questions were invited. No questions arose.

8. SAFETY & PMSC

- 8.1 Safety Review – RW reported that due to Covid-19, the May safety review for the four-month period January to April was submitted electronically for consideration by the Safety Committee on the 3rd June.

A copy of the report was circulated with the meeting papers. Questions were invited. No questions arose.

- 8.2 Port Waste Management Plan – RW reported that in compliance with the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 (as amended), LHC is required to review and submit its plan to the Maritime Coastguard Agency for approval every three years. LHC's plan had been reviewed and submitted in accordance with the latest guidance (MGN 563) and RW had received email confirmation that the plan had been approved. A certified copy of the plan will be forwarded by the MCA in the next few days.

9. AOB

- 9.1 There was no AOB.

10. DATE OF NEXT MEETING

- 10.1 The next meeting of the Commissioners will be held on Monday 21st September 2020.