

## Minutes of the meeting of Commissioners held on Monday 14<sup>th</sup> March 2022 at 2.00pm in the Lymington Town Sailing Club

**Present:** Alison Towler (AT) (Acting Chair/Chair), Jane Challener (JC), Philip Naylor (PN), Paul Harrison (PH), John Morrow (JM), Darren Longley (DL), Robert Willows (RWil), Chris Lisher (CL).

Mike Bowles (MB) (via telephone due to Covid)

**Officers present:** Ryan Willegers (RW) (Harbour Master & Chief Executive), Sarah Maynard (Administration Officer).

**In Attendance:** N/A

### 1. APOLOGIES FOR ABSENCE

1.1 Tim Harford (TH), Rupert Wagstaff (RWag)

### 2. DECLARATION OF INTERESTS

2.1 There were no new declarations of interests.

### 3. MINUTES OF LAST MEETING (24<sup>th</sup> January 2022)

3.1 The minutes were agreed and signed by AT.

### 4. MATTERS ARISING FROM MINUTES OF 24<sup>th</sup> JANUARY 2022

4.1 Agenda Item 6.2 (Redrow Site) – RW had been advised by NFDC that the appeal hearing into NFDC's decision to refuse Redrow's application to remove condition 19 of Planning Permission 11/97849 was held in November 2021. Once the appeal decision has been received it will be published on the Council's website in the usual way. There is therefore no opportunity for LHAG/LHC to participate in the appeal process.

4.2 Agenda Item 4.3 (Safety Review Meeting) – A leaflet providing Lymington Harbour specific safety/environmental guidance for SUPs/Kayaks has been produced and is currently being printed. An electronic version is available on the paddle sports guidance page on the LHC website and Harbour Systems has been asked to incorporate a link to the paddle sports webpage within the electronic receipt for slipway payments.

4.3 Agenda Item 8.2 (Emergency Plan Exercise – Action in Relation to Dehumidifiers) – At the January meeting, a concern was expressed that there had been instances (not on LHC moorings) where dehumidifiers that had been left operating in 'drain' mode had overheated causing a fire or posing a fire risk. It was agreed to investigate and issue guidance if necessary. RW reported that his investigation established that the cause of a number of serious fires had been attributed to problems with incorrectly used or modified dehumidifiers, including dehumidifiers not designed for boat use. A guidance note highlighting the risks was circulated to all Dan Bran berth holders in February, and will be provided with information for new mooring allocations going forward. Berthon Marina and Lymington Yacht Haven have both indicated their intention to issue a personalised version of the guidance to their berth holders.

- 4.4 Agenda Item 8.3 (Prosecution) – The outcome of LHC’s successful prosecution of Mr Sam Lloyd for serious breaches (speeding & excessive wash) of the Lymington Harbour General Directions 2014 was published in the February 2022 edition of ‘All at Sea’. LHC also queried the court record which indicated that the fine element awarded for each offence was £200, whereas at the hearing it was understood the fine award was £300 for each offence. This was subsequently confirmed and court records corrected.
- 4.5 Agenda Item 11.2 (Replacement of Eastern Wavescreen) – Works to replace the eastern wavescreen are largely complete and the Walcon piling plant has left site. The only outstanding work remaining is to permanently weld the pile caps in position. They have been tack welded pending the return of smaller plant to complete the works.

## 5. COMMISSIONERS

- 5.1 Retirement of Chair of Commissioners – AT confirmed that as reported at the January meeting, with effect from this meeting TH has stood down as Chair of Commissioners for health reasons. AT was pleased to confirm TH will remain as a Commissioner until the end of his 2<sup>nd</sup> term of office on the 31<sup>st</sup> October 2022. RW expressed his gratitude to TH for the help and support provided during his tenure as Chair. On behalf of the Commissioners, AT thanked TH for his work and leadership as Chair.
- 5.2 Appointment of Chair of Commissioners – At the previous meeting, Commissioners who wanted to be considered for the role of Chair were invited to put themselves forward. AT expressed her interest, subject to the support of the Commissioners. It was proposed that AT be appointed as Chair for a period of three years or until AT ceases to be a Commissioner.

**Proposed: JM Secoded: JC Vote: All in Favour** (TH confirmed support for AT in advance)

Commissioners congratulated AT on her appointment.

Vice Chair of Commissioners – Following the appointment of AT as Chair, it was necessary to appoint a new Vice Chair. AT indicated that JM had expressed his interest, subject to the support of Commissioners. It was proposed that JM be appointed as Vice Chair for a period of three years or until he ceases to be a Commissioner.

**Proposed: PN Secoded: AT Vote: All in Favour** (TH confirmed support for JM in advance)

Commissioners congratulated JM on his appointment.

Committees – AT reported that in light of the change in Chair/Vice Chair, there was a need to reconsider Committee Membership. AT indicated that following her appointment as Chair, it was her intention to stand down from the Environment and Safety Committees. AT confirmed that MB had agreed to join the Safety Committee. JM had agreed to join the Business Development Group to increase its complement of Commissioners to three. As RWil had recently joined the Environment Committee, this Committee will continue to have a complement of three Commissioners.

## 6. LYMINGTON HARBOUR ADVISORY GROUP

- 6.1 RW indicated that RWag had previously confirmed that LHAG have no matters that they wish to bring forward in the public section of the meeting.

## 7. OFFICERS REPORT

- 7.1 Operations Manager Report – Questions were invited on the operations report. AT noted that the Town Quay pontoon was closed from January when the washroom refurbishment started and asked if keeping the pontoon open without washroom facilities had been considered. RW explained that most of the Town Quay pontoon was used for resident boats until the end of January. Thereafter some of the

moorings were used for LTV's. Although LHC advertised the visitor berths as closed to visitors as it did not want to attract complaints from persons turning up and not having facilities available, in practice where customers indicated they did not need facilities, they were permitted to berth at Town Quay. Throughout, LHC maintained sufficient visitor capacity to meet winter demand on the Dan Bran pontoon.

AT note that wavescreen works were nearly completed and that the temporary pontoon remained in situ pending the welding of the pile caps. AT asked for clarification on how the pontoon is consented given the draft Harbour Development Plan refers to restrictions to the extent the sheltered area behind the wavescreen could be developed due to environmental constraints. RW explained that the temporary use of a pontoon to facilitate the wavescreen construction was permitted under the marine licence. However, a permanent pontoon to facilitate new moorings would require a separate marine licence and a separate assessment of environmental impact as the works would not be temporary.

Treasurers Report – Commissioners noted the Treasurer's report on casual income performance. JM asked if there were any indicators yet on visitor business for this summer. RW indicated that it was too early to tell. Bookings were coming in and rally bookings continue to be strong as in previous years. However, RW noted that last season visitor berth take up was at close to 100% capacity for much of the season so there will be little scope to increase volume. The budget assumed the same volumes as FY 2021-22 forecast, but with a price increase.

## **8. SAFETY & PORT MARINE SAFETY CODE (PMSC)**

- 8.1 Safety Review Meeting – The minutes of the January 2022 safety review meeting were noted by Commissioners. CL commented that it was good to see members of the river officer team attending meetings and making a positive contribution to safety management. DL and RWil both attended the PMSC induction course and found it helpful.
- 8.2 Trinity House Lighthouse Service Audit – RW reported that on the 01<sup>st</sup> February, officers of Trinity House Lighthouse Service audited LHC's records and management systems in connection with the availability of aids to navigation in the harbour. The audit report concluded that *"...everything was in good order and there were no matters that required further comment."*
- 8.3 PMSC 2022 Compliance Audit – RW reported that a PMSC compliance audit by LHC's independent Designated Person (Mr Monty Smedley - ABPmer) will take place in April. This will consist of a day (4<sup>th</sup> April) set aside for auditing the marine safety management plan/safety management system, a further day (14<sup>th</sup> April) to be spent onsite auditing on the water activities with Harbour Officers, and a meeting with CL and PH in their capacity as Duty Holders. Mr Smedley will present his report to Commissioners at the May meeting.

## **9. AOB**

- 9.1 There was no other business in the public session.

## **10. DATE OF NEXT MEETING**

- 10.1 Monday 9<sup>th</sup> May 2022 @ 14:00 hours.