

Minutes of the meeting of Commissioners held on Monday 10th May 2021 at 2.00pm

Note: Virtual Meeting due to COVID-19

Present: Tim Harford (Chairman) (TH), Alison Towler (AT), Jane Challener (JC), Bob Mitchell (BM), Chris Lisher (CL), Andrew Richards (AR), John Morrow (JM), Mike Bowles (MB), Paul Harrison (PH), Philip Naylor (PN)

Officers present: Ryan Willegers (RW) (Harbour Master & Chief Executive)

In Attendance: Rupert Wagstaff (LHAG)

1. APOLOGIES FOR ABSENCE

1.1 No apologies received. Member of the press did not attend.

2. DECLARATION OF INTERESTS

2.1 There were no declarations of interests.

3. MINUTES OF LAST MEETING (15th March 2021)

3.1 The minutes were agreed.

4. MATTERS ARISING FROM MINUTES OF 15th March 2021

There were no matters arising not covered elsewhere in the agenda.

5. COMMISSIONERS

5.1 Recruitment – TH welcomed PH and PN who the Commissioners agreed to appoint by email following an open selection process. It was proposed to ratify the appointments as follows. PH to be appointed from the 1st May 2021 for a 3 year term. PN to be appointed as a co-opted Commissioner until AR retires on the 11th January 2022. From the 11th January 2022, PN to commence a 3 year term.

Proposed: TH Secoded: AT Vote: All In Favour

5.2 BP retired on the 30th April. TH again thanked BP for his service as a Commissioner. A presentation of a leaving gift had previously been made.

6. LYMINGTON HARBOUR ADVISORY GROUP

6.1 RWag confirmed that Wightlink have provided notification that Barry Smith (Director of Safety, Health and Environment) will take over as their representative on LHAG as Captain Adrian Whinney has left their service. A letter of appointment will be issued shortly.

6.2 RWag confirmed that he had spoken with Lymington Amateur Rowing Club who had advised they were happy that the reconfiguration of the commercial pontoons had improved navigation access when passing under the bridge. RWag also confirmed that Haven Quay were also happy with the new layout.

7. OFFICERS REPORT

7.1 Operations Manager – The Commissioners noted the Operations Manager's report. Questions were invited.

RWag asked whether the 150 long term visitor applications were about normal for this time of year. RW indicated that it was higher than a normal year. The bigger change is that the number of available berths is lower than a normal year due to the 'staycation' effect and a planned reduction in underutilised mid river moorings due to the Town Quay reconfiguration project.

JM asked if the number of rally bookings (41) was normal for the time of year. RW thought it was about par for the time of year but further bookings come in as the season progresses. *Post meeting note: 48 in 2019 (full season)*

RWag noted the seasonal recruitment requirement and advised that he had a surplus of good applicants for Lymington Yacht Haven positions who he was happy to put in contact if needed. RW thanked RWag and advised he would advise the Operations Manager accordingly. **Action: RW**

- 7.2 Treasurers Report – The Commissioners noted the Treasurer's casual income report for YE 31st March 2021 and for April 2021. At the year ending 31st March, visitor income was down by 31% (£42.3k) compared to the previous year due to the pandemic. LHC were able to mitigate some of this loss through allocating Long Term visitor stays which were up by 23% (£21.7k). Overall casual income fell by 8.2% (£21.6k).

Overall casual income for April was 186% up on 2020 due to the complete lockdown last year and on a par with 2019. AR observed that when assessing 2021 performance, this should be against 2019.

AT asked about LHC's refund policy for visitors in the event of cancellation. RW indicated that for paid bookings a £5.00 administration fee applied, subject to notification by the required time. In order to avoid unnecessary administration, bookings made through the office more than two days in advance are usually provisional with the customer receiving an email with a link to the payment portal. The 'pay by' date is two days before arrival. In the event of adverse weather predictions (or uncertainty about lockdown restrictions), this allows for administration free cancellations up to two days in advance.

- 7.3 Marketing & Communications Report – The Commissioners noted the Marketing & Communications Officer's report for Q1. Questions were invited.

AR referred to the Google Analytics report on use of the LHC website and noted that the number of visits to visitor related webpages was double the previous month and this was another indicator that LHC can anticipate a strong visitor season.

TH was conscious that due to the impact of Covid the Business Development Group had not convened for a while and asked that it meet to undertake a 'deep dive' to review current strategy and consider whether amendments need to be made. *Post meeting note: TH & RW discussed after the meeting and agreed to conduct in September due to RW's workload.* **Action: RW/Business Development Group**

8. SAFETY & PORT MARINE SAFETY CODE (PMSC)

- 8.1 PMSC External Audit - An external audit to verify that LHC's Safety Management System is working effectively and is compliant with the provisions of the Port Marine Safety Code (PMSC), was undertaken in April by LHC's appointed Designated Person, Mr Montgomery Smedley (ABPmer).

Mr Smedley presented his report and findings to the Board which concluded that LHC's safety management system has complied with the provisions of the PMSC over the previous twelve months. Questions were invited.

RWag commented on the arrangements for LHC working with the marinas to encourage compliance with the PMSC and indicated that he felt that they were working well. RW indicated that the Code was voluntary so LHC had no powers to enforce. RW felt that LHC were fortunate to have two responsible marinas who have sought to comply with the new recommendation in the 2016 update to the Code, that organisations or facilities who are not a statutory harbour authority should seek to comply with the Code through the adoption of a marine safety management system or any similar alternative applicable to their sector. Both marinas have a safety management system based on risk assessment and have made a formal declaration to the MCA of this.

JM congratulated the officer team on clearing all 26 observations from the previous audit.

In relation to the observation in the 2021 audit about the terms and conditions which require £3m of third-party insurance cover for craft using the slipway, Mr Smedley questioned whether this was realistic/appropriate for paddleboards/canoes etc. PN suggested that the wording could perhaps be amended to refer to "self-propelled craft". This will be considered as part of the next review of Terms and Conditions. **Action: RW/Mooring Committee**

PN noted the recommendation that guidance be provided on towage expectations for non-routine contract towage and asked Mr Smedley if he could point to other harbours where best practice guidance was already in place to avoid reinventing the wheel. Mr Smedley indicated that Littlehampton had recently produced guidance which he believed had drawn information from Shoreham. Mr Smedley also understood that some harbours had a MOU with the RNLI.

- 8.2 Marine Safety Management Plan - RW reported that as part of the audit, Mr Smedley had reviewed the updated Marine Safety Management Plan (MSMP) and Safety Management System (SMS) and a copy of the latest draft (v15) had been circulated. RW asked if there were questions prior to inviting Commissioners to adopt.

AT note that most of the changes related to a reorganisation of the document to consolidate the MSMP element into a dedicated section but asked if there were any material changes that RW wanted to draw attention to. RW indicated that there were no changes that had a practical impact on the implementation of the plan and safety management system or on policy.

AR noted a typo on s4.2 bullet 4 where the word 'marine' needed to be deleted before 'Safety Management System'. **Action: RW**

JM asked why RW had taken out the reference in the introduction commenting on Wightlink's Harbour Authority status. RW indicated that other than providing information on their status, he felt the deleted paragraph bore no relevance to LHC's MSMP or SMS so it was taken out for brevity.

JM queried the organisation chart which he felt confused reporting lines. Following discussion, it was agreed RW would reorganise to improve clarity. **Action: RW**

JM noted that the responsibilities of the Maintenance Officer, a role shown on the organogram as having PMSC/Marine Safety duties were not subsequently set out as for other posts. RW indicated this was an oversight, probably because the Maintenance Officer marine safety duties mirrored those of Harbour Officers for the winter period (same roster), before moving to a more dedicated maintenance role during the summer season. RW agreed to amend the plan to incorporate Maintenance Officer duties. **Action: RW**

RW invited Commissioners to adopt v15 of the MSMP and SMS subject to making the agreed amendments. **Proposed: CL** **Seconded: AT** **Vote: All in Favour**

8.2 River Users Safety Meeting – RW invited questions on the minute of the recent River Users Safety Meeting.

TH asked if an annual meeting of the river users safety meeting was enough and wondered whether a quarterly meeting might be more appropriate. CL disagreed, indicating a concern about the time taken to facilitate what in his view would largely be a talking shop. CL felt that an annual meeting was sufficient, as if there was a particular issue that needed addressing, an extra meeting can be called with the interested parties. RW shared this view and cited management of past issues surrounding Thursday evening racing as an example of where extra meetings were held when required.

TH asked RWag if Berthon should be invited to attend the River Users Safety meeting in their own right. As the LHAG representative at the meeting, RWag indicated that to the meeting did not become too cumbersome, it was his view that it should be sufficient for him to bring forward any matters that Berthon wish to raise. RWag indicated that he would make a special point of asking in future.

8.3 Review of Lymington Harbour General Directions 2014 – RW reported that together with the Operations Manager, he had conducted a review of LHC's General Directions, a Strategic Plan objective brought forward by 12 months. The review concluded that the current directions remain fit for purpose and that at this time, no amendments or new directions are required. Details of the review will be submitted to the next meeting of the Safety Committee later this month.

9. **AOB**

9.1 There was no other business in the public session.

10. **DATE OF NEXT MEETING**

10.1 The next meeting will be on Monday 12th July 2021.