

Minutes of the meeting of the Commissioners held on Monday 18th May 2020 at 2.00pm

Note: Virtual Meeting due to COVID-19

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

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

In Attendance: Montgomery Smedley (MS) (Designated person - ABPmer)

1. APOLOGIES FOR ABSENCE

1.1 R. Wagstaff (LHAG)

2. DECLARATIONS OF INTERESTS

2.1 There were no new declarations of interest

3. MINUTES OF THE LAST MEETING

3.1 The minutes of the meeting of the 16th March 2020 were approved. Minute to be signed by the Chief Executive on behalf of the Chairman due to COVID-19 restrictions.

4. MATTERS ARISING FROM MINUTES OF 16th MARCH (NOT COVERED ELSEWHERE)

4.1 Agenda Item 9.2 (Pontoon & Moorings Project) - The action to erect 'no feeding seagulls' signs at Town Quay is outstanding. **Action: RW**

5. COMMISSIONERS

5.1 Chairman - This meeting was RJ's final meeting in the capacity of Chairman. Led by TH who takes over as Chairman from the 31st May, the Commissioners expressed thanks to RJ for his leadership and counsel during his three year term as Chairman through a round of applause. It is hoped to properly thank RJ with a gift in the customary manner when his term as a Commissioner expires at the end of October.

5.2 Recruitment of new Commissioners - The closing date for applications was on the 13th April. Five applications were received for the two posts that will become vacant on the 31st May (PM) and the 31st October (RJ). Following discussion with the Chairman, Chair/Vice Chair elect, a decision was taken to postpone the interview process due to the COVID-19 restrictions. Although a face to face interview process is preferred, it is recognised that this may not be possible within the available time frame. The candidates had been advised of the postponement of interviews.

AT asked what the process would be if LHC was unable to fill both vacancies following interview. RW indicated that the preferred route to comply with the Department for Transport's port good governance guidance, would be to re-advertise. However, the constitution would also allow PM to serve a further full term subject to his availability and agreement (see 5.3 below). LHC's constitution provides that the Commissioners can work short-handed if there is a temporary vacancy in their number.

5.3 Temporary Vacancy – RW reported that in view of the delay to the recruitment process, following discussion with the Chairman, and Chair/Vice Chair elect, it was felt prudent to ask PM if he was prepared to extend his stay as a Commissioner until the 1st November. PM agreed, subject to the support of the Commissioners. **It was proposed to co-opt PM as Commissioner for the period 1st June 2020 to 31st October 2020.** Proposed: TH Secoded: AT Vote: All in Favour

6. LYMINGTON HARBOUR ADVISORY GROUP

6.1 RW reported that in view of COVID-19, LHAG have postponed their meeting scheduled for the 19th May to the 22nd September, 2020.

7. TREASURERS REPORT

7.1 RW asked if there were any questions on the Treasurers report covering casual income performance in March and April 2020 and the Income and Expenditure Account for FY 2019/20. No questions arose.

RW noted that the fall in casual income in March and April was due to the effects of the COVID-19 lockdown restrictions.

8. SAFETY & PMSC

8.1 PMSC Compliance Audit - Mr Montgomery Smedley (ABPmer), who is appointed by LHC as Designated Person, has completed the annual audit to verify that LHC's Safety Management System (SMS) is working effectively and is compliant with the provisions of the Port Marine Safety Code (PMSC). He presented his findings to the Commissioners. In summary, Mr Smedley concluded that (1) LHC's safety management system complied with the provisions of the PMSC over the previous twelve months; and (2) No non conformities were identified.

The report raised a number of observations where improvements or clarifications to the SMS might be made, and RW confirmed that where these had not already been addressed in the Marine Safety Management Plan (MSMP), they will be the subject of further consideration. As part of LHC's formal annual review of its SMS, the MSMP has been updated. **It was proposed to formally minute the outcome of the audit and to adopt the updated Marine Safety Management Plan (v13 dated 18/05/2020).** Proposed: CL Secoded: AT Vote: All in favour

8.2 Pilotage - LHC is a Competent Harbour Authority (CHA) within the meaning of Pilotage Act 1987. Under sections 2(1) and 2(2) of the Act, CHAs are required to keep under consideration whether any and, if so, what pilotage services need to be provided to secure the safety of ships navigating in, or in the approaches to, its harbour and, whether, in the interests of safety, pilotage should be compulsory for ships navigating in any part of that harbour or its approaches.

LHC's pilotage policy provides that the need for pilotage will be reviewed every 5 years unless there is a material change to assessed navigation risk. The anniversary date for review is May 2020. RW had conducted the review which had been documented and circulated to Commissioners. RW drew attention to his recommendations that: -

- LHC continues to declare Lympington Harbour Limits as a non Pilotage Area; and
- That LHC review this decision in five years (May 2025) unless circumstances dictate an earlier review is required.

It was proposed to accept the above recommendations.

Proposed: PM Secoded: AT Vote: All in Favour

8.3 Aids to Navigation (AtoN) Inspection - Due to COVID-19, Trinity House cancelled their inspection of AtoN that was scheduled for the 23rd March.

8.4 Safety Meeting - The next meeting of the LHC Safety Committee is due to take place in May. Due to COVID-19, this will take the form of a documented review submitted by electronic means for comment to committee members.

9. A.O.B

9.1 There was no other business

10. DATE OF NEXT MEETING

10.1 The next meeting of the Commissioners will be held on Monday 13th July 2020.