

***Minutes of the meeting of the Commissioners held on Monday 18<sup>th</sup> November 2019 at 2.00pm in the Lymington Town Sailing Club, Bath Road, Lymington.***

**Present:** Richard Jenner (Chairman) (RJ), Alison Towler (AT), Jane Challener (JC), Tim Harford (TH), Bob Mitchell (BM), Chris Lisher (CL), Bill Peach (BP)

**Officers present:** Ryan Willegers (RW) (Harbour Master & Chief Executive), Frances Moores (FM) (Treasurer), Sarah Maynard (SM) (Administrator)

**In Attendance:** N/A

**1. APOLOGIES FOR ABSENCE**

1.1 Andrew Richards (AR), Paul Martin (PM), Rupert Wagstaff (RWag) (LHAG)

**2. DECLARATIONS OF INTERESTS**

2.1 No interests were declared.

**3. MINUTES OF THE LAST MEETING**

3.1 The minutes of the meeting of the 23<sup>rd</sup> September 2019 were approved.

**4. MATTERS ARISING**

4.1 Safety Review Meeting (Agenda Item 5.1) - RW confirmed he had written (email 30/09/19) to RLymYC to clarify that safety briefings in relation to W Class ferry movements and thruster wash should be provided to all organised racing events, not just dinghy events.

4.2 LHAG Awareness (Agenda Item 6.1) - Information on LHAG's role has been published on LHC's social media platforms.

4.3 Designated Person (Agenda Item 8.2) - Mr Monty Smedley of ABPmer has been appointed as Designated Person for a term of three years commencing 1<sup>st</sup> November 2019. The appointment has been publicised on the website and will also be included in the November newsletter. Contact details for the Designated Person are also published on the Port Marine Safety Code section of the website.

4.4 Strategic Plan (Agenda Item 9) – The new Strategic Plan was published on the 1<sup>st</sup> October via the LHC website and subsequently in the October newsletter and the new website. A summary of the key consultation feedback points was also published.

4.5 Town Quay Project (Agenda Item 10.2) – A deed of variation (between LHC and NFDC) and a wayleave (between NFDC & SSEN) have been finalised authorising the trenching works to provide water and electricity services to the new visitor pontoon. Following conclusion of the tender process, Earlcoate Construction Ltd was appointed to undertake the works following consideration of tender submissions and the engineers report by the Finance Committee.

4.6 New Website (Agenda Item 11.1) – The new website went live on the 11<sup>th</sup> October with details published in the October newsletter of the same date.

## 5. LYMINGTON HARBOUR ADVISORY GROUP (LHAG)

- 5.1 LHAG Meeting – LHAG met on the 24<sup>th</sup> September. A copy of the minute of their meeting has been circulated to Commissioners and published on the LHC website.

Under agenda item 3 (d) an update was provided through Peter Ferguson (NFDC Coast Protection) on the Environment Agency/NFDC work to address the issue with the sea wall between the Royal Lyminster Yacht Club and the LHC Slipway. Based on this update it seems likely that the restricted area will remain closed for a further two years.

CL noted the low level of attendance at the recent LHAG meeting and asked if organisations could be encouraged to send a deputy if the principle can't attend. **Action: RWag (LHAG)**

## 6. OFFICERS REPORTS

- 6.1 Harbour Masters Report - Questions were invited on the items within the report that were not listed for consideration as an agenda item. No questions arose.

- 6.2 Operations Manager Report – RW referred to the report and commented on the visitor and long term visitor (LTV) mooring statistics. Visiting boat numbers were down by -7.9% in September and -9.5% in October. Weather would have been a contributory factor as it was not as good as the previous year and a number of weekend rallies were cancelled or had lower attendance than expected. The Operations Manager also felt that the publicity related to the closure of the Town Quay area in preparation for the new mooring project also had a negative effect on numbers. Overall YTD visitor numbers fell by -3.8% and this was in line with budget predictions given the record breaking summer weather in 2018. As noted in the Treasurer's Report, visitor revenues performed well (up 1.77% YTD on 2019) due to an improved yield performance through bigger boats on the Dan Bran pontoon and a good performance on the Harbour Master pontoon. The Operations Manager has previously noted that the larger number of big boats staying on the Dan Bran pontoon will have contributed to the fall in volumes.

LTV mooring take up was up by +11.4% (10) in September and +7.3% (3) in October due to more moorings becoming available than in the previous year. Questions were invited on the Operations Manager report. No questions arose.

- 6.3 Treasurers Report - FM referred to the casual revenue report highlighting that visitor mooring income broadly reflected the movement in numbers described in the Operations report, albeit there were some positive variances due to higher yields. LTV revenue performance mirrored volumes in September (+11.6%) but was slightly lower (+2.79%) in October due to lower yields as fewer boats could be accommodated on the Dan Bran and HM Pontoons which carry higher charges than river moorings. Slipway income was up by 7.4% (£0.1k) in September and 1% (£0.1k) in October. YTD slipway revenues were up by 2.17% on 2018/19.

FM explained the principle variances in the Income and Expenditure report. The YTD forecast net surplus before tax was £459.8k compared with the budget of £443.6k and prior year £506.8k. Questions were invited on the Treasurers report. No questions arose.

## 7. SAFETY & PORT MARINE SAFETY CODE (PMSC)

- 7.1 Safety Meeting – A scheduled four monthly safety review meeting was held on the 25<sup>th</sup> September 2019. Questions were invited on the minute of the meeting and the incident review report for the four months May to August 2019. Questions were invited on the Safety Report.

TH asked if the report included incidents that occurred in the marina's. RW indicated that the marinas are aware of the need to report incidents related to LHC's statutory duties as Harbour Authority, i.e. navigation incidents and pollution incidents. They also obtain diving permits from LHC.

CL noted that in the latest (November 2016) edition of the PMSC there was text recommending that operators who were not a statutory harbour authority but operated marine facilities, including berths, terminals and

marinas seek to adopt a proportionate marine safety management system, or any similar alternative standard applicable to their sector (such as that for marinas) and underpin this with a formal risk assessment. However, it was his understanding that this had not been widely adopted and that the Department for Transport (DfT) were not following up to encourage compliance. RW confirmed he had written to both marinas (Feb 2017) drawing their attention to the recommendations for their operations within the revised code. RW was aware that both local marinas did operate a risk assessment based safety management system as both had previously shared dredging/bunkering risk assessments at RW's request. RW also noted the Code was guidance and the DfT had no powers to enforce these facilities to comply.

- 7.2 Oil Spill Response Exercise – RW reported that a Tier 2 Desk Top exercise incorporating a boom deployment took place on the 2<sup>nd</sup> October 2019. Relevant agencies and key operational stakeholders attended. Following the exercise Andrew Healy (MCA's Counter Pollution and Salvage Officer) provided feedback that he felt the exercise had gone well. As always there are lessons that can be learned and these have been identified in the post exercise debrief for follow up.

RW highlighted that CL had made a recommendation that LHC should at some time attempt running a desk top exercise from the Harbour Office in order to present a more realistic scenario for the officer team of interruptions from 'normal business'. RW acknowledged the value of such an approach but highlighted that he had shied away from this in the past as the space constraints mean it does not lend itself well to external attendees getting 'best value' from the exercise. LHC has previously conducted desktop exercises of its emergency plan from the Harbour Office.

## 8. STRATEGIC PLAN

- 8.1 RW reported that it was his intention that going forward there will be a permanent agenda item for the Strategic Plan where progress on delivery of the objectives will be reported (when due) in the relevant section/s of the meeting.

## 9. TOWN QUAY PROJECT

- 9.1 New Washrooms – RW reported that the results of the NFDC led consultation exercise was published on the 22<sup>nd</sup> October with 810 responses received. An independent research company was appointed to analyse the data and publish their findings. A meeting with local residents and business representatives has also taken place to present the results. Key points from the survey responses were:-

- Most survey respondents use the Quay weekly or more often, with the top three uses being 'visiting quay area' (71%), 'visiting local businesses' (67%), and 'car parking' (49%).
- Public toilets were the standout answer for 'what facilities do you think should be provided at the Quay?' (47%), followed by showers (27%), seating (25%), car parking (21%) and events /market area (20%).
- 98% of respondents say visitors are important to the area.
- When asked 'How important are the toilets?' 93% chose either very or slightly important.
- When asked about the car parking, there was a 50:50 split in terms of usage and 60:40 split in terms of importance (60% saying it was important).

NFDC's architect had been instructed to produce outline design options that align with the feedback preferences as far as is possible while recognising the constraints of the available budget. The timeline for progressing is as follows:

- November 2019-January 2020 - Develop viable options and hold a public exhibition. Establish a preferred way forward and work up a draft proposal for the site, which will be presented back to the community.
- February 2020 - Full planning application submitted and formal statutory consultation period providing final opportunity for public engagement.
- Autumn 2020 - Works due to commence.

- 9.2 Pontoon & Moorings Project – Work commenced one day early (1<sup>st</sup> November) and demolition and removal works had progressed quickly and ahead of schedule. There has been a short delay on pile delivery which has resulted in a delay of four days. However, the programme had been reworked and works were expected to be aligned with the original schedule before the Christmas break. The dredging works in the Town Quay area had been completed. Publicity concerning the start of the work had been circulated.
- 9.3 Electricity and Water Installation – Earlcoate Construction Ltd commenced shoreside trenching works to lay a new electricity and water supply on the 11<sup>th</sup> November and are scheduled to be complete by the 6<sup>th</sup> December. Publicity concerning the partial closure of the long stay car park had been circulated.

## 10. BUSINESS DEVELOPMENT/COMMUNITY BENEFIT

- 10.1 Marketing & Communications Quarterly Report - Following feedback received on the format of a draft report at the Commissioners July meeting, RW reported that Marketing & Communications Officer had reformatted the report. Going forward the report will be produced on a quarterly basis.

The new report format was welcomed. TH indicated that LHC now needed to consider how/if it can measure outputs from the community engagement and marketing activities. One way of assessing value could be through customer surveys. **Action: BDG**

## 11. ENVIRONMENT

- 11.1 Environment Committee Meeting – RW invited questions on the minutes of the inaugural meeting of the Environment Committee held on the 30<sup>th</sup> September 2019 that were not related to the subsequent agenda items. No questions arose.

- 11.2 Environment Committee Terms of Reference – JC referred to the draft terms of reference (TOR) for the operation of this committee and invited Commissioners to consider and approve. It was proposed to approve the draft TOR.

**Proposed: JC                      Seconded: AT                      Vote: All in Favour**

- 11.3 Environment Policy Update – JC referred to an update to the environmental policy that the Environment Committee were recommending and invited the Commissioners to consider and approve. It was proposed to approve the update to the environmental policy.

**Proposed: JC                      Seconded: BP                      Vote: All in Favour**

TH noted that it was important to set measurable targets based on policy to ensure the Environment Committee does not become a talking shop. Some possible examples were discussed. RW indicated that this was the function of the annual Environmental Performance Action Plan (see Agenda Item 11.4).

- 11.4 Environmental Performance Action Plan (EPAP) – JC indicated that in order to deliver on a Strategic Plan objective, the Environment Committee had produced a draft Environmental Performance Action Plan for the period October 2019 to October 2020 and invited the Commissioners to consider and approve. It was intended to produce a new list of measurable objectives each year. It was proposed to approve the EPAP for 2019/20.

**Proposed: JC                      Seconded: TH                      Vote: All in Favour**

## 12. AOB

- 12.1 There was no other business.

**13. DATE OF NEXT MEETING & 2020 MEETING DATES**

13.1 The following dates were agreed:-

Monday 20<sup>th</sup> January (next meeting)

Monday 16<sup>th</sup> March

Monday 18<sup>th</sup> May (TH apologies)

Monday 13<sup>th</sup> July

Monday 21<sup>st</sup> September

Monday 23<sup>rd</sup> November