

Harbour Board - 10 June 2019

Present: Councillor Peter Pilkington (Chair)

Councillors Andrew Hadley, Terry Venner, Loretta Whetlor, Michele Boobyer, Craig Butler, Iain Cobb, Natalie Green, Chris Hall, Andrew Kingston-James, Peter Murphy and Martin Stevens

Officers: Clare Rendell

(The meeting commenced at 10.00 am)

1. **Apologies for Absence**

No apologies were received.

2. **Notes from the meeting held on 11 March 2019**

Resolved that the notes of the Harbour Board held on 11 March 2019 be noted.

3. **Matters Arising**

TV highlighted the recent incident in Minehead and the concern over the red flag being used. He noted that the concern had been raised in the Harbour Board meeting in December 2018.

4. **Port Marine Safety Code**

CH gave an update on the Port Marine Safety Code (PMSC). SWT operated under permissions from the Department for Transport and the Port Marine Safety Code was a document set out by them. The document was not primary legislation, however, it allowed SWT to gather evidence to show that the harbours were compliant. SWT did that via operations manuals which were set out at the time by CF Spencer, who were initially the offsite harbour master. Since then, CF Spencer had been bought by McCausland and Turner, who had taken on the WSC harbour master provision. The manuals had been revised and were signed off at the end of 2018 by the Harbour Board. CH was aware that concerns had been raised by members of the public about the harbour master provision, as they incorrectly reported that we were without a harbour master for a time. **CH** gave the Board assurance that this was not the case and whilst there had been changes in roles, the harbours had always been covered. He explained that he took a proportional approach and believed the necessary requirements were met on that proportional basis. The MMO had accepted that when they had signed off the operations manuals. An inspection was due by the Maritime and Coastguard Agency (MCA) on 12 and 13 June 2019. The inspection was a review of the paper based application of the operations manual, to understand how the harbours operated and how decisions were made, along with risk assessments. A lot of work had been carried out to prepare for the visit and he

would adhere to any instructions given as a result of the inspection. CH requested that the PMSC was a standing item on the agenda for the Harbour Board to be kept informed of any updates.

PM advised that the WHAC had requested that a depth gauge should be painted on the outer harbour and believed it was a requirement of the PMSC. **CB** and **MB** would follow up on the request.

5. **General Harbour Operations Update**

CH provided an introduction for the Board Members, who might be aware that there had been many discussions about mud and its complexities. The then WSC and now newly formed SWT had an overarching responsibility for everything that happened within the harbours in Minehead and Watchet, but that many of those responsibilities were delegated through the lease to Watchet Harbour Marina Ltd. The delegated responsibility included the dredging of the marina area by WHM Ltd. A Mud Working Group had been set up as a sub group of the WHAC predominantly because majority of the WHAC meetings were taken up with discussion on the mud. The removal of mud from the marina was a complex task as certain permissions were required to complete the necessary work and there were also financial implications to consider. The gold standard that the groups hoped to achieve was to get both the outer harbour and the marina back to a clean bed rock through a full depth dredge and the implementation of a Water Injection Dredge (WID) to maintain that level. WSC at the time had a very small budget for dredging, which had diminished over time which did not cover the cost of the works needed. The marina operators had carried out some works over the years but recently had carried out very little works. A cut and suck dredger had been used but was now out of commission. Through the Mud Working Group, WSC/SWT had established a good working relationship with the marina at a local level and it was understood that they needed to work collaboratively to clear both the outer harbour and the marina at the same time for the dredging works to be a success. The Mud Working Group appeared to be working successfully and they were in the process of drawing up a report which would hopefully become part of a funding package, however, who they would approach for funding was unknown at present. The report was also likely to be heard by SWT's Scrutiny. Part of this might be to consider the allocation of funds to the area of work. Dr Nunney had assisted the marina with compiling the information. Last year a WID was brought over from Cardiff and was used to help gather information to show how much mud could be cleared with each tide versus how much mud came in on each tide. The WID was a success in terms of the amount of material it could move. A WID had been commissioned by the marina and was a privately owned piece of equipment, the arrival of which had been delayed. The Harbour Revision Order meant that WSC/SWT could give permission for a dredge without having to go to the MMO for a licence. WSC at the time had given the marina permission to dredge subject to an environmental impact assessment (EIA). The WID had now finally arrived and CH had met with the marina owner. The WID still required some work to bring it into commission which would be carried out onsite. The marina operator believed that on paper the WID should work to the standard they had predicted. However, it had been built to order, so some issues were to be anticipated. CH had discussions with the marina owner and manager about the

possibility of buying their services to dredge the outer harbour at a reasonable cost as it would benefit both SWT and the marina if both areas were maintained. CH requested that the Harbour Board granted permission for the marina to dredge without the EIA as the current document was not as up to date as we would like it to be. A revision of the EIA would need to be commissioned externally as there was no one within the council who could do it. Concern was raised that if the permission was not granted, the WID could not be used and CH stressed the importance of the dredge to the marina, the town and the local businesses who relied upon it for their trade.

MS advised that the original EIA had been written about mud that had gathered over 100 years prior to the marina being installed and that the mud in the marina now was not as high a risk. He supported CH recommendation.

LW supported CH recommendation and queried who was on the Mud Working Group. CH would forward the information direct to her.

CH gave an update on the marina gate. Currently the gate was permanently open to help prevent any damage being caused. The marina operator planned to cut a channel from the outer harbour and to clear the gate area first to help the situation.

TV supported CH recommendation but agreed that an up to date EIA needed to be commissioned.

TV queried whether Minehead harbour experienced the same problem with mud.

CH advised that Minehead and Watchet were very different. **CB** and **IC** gave information on the shingle bank and the impact were it not to be maintained

PM praised CH for the report and how he had clearly set out the history and the current situation faced by the marina. He advised that the marina operator suggested there was an EIA from 2006 that could be used and queried what the lifespan of an EIA was. **CH** had spoken to the harbour master who advised that the document from 2000 could not be used as there had been some changes to the infrastructure since then, one change was that a marina had been built since then.

PM highlighted the inspection that was due and that the mud was likely to be mentioned. He supported CH recommendation and agreed that officers continued to look for a current EIA or commission a new one. He advised that a maintenance programme also needed to be drawn up as they would not get funding if those documents were not in place. PM raised concern that the WID was privately owned and that it could be sent elsewhere for months at a time. He requested whether a formal agreement could be put in place to prevent that from happening.

AH supported CH recommendation but raised a concern on what the penalty could be for allowing the permission without an EIA. **CH** advised that historically the MMO have intervened where they felt that dredging was not covered by the appropriate documentation, this intervention had been to stop the activity. SWT would then present a good case to show that the EIA used previously was sufficient to cover the permission granted.

LW queried how much it cost to commission an EIA. **CH** gave an approximate cost and advised that it could be less because a revision to the original document may be all that is required.

AH queried whether the EIA covered both the inner and outer harbour. **CH** yes and he was happy for the EIA to be in SWT name.

Resolved that the Harbour Board approved the permission to Watchet Harbour Marina Ltd to undertake water injection dredging based on the current EIA and further sought any other locally held EIA's and if appropriate commissioned the revision of an EIA for all dredging methods.

6. **Technical Harbour Operations Update**

CB advised the new members of his role as the assistant harbour master.

CB had been working with **MB** to set up a database for the moor holders, new signage and to continue with the relevant safety checks.

He had received reports of anti-social behaviour from the Police. Some fishermen in Watchet had given verbal abuse when asked to stop fishing due to the sea scouts using the harbour. **CB** gave reassurance that the Police could and would attend in those types of situation to offer assistance.

The fishing stakes were still an ongoing issue. **CB** had seen the owners but had not been in the position to approach them at that time.

MS highlighted that **IFCA** gave the rights on fishing stakes, but the location of the fishing stakes were a concern to boats entering the harbour and should be addressed by **SWT** as it was the council's responsibility to give safe route into the harbour.

PP queried whether **SWT** could write to the owners and ask for their removal.

CH suggested that legal advice should be sought on this to ensure we had the power to request that.

CB advised that in previous years both the **Balmoral** and the **Waverley** had visited Minehead. The **Waverley** was due to return in September 2019, however, the **Balmoral** was now out of service. **MS** advised that the **Balmoral** was also out of service. **CB** had not been informed.

CB advised that the cyclist that he had previously reported to the Board was now being prosecuted and he was awaiting an outcome.

He advised that some of the outstanding jobs that had been passed to the Maintenance Team were on hold due to other pressures within the authority.

MS chased the maintenance plan for Watchet slipway because the algae that formed on the slipway could become very dangerous. **CB** would check and suggested the use of a spray to help keep the algae at a minimal level.

CB gave an update on the inflatable swan incident that occurred at Minehead beach. The Board were advised that because Minehead was not an EU registered beach, a red flag did not have to be flown. **IC** read out a comment from the minutes for the Harbour Board meeting held in December 2018 that related to the red flag and a previous concern raised. **CB** suggested that warning signs could be used instead, he raised concern that a red flag could impact on the tourism trade in the area. **PP** queried whose responsibility it was to raise the flag. **CB** advised he was potentially his responsibility. **MS** raised concern on the wording on the signs along the seafront about the use of red flags. **IC** gave information on an incident that occurred where a paddling pool was involved in a rescue. **TV** highlighted that the red flags were used as an advisory to members of the public. **CB** raised concern on the time that would be spent putting up and taking down the red flags. He had spoken with the Lifeboat crews and the Coastguard and neither of whom were willing to take on the responsibility. **CB** suggested flying the flags all the time and that the wording on the signs needed to be amended. **MS** suggested the use of a windsock and that the signs were

amended. **CH** suggested that the decision should be made by the H&S Specialist.

MS highlighted that the WHAC had made a recommendation that SWT recruited a full time assistant harbour master to cover both Minehead and Watchet harbours.

TV raised concern on how customers paid their mooring fees when CB was not in the area. **CB** confirmed that customers used the honesty box when he was not there.

7. **Updates from the Advisory Committees**

MS gave an update from the WHAC. They had raised concern on the fee paying arrangements for the trailer park. The signs had been taken down and they needed to be replaced. He queried whether there was an update on the harbour wall repair. **CH** gave some background information on the East Quay wall and because funding had recently been given for a development project, SWT had gone out to tender for works to be carried out on the wall before the development work commenced. None of tenders were proceedable so officers were now in communications with engineers to ensure the wall was safe for the development work to start.

PM reminded the Board that the WHAC would like to extend an invitation to the new councillors to visit the harbour.

IC gave an update from the Minehead harbour users. They had raised concern on the loose piece of wood at the end of the steps which had been raised several times and the repair work had not been carried out properly. He suggested that when the work was carried out, that the contractors discussed with the skippers what they required. **CB** gave information on who came out to complete the works and that they had replaced the piece of wood which was not necessary and then did not fix the piece at the bottom of the steps. He has requested that the SWT maintenance team carried out the works and that it was on their schedule of works.

IC advised that a large rock had come out of the inner harbour wall and needed attention. **CB** would check with IC.

IC advised that a concrete mooring block had risen to the surface in the harbour and there was concern on potential damage to any boats. **CB** suggested they could belong to the sailing club and **IC** said if they were, he would remove them.

IC mentioned that there was a pile of chain at the bottom of the steps and that the wheelie bin was constantly full. **CB** would check but had not been advised of any issues with the wheelie bin.

Resolved that the Harbour Board supported the WHAC's recommendation for SWT to recruit for a full time assistant harbour master role.

8. **Date and Time of the next meeting**

The date of the next meeting was Monday 9 September 2019 at 10.00am.

9. **Calendar Dates proposed for future meetings of the Harbour Board**

The proposed dates for future meetings of the Harbour Board were:
9 December 2019
9 March 2020
8 June 2020

(The Meeting ended at 12.05 pm)