

**MINUTES OF THE MEETING OF THE RIVER YEALM HARBOUR
AUTHORITY HELD USING ZOOM ON 21st JANUARY 2021 AT 1800.**

Members and Officers in attendance:

Mr D Southwood – Chairman
Mr D Crawley – Vice Chairman
Mr M Beighton – Harbour Master
Mr R Carter
Mr D Drought
Mr J Endicott
Mr A Matthews
Mr M Mears
Mr M Oates
Mr P Parry-Smith
Mrs H Phillips – Office Manager
Mr A Tubb

Apologies for Absence

There were none.

01/21 MINUTES

The minutes from the meeting from the 19th November 2020 were proposed by David Southwood to be a true reflection of what was discussed, seconded by Dominic Crawley and unanimously agreed.

02/21 MATTERS ARISING

Covered within the meeting.

03/21 CORRESPONDENCE

1. Katie Guy – has contacted the Authority to provide an update on their military posting overseas, which will continue to at least February 2022.
2. Laurie Wilson – has written to the Authority to share his views on the charging of local residents for the launching of kayaks, paddleboards, etc. It was agreed that a reply would be prepared for the HM to respond to Mr. Wilson.
3. The Newton and Noss Parish Clerk has written to notify that the parish representatives on the Authority from March 2021 will be: Rodney Carter, Peter Hinchliffe, and Mark Steggles.

04/21 FINANCIAL REPORTS

The monthly financial reports and supporting narrative had been distributed to members ahead of the meeting. It was noted the draft profit and loss account for the year shows a loss of £42,070. It was explained that the draft numbers will be subject to various revisions relating to accruals, Output Vat and depreciation during the forthcoming audit.

The cashflow budget for the year to end-December forecasted a year-end cash position of c. £200,000. The actual outcome at c. £198,000 was within £2,000 of the forecast. The satisfactory year-end cash position reflects: early decisions to constrain capex after the first Covid lockdown in March 2021, receipt of the £10,000 Covid grant and strong visitor income from visiting yachts during the period July – Sept. It was noted that expenses incurred for 2020 of £8,635 for repairs to the walkway to the pontoon and other minor expenses will be reflected in the January cashflow numbers.

Prior to the meeting, a committee member had raised a number of questions relating to the management accounts. The OM ran through these queries and provided satisfactory explanations for the benefit of all committee members.

05/21 HARBOUR MASTER'S REPORT

1. The walkway to the main Steps pontoons is due to be reinstated before the end of January by Mark Wilson, the various repairs now having been completed.
2. Deputy HM role applications: eleven packs were requested and six completed forms returned. It was agreed that the interview panel should be made up of the HM, OM and Rodney Carter.
3. The proposed 'go-pro' type camera for use on the launch has been costed at about £250. The HM was authorised to go ahead and purchase.
4. Port Marine Safety Code - the audit has now taken place with a number of recommendations. It was noted that all committee members will need to sign the declaration that will be sent to the MCA. It was suggested that a members-only section be set up on the website to enable Committee documentation to be put there. An area of concern in the audit was the current practice of self-certification of annual mooring inspections on 'A' moorings. A statement is to be added to the audit report to confirm that the Authority is looking into this. Following a discussion on this issue, it was recorded that the committee felt the Authority needs to move away from self-certification of 'A' moorings towards annual third party 'authorised contractor' inspections and resulting certifications. It was agreed adequate notification would need to be given to all affected mooring holders in advance of the 2021/2022 winter.

PPE was also an area of concern. It was suggested that further equipment would need to be purchased for each Assistant and the HM asked permission to buy a range of clothing (baseball hat, fleece, deck jacket, deck shoes and polo shirts, and so on) which was agreed.

A query was raised about how to address the inherent risks of lone worker operations in the harbour. Some form of location device may be advisable. This is to be put on the agenda for the next meeting.

5. The owner of a riverside quay in the ‘clear area’ has requested permission to attach a second outhaul to the existing outhaul block from the quay. The request was declined as against the Authority’s policy on management of the ‘clear area’.
6. A quotation amounting to c. £6,500 has been received to install safety railings around Yealm Steps quay to be of a similar design to those that run along the walkway to the office. It was agreed that two further quotations be obtained that are compliant with building regulations but of a simpler design.
7. The office broadband contract is about to expire. The HM has explored two potential new providers, to include guest WIFI. It was asked whether Gigaclear was a possible economic alternative provider, but it was confirmed they were not. It was left to the HM to determine what would be the best option and to proceed to put the new contract in place.
8. An inspection of the main visitor’s pontoon has identified a number of bolts needing to be replaced at a cost of £250. It was agreed that this should be carried out prior to the start of the season.
9. Insurance – The Authority’s insurance brokers, Marsh Commercial, have proposed that it is not necessary to have an in-person meeting to settle the renewal of the insurance cover. The proposed renewal paperwork has been provided and the Chairman has agreed to review this and assist in the liaison with Marsh prior to the renewal at the end of February.

06/21 AGGRESSIVE BEHAVIOUR POLICY and 07/21 ENVIRONMENT POLICY

Having run through these two proposed new policies it was agreed that they should be adopted and included in the Authority’s Port Marine Safety Code documentation. A committee member suggested the environment policy seemed rather generic. However, it was agreed that the policy was a good start and it can be reviewed next year.

08/21 INTRODUCTION TO THE RYHA FOR NEW MEMBERS – PAPERWORK – REPORT on PORTS GOOD GOVERNANCE - INDEMNITY

A detailed briefing along with various supporting documents, has been created to assist with the on-boarding of new committee members. It was acknowledged that this on-boarding pack will be of considerable assistance in ensuring new members understand fully their obligations and are able to contribute to the effective running of the Authority once they have joined. The chairman proposed that the pack should be sent to all new members along with any other relevant information as agreed. The proposal was seconded by Dominic Crawley and unanimously agreed. Andrew Matthews tabled a proposal that the Authority adopts the Port Good Governance Guide recommendations contained in the paper presented previously by a sub-committee along with the wording of an indemnity for members. Martyn Oates seconded the adoption of the recommendations and indemnity and these were unanimously agreed.

The precise form of the indemnity is provided below:

“No Member of the River Yealm Harbour Authority (the “Authority”), by being party to or executing in his capacity of Member any contract or other instrument

on behalf of the Authority, or otherwise lawfully executing any of the powers given to the Authority, shall be subject to be sued or prosecuted, either individually or collectively, by any person whomsoever; and the bodies or goods or lands of the several Members shall not be liable to execution of any legal process by reason of any contract or other instrument so entered into, signed, or executed by them, or by reason of any other lawful act done by them in the execution of any of their powers as Members; and the Members respectively, their heirs, executors, and administrators, shall be indemnified out of the rates and other monies coming to the hands of the Authority by virtue of this for all payments made or liability incurred in respect of any acts done by them, and for all losses, costs, and damages which they may incur in the execution of the powers granted to them”.

09/21 MOORING HOLDER’S ELECTIONS 24TH FEBRUARY 2021

It is considered unreasonable to hold an Authority election during the current national Covid-19 lockdown, whilst fulfilling the requirements of The Yealm Harbour Revision Order 1981 for elections. Mooring holders would be required to attend an election station and some may feel uncomfortable doing so. As a consequence, it was decided that, should there be more than three mooring holders’ representative nominations received by the closing time of midnight on 11th February, the election on 24th February will need to be postponed. This will need to be communicated to the nominees and all mooring holders qualified to vote. A new election, following the requirements of The Yealm Harbour Revision Order 1981, will be held as soon as it is safe to do so, hopefully by April prior to the Annual General Meeting. If a new election is required, it was noted that the complete notification, nomination and resulting election process will need to start anew.

The exiting mooring holders’ representatives are required to stand down on 28th February on completion of their three-year terms, in any event. Changes to those nominated by the Parish Councils and the Royal Yachting Association will take effect on 1st March. If it is necessary to postpone the election of mooring holders, the nominated members of the Authority will run the Authority in the interim.

10/21 POLICY REVIEW

This was deferred to the next meeting.

11/21 REASONABLE USE OF CRAFT RESPONSES

Due to current circumstances no names were submitted for consideration this year.

12/21 PARISH COUNCIL LIAISON

Wembury PC - nothing to report.

Yealmpton PC - nothing to report.

Newton and Noss PC - Rodney Carter has checked all the public footpaths and access points and made a list of repairs that needed to be done. He has passed a copy of his findings to both the parish clerk and HM.

Brixton PC - Martyn Oates reported that they had held a zoom meeting on water quality in the river. A question was raised on the Authority’s approach to discharge

from visiting yachts. The HM confirmed that the harbour guide given to all visitors requests in bold print in the introductory section that the on-shore public facilities and holding tanks are used wherever possible. The availability of a pump out facility was also raised. It was pointed out that one was installed but to date has never been commissioned because the operating procedures were never finalised.

13/21 CHAIRMAN'S COMMENTS

Nothing to add.

14/21 MOORING MATTERS – NEW MOORINGS TO ALLOCATE, NEW APPLICATIONS FOR THE WAITING LIST AND PARTNERSHIP REQUESTS.

Two C and one D moorings are about to be allocated. The Authority gave consent for these.

Six requests to join the waiting list have been received. Four were accepted. It was felt that one needed to provide all the paperwork as requested before it can proceed and one it was felt was not permanently resident. It was agreed that Dominic Crawley would prepare a proposal to set up a review sub-committee that would consider future residency claims where it is unclear whether residency qualifications have been fully met and report back at the next meeting.

No partnership requests have been received.

15/21 AOB

1. A comprehensive checklist has been put together to track fulfilment of the recommendations approved by the Authority relating to Ports Good Governance Guidance and Port Marine Safety Code. Dominic Crawley, the HM and OM are working through this.
2. A question was raised about 'historic' non-resident individuals being able to hold moorings on the river. It was pointed out that in 2007 this anomaly was addressed and a list created to monitor as these moorings fall away over time. It was suggested that this list should be revisited on a regular basis to ensure that all current members of the committee are aware of the situation.
3. Pope's Quay – the life ring at Pope's Quay is in need of replacement. David Southwood proposed that the Authority replace the ring and mark on it supplied by the RYHA. Tony Tubb seconded this, and it was unanimously agreed.

16/21 DATE OF NEXT MEETING

The next monthly meeting of the Harbour Authority will be on **Thursday 18th February 2021 at 1800 2021** probably employing Zoom.

Chairman