

SOUTH HAMS SPECIAL SALCOMBE HARBOUR BOARD



**Minutes of a Special meeting of the South Hams Salcombe Harbour Board held
on
Monday, 25th April, 2022 at 2.30 pm at the Cliff House, Salcombe**

Present: **Councillors:**

Chairman Cllr Brazil
Vice Chairman

Cllr Foss
Cllr Long
Mr I Shipperley

Ms A Jones
Mr A Owens
Mr I Stewart

In attendance:

Councillors:

Cllr Bastone (via Teams)

Cllr Brown (via Teams)

Officers:
Director- Place & Enterprise
Salcombe Harbour Master
Monitoring Officer (via Teams)
Deputy Harbour Masters
Specialist – Democratic Services

39. Urgent Business

SH.39/21

There were no items of urgent business raised at this meeting.

40. Declarations of Interest

SH.40/21

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, and the following was made:

Mr I Stewart and Ms A Jones declared a disclosable pecuniary interest in all related agenda items by virtue of paying harbour duties. As a result of the Deputy Monitoring Officer having granted each Board Member a dispensation, they were able to take part in the debate and vote on any related matters (Minute SH.04/21 refers).

41.

Governance and Duty Holder Arrangements

SH.41/21

The Monitoring Officer introduced a report which considered the role of duty holder and where this responsibility could sit. Ashford Solicitors had been commissioned to run a Board workshop to review the options available for duty holder arrangements.

During the debate the following points were raised:

- Assurances were given that moving the duty holder responsibilities to the Executive of the Council would not result in any operational changes.
- The duty holder needed to have the ability to spend significant amounts quickly in response to any critical safety issues that may arise.
- It was acknowledged that Board Meetings were already attended by the Executive Lead Member with responsibility for Salcombe Harbour.
- The Chair of the Harbour Board would present any recommendations made by the Board to the Executive at the appropriate Executive Meeting.
- The Executive would receive training in the Maritime Code and would know their duties as Duty Holders. However, as the years of maritime experience were held within the Board, the Executive would take the advice of the Board and the Independent Person on safety issues.
- It was felt that the Executive's Duty Holder training should be bespoke and cover local governance and byelaws with the cost of this training being split between the Salcombe Harbour Authority and South Hams District Council.
- The Executive Members should be invited to join the Board twice a year for a tour of the Harbour that should include a review of the key strategic and operational issues that were facing the Harbour;
- The Asset Register to be completed, along with the risk register including safety implications, which should then be reviewed biannually and formally reported on to the Executive.
- It was confirmed that the Salcombe Harbour budget would remain ring-fenced, with the annual budget meeting being retained to enable for the Board to review proposals made to them, with resultant recommendations then being reported to the Executive for ultimate approval.
- The Board was informed that Ashford Solicitors were currently working on the drafting of a Memorandum of Understanding and Terms of Reference. Once drafts completed, these would be finalised by Director of Place and Enterprise in consultation with the Board.
- The report stated that the Board appointed its own Chairman when in fact this was the responsibility of the Council at its Annual Meeting.

It was then:

RECOMMENDED

That the Board **RECOMMEND** to Full Council that responsibility for the Council's functions as Harbour Authority, and the role of Duty Holder, should be that of the Executive, with the Harbour Board acting as an advisory Board to the Executive, in accordance with the Memorandum of Understanding and Terms of Reference: these to be settled by Director of Place and Enterprise in consultation with the Salcombe Harbour Board.

The Meeting concluded at 3.36 pm

Signed by:

Chairman
