



East Suffolk House, Riduna Park, Station
Road, Melton, Woodbridge, IP12 1RT

Southwold Harbour Management Committee

Members:

Councillor David Ritchie (Chairman)
Councillor Maurice Cook (Vice-Chairman)
Mr David Gledhill
Mr Alistair MacFarlane
Mr Richard Musgrove
Mr Mike Pickles
Councillor James Mallinder
Councillor Craig Rivett
Councillor Letitia Smith

Members are invited to a **Meeting of the Southwold Harbour Management Committee**
to be held in the Stella Peskett Millennium Hall,
on **Thursday, 10 March 2022 at 4.00pm**

In accordance with Section 100B (4) (b) of the Local Government Act 1972, the Chairman of the Harbour Management Committee has agreed to accept an urgent item of business, which is 'Appointment to the Stakeholder Advisory Group' and will be considered as Item 8 on the agenda.

This agenda was therefore republished on 8 March 2022 to include this urgent item. The original agenda contents, published on 2 March 2022, can be viewed as part of the documents associated with this meeting.

An Agenda is set out below.

Part One – Open to the Public

Pages

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- | | |
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| 1 | Apologies for Absence To receive apologies for absence, if any. |
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| 2 | Declarations of Interest Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered. | |
| 3 | Minutes To confirm as a correct record the Minutes of the Meeting held on 27 January 2022. | 1 - 6 |
| 4 | Harbour Revision Order To receive a presentation from Lara Moore (Legal Director, Ashfords LLP) on Harbour Revision Orders. | |
| 5 | Update from the Harbour Management Committee's Working Groups To receive a verbal update from the Committee's Working Groups | |
| 6 | Arrangements for the Stakeholder Advisory Group ES/1077 To note the arrangements that have been put in place to assist the Stakeholder Advisory Group (SAG) to undertake its role efficiently and effectively. | 7 - 10 |
| 7 | Update from the Stakeholder Advisory Group To receive an update on the Stakeholder Advisory Group. | 11 - 15 |
| 8 | Urgent Item of Business - Appointment to the Stakeholder Advisory Group ES/1091 To consider an appointment to the Stakeholder Advisory Group | 16 - 19 |
| 9 | Health and Safety Update ES/1076 To receive an update on Health and Safety at Southwold Harbour | 20 - 24 |
| 10 | Southwold Harbour Management Committee's Forward Work Programme To consider the Committee's Forward Work Programme | 25 - 26 |
| 11 | Date of Next Meeting To note the date of the next meeting which is 5 May 2022 at 4pm. To consider the dates of 22 September and 3 November as future meeting dates. | |

12 Exempt/Confidential Items

It is recommended that under Section 100A(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

Part Two – Exempt/Confidential**13 Exempt Minutes**

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Close



Stephen Baker, Chief Executive

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| Unconfirmed |
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Minutes of a Meeting of the **Southwold Harbour Management Committee** held in the Stella Peskett Millennium Hall, on **Thursday, 27 January 2022 at 4:00 PM**

Members of the Committee present:

Councillor Maurice Cook, Mr David Gledhill, Mr Alistair MacFarlane, Mr Richard Musgrove, Mr Mike Pickles, Councillor David Ritchie, Councillor Craig Rivett, Councillor Letitia Smith

Other Members present:

Councillor David Beavan

Officers present: Kerry Blair (Head of Operations), Duncan Coleman (Estates Manager), Andy Jarvis (Strategic Director), Lorraine Rogers (Deputy Chief Finance Officer), Alli Stone (Democratic Services Officer), Nicola Wotton (Deputy Democratic Services Manager)

1 Apologies for Absence

Apologies for absence were received from Councillor Mallinder.

The Chairman informed the meeting that the Southwold Advisory Group had met prior to this meeting and elected Simon Flunder as Chair. The Chair would be invited to comment on items at this meeting, and a paper confirming this process would be received at the March meeting.

2 Declarations of Interest

During discussions on item 9, the exempt report 'Asset Rental Summary and Proposed Future Reviews', Mr M Pickles declared a Disclosable Pecuniary Interest as he leased a landing stage and a fishing hut within Southwold Harbour. Having declared a Disclosable Pecuniary Interest, Mr Pickles took no further part in the discussions or voting and left the meeting.

During discussions on item 9, the exempt report 'Asset Rental Summary and Proposed Future Reviews', Mr S Flunder, Chair of the Stakeholders Advisory Group who had been invited to stay for this part of the meeting, declared a Disclosable Pecuniary Interest as he leased a landing stage within Southwold Harbour. Having declared a Disclosable Pecuniary Interest, Mr Flunder took no further part in the discussions and left the meeting.

3 Minutes

RESOLVED

That the minutes of the meeting held on the 11 November 2021 be agreed as correct and signed by the Chairman.

4 Southwold Harbour Management Committee Budget 2022/23

The Committee received report **ES/1030**, which outlined the draft budget for 2022/23 and provided an overview of the budget monitoring position for Quarter 3 2021/22.

The Vice Chairman introduced the report and advised that as at Quarter 3 net income and expenditure for the Harbour was showing a favourable variance. It was anticipated that the outrun position for the year would be in line with budget.

The budget for the Caravan and Campsite was in an improved position compared to the budget to date. Officers had explored the potential for Government support for income lost during the pandemic and it was estimated that support funding in the region of £30,000 could be attributed to the Caravan and Campsite.

The Vice Chairman informed the Committee that the Councils Capital Programme had been approved by Full Council, and included £14 million of investment for the Harbour over the next four years.

Mr MacFarlane asked whether the expense of the proposed Southwold Harbour and Asset Manager had been included in the budget. The Vice Chairman confirmed that this cost had been taken into account.

The Chairman was pleased that the Harbour and Caravan and Campsite were bringing in an income of around £300,000 at present before investment. It was recognised that more money would be spent than would be raised, but that this was necessary investment.

Following a question on whether works to the North Wall and depreciation of the asset had been accounted for in the Harbour accounts, the Deputy Chief Finance Officer confirmed that these works had been funded through the Council's Capital Programme rather than the Harbour's revenue accounts and would have been included in previous years accounts. The Strategic Director confirmed that past work done on the North Wall had been funded through grants and capital income from the Council, which was being paid back from the Harbour accounts. Repairs to the North Pier had been funded in part by a Environment Agency grant and in part through the Harbour account. Depreciation on local authority assets was treated differently to depreciation of private assets, and it was agreed that the HMC would receive additional training on local authority finance and how depreciation was handled.

The Chairman invited the Chair of the Southwold Advisory Group to comment on the report. The Advisory Group Chair was pleased to hear the HMC questioning how depreciation worked and would appreciate the opportunity for further clarification on

this subject. He also thanked the HMC for presenting the harbour accounts clearly and publicly. He asked why there was a line in the accounts for vacant pitches, and why they had not been reused. The Head of Operations confirmed that there was a Working Group looking at the caravan site, including vacant pitches. It was clear that people were holding back from letting pitches due to anticipated investment and changes in lease terms, and until the way forward was clear it was unlikely that would change.

The Chairman highlighted to the Committee that although they recommended the budget, this did not mean that everything detailed in the budget would happen and that there would be variance.

On the proposal of the Chairman, seconded by Councillor Cook it was by a majority vote

RESOLVED

1. That the Budget Monitoring position for Quarter 3 2021/22 be noted
2. That the draft Budget for the Harbour for 2022/23 be recommended to Cabinet.

5 Recruitment of Southwold Harbour and Asset Manager

The Committee received report **ES/1028** which provided a summary of the reasons for the creation of the post of Southwold Harbour and Asset Manager.

The Head of Operations introduced the report, and highlighted the importance of the role in providing more capacity for work in the Harbour, especially around compliance. In the past this role had been performed by the Sentinel Leisure Trust, but this had lapsed. It was now felt that there was a growing gap in responsibilities between the Harbourmaster and Caravan Site Manager, and the Head of Operations. By adding in this post additional capacity would be provided to deliver the ambitions of the HMC and provide more capacity locally.

Mr MacFarlane pointed out that there were a number of urgent compliance issues that needed to be addressed and welcomed the addition of this role to address these issues and provide the extra capacity needed to ensure the Harbour was up to date with current legislation.

The Vice Chairman highlighted that this post would be an investment by the Council, helping to fulfil the Council's ambitions to improve facilities and generate more income from the Harbour.

Mr Pickles expressed concern that it was too early to advertise this job, as projects had not yet been identified. He added that there were a lack of people who would have the skills required for this role who would be willing to work in a small harbour. He appreciated the need for the post within the organisational structure but wondered whether recruitment could be delayed and the role performed by the Asset and Investment Manager in the interim. The Head of Operations confirmed that the current Asset and Investment Manager's remit covered the whole of the ESC area and

they did not have capacity to give enough focus to the requirements at Southwold. The Head of Operations appreciated that larger projects were still very much in the early stages of development, but felt that there was enough work that needed to be done immediately to justify the post.

Mr Gledhill commented that the balance between essential/desirable requirements was right, but agreed that it would be difficult to fill the post. Mr Musgrove felt that the Council should be looking for a project manager with some marine skills rather than a mariner with some project skills and hoped that the recruitment process would reflect this.

The Chairman felt that this was an essential role, and recognised that the recruitment process for the post could take some time to ensure that the right person was employed. It was recognised that there was more work to be done than Harbour users may have realised.

There being no further comments from the Committee, the Chairman invited the Chair of the Advisory Group to comment on the report. The Chair commented that there seemed to be some duplication between this role and the Harbourmasters role. He felt that this role should be strategic to identify priorities within the Harbour, and expressed concern that the Harbour Asset Manager could get caught up in the day to day activities of the Harbour. In light of the discussion by the Committee he asked whether it would be appropriate to employ a temporary member of staff to do immediate compliance works and a project manager further down the line.

Mr MacFarlane agreed with this proposal and pointed out that as best practise there was a requirement for an external marine expert as well as an internal person to consider health and safety.

Councillor Rivett agreed that there was some pressing compliance work to be done in the Harbour, and felt that this person should be employed as a matter of urgency. He proposed that the role should be reviewed in a years time by the HMC to ensure that it was still suitable.

Mr Musgrove asked where the function of designated person fit in with this post. The Head of Operations confirmed that the role of designated person was being picked up by the Compliance Working Group and options for this post would come to the HMC. A specialist would be required for some of the health and safety work on the 'wet' side of the Harbour as a matter of urgency.

On the proposal of Councillor Rivett, seconded by Councillor Smith it was by a unanimous vote

RESOLVED

That having reviewed and commented on the role and its responsibilities, the HMC approve the recruitment of the Southwold Harbour and Asset Manager.

6 Southwold Harbour Management Committee's Forward Work Programme

The Committee considered the work programme for 2022.

The Head of Operations highlighted the Harbour Revision Order item on the work programme for March. This was not the agenda for the March meeting as a revision order was being considered, but was an opportunity for the HMC to take advice on why a Harbour Revision Order might be appropriate. There was a brief discussion about the reasons for revising the Harbour Order and it was agreed that any revision would need to be carefully considered to ensure that power around the Harbour was not given to external organisations, and that local stakeholders were fully supportive of changes. It was agreed that the Southwold Advisory Group be invited to the Harbour Management Committees meeting with Lara Moore (Legal Director, Ashfords LLP) on Harbour Revision Orders.

The Vice Chairman asked that updates from the Working Groups and the Advisory Group be added the forward plan as a regular item in future. It was recognised that it might be necessary to alternate between working groups to allow sufficient time for issues to be addressed.

The final report from Royal Haskoning would be added to the work programme for the HMC and SAG when it was finalised.

7 Exempt/Confidential Items

RESOLVED

That, under Section 100A(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

8 Exempt Minutes

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

9 Asset Rental Summary and Proposed Future Reviews

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

10 Date of Next Meeting

It was noted that the next meeting be held on Thursday 10 March at 4.00pm.

Additional meeting dates of Thursday 5 May at 4.00pm and Thursday 14 July at 4.00pm were agreed.

The meeting concluded at 6.09pm.

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Chairman



Southwold Harbour

MANAGEMENT COMMITTEE

SOUTHWOLD HARBOUR MANAGEMENT COMMITTEE

Thursday, 10 March 2022

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|---------------------------|---|
| Subject | ARRANGEMENTS FOR THE STAKEHOLDER ADVISORY GROUP (SAG) |
| Supporting Officer | Nicola Wotton Deputy Democratic Services Manager nicola.wotton@eastsuffolk.gov.uk 01502 523241 |

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| Is the report Open or Exempt? | OPEN |
| Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information. | Not applicable |

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| Wards Affected: | Southwold |
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Purpose and high-level overview

Purpose of Report:

To note the arrangements that have been put in place to assist the Stakeholder Advisory Group (SAG) to undertake its role efficiently and effectively.

Recommendations:

That the Harbour Management Committee (HMC) agree the following:

1. That the Stakeholder Advisory Group (SAG) will receive a copy of the Harbour Management Committee (HMC) public papers, when they are published or possibly still in draft format.
2. That the meetings of the SAG be timetabled to enable them sufficient time to consider future reports of the HMC and be able to provide comments to the Chairperson of the SAG, to enable them to feedback to the HMC.
3. That the Chairperson of the SAG be invited to speak on all items of business considered by the HMC at their meetings, in order to share any comments and recommendations from the SAG.
4. That members of the SAG can be invited to attend one of the HMC Working Groups, as appropriate, at the invitation of the Working Group Chairman.

Impact Assessment

Governance:

The reasons for the establishment of the SAG and HMC have been agreed in previous reports to the Southwold Harbour Lands Joint Committee. Enabling the SAG to have sight of the HMC reports and their comments to be fed back to the HMC by the Chairperson of SAG, will ensure that the SAG's views are considered.

Environmental:

The HMC must act in the best interests of the Port, which includes ensuring its long term sustainability and success. Environmental factors will be taken into account in the decisions which the HMC will make.

Equalities and Diversity:

The SAG will be able to contribute its views at all HMC meetings, on items of business on the agenda, ensuring stakeholders views are considered.

Financial:

The HMC is a Committee of the Cabinet. Its costs of administration, including its Working Groups and the SAG, will be absorbed by the Democratic Services/Members' budget, in the same way as any other Committee of the Council is accounted for.

Legal:

No impact.

Risk:

No impact.

Harbour Business Plan Priorities

To be added when the plan is in place.

East Suffolk Council Strategic Plan Priorities

| Select the themes of the Strategic Plan which are supported by this proposal: | | |
|---|--------------------------------------|-------------------------------------|
| T01 | Growing our Economy | <input checked="" type="checkbox"/> |
| T02 | Enabling our Communities | <input checked="" type="checkbox"/> |
| T03 | Maintaining Financial Sustainability | <input checked="" type="checkbox"/> |
| T04 | Delivering Digital Transformation | <input type="checkbox"/> |
| T05 | Caring for our Environment | <input checked="" type="checkbox"/> |

Background and Justification for Recommendation

| 1 Background facts | |
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| 1.1 | At a meeting of East Suffolk Council's (ESC) Cabinet which was held simultaneously with a meeting of Southwold Town Council (STC), on 2 March 2021, it was agreed by both the Cabinet and STC to establish a Harbour Management Committee (HMC) for the Southwold Harbour Lands, which would include setting up an Advisory Group. |
| 1.2 | The HMC held its first meeting on 8 July 2021, where it agreed the public notice for appointments to the Advisory Group and letter requesting nominations from the agreed organisations and stakeholder groups. |
| 1.3 | At its meeting on 23 September 2021, the HMC approved the nominated persons and established the SAG. |

| 2 Current position | |
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| 2.1 | The SAG held its first meeting on 20 January 2022. At this meeting the SAG appointed a Chairperson and Vice Chairperson, noted its terms of reference, its role in relation to the HMC and the work programme of the HMC. |
| 2.2 | During the discussions at the meeting, it was requested that the SAG members would receive a copy of the public HMC papers when they are published, or possibly in draft format, in order that they can provide comments and recommendations on them, to the HMC. |
| 2.3 | It was suggested that future meetings of the SAG should be timetabled to enable them sufficient time to consider future reports of the HMC and be able to provide comments to the Chairperson of the SAG, to enable them to feedback to the HMC. |

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| 2.4 | It was suggested that the Chairperson of the SAG be invited to speak on the items of business considered by the HMC in public, in order to share the comments and recommendations from the SAG. |
| 2.5 | During discussions, the Group also suggested that members of the SAG could be co-opted to one of the HMC Working Groups, as appropriate, at the invitation of the Working Group Chairman. |
| 2.6 | Councillor Cook, Cabinet Member with responsibility for Resources, was present at the first SAG meeting and he agreed to take back the requests to the HMC for their consideration and agreement. |

3 How to address current situation

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| 3.1 | Allowing the SAG to see, comment and make recommendations regarding the future reports of the HMC, will ensure that all viewpoints are heard and considered. |
| 3.2 | Inviting the Chairperson of SAG to participate and feedback at HMC meetings, will enhance future meetings and will, over time, build trust with the SAG and other users of the Harbour Lands. |

4 Reason for recommendation

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| 4.1 | The HMC are asked to approve the requests from the SAG, in relation to paragraphs 2.2, 2.3, 2.4 and 2.5. These requests will ensure optimum engagement with the SAG and provide valuable feedback and recommendations regarding future HMC reports. |
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Appendices

Appendices:

None.

Background reference papers:

None.



Stakeholder Advisory Group

Minutes of the meeting held on 20 January 2022 at 1.30pm remotely via Teams

Attendees:

Core membership - Jocelyn Bailey (Southwold Caravan Owners Association), Cllr Josie Bassinette (Walberswick Parish Council), Gary Doy (RNLI), Simon Drake (Commercial Fishermen), Simon Flunder (Southwold Haven Port Stakeholders Group), Marcus Gladwell (Commercial passenger vessels), Vicky Gladwell (Shoreside businesses), Cllr Philip O’Hear (Reydon Parish Council), Diane Perry-Yates (Southwold Caravan Owners Association), Richard Steward (Blyth Estuary Partnership), Jamie Thompson (Southwold and River Blyth Users Association), Alan Tong (Local residents), Henry Walker (Southwold Sailing Club), Richard Wilkes (Environment Agency)

ESC Councillors – Cllr Maurice Cook (Vice Chair, Harbour Management Committee)

Others present (non-voting) – Kerry Blair (ESC Head of Operations), Alli Stone (ESC Democratic Services Officer), Nicola Wotton (ESC Deputy Democratic Services Manager)

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| 1 | <p>Welcome and Introductions</p> <p>Cllr Cook welcomed attendees to the meeting and gave an overview of the aims and role of the Harbour Management Committee and the Advisory Group, which was to ensure a sustainable future for the harbour through investment and improvement in the customer offer of both the harbour and caravan park.</p> <p>Cllr Cook reiterated that the HMC were taking this project seriously, ensuring that any changes were successful and well supported. A capital programme for the next four years was due to be presented to the Council including a £14 million investment for the harbour.</p> <p>Meeting attendees introduced themselves and the groups they were representing.</p> <p>Cllr Philip O’Hear (PO) raised the importance of taking a holistic view of the wider estuary and area and not just considering the harbour in isolation.</p> |
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| <p>2</p> | <p>Election of a Chairman of the Southwold Advisory Group</p> <p>Simon Flunder, interim Chairperson for the start of the meeting, invited nominations for Chair for the remainder of the 2021/22 municipal year.</p> <p>Diane Perry-Yates nominated herself for the position of Chairperson.</p> <p>Richard Steward nominated Simon Flunder, which was duly seconded by Philip O’Hear. There being no further nominations, Simon Flunder was duly elected as Chairperson for the remainder of the 2021/22 municipal year.</p> |
| <p>3</p> | <p>Election of a Vice-Chairman of the Southwold Advisory Group</p> <p>Simon Drake nominated Diane Perry-Yates for the position of Vice Chairperson and this was seconded by Jocelyn Bailey.</p> <p>Richard Steward nominated Philip O’Hear for the position of Vice Chairperson and this was seconded by Josie Bassinette.</p> <p>Upon being put to the vote, Philip O’Hear was elected Vice Chairperson for the remainder of the 2021/22 municipal year.</p> |
| <p>4</p> | <p>Apologies for Absence</p> <p>There were no apologies for absence. Cllr Will Windell (Southwold Town Council) was not in attendance.</p> |
| <p>5</p> | <p>The role of the Southwold Harbour Management Committee and its working groups</p> <p>Simon Flunder (SF) stated that he hoped that this first meeting would be the start of the harbour users being more involved as the Harbour Management Committee in shaping the future use of the harbour.</p> <p>Kerry Blair (KB) summarised the reasons behind setting up the Harbour Management Committee (HMC). This was a form of governance that had been promoted by the Department of Transport and the Good Governance Guide for Ports with the aim of involving a wide group of decision makers in harbour management decisions.</p> <p>KB summarised the Terms of Reference and main responsibilities of the HMC which were to</p> <ul style="list-style-type: none"> • agree a budget for harbour, • make decisions about investment and timescales for works, • oversee health and safety, • create a business plan for the harbour, and • prioritise works and investment. |

KB clarified that at present, the Council was restricted to considering works up to the Bailey Bridge, but this remit could be widened with a Harbour Revision Order which both the Advisory Group and Harbour Management Committee would consider. He recognised the importance of considering the impact of works in the harbour on the wider area.

Meetings of the HMC were open to the public and held in Southwold. Confidential matters would occasionally be considered and these mostly concerned sensitive commercial information such as rents, but the intention was to make as much available to the public as possible.

Working groups had been set up by the HMC to focus on specific pieces of work outside of the formal committee structure. The working groups could not make decisions but would report options to the HMC.

The working groups were as follows:

- Compliance Working Group Membership – to focus on Health and Safety, Security, processes, and procedures.
- Caravan Site Working Group Membership – to focus on income generation for the Caravan Site.
- Working Harbour Working Group – to focus on income generation for the Harbour.
- Southwold Harbour Investment Plan (SHIP) Working Group – to focus on future projects and investment for the Harbour.

There was a discussion on how the Advisory Group could best feedback to the HMC.

- PO asked whether the members of the advisory group could be involved in working group meetings. Cllr Cook (MC) agreed that the advisory group should be involved in the HMC working groups.
- PO asked whether a public question session could be added as a standing item to HMC meetings. MC confirmed this had been considered but was ruled out during the early stages of the creation of the HMC.
- MC suggested that the Advisory Group meet between each HMC meeting to allow them to consider and comment on business before it was considered by the HMC and raise any issues for the HMC work plan. The meeting agreed with this approach.
- Diane Perry-Yates (DPY) asked that draft reports were provided in good time so that members could seek the opinions of their user groups before making comments. She also stressed the importance of the caravan site in income generation for the area.

ACTION: Democratic Services to confirm publication deadlines for HMC meetings and suggest Advisory Group meeting dates to coincide.

There was some discussion on how investment in and profits from the harbour were managed.

- Cllr Josie Bassinette (JB) asked whether profits from the commercial operations of the harbour were earmarked for spending in Southwold or if they could be used elsewhere. KB confirmed that an overhead was taken out to cover staffing costs, everything else was ringfenced for use within the limits of the Harbour Order. This was detailed in the harbour accounts.

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| | <ul style="list-style-type: none"> Alan Tong asked for confirmation of how investment from the Council would work in the harbour, with particular regard to payment of borrowing costs. MC confirmed that investment came from three areas: outside grants, council revenue or borrowing. Generally, investment was a combination of the three. When borrowing was required there would be a cost and this would always be reflected in project costs and would be detailed in business cases. The Council was not permitted to take any money above and beyond what was necessary under the Harbour Order. |
| 6 | <p>The role of the Southwold Advisory Group and its Terms of Reference</p> <p>KB summarised the Terms of Reference which had been provided to the Advisory Group.</p> <p>He stressed the importance of the role of the Advisory group in commenting on and informing the large decisions that the Harbour Management Committee would need to take.</p> |
| 7 | <p>Review of the Southwold Harbour Management Committee's Work Programme</p> <p>The HMC work programme had been provided to the Advisory group for comment.</p> <ul style="list-style-type: none"> PO asked if Lara Moore (Legal Director, Ashfords LLP) could attend a virtual Advisory Group meeting prior to the March 10 HMC meeting to discuss the Harbour Revision order. DPY asked whether the recruitment process for the Harbour and Asset Manager had begun. KB confirmed that the post would need to be approved by the HMC before recruitment could begin and recognised that this meeting of the Advisory Group and HMC had not coincided to allow for full feedback to be given. Information would be shared with the Stakeholder group on the recruitment process. SF asked that the Advisory Group and HMC also consider the staffing and resource available to the Harbour and Asset Manager to ensure that sufficient resource was available to deliver the needed projects. KB agreed and stated that the staffing structure around this post had been picked up in the paper to the HMC. |
| 8 | <p>Future Business of the Southwold Advisory Group</p> <p>Jamie Thompson and Marcus Gladwell raised issues around parking, the current parking order in place from Suffolk County Council and maintenance of the roads and car parks at the harbour. Kerry Blair confirmed that he would be in contact with the Harbour Master about what could be done in the short term to fix this.</p> <p>Henry Walker asked if the Advisory Group could be more involved with the working groups as discussed earlier to help shape options as they were created.</p> <p>Richard Steward raised the possibility of a storm surge impacting the harbour and the estuary, and the need for works on the walls at the harbour to protect the harbour and other areas.</p> |

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| | <p>Diane Perry-Yates stated that the Caravan site users were keen to be a part of discussions and for the caravan site to move forward and develop to encourage more users.</p> <p>Richard Wilkes reiterated the Environment Agency's support for the HMC and Advisory Group, and for the opportunity to be involved with other stakeholders. He reiterated the importance of getting in touch with the EA for any works around the harbour. Concerns had been raised on the embankment at the harbour and the potential for slips, trips, and falls and the EA would be consulting on improvements as soon as solutions had been identified.</p> <p>Alan Tong agreed that the embankment was an issue and asked if the EA plans could be shared with this group. He also raised health and safety concerns about the public mooring which were no longer fit for purpose. If work was done in this area, then work could also be done to protect some of the lower points of the harbour.</p> |
| <p>9</p> | <p>Future Meetings</p> <p>The meeting agreed that an early afternoon meeting was preferable, dates would be confirmed to coincide with the HMC meeting schedule.</p> |



**Southwold
Harbour**
MANAGEMENT COMMITTEE

SOUTHWOLD HARBOUR MANAGEMENT COMMITTEE
Thursday, 10 March 2022

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| Subject | Urgent Item of Business - Appointment to the Stakeholder Advisory Group |
| Supporting Officer | Nicola Wotton Deputy Democratic Services Manager nicola.wotton@eastsuffolk.gov.uk 01502 523241 |

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|---|----------------|
| Is the report Open or Exempt? | OPEN |
| Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information. | Not applicable |

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|------------------------|-----------|
| Wards Affected: | Southwold |
|------------------------|-----------|

Purpose and high-level overview

Purpose of Report:

To appoint a representative to the Stakeholder Advisory Group (SAG) to the vacancy for a representative from the Charter Boat Associations in the harbour including both dive and fishing charters.

Recommendation:

That David Beavan be appointed to the Stakeholder Advisory Group to represent the Charter Boat Associations in the harbour, including both dive and fishing charters, with immediate effect.

Impact Assessment

Governance:

The reasons for the establishment of the SAG and Harbour Management Committee (HMC) have been agreed in previous reports to the Southwold Harbour Lands Joint Committee. Filling one of the outstanding vacancies on the SAG will ensure that there is good representation from a wide range of stakeholders at all future SAG meetings.

Environmental:

The HMC must act in the best interests of the Port, which includes ensuring its long-term sustainability and success. Environmental factors will be taken into account in the decisions which the HMC will make.

Equalities and Diversity:

The SAG will be able to contribute its views at all HMC meetings, on items of business on the agenda, ensuring stakeholders views are considered.

Financial:

The HMC is a Committee of the Cabinet. Its costs of administration, including its Working Groups and the SAG, will be absorbed by the Democratic Services/Members' budget, in the same way as any other Committee of the Council is accounted for.

Legal:

No impact.

Risk:

No impact.

Harbour Business Plan Priorities

To be added when the plan is in place.

East Suffolk Council Strategic Plan Priorities

| Select the themes of the Strategic Plan which are supported by this proposal: | | |
|---|--------------------------------------|-------------------------------------|
| T01 | Growing our Economy | <input checked="" type="checkbox"/> |
| T02 | Enabling our Communities | <input checked="" type="checkbox"/> |
| T03 | Maintaining Financial Sustainability | <input checked="" type="checkbox"/> |
| T04 | Delivering Digital Transformation | <input type="checkbox"/> |
| T05 | Caring for our Environment | <input checked="" type="checkbox"/> |

Background and Justification for Recommendation

| 1 Background facts | |
|--------------------|--|
| 1.1 | At a meeting of East Suffolk Council's (ESC) Cabinet which was held simultaneously with a meeting of Southwold Town Council (STC), on 2 March 2021, it was agreed by both the Cabinet and STC to establish a Harbour Management Committee (HMC) for the Southwold Harbour Lands, which would include setting up an Advisory Group. |
| 1.2 | The HMC held its first meeting on 8 July 2021, where it agreed the public notice for appointments to the Advisory Group and letter requesting nominations from the agreed organisations and stakeholder groups. |
| 1.3 | The Terms of Reference for the SAG were also agreed at the HMC meeting on 8 July 2021. |
| 1.4 | At its meeting on 23 September 2021, the HMC approved the nominated persons and established the SAG. |
| 1.5 | The SAG could be formed of a maximum of 18 persons. At the meeting on 23 September 2021, there were 15 representatives appointed. There were therefore three vacancies which needed to be filled. |

| 2 Current position | |
|--------------------|--|
| 2.1 | The SAG held its first meeting on 20 January 2022. At this meeting the SAG appointed a Chairperson and Vice Chairperson, noted its terms of reference, its role in relation to the HMC and the work programme of the HMC. |
| 2.2 | The SAG were aware of the three vacancies which were: <ul style="list-style-type: none"> • Representative for the Charter Boat Associations in the harbour including both dive and fishing charters • An additional representative for the interests of shoreside traders / businesses close to the harbour • A nomination from Blythburgh Parish Council |
| 2.3 | Any persons interested in filling one of the vacancies would be asked to contact Democratic Services in the first instance. |

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| 2.4 | David Beavan has completed and submitted an application form for the Charter Boat Associations vacancy. |
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3 How to address current situation

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| 3.1 | Appointing David Beavan onto the SAG will fill one of the outstanding vacancies and will ensure that there is a representative from the Charter Boat Associations at future meetings of the SAG. |
| 3.2 | The two remaining vacancies will be noted and hopefully filled in due course. |

4 Reason for recommendation

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| 4.1 | Appointing David Beavan onto the SAG will ensure that there is representation from the Charter Boat Associations at future meetings of the SAG, which will help to ensure that all stakeholders are represented at SAG meetings. The views of the SAG will also be fed back to the HMC to help inform their decision-making processes. |
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Appendices

Appendices:

None.

Background reference papers:

None.



SOUTHWOLD HARBOUR MANAGEMENT COMMITTEE
Thursday, 10 March 2022

| | |
|---------------------------|---|
| Subject | HEALTH AND SAFETY UPDATE |
| Supporting Officer | Kerry Blair Head of Operations Kerry.blair@eastsoffolk.gov.uk |

| | |
|---|----------------|
| Is the report Open or Exempt? | OPEN |
| Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information. | Not applicable |

| | |
|------------------------|-----------|
| Wards Affected: | Southwold |
|------------------------|-----------|

Purpose and high-level overview

Purpose of Report:

To receive an update on Health and Safety at Southwold Harbour

Recommendation/s:

That the Harbour Management Committee notes the content of the report.

Impact Assessment

Governance:

No impact.

Environmental:

The HMC must act in the best interests of the Port, which includes ensuring its long term sustainability and success. Environmental factors will be taken into account in the decisions which the HMC will make.

Equalities and Diversity:

No impact.

Financial:

No impact.

Legal:

No impact.

Risk:

The risk of not ensuring that the health and safety duties are adequately carried out are that the council could receive a sanction from the Health and Safety Executive, and that public safety could be compromised.

Harbour Business Plan Priorities

To be added when the plan is in place.

East Suffolk Council Strategic Plan Priorities

| Select the themes of the Strategic Plan which are supported by this proposal: | | |
|---|--------------------------------------|-------------------------------------|
| T01 | Growing our Economy | <input checked="" type="checkbox"/> |
| T02 | Enabling our Communities | <input checked="" type="checkbox"/> |
| T03 | Maintaining Financial Sustainability | <input checked="" type="checkbox"/> |
| T04 | Delivering Digital Transformation | <input type="checkbox"/> |
| T05 | Caring for our Environment | <input type="checkbox"/> |

Background and Justification for Recommendation

| 1 Background facts | |
|--------------------|--|
| 1.1 | East Suffolk Council (ESC) has responsibilities under the Health and Safety at Work etc. Act 1974 for the activities that are carried out on its land and by its employees |
| 1.2 | The council also has responsibility for marine safety for those activities that are carried out in Southwold Harbour. |
| 1.3 | This report identifies additional resources and activity that are needed to ensure the safe operation of the harbour. |

| 2 Current position | |
|--------------------|---|
| 2.1 | The absence of a manager to assist the Harbour Master and his deputy to develop procedures to manage the risks at the harbour has significantly affected compliance and currently Southwold Harbour is being operated at the minimum legal standards. Therefore the priority is to appoint someone to fulfil the recently advertised Southwold and Harbour Assets Manager post. |
| 2.2 | The Council has competent persons who can advise on the land based activities but it has been identified that there is less capacity in relation to port marine safety. This should be remedied by the appointment of the Southwold and Harbour Assets Manager and a third party to fulfil the function of the “designated person”. |
| 2.3 | The Council’s Corporate Health and Safety Team will work with the Southwold and Harbour Assets Manager and their team to review the current, rather basic, risk assessments and establish safe systems of work which will be incorporated into risk assessment and method statement (RAMS) documentation. The use of a health and safety consultancy service has been considered but discounted at this time, but will be kept under review, as it is anticipated that the Southwold and Harbour Assets Manager will be better placed to address the health and safety matters as part of the overall review of the harbour assets in conjunction with the internal Corporate Health and Safety Team. In the future it is anticipated that the Corporate Health and Safety Team will audit the RAMS on a regular basis. |
| 2.4 | The key land based priorities are: <ul style="list-style-type: none"> • workplace transport which includes the interaction of pedestrians and heavy plant as well as private vehicles driving through the harbour as well as parking; • cooperation and exchange of safety information in areas shared with other businesses which could affect all harbour users and visitors e.g. the use of lifting equipment, stability of stored vessels etc.; • staff development and demonstration of competency to ensure that all land based risks that East Suffolk Council are responsible for are managed effectively. |
| 2.5 | Port marine safety management requires specialist knowledge and expertise. Notwithstanding that the new Southwold and Harbour Assets Manager will have marine safety experience it is likely that the function of the “designated person” |

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| | will be undertaken by a third party, with the required competence and independence, under contract. |
| 2.6 | The team at Oulton Broad can provide Harbour Master cover for Southwold and has access to the Broads Authority and any plans that are in place for contamination such as oil spillages. |
| 2.7 | The current marine safety plan is implicit in the way the harbour is operated by the Council rather than being a published plan. A marine safety plan will be drafted in such a way that the plan is explicit and auditable with a programme of three yearly reviews. Regular internal audits will be carried out to ensure the plan is being implemented effectively and will give assurance for the statement of compliance. |

3 How to address current situation

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| 3.1 | <p>The following issues have been identified by the HMC's Compliance working group as being the key priorities to address the issues raised in this report.</p> <ul style="list-style-type: none"> • Review workplace transport and parking segregation, and status of roads/footpaths/rights of way around and in harbour to see what could be done to reduce risk. • Review H&S in shared areas, incl. operation of handling equipment • Identify training needs for duty holder and designated person, and where additional staffing resource needed. • Formally assess and audit risk assessments for land and water side operations and ensure process for review going forward. • Review and ensure proper implementation of marine safety management system in line with current legislation. • Review and ensure staff training and skills, and process for review and updating going forward. • Implement and publish marine safety plan. |
| 3.2 | As outlined in section 2.1 – it is important to bring additional staffing resource to the harbour with a clear responsibility for health and safety. This appointment to the Harbour Asset Manager role was approved by the HMC in it's January meeting. The post is currently out to advertisement. The actions in section 3.1 will form the initial priorities of the Harbour Asset Manager. |
| 3.3 | In addition, it is recommended that recruitment to the role of Designated Person commences with immediate effect. |
| 3.4 | Finally, a review of all of the council's assets is currently being undertaken to carry out a risk assessment, agree parameters for regular inspection and mitigations for the risks identified. The harbour and it's assets will be included in this review. Responsibility for inspections and recording defects will sit with the Harbour Asset Manager. |

4 Reason/s for recommendation

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| 4.1 | It is recommended that the HMC agree that the actions in Section 3, above, form the initial priority of the Harbour Asset Manager on appointment. |
| 4.2 | In addition, it is recommended that the recruitment of a Designated Person commences with immediate effect. |

Appendices

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| Appendices: |
| None. |

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| Background reference papers: |
| None. |



Southwold Harbour Management Committee

Work Programme

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| Induction Session 1 July 2021 | <ul style="list-style-type: none"> • Lunch • Training Session • Code of conduct • ESC Overview • Harbour Tour |
| 8 July 2021 | <ul style="list-style-type: none"> • Election of Chair and Deputy Chair • Co-opted Members Allowances • Calendar of Meetings • Advisory Group – approve public notices • Harbour Undertaking and assets included |
| 23 September 2021 | <ul style="list-style-type: none"> • Establishment of the Advisory Group • Annual Report and Accounts • EXEMPT: Southwold Harbour Investment Plan – Update • Work Programme |
| 11 November 2021 | <ul style="list-style-type: none"> • Appointments to Working Groups and their TOR • EXEMPT: Review of Caravan Site Development Report • EXEMPT: Asset List • Health and Safety • Budget Monitoring Report • Work Programme • To agree date of future meeting – 10 March 2022 |
| 27 January 2022 | <ul style="list-style-type: none"> • Draft Budget 2022/23 • EXEMPT: Asset Rental Summary and Proposed Future Reviews • Recruitment of Southwold Harbour and Asset Manager • To agree future meeting dates – 5 May and 14 July • Work Programme |
| 10 March 2022 | <ul style="list-style-type: none"> • Harbour Revision Order process – Presentation from Lara Moore • Update from the Working Groups • Update from the SAG • Arrangements for the SAG meetings • Update on H&S issues and compliance • Work Programme • To propose future meeting dates of 22 September and 3 November 2022, both at Stella Peskett Millennium Hall |
| 5 May 2022 | <ul style="list-style-type: none"> • Business Plan • Update from the Working Groups • Update from the SAG |

| | |
|---------------------------------------|---|
| | <ul style="list-style-type: none"> • Work Programme |
| 14 July 2022 | <ul style="list-style-type: none"> • Annual Report and Accounts • Update from the Working Groups • Update from the SAG • Work Programme |
| 22 September 2022? TBC at HMC meeting | <ul style="list-style-type: none"> • Update from the Working Groups • Update from the SAG • Work Programme • |
| 3 November 2022? TBC at HMC meeting | <ul style="list-style-type: none"> • Update from the Working Groups • Update from the SAG • Work Programme • |
| January 2023 | <ul style="list-style-type: none"> • Update from the Working Groups • Update from the SAG • Work Programme • |
| March 2023 | <ul style="list-style-type: none"> • Update from the Working Groups • Update from the SAG • Work Programme • |
| May 2023 | <ul style="list-style-type: none"> • Update from the Working Groups • Update from the SAG • Work Programme • |

Other matters:

To review the post of Southwold Harbour and Asset Manager once in post for a year.