



8 October 2015

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# ANNUAL REPORT 2014-2015

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## Introduction

Brightlingsea Harbour is a trust port and as such is an independent statutory body governed by its own unique statute. There are no shareholders or owners, and any surplus is ploughed back into the port for the benefit of the stakeholders of the trust port. This annual report encompasses the advice within the Modernizing Trust Ports (2<sup>nd</sup> Edition) publication which highlighted a need for a general improvement in the openness and accountability with which trust ports conduct their business.

## Background

Brightlingsea Harbour is a small mixed leisure and commercial port with a rich heritage and is within a nature conservation area of international importance. The harbour comprises a commercial wharf, a marina and several boatyards and provides a total of about 500 berths and moorings which can accommodate boats of up to 50 feet (15m) and 8 feet (2.5m) draft. Facilities at the harbour have steadily been upgraded over recent years and now include a water taxi and ferry service, fuelling facilities, scrubbing posts, access to toilets and showers, and a laundry.

Brightlingsea Harbour was established by an Act of Parliament in 1927 as a Trust Port. It is an independent statutory body governed by a board of trustees known as Commissioners comprising the Chairman, the Harbour Master, and a number of other non-executive commissioners. The Chairman and non-executive commissioners are all unpaid volunteers and their appointment is based on the skills and knowledge they bring to the organisation. They are selected and appointed, after the positions are publicly advertised, for a four year period. The Harbour Master is a Commissioner as well as a full time employee.

As trustees for the harbour, Brightlingsea Harbour Commissioners (BHC) have responsibilities to the Department of Transport and stakeholders to serve local and regional interests, with an ultimate goal to safeguard the harbour and to hand it on in the same or better condition to succeeding generations. Stakeholders are not specifically defined but are considered to include harbour users, the local community, local businesses and central government.

The Commissioners, under the Port Marine Safety Code, are accountable for marine safety within the harbour and as such are required to formally and actively consider the safety of people using the harbour and its environment. This responsibility includes the requirement to conduct channel surveys, maintain navigation marks and prepare for civil contingencies.

The limits of the statutory harbour includes all the waters in Brightlingsea Creek to the east of a line drawn between the Martello Tower at Point Clear and Bateman's Tower in Brightlingsea, with the exception of the area of St Osyth boatyard. Following the closure of the port of Colchester, Brightlingsea Harbour Commissioners assumed the responsibility for maintaining all the navigation marks and providing pilotage in the River Colne downstream of Roman River. The regulation of these waters is governed by Brightlingsea Harbour Acts and Orders 1927 to 2002, and the Colchester Borough Council Act 2001.

BHC are publicly accountable for the execution of their duties and have the power to enforce Harbour Dues to cover the costs of discharging their statutory obligations. These dues are payable by all users of the Harbour. As a Trust Port it should be run as a commercial business, seeking to generate a surplus that can be ploughed back into the port.

### **Brightlingsea Harbour Commissioners**

The Commissioners shown below have held office during the period 1<sup>st</sup> April 2014 – 31 March 2015 and summaries of their CVs are available from the Harbour Office or on the harbour website.

Roger Robertson (Chairman) – retired 30.9.14  
Martin Johnson (Chief Executive) – resigned 30.04.15  
Robin Cole (Harbour Master) – resigned 17.04.14  
Steve Chick (Harbour master) – appointed 01.07.14  
Jim Addison – appointed Chairman 01.10.14  
Robin Page  
Jane Long  
Neil Munro  
John Carr  
Nigel Taylor – appointed 01.10.14

### **Strategic Aim and Objectives**

The Commissioners' strategic aim is to 'retain the character of the harbour'; their objectives are to:

- Ensure sufficient water depth is established and maintained.
- Maintain similar mix and number of moorings.
- Establish dedicated area for visiting boats.
- Identify gaps in services and, where appropriate, either work with others to provide or provide ourselves.

- Work towards achieving relevant quality standards (eg ISO, Eco Port).
- Establish financial model which ensures sustainability, phased capital equipment replacement and a regular maintenance schedule.
- Maintain and build strong working relationships with all harbour users and stakeholders.
- Provide value for money.

### **Principal Activities**

Commercial shipping activity has been lower than previous years with traffic to Olivers' Wharf ceasing in August 2014 and CTruk Limited relocating to the Hythe, Colchester. This reduction has been partially mitigated by the presence of a number of commercial vessels supporting sea defence work off Clacton. Negotiations on the transfer of the lease for Olivers' Wharf concluded a few months ago and commercial shipping to the wharf resumed in August 2015. Additionally CTruk having completed their relocation and are committed to use Brightlingsea Harbour for sea trials which should return this income stream to previous levels.

Demand for mid-stream pontoon moorings remains high, particularly with continued siltation within the Waterside Marina and Morgan Marine, and to a lesser extent some of BHC's moorings. There remains spare capacity in the more traditional swinging and fore and aft moorings. The waiting list has been analysed and whilst some of it has been satisfied this season, a significant proportion is very aspirational and the remainder likely to be met within 2 years.

The number of visiting yachtsman during the year was up by 12% to 2217, water taxi numbers were unchanged from the previous year whilst ferry numbers were down by 3% to 18734. The availability of fuel in Brightlingsea remains a key attraction for commercial users in particular and in total 450 thousand litres of fuel was sold over the year.

As per previous years children from our local primary schools were given a day afloat experiencing sailing, fishing and Pioneer; the total number of children enjoying this event was 280.

### **Current Performance**

In reporting current performance against a range of responsibilities and expectations the harbour commissioners have identified a few performance indicators (PIs); namely financial surplus, compliance with port marine safety code, conservancy (water depth, navigational safety) and stakeholder engagement. Over time these PIs may be refined and developed further.

### **Financial**

The accounts for the year ending 31<sup>st</sup> March 2015 have been audited in accordance with the Harbours Act 1964 and Companies Act 1948-2006, and are available upon request. The turnover for the year was £767,055 and the surplus for the year was £7049 before taxation. Whilst this surplus is significantly less than the recommended target level of 6% of turnover (£46000), BHC holds satisfactory reserves (£805,000),

the harbour commissioners recognize the need to address costs, maintain the mixed economy of the harbour and increase the surplus.

## **Compliance**

BHC is committed to undertake and regulate marine operations in a way that safeguards the harbour, its users, the public and the environment. The Port Marine Safety Code (PMSC) establishes the principle of a national standard for every aspect of port marine safety and it is BHC's intention to adopt fully the principles of the PMSC, and through regular reviews of risk assessments and safety management systems to discharge their obligations. In reviewing BHC's safety management system, a number of enhancements have been made, including safety equipment in boats, first aid training for staff and the provision of an automatic defibrillator in the harbour office. Further work is ongoing which will ensure full compliance with the PMSC. BHC has been served with a non-compliance note by the Maritime Coastguard Agency for a shortfall in oil spill training, which will be addressed early next year.

## **Conservancy**

Conservancy covers a number of functions including surveying, provision of navigational information, dredging and maintaining aids to navigation. A hydrographic survey has not been conducted in the creek since 2003 and in the approaches to the harbour since 1990; this shortfall will be addressed in the next month. BHC is responsible to Trinity House for 52 aids to navigation within the River Colne and Brightlingsea Creek and throughout the year has been completing a programme of maintenance. BHC is required to ensure availability greater than 97% for these navigational aids, and with the exception of two aids this target has been met. The intent to dredge has been announced by BHC and an application to participate in an EU supported partnership has been made; once a decision is forthcoming (November) on the application more detail will be presented.

## **Stakeholder Engagement**

Six monthly meetings of the Commercial Advisory and Leisure and Recreational Advisory Groups have been held, and provided valuable input to the harbour commissioners. A harbour users' survey has been issued and data is presently being collated. Greater use of the harbour's website and Facebook site to promulgate information, including minutes of commissioners' meeting, has been made. Stakeholder engagement is welcomed and opportunities for more information exchange will be explored.

## Future Plans

Future plans include maturing financial planning, dredging (including the marina), developing a dedicated visitors' pontoon, regulating speeding activity within the harbour and further improving relations with the wider stakeholder community.



S J Chick  
Harbour Master