

Brightlingsea Harbour Commissioners

Annual Presentation of Accounts and Stakeholders Meeting

1830hrs Royal British Legion 22 Nov 2022

Chairman A Scott

Harbour Master J Thomas

6 x Commissioners

50 x Stakeholders

CHAIRMAN STATEMENT

BHC is a Statutory Harbour Authority

- Established by Act of Parliament in 1927 as a 'Trust Port', an Independent Statutory Body
 - Overseen by the Secretary of State for Transport
- Trust Ports are
 - "a valuable asset presently safeguarded by the existing board whose duty it is to hand it on in the same or better condition to succeeding generations. This remains the ultimate responsibility of the board and future generations remain the ultimate stakeholder"
- Required to operate on a commercial basis
- Surpluses reinvested in the Harbour for benefit of stakeholders
- All Commissioners, other than the Harbour Master, are unpaid volunteers

BHC Aims and Objectives

- Published on Harbour Website and in BHC annual accounts
 - <https://www.brightlingseaharbour.org/harbour-information/commissioners/>
- BHC aim is **"To retain the character of the harbour"**

Objectives

- Ensure sufficient water depth is maintained,
- Maintain a similar mix and number of moorings, managed by the Harbour,
- Maintain and sustain suitable facilities for visiting boats,
- Identify gaps in services and, where appropriate, either work with others to provide or provide ourselves,
- Maintain our compliance with the Port Marine Safety Code,
- Maintain current quality standards (e.g. YHA Gold Anchors, PMSC) and identify any appropriate standards that will help further improve the harbour's operation,
- Operate a 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,
- Maintain, protect and enhance our natural environment
- Encourage all harbour stakeholders to appreciate the unique character of the harbour

Guidance covers the role of Commissioners.

- The role of the Commissioners is
 - To set the organisation's strategic aims,
 - ensure that the necessary financial and human resources are in place to meet those objectives,
 - review management performance in meeting them.
 - The guidance states
 - The role of Non-Executive Directors (NEDs) on a board is to challenge constructively and help develop proposals on the company's strategy.
 - A further part of a NED's role is to scrutinise the performance of management in meeting agreed goals and objectives and monitor the reporting of performance.
 - The Chief Executive / Harbour Master has executive responsibility for running the business.
 - All Commissioners are required to declare any conflicts of interest
 - Chair decides how best to manage those conflicts of interest.

Commissioner appointments follow the approach set out in the Good Governance guide

- An assessment / interview panel consisting of
 - either Chair or Vice Chair,
 - Independent Member
 - Chief Executive / Harbour Master does not have a formal role on the panel but is present to provide the panel with advice.
- Appointment decisions are made by the two panel members.

Main sources of income

- Colchester Borough Council
 - Fee to BHC for maintaining and replacing specified buoys
 - Following the closure of Colchester Port
- Fees from commercial shipping
 - Pays pilot fees, pilot boat depreciation, associated harbour costs, etc
- Harbour dues
 - In part, used to pay for measures to manage PWCs, etc.
- Berthing fees
- Ferry and tours
 - Makes a profit
 - Enables around 18,000 people to see the harbour and Colne from a boat
- Grants
 - USAR project, last payment in Year end 31 March 2022
 - COVID and other grants

Environmental Update

Anti-fouling effectiveness – University sponsored project

Crabbing – Jane Stewart, eco crabbing.

Restoration Project, Blue Marine Foundation – Oysters.

CYC – Rubbish removal on Point Clear side.

Hythe – Wreck removals.

River Colne Pilot – Blue Green Initiative.

Paperless Reporting and App.

Continued Solar, LED lighting, Waste separation, Money bags biodegradable

HARBOUR SURVEYS

Duncan Nicholson presented a selection of slides and information relating to Point clear spit and the promenade. It concluded that the Harbour would continue to research longshore drift and record bathymetry on a regular basis. This data would be used to target future dredging operations. There was a plea to those in attendance for any photographic evidence they may have regarding the movement of material at Point Clear.

Point clear spit -

BHC will monitor spit development to identify the risk of it being eroded so that the harbour loses the protection from the SW gales.

An old sea wall was noted off western side of point - This had been lost.

The groins and sand fill were place off Point Clear sea wall, near the café. - about 1985?

Why was the Second beach lengthening? - sources of aggregates?

Oyster bed and foreshore

Was the Oyster bed moving? - Need the change in drone survey levels plotted from first survey in 2016 to current. This would give the change over 6 years. (6 months is not enough!) Was foreshore building sediment? - Need change in drone survey levels plotted for first survey - 2016 to current.

BHC Dredge limit boundaries

Add boundaries for BHC commitment to harbour dredging. Are these on web site?
Does this extend to fore and aft / swinging moorings.

Dredging

How much can the BHC invest in dredging:-

Creek mouth dredging attracts yachts etc

Pontoon dredging - is it worth dredging south side of St Osyth pontoon?

Swing moorings?

Port Marine safety Code

Accidents

1. 2 x Falls in water – No Damage, No Injury.
2. 1 x Allision with HM1 launch – Damage, No Injury.
3. Collision with Small Powerboat – Damage, No Injury.
4. Damage to Large Powerboat – Damage No Injury.

Incidents

1. Vehicle driven at staff – No Damage, No Injury.
2. Jet Ski Incidents numerous, still under investigation.
3. E.A. Operative in Mud – No Damage, No injury.

Plan to implement, electronic external incident and accident reporting.

- A 3 yearly return was submitted to the MCA confirming compliance to the Port Marine Safety Code PMSC during the period.
- A Designated person has been appointed ; he is employed by Stena as Captain on one of their ships. He reports directly to the Commissioners, providing an independent view of the harbour's compliance with the PMSC .
- Three new Commissioners were appointed to replace those who have served their time, Commissioners are the Duty holders for the safety within the harbour.
- The Workshops were re-fitted ensuring they meet current regulation, the wreckhouse was also subject to similar improvements despite its listed status.

The Duty Holder (Commissioners)

Organisations must have a “duty holder” who is accountable for their compliance with the Code and their performance in ensuring safe marine operations. For most organisations, the role of duty holder is undertaken by members of the management team or a board who are (both collectively and individually) publicly accountable for marine safety under the Code.

They are responsible for the strategy ,planning and ensuring sufficient resources are made available to the executive for safe operation.

They can appoint a Harbour Master to manage but cannot delegate the accountability for safe navigation.

Chief Executive or equivalent

1.13 The Chief Executive, or equivalent, is accountable for the operational and financial control of the organisation. They will advise the organisation on all matters related to its duties and powers, with appropriate advice from the harbour master and other officers.

They will:

oversee the implementation of its policies and decisions;

have overall executive responsibility for the safety of operations and staff; and will oversee the recruitment and training of staff.

Harbour Master

1.14 The Harbour Master has day-to-day responsibility for managing the safe operation of navigation and other marine activities in the harbour and its approaches.....

1.15 Whilst the specific role of the Harbour Master will vary dependent on the size and type of the harbour, the following are examples of some of the roles they are likely to undertake:

Regulation of the time and manner of vessel movements

Responsibility for developing and implementing emergency plans and procedures, for regulating dangerous goods in transit on ships and for counter-pollution and waste disposal plans.

Responsibility, where appropriate, for the provision and maintenance of any aids to navigation.

The Harbour Master Chief executive is a Commissioner

Enforcement

2.25 Organisations must ensure that all policies and procedures are properly and effectively enforced and that adequate resources are available for this purpose. Byelaws and directions adopted in order to manage identified marine risks must be backed by an appropriate policy on enforcement. Organisations should have a clear policy on prosecution, which is consistent with the risk assessment on which its directions are based.

Authority

The ultimate authority for managing the harbour rests with the legally constituted harbour authority. The harbour authority does not share its legal functions with a users' committee or forum; nor is a committee accountable in the way required of harbour authorities under the Code.

Harbour Development /Plans

Stakeholders

The HM restated the qualification of a harbour stakeholder which is simply that they believe they are.

CAPITAL SPENDING

Equipment- Plan until 2050 **£1,362,819.50**

Replaced pilot workboat – Colne Leader.

Wreck house and Workshop improvements.

Engine Replacement Taxi.

Pontoon Repairs Town Jetty.

Marina Dredging.

Maintenance Dredging Harbour.

Website, booking platforms/IT/ App

Second Charter Boat – Electric

We must transfer at least £63000 to reserves annually.

Maintenance Dredging

Main Channel

- The deepest part is approx 10m west of leading line with depths above 1m all way down, we will correct this over the year.
- The Town pontoon to Oliver's Wharf and Fuel Barge, maintaining a depth of 0.75m below CD, we continued to achieve and will run down again this year.

- Area of the Fuel Barge, maintaining a depth of 0.75m below CD, once again achieved.

Leisure Harbour

- The pontoons and some moorings in the South channel dredged to a depth of 0.75m below CD.

Leisure Marina

- The Marina Depth, mud will always be kept in suspension.

ACTIVITIES

The harbour is a commercial business and must be run as such. The revenue generated is used to provide support to stakeholders, berth holders will derive the benefits as will all stakeholders, there are no preferential stakeholders...

Wharf and commercial activity 24 x ships since March, there has been a consistent number of ships on the wharf in last 6 months.

Community Commitment Harbour Christmas, Santa's Grotto, Christmas tree entry, Jubilee Events, Regatta carnival.

Local Businesses number

Schools Engagement Schools week.

Charitable Causes RNLI, Brightlingsea in Bloom, 1st Responders, Regatta, CYC Fireworks, Christmas tree festival, St Helena's hospice, Porridge and pens and the seafarer's charity.

Apprenticeships Now on 3rd Apprentice.

Kickstarts Had 6 over last 2 years through the Harbour now being included in Job center, 'way to work'.

Colne Navigation Trinity House: Independently inspected All in good order and subject to regular servicing.

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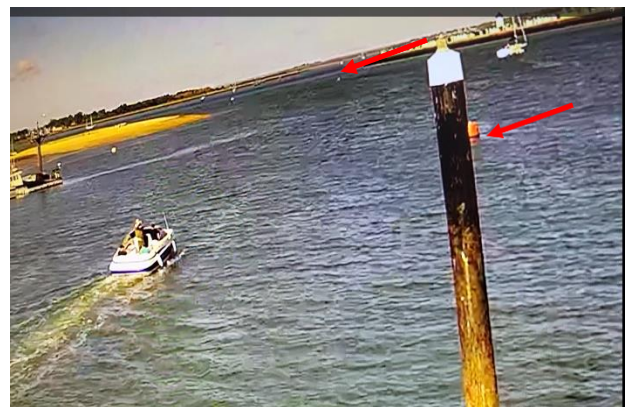
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Navigation marks positioning is not The reason that Visitors go aground. Our website provides pilotage instructions and a harbour entry video.

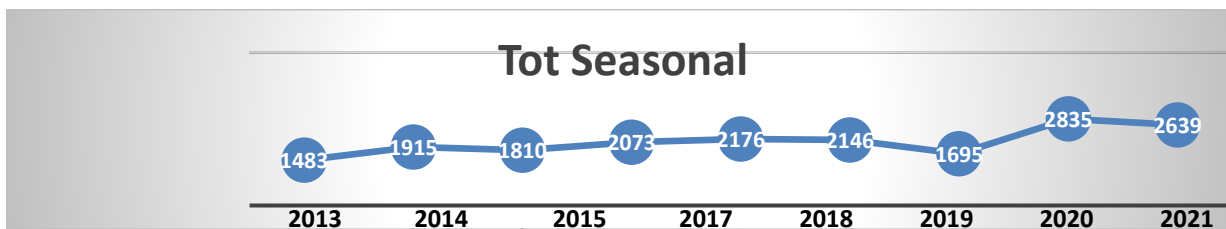


Leisure Moorings Pontoons full, some fore and aft remain. Summer season is Contracted April to October. The vessel should be off the berth by 31st October. The Harbour understands that occasionally circumstances overtake plans, so for that reason we allow up to 7 days extension without tariff although this must not be considered as part of the terms and conditions. If prior to the season end a mooring holder speaks to the Harbour to advise them of their difficulties and gives a reasonable out date there is no bill. (This has happened many times this year). Following the end of season those mooring holders still in their previous berths who have made no attempt to contact the harbour are then warned by email/phone that they must leave the berth by the 7th day, or they will be billed for every subsequent day. They are billed as a visitor or they are offered a modified winter rate until the end of November.

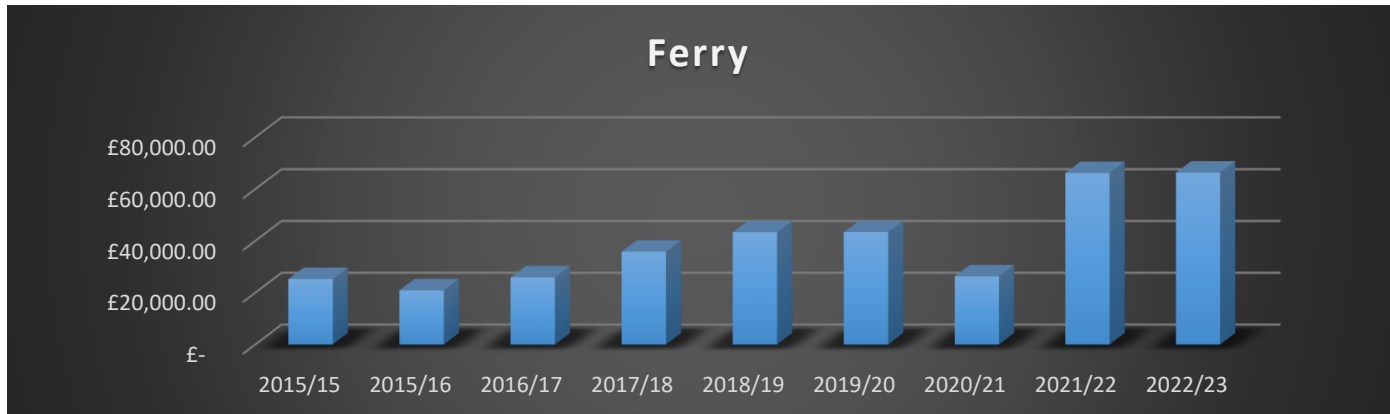
Marina Showers/Toilets deep clean, Marketing Screens, Superfast Wi-Fi. Both Summer/Winter.

Taxi Popular still, cash price £1.50 frozen and Children still free.

Visitors



Ferry



Staff Training General

Oil Spill response Exercises MCA independently validated

Trg Permanent Cadre : x 12;

1 x P4 Oil Spill Response

1 x P2 Oil Spill Response

2 x Day Skipper Theory

5 x First Aid

2 x Level 2 RYA

2 x Diesel Engine maintenance

1 x Outboard engine course

3 x VHF Radio Certificates

2 x Pilotage Training

1 x Fire fighting

1 x Sea Survival
1 x PSSR
2 x Apprentices training
1 x PPR
3 x Eq Div Inc
2 x Pilot boat Crew
1 x Security Awareness
Trg Non-Permanent Cadre : x 16;
2 x Advanced Powerboat preparation
Pilot Boat Operations
3 x Level 2 RYA
3 x Kickstart
1 x Pilot Operations

Staff training in customer care / flexibility / response to issues / friendly attitude.

Staff asking people to obey rules is not unfriendly it's what they must do so that all harbour users /stakeholders get fair treatment, no one person is more important than another.

Staff training in dealing with harbour users in difficult situations / making requests /management of issues on water.

We do a great deal of staff training; we are tested anonymously a few times randomly in the year. The last test by mystery shopper was 23/23 the test prior was 19/23.

Facebook reviews Harbour 4.7/5, Ferry 4.8/5,

Google 4.5/5

<https://www.google.co.uk/maps/place/Brightlingsea+Harbour/@51.8057969,1.0244144,15z/data=!4m5!3m4!1s0x0:0x4d81107f86479d04!8m2!3d51.8058064!4d1.0243868?hl=en>

TripAdvisor 4.5/5

Many positive reviews often referring to staff in a very positive way. There are always ways to improve, and we are not complacent.

This Year

- The second year increased number of visiting yachts **807** in Aug
- We want to help people see us as we are;

Video - What we do. (YouTube)

- What does the inside of a boat look like?

Collaboration - Continue to work more closely with local businesses.

- Continue to work more closely with the Council.

- Working with Holiday Parks.

Social media - Continual Website development.

- Facebook 3k+ likes on both sites, TikTok, Insta, Twitter.

- Harbour App

- Environmentally better

Policy, Living it, setting the example.

- Prepare future staff

Apprenticeship scheme; two in service, another three Kickstarters helped into employment.

Next year 'way forward,' Potential opportunities.

PWC

1. complete, 3 x Prosecutions in pipeline, the justice is slow.

2. Educate with Leaflets, locating simple speed Buoys, producing an even simpler map.

3. CBC were not able to commit to funding River Patrol this year.
4. Orchards that own Point Clear, St OPC, Tower estate and BHC to control access to water next year, we are trying to make this happen, but we don't own anything, and we can't make them.
5. The Police are very thinly spread and cover other areas.
6. Anonymity is the issue. If we ban, how do we police.
7. Best Practice, other Harbours, advisory groups, legal, Landowners and councils.

Next Year

Town Jetty. We will find a way forward to ensure that the Town Jetty can be replaced in a timely fashion.

To Launch, run and maintain an electric boat.

To continue to ensure that BHC investigates emerging technology and where benefits are identified it considers adding them to their inventory as equipment is replaced.

Following the evidence gathered from anti fouling project in the last 12 months, BHC agreed that further consideration should be given to the environmental impact of current use and ways to mitigate this. We are now taking part in an university research programme on anti-fouling.

Questions from stakeholders not covered in the presentation

Large posts have been floating round the Hard for over a year and need to be dealt with before they cause significant incident.

Only one post which doesn't really float found, however have secured another line to it. If that is not what you're referring to please come and tell us at the time?

Question on whether Harbour are following their own byelaws including the speed at which Harbour Launches are driven with passengers on board, in 4 knot limits.

Had no report of such, why not report at the time?

Double booking of posts by day. In past bookings have been made per tide which reduces overlapping and potential damage to boats if over-booked.

I found one isolated example, a double booking made in error and resolved at the time many bookings of posts. If that wasn't it, why not report at the time?

Publicise Movement of Ships on Website, not just to clubs.

For security reasons we cannot do it this way.

Will the Heritage pontoon continue to be used for such vessels?

Yes.

What is the current status of the Morgan Marine Development?

Morgan Marine have made no announcements, nothing further to report.

How often in water quality measured and where are the results displayed?

EA and Harbour website, button (Bathing water quality) on front page. <https://environment.data.gov.uk/bwq/profiles/profile.html?site=ukh3311-11700>
15 x samples between May 1st and September 30th.

Can the hard be tidied up

Yes, will do something about it.

Can replacement pontoon be moved lower down so can sail behind it

Yes will do.

Meeting Closed 2020hrs