

**MINUTES OF THE THIRTY FIFTH MEETING OF THE BEMBRIDGE HARBOUR
ADVISORY GROUP - 6th DECEMBER 2018**

In attendance: Malcolm Thorpe (MT - BHA - Chairman), Fiona Thorpe (FT - BHA), Gordon Wight (GW - BHA), Sarah Salter (SS - BHA), Alan Deeming (AD - BAC), Jim Robinson (JR - Boatyards), Liz White (EW - Bembridge PC), John Maher (JM - BHYC), Jerry Summers (JS - BSC), Robin Powell (RP - BHUG), Jackie Spragg (JaS - HJ Bennett) & Mike Samuelson (MS - Bembridge RNLi & Minute Secretary).

1. **Welcome & Apologies** - Apologies had been received from Tim Woodcock (BBA) and Gemma Wall (BSC) with Ian Thomson (St Helens PC) absent.
2. **MS's RYA Regional Volunteer Award** - MT congratulated MS for his recent Regional RYA Volunteer Award.
3. **Minutes of Previous Meeting (27th September 2018) & Matters Arising** - the minutes of the previous meeting were approved. All matters arising are covered elsewhere in the Minutes.
4. **Harbour Report by GW.**
 - a. **Safety & PMSC Compliance** - all routine monthly safety and PMSC compliance checks have been completed and everything is in good order. A BHA internal 6 monthly PMSC audit was carried out on the 13th October. The visual examination process of the audit reviewed 144 safety related components within the Harbour; 53 actions were raised and prioritized for winter safety maintenance works to be completed by March 2019. Twenty eight have been completed so far.
 - b. **Channel Navigation and Safety.**
 - (1) The new tide gauge board is in storage and will be fitted when feasible and safe to do so.
 - (2) Inner harbour mooring buoys and vessels were removed on the 20th Sept 2018 and will be replaced at the beginning of March 2019.
 - (3) All channel markers will be brought in for servicing and re-numbering at the end of January 2019. New reflective numbering has been costed and ordered. GW agreed to put some reflective tape on the main pontoon the inner marker buoys.
 - (4) All inner channel pontoon safety ladders have been removed, serviced and cleaned.
 - (5) The Duver pontoons had been inspected and new bolts had been installed where required. GW agreed to double check that all the flashing yellow lights were working.
 - c. **Items of Interest.**
 - (1) Oil Spill Plan and MCA Beach Supervisors training course was very successful; more detail is covered under Item 5.
 - (2) Harbour Berthing Office/Galley Locker and staff office have been temporarily relocated to the downstairs part of the BHA main building.
 - (3) Harbour Taxi servicing improvements and maintenance is underway for the 2019 season.
 - (4) Duver Café outside seating area is being relocated for 2019 so as to make a 'Welcome' area.
 - (5) Defibrillator is now located at the start of the North- South Duver linkspan walkway.
 - d. **Staffing - Christmas 2018** - from Friday 21st December 2018 till Monday 7th January 2019 harbour staffing will consist of daily on-site safety inspections being carried out in all areas. Staff contact and out of hours emergency coverage will always be in place and can be requested by calling the harbour on 01983 872828 (*Emergency calls should use answerphone response Option 1 after 5pm*).
5. **Beach Supervisors Course/Oil Spill Exercise (14th & 15th November).**
 - a. Overall this two day course & the Tier 2 exercise (the first to be held on the Island) had been a great success with over 60 delegates attending the two days. Run under the auspices of IWC, Day 1 was 'classroom' based at BSC, and Day 2 was mostly practical with 2 oil collecting booms deployed at the entrance to the harbour by Braemar.
 - b. Probably the most important lesson learnt was one for IWC and covered the need to dispose of

the oil (or any other product) once collected.

c. As a result of the course & exercise, the Harbour's Oil Spill Contingency Plan has been further updated and has been circulated to appropriate authorities for final confirmation.

d. In the discussion that followed, a number of points emerged.

(1) The equipment required for a Tier 1 response is held at Yarmouth and can be deployed in 45 minutes if required.

(2) Although diesel spills still need to be reported and acted upon, they need not become a crisis.

(3) Costs of responses are normally covered by insurance.

(4) The course covered all aspects of response (eg: in the event of a cargo of wood being lost overboard), not just an oil spill.

e. Finally, GW's efforts in facilitating the course/exercise were highly commended.

6. **Events Update.** FT advised that:

a. **'Rock the Boat' on 22nd June** - in lieu of Jazz on the Quay and will feature 60/70s music.

b. **'Family Fun Weekend' on 2nd - 4th Aug** - no major changes to this well tried format. FT agreed to check with Jay Chapman (The Old Village Inn) whether he was still keen to try and run a raft race. Although BSC's annual Inshore (for dinghies) Regatta would be on 16th & 17th August, JS confirmed that as the Keelboat Regatta was on 3rd & 4th August, racing on the Saturday would be for the normal Village Regatta cups as well as BSC cups & prizes. MS (as Hon Sec EWCC) advised that he was assuming that BHYC would look after the dinghy racing on Saturday.

c. **'Oktoberfest' on 21st September** - the format was being changed to an indoor event (probably at BHYC).

d. **Charity Donations** - having heard that over £6,500 had been raised in 2018 for 'Kissy Puppy', the Advisory Group congratulated FT for her efforts in raising so much money. FT confirmed that 'Kissy Puppy' would continue to be supported as the Harbour's Charity for 2019.

e. It was noted that the **Westerly Centaur 50th Anniversary Rally on 6th & 7th July** had booked their rally and in excess of 100 boats are expected as a single rally.

7. **Harbour Governance.**

a. MT advised that he had read and duly considered the 'Port Good Governance Guidelines' issued by DfT in March 2018 and concluded that as a 'minnow' harbour, BHA already more than adequately meet the guidelines in Part 1. To be noted: these are Guidelines only and not a legal document - they cover a wide range and size of harbours that included large ports such as Southampton and Bristol as well so a sense of proportion was necessary. Although he was well aware that BHT had other views, he disagreed with them.

b. In the discussion that followed, GW reminded members of the excellent report that BHA had received earlier in the year following an unannounced audit and inspection by the MCA. A recommendation that reference to this report be included on the website was made.

c. MT advised that he would discuss with FT later in the day the outstanding action regarding the circulation of BHAG Minutes. *Post meeting note: minutes will be posted on the BHAG page of the Harbour website, to which a link can be used by stakeholders.*

d. There was then a discussion on Harbour Dues, and in particular the outstanding action in Paragraph 7e(2) in the last minutes. FT drew attention to the 'Explanation of Harbour Dues' that had been on the harbour website for a number of years (<http://www.bembridgeharbour.co.uk/the-harbour/berthing/harbour-dues>). Whilst it was acknowledged that a full breakdown would be welcomed, it was agreed that due consideration should be given by BHA publishing at least the bottom line figures.

8. **Members Reports.**

a. **Bembridge PC (LW)** - nothing to report at the moment

b. **BAC (AD)**.

- (1) The annual Beaulieu Boat Jumble had been discontinued.
- (2) The Angling Trust had joined with British Marine & the RYA to work with HMRC to fight the recent EU decision on Red Diesel (<https://www.rya.org.uk/newsevents/news/Pages/hmrc-red-diesel-update.aspx>)
- (3) The recent SIFCA Drop-in Session at the Club on proposals to introduce restrictions on netting had not been very well attended, however hopefully the responses that were made will help during the decision making process.
- (4) In the absence of any advice to the contrary it was assumed that all Harbour Dues had now been paid.

c. **Local Boatyards (JR)** - GP Motors (but not the container storage area) is up for sale (£300,000). Bembridge Outboards had had a busy autumn and were now in winter mode.

d. **BHYC (JM)**

(1) The changing Rooms were being refurbished in early January and as agreed arrangements have been made with BHA for access to use the showers and facilities in the Marina when there was any racing/sailing going on. The caterers were taking their holiday over the same period so there would not be any catering from 2nd - 15th January. The only day over the Christmas period that the Club will be shut is 25th December.

(2) **Recent 'Public' Meeting & Dredging** - see paragraphs 9b & 9g.

e. **BSC (JS)**.

- (1) The Illusion season was going very well; hopefully the weather would not be as bad as currently forecast for the annual Team Racing over the coming weekend.
- (2) Although the office was closed 24th - 26th December, the only day that the Club would be closed was on Christmas Day. Plans were in hand for the Illusion/BHYC drinks on Boxing Day.
- (3) JS recommended that more public visibility be given to all the very positive things that BHA have either done or are planning to do within the Harbour.

f. **BHUG (RP)**

(1). **Groyne Project** - Alastair Tindall (Rosebay) was in the process of sending out the Tender Documents to three Island based sea defence contractors (Attrills, Imphouse & Mackley). NB: RP agreed to send a copy of the latest drawing to MT. Ruth Waller (Yarmouth Pier Project) had recently offered a lot of very useful advice on what was required for a successful bid to the Heritage Lottery Fund. MS advised of the publicity that had been achieved at the recent 'Public' Meeting and the very positive support that had been evident. The VAT position and the procedure to guarantee the flow of money from Bemgroyne Ltd to BHIC still remained to be resolved. RP finished by saying that the next push would be once the quotes (hopefully between £150,000 & £200,000) had been received and that c£80,000 had been promised so far.

(2) **Sluice Gates** - a response from EA about the sluice gates had eventually been received on 27th November from Ian Tripp (EA's Technical Advisor). A copy is attached at Annex A. Although not very encouraging, it does at least set the scene and provides a useful basis for a follow-up meeting (to include MT & AD).

(3) **BASHHA** - nothing to report.

g. **RNLI (MS)**

(1) ALB services were up slightly on last year although ILB numbers were significantly down. There had been 5 services since the last meeting with the most recent one on 8th/9th November involving a UKSA training yacht with 6 crew that had been towed from East of the Nab Tower to Portsmouth in pretty rough conditions (see: <http://bembridgelifebot.org.uk/videos/rnlb-alfred-albert-williams-yacht-under-tow>).

(2) Stuart Popham (Chairman of RNLI) visited on 27th November and used Bembridge RNLI as the backdrop for his annual Christmas message to the RNLI.

(3) The operational assessment exercise earlier in the week involving both boats that included a mock casevac from the Visitors Pontoon went very well.

h. **NJ Bennett - JaS** - the super long reach digger was due back in Bembridge soon and would be used to dredge the Attrill's Point area with the spoil being pushed back onto the higher ground.

9. **Any other Business.**

a. **Embankment Road** - no one was able to offer a response to AD's question as to why the concrete road gutter had been replaced in a number of areas. RP advised that he had written to Island Roads some months ago about the green sewage tank on the side of the pavement opposite Rijnstroom IV but had not had a satisfactory answer nor a response to his follow-up letter correcting the ownership of the land it is currently sitting on.

b. **Dredging** - in addition to the work on Attrill's Point already mentioned under Paragraph 8h, MT advised that although ML Dredging had been booked to dredge Bembridge Marina in April/May next year, he was still hoping to find a more cost effective option that would obviate the need to strip the pontoons out. JM advised that BHYC were still keen to have their Deep Water Pontoon included but that its affordability had yet to be finalised. JS confirmed the BSC definitely still wanted the One-Design pool dredged.

c. **Country Life** - RP advised that the Island featured in the latest edition of Country Life.

d. **Houseboat DayDawn** - GW advised that some work was currently being done to DayDawn's hull which meant that she was not sitting level at the moment.

e. **MCZs** - MS & AD advised nothing to report.

f. **Houseboat LDC** - MT confirmed that now the long awaited decision had been promulgated, a follow-on planning application for additional houseboats to include individual sewage treatment systems to be fitted free of charge to the older houseboats would be made in late January/early February. He confirmed that all 'new' boats coming into the Harbour since December 2011 had been required to have a suitable system before being allowed to take up a plot. This policy would continue to apply to all new incoming houseboats in the future.

g. **Public Meeting on 28th November** - there was considerable discussion on the Public Meeting chaired by Sir Paul Kenny [PK] in the Bembridge Village Hall on 28th November. The key points that emerged were:

(1) The first BHA knew about GMB interest in the Harbour was a local news agency phoning to ask for a comment on the GMB Press Release of 7th June. At that time, neither had PK or a representative from the GMB been in touch with the Harbour. Contact was initiated by MT direct to the GMB following the Press Release.

(2) The first contact BHA had from PK was by email on 30th October inviting MT to attend his public meeting; his invitation was declined by MT on 6th November.

(3) Prior to the meeting flyer being printed and distributed, BHA had already declined the invitation to attend the meeting. BSC & BHYC issued a joint statement also declining the invitation. The two Parish Councils, BHUG and local councilors also declined to officially attend.

(4) MT confirmed that a formal submission had now been issued to the Charity Commissioners and the Fund Raising Regulator requesting that the activities of BHT be reviewed as to conforming to their charitable status.

(5) MS was asked what information would satisfy any financial information requests and he said that he believed transparency in BHA's accounts was the main concern. BHT would continue their requests for greater detailed financial information and management accounts from BHA; MT stated that such requests would continue to be robustly refused and reminded the meeting that BHT had no legal, moral or commercial rights to request such matters.

(6) A general discussion took place regarding BHT, resulting in a proposal by RP seconded by GW (no vote taken as there is no such mechanism for this advisory group), recommending FT/MT give consideration to ascertaining what specific financial information BHT would like to be provided with, possibly with the use of an independent accountant to review the accounts in response to their concerns. MT explained that full responses had already been provided to previous queries raised by BHT via the IWC - the latter having accepted the same. FT/MT would consider the advisory group's suggestion.

(7) MT believes that BHT will never be satisfied with any answer or detail however it is provided to them.

(8) *Post meeting note: FT/MT met with Sir Paul Kenny on 10/12/2018 for an open discussion.*

The meeting ended at 12:45

10. **Next Meeting** - 09:30 on Thursday 7th February at the Harbour Office.

Annex A - E-mail on Sluices from Ian Tripp of 27th November.

From: Tripp, Ian [mailto:ian.tripp@environment-agency.gov.uk]
Sent: 27 November 2018 17:50
To: The Powells
Cc: Miller, Ian
Subject: RE: Bembridge Sluice Gates & Siltation

Dear Mr Powell,

Thank you for your email and letter, 9th October 2018, and I am sorry that I have not been able to reply sooner due to other priorities.

I see in your original letter that you refer to correspondence with Mr Thorpe but I am not sure if he has shared my previous replies concerning the operation of the sluice gates and siltation in the harbour. You mention altering timings in your letter but there may be a misunderstanding of the system as sluice controls are purely governed by water levels. I can only reiterate my earlier explanations as to how the gates are operated, which I give below.

There are 3 penstock gates for course control of the upstream river level and a tilting weir which gives fine control. In addition there are tidal flaps on the downstream side of the culverts which close when the tide level exceeds the river level. The penstocks and weir are controlled by comparing the river level with its set 'Penning Level' but will only open when the tide level is below the river level. As the tide level falls on the ebb and drops below the river level gates start to function. The river's height above the penning level will determine which sluices if any need to open. When the river is well above the penning level the 3 penstocks will open but if there is only a small difference only the tilting gate will operate. Sometimes the gates open 100% initially but quickly close down either completely, in the case of the penstocks, or to half or less for the tilting gate. If the river level continues to fall below the penning level's buffer range the weir will also close further until the level is in range. Usually once the tide has turned only the tilting gate is partially open and will close fully shortly after the tide exceeds the river level once again.

If we restricted the opening time to only part of the low water tidal cycle (ebb half) the river on many occasions will still be above the penning level which increases the risk of more extensive flooding on the marsh. This may have an adverse effect on the designated areas. Additionally, if heavy rain occurs properties may also be potentially at higher risk. Also there are times, particularly during neap tides, when the river level is at its penning level when the tide starts to ebb so the gates will remain shut; but, additional inflow can still raise the river level sufficiently to operate the weir towards the end of the tidal window when river flow remains unimpeded but the tide is coming in.

I attach an earlier extract from our telemetry system demonstrating the above, previously sent to Mr Thorpe. The top example shows just the tilting gate opening and controlling the river level which is an overshot gate so only fine silt or debris floating on the surface will pass over it. The lower one shows the penstocks opening but then fully closing before the bottom of the ebb tidal cycle. Note that the current penning level is now -0.1m AOD which generally means less opening of the penstocks is necessary. Below [at the bottom of the attachment] is a snapshot from our telemetry of the tides and gate movements for the last few days. Only the tilting gate has been operating (yellow line), for the most part other than briefly going to 100% (25th at 16:00) mostly opens between 60% & 30%. You will notice that the weir opened during the evening 26th on the incoming tide as the river level (magenta) rose over its penning level range, which happens occasionally.

In exceptional conditions where very heavy rain is forecast our duty officers may lower the penning level significantly in advance of anticipated flood flow in the river. At such times the full low water tidal window is needed to allow water to leave the river and marshes with all the gates likely to be operating.

There have been sluice gates of one sort another since the 1874 reclamation works which have affected the river's natural flow so I don't believe siltation is a new problem. Indeed looking through

old records suggest the harbour has always had to undertake dredging either because of silt from the river or brought in from the sea. Interesting to see that you reported there being a ‘sump’ dug in the river bed and occasionally excavated. Mr Thorpe also said that a retired harbour master thought there had previously been a silt trap located just upstream of the original tide gates prior to the construction of the current arrangement. I have not been able to find any evidence of such an arrangement or structure on any old drawings or in any old reports that I have managed to find in our archives. A 1947 drawing shows 7 penstocks & culverts with tidal flaps located where the present outfall channel emerges into the harbour but no other structure that could act as a silt trap. However, there are references to dredging taking place during 1948 of the river channel and side ditches on the marsh to improve land drainage and assist in evacuation of flood flows off the marsh. Presuming such a sump were to be instigated there will be a matter of who maintains it as ourselves or RSPB will not be funded for such an operation. Also undertaking the dredging will have its own complications being in a designated site.

I’m sorry if this sounds rather negative from your point of view but as the penning level has been raised I would expect the gates to open for a shorter period of time during low & normal river flow. I would contend that the gates function generally as you would prefer in normal river conditions. Also in normal flows often only the tilting gate will operate or if the penstocks do open they will close before the flood tide is in full flow. As explained the gates will need to open for a full tide cycle in flood conditions. We monitor how the gates operate to ensure they are performing as designed and are checked daily by the duty officer as occasionally a malfunction occurs if debris is caught up in the gates.

On the future of the sluices we are at a very early stage in our deliberations as we will need to bid for funding to undertake any review. This will need to cover both how the designated habitats would be affected by any changes as well as flood risks locally and further upstream. Construction works if justified would be in a few years’ time at best.

Best Regards

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Ian Tripp CEng MICE
Technical Advisor
Asset Performance Team (West Hants & IoW)
Normal Work Days: Mon, Tues & Wed

 **Environment Agency | Solent & South Downs Area,**
Romsey District Office, Canal Walk, Romsey, SO51 7LP
Sat Nav SO51 8FW (Station Rd & proceed through tunnel)

 +44 20 8474 5873 (EA: 45873)  Mobile: 07770 847034

 ian.tripp@environment-agency.gov.uk



