

MINUTES OF THE FORTY FIRST MEETING OF THE BEMBRIDGE HARBOUR ADVISORY GROUP

7th FEBRUARY 2020

In attendance: Malcolm Thorpe (MT - BHA - Chairman), Fiona Thorpe (FT - BHA), Gordon Wight (GW – BHA), Liz White (EW - Bembridge PC), Alan Deeming (AD - BAC), Ian Thompson (IT - St Helens PC), Michael Toulmin (GMT - BHUG)

1. **Apologies** - received from Jim Robinson (Boatyards), John Maher (BHYC), Mike Samuelson (Bemb RNLI & Minute Secretary), Nigel Bennett (HJ Bennett), Gemma Wall (BSC), Tim Woodcock (BBA).
2. **Minutes of Previous Meeting (28th November 2019 & Matters Arising)** were approved. All matters arising are covered elsewhere in the Minutes.

3. **Harbour Report by GW**

a) **Safety & PMSC Compliance**

During the months of December and January internal PMSC audit winter taskings and maintenance projects all completed. All routine safety and compliance checks reported to be in good order.

b) **Channel Navigation and Safety**

The **tide height measurement numbers** board affixed to the tide gauge repaired and will be re-sited at the end of March 2020.

c) **Incident(s) - Damage to Marina, “C” Pontoon**

During the early hours of the 15th January excessive damage was caused to “C” Pontoon in the marina by increased amounts of water being released from the river sluice gates. No damage was caused to resident boats due to staff early intervention; the entire pontoon has been removed pending repairs.

d) **Items of interest** - The following were discussed:

- **Rallies 50th Anniversary celebration**, the **Fisher Owners Association** will be attending the Harbour over the weekend of the 27th June 2020, our “Rock the Boat event”
- **Diary date:** 19th September 2020, BHA will be assisting in transporting a large wedding party from BSC to the Duver visitor’s pontoon
- **Rallies booked for 2020** are at only **42** - considerably lower than previous years. BHA received numerous customer complaints during the 2019 season about the poor state of the onshore facilities as well as quantum. The original need for an upgrade was recognised in 2013/4 and hence the planning application for the new facilities and admin complex – currently still on hold. Although the existing facilities are being totally refurbished for 2020 – there will still be insufficient numbers of showers and toilets until the new complex can be developed.

Marker buoy No 7 - GW confirmed that the block had been replaced - the original is buried in the mud and poses no hazard.

e) **Operational Plan pending Dredging project**

- 1st April - dredging works to start in Bembridge Marina
BSC dredging to BODA pool to take place in April
- All dredgers and hopper arrivals and departures will be escorted by BHA staff
- **Easter BH Weekend 10th - 13th April** (we will be restricted in visitors berthing space)
- 1st May – end date for relocating boats back into marina

4. **BHA/BHT Meetings**

GMT reported post the 2nd joint meeting (3.12.20) that there needs to be a fundamental shift from BHT to give some clarity over what actions would enable them to complete their interest in the s106 and the Owners (FT/MT) must reconsider their stance on J Gully’s non-attendance at further

meetings.

GMT confirmed he had now stepped back from the process.

LW had attended both meetings between BHA/BHT plus the initial meeting with GMT/BHT, but not the ongoing meetings between GMT/BHT. She had found the process frustrating, is very concerned about the economic impact on the area, the emotional impact on the communities, and for the future; development being incredibly important for the sustainability of the area. BHT has 150 members, but there are 3,600 residents in Bembridge and 1,200 in St Helens. She didn't welcome the attitude of BHT at the meetings and would not be prepared to attend any future meeting.

IT was aware of the need for neutrality from the Parish Council so did not comment other than to say that he too was very concerned.

MT confirmed that Natural England's questions are being answered by our consultants following a meeting. NE forwarded to MT and the LPA a 12-page letter from BHT to NE. This further extends the time that will be taken in agreeing all matters and hence will have an immediate knock-on effect on the groyne timing.

MT expressed his gratitude to GMT and LW for acting for BHAG in the meetings. Having laid out the criteria and identified issues for discussion (previous BHAG mins) subsequently accepted by BHT, the BHT Trustees stated at the 1st meeting that they would not discuss the S106 at all. Having identified the Show us the books campaign as the subject for the 2nd meeting, no action was taken by the non-Facebook using Trustees to familiarise themselves with the online campaign, despite BHA providing direct links and making available to them a file of hard copy FB posts. MT expressed his total disappointment at this lack of engagement by BHT as no progress had been achieved.

2 BHT trustees stated they required a complete audit of all companies (described as a "red line" by Norman Marshall). Jonathan Bacon suggested that if an independent accountant was brought in to establish that BHIC are acting fully in compliance with the Harbour Act, it would in his view address the concerns raised by BHT.

MT confirmed that only BHIC is to be considered relating to the Harbour Act and no other companies, and on this clear basis had requested from BHT written detail of their expectations. LW re-confirmed the wording of BHA's email request.

AD felt that if figures were kept confidential and not released to BHT, there shouldn't be a problem.

BHT has responded with an accountants' briefing note that requires a 'full audit' of not only BHIC's books but also encompasses BIL, BBS and Hawk. This proposal has been rejected by FT/MT.

In answer to a question about who would be paying for this, FT responded that BHT had proposed to pay all costs.

FT expressed a strongly held view that BHT had drafted their accountants' briefing document in the full knowledge that MT/FT will not accept it in its current form (our clear criteria having been completely ignored by BHT), and with the deliberate intention of setting the process up to fail - something they will then directly blame the Harbour for.

MT restated his disappointment not to take this process further forward and felt that BHT's actions had abused the intended process.

LW & FT both expressed their disappointment that this latest initiative has been unsuccessful, which is hugely sad for the community. LW said that 80% of members of the community with whom she had discussed the Harbour wanted BHT to cease their actions.

MT - BHT's approach in autumn 2018 to the Department of Transport had resulted in Baroness Sugg of the DfT stating on 04/12/2018 that the DfT would not be acting on BHT's request for an investigation into the Harbour company; however BHT continually ignored this Government statement. When BHT made an often-repeated accusation that money from a houseboat plot had never got back to BHIC, BHA's solicitors (Coffin Mew) had issued a written statement to the LPA confirming that the net proceeds of this sale in 2014 went through BBS to BHIC. This was accepted by the LPA, although BHT continually refuse to accept this fact given by a reputable law firm.

(Ian Thomson left the meeting at this point)

5. **Bembridge Marina Dredging / Footbridge**

Dredging would commence on 1st April and take the whole month; the EA footbridge will be refurbished 17th February for approx 2 weeks, during which the bridge would not be accessible.

6. **MMO / Houseboats**

4 x MMO representatives visited the houseboats on 17.1.20 and arrived at the Harbour Office at about 1215 for an unannounced meeting with MT/GW. BHA had no prior knowledge of their visit. They were concerned with spud leg licences, the absence of which they said is in contravention of the law (2018 legislation) and were visiting all harbours around the Solent. Anchors and jetties were also mentioned, as was the necessity for individual boat movements requiring a licence.

Since this MMO visit, J Gully had stepped down as chair of the Houseboats Association and been replaced by Andrew Holman with Jamie Scrimgeour as secretary. Both had met with MT for what was a very productive meeting, and a Houseboat meeting was held on 1st February to which MT had given apologies (as away from the Island).

MT confirmed that work had ceased on Day Dawn (red houseboat) till 1st April 2020.

Planning applications for plots 3 and 4 were subject to ongoing bird counts (NE).

7. **South Channel Entrance/Exit**

As discussed at the previous meeting. MT presented a chart for reference. A proposed second channel would go south of St Helens Fort, and would be buoyed along the edge of the Harbour's jurisdiction if implemented. It would be in addition to the existing entrance channel. MT/GW still working on this initiative.

8. **Members Reports**

- a. **BHUG (GMT)** are in the process of writing to BHA regarding the groyne.
- b. **BAC (AD), Bembridge PC (LW), St Helens PC (IT)** - nothing more to add.

9. **Any Other Business**

GW had explained under AOB earlier in the meeting that he had had a non-confidential exchange of emails with J Gully, prompted by a chance meeting on Harbour property during the Christmas break, which he was happy to provide a copy of the same on request. This matter is strictly in his capacity as a concerned local resident, and absolutely nothing to do with BHA.

AD asked about a recent document on siltation from J Gully. MT confirmed that this is under consideration.

10. **Next Meeting** - 09:30 on Thursday 23rd April 2020 at the Harbour Office.

The meeting ended at 11:15.