

**THE CROUCH HARBOUR AUTHORITY**

**MINUTES OF THE ADVISORY COMMITTEE MEETING**

**HELD ON**

**5<sup>th</sup> APRIL 2023**

**CHAIRMAN:** P Woodford

**PRESENT:** C Bailey, B Calver, P Cottis, Cllr J Fleming, S Hollington, J James, N Parsons, P Pope, P Rawson, K Wickham

**APOLOGIES:** T Dann, R Fancy, C Freeman, R Pitt

**IN ATTENDANCE:** Susan Harrison Harbour Master

5 MINUTES OF THE ADVISORY COMMITTEE MEETING HELD ON 7<sup>TH</sup> DECEMBER 2022.

5.1 It was proposed by Mr Wickham and seconded by Mr Hollington to approve the Minutes as a correct record.

5.2 There were no matters arising from the Minutes.

6 Any Other Business:

Agreed that in future it was not necessary to have AOB at the beginning of the meeting.

6.1 The Office Manager reported that Mr Hawkins had this morning put in his letter of resignation from the Advisory Committee as representative of the Kent and Essex Inshore Conservation Authority. Mr Hawkins has had a seat on the Advisory Committee since 2008.

The Harbour Master and members acknowledged Mr Hawkins extensive knowledge not only of the Rivers Crouch and Roach but also the Thames and his contribution to both the Advisory Committee and the Authority over the years, which would be missed. Agreed that a letter of acknowledgement should be sent to Mr Hawkins.

There were no further items under Any Other Business.

7 MINUTES OF THE CROUCH HARBOUR AUTHORITY MEETING HELD ON THE 7<sup>TH</sup> SEPTEMBER 2022

8 *Appointment of Representative on the Selection Panel for Trustees*

The Advisory Committee have been asked to nominate a member from the Committee to sit on the Appointments Panel when selecting new Trustee members onto the Crouch Harbour Authority. The Chairman, Mr Freeman has put himself forward to sit on the Panel. There were no other nominations. Therefore, it was agreed that Mr Freeman as Chairman of the Advisory Committee would sit on the Panel.

9 *Establishment of Advisory Committee Steering Group*

Mr Wickham declared an interest and said that after having written the document regarding the reorganisation of the Advisory Committee he must remain neutral, however he agreed to answer any questions.

Mr Parsons said that on behalf of CAYF they did not agree with the representation of the proposals. He pointed out that at the present time CAYF had two representatives on the Committee one representing the Crouch and one representing the Roach. Under the new organisation CAYF would only have one representative making it difficult because if Mr Freeman was not Chairman of the Advisory Committee there would be no representation of the Roach.

Mr Calver referred to the representation of the Essex Association of Local Councils, which were based in Dunmow. He pointed out that Burnham Town Council dealt with them on a regular basis and explained that they were an organisation that advised the local Councils on legal and financial issues, and he felt they were not relevant to the Advisory Committee.

Mr Pope said that he understood the reason to cut down on the numbers, but he could not see why a Sub Committee was required. Mr Hollington expressed his views and agreed with Mr Pope that he did not think there was much to be gained by having a Steering Committee.

The Vice Chairman said that he felt he could speak for several of the members in questioning whether the Authority had the right to alter the make-up of the Advisory Committee.

The Harbour Master clarified and said it was important to suppress any misconception that the Advisory Committee was being dissolved.

She stressed that the Advisory Committee had not changed and still complied with the Crouch Harbour Act 1974. She reminded members of the tutorial given by Captain Peter McArthur at last year's Beating of the Bounds when he specifically directed his comments towards the Advisory Committee that it should be relevant and reflect modern day activities on the river.

Following on from this advice, the Authority have encompassed additional new co-opted members onto the Advisory Committee representing new activities on the river.

Mr Wickham went on to say that over the year's various organisations had changed, and numbers on the Committee had increased. Whilst knowing there would be a lot of resistance he had been asked to look at the reorganisation to try and make the large numbers more manageable which led onto a decision to set up a Steering Group to represent the Advisory Committee.

After further lengthy discussion, the Harbour Master went on to say that it was down to the Advisory Committee to vote whether they wanted a Steering Committee or not and any decision made would go via the Chairman of the Advisory Committee to the Trustees. She reminded members that the Advisory Committee where there to give advice only to the CHA Trustees as they had the ultimate responsibility to make any decisions.

Mr Parsons said that that further clarification was required regarding some of the points raised in the original document and if put to the vote he would have to abstain until he had received clarification to his queries.

The Vice Chairman then asked members to put it to a vote of who was in favour of forming a Steering Committee.

The following members abstained from voting: Councillor Fleming; Mr Parsons; PC Rawson; Mr Wickham & the Vice Chairman (as Chairman of the Advisory Committee).

There were no members in favour of forming a Steering Committee.

When put to the vote for those members against forming a Steering Committee. 6/11.

It was therefore proposed to recommend to the Authority not to form a Steering Committee.

10 *Request to Reinstate Three Meetings per Year*

The Vice Chairman reported that it was his request to have this item on the agenda as he felt that having two Advisory Committee meetings was not enough. He questioned where it was written that the Advisory Committee must meet a minimum of twice a year.

Mr Wickham pointed out that the Crouch Harbour Act 1974 stated that the Advisory Committee should meet as a minimum of twice a year. This was reiterated by the Harbour Master who said that the Authority were obliged to provide and pay for a venue and to make the necessary arrangements to book the accommodation.

She went on to suggest that if it was decided to go back to three meetings a year, the AGM had to be held in person but one or the other two could be a Zoom meeting.

It was proposed by Mr Pope and seconded by Mr Calver to reinstate a third Advisory Committee meeting, one in April, one in July and an optional zoom meeting in December, which could be cancelled if there were no items for discussion.

11 Any Other Business:

11.1 *Jet Skis/PWC's*

The Harbour Master invited PC Rawson to give a brief report regarding jet skis and what was going on at Southend.

PC Rawson reported that as of the 31<sup>st</sup> March 2023 MGN (Maritime Guidance Notice) 684 had come into place by statute, which was effectively an order or an amendment to the Merchant Shipping Act which applied to Jet Skis or PWC's.

The Government recently put together a Guidance Committee to look at the issue of Jet Skis and the potential uses and problems they cause. As a result of investigation from Government they have brought out MGN 684 which makes Jet Skis/PWC's navigable vessels and therefore they fall under the Merchant Shipping Act and are responsible for adhering to all the rules under the Merchant Shipping Act. Users and owners can be prosecuted under the Merchant Shipping Act for potentially dangerous navigation and non-adherence to Colregs, resulting in the Police, MCA and Harbour Master's now being able to prosecute people with a maximum of two years in prison or a fine.

PC Rawson then went on to briefly explain that the Police were currently talking to the MCA Enforcement Teams how best to deal with prosecutions that fall outside the harbour regulations. Further advise is awaited from the Enforcement Team for the Eastern Region and once established he will inform the Advisory Committee and the stakeholder what the plans are.

He then went on to report on the outcome and discussions that had taken place in looking to initially set up a Public Space Protection Order, giving the Police the ability to issue instant fines, however unfortunately it was decided that there was a lack of supporting evidence to prove there were sufficient issues to be able to put one in place.

This had been followed up with negotiations with Highways to discuss the problems that were taking place at the open slipway at Hullbridge. Meetings were held to discuss a proposal to see if it could be changed to a restricted byway but the proposal was not accepted.

PC Rawson then went on to say that the Marine Unit, in conjunction with the Harbour Master had come up with a set of patrol patterns for the busy periods, targeting the high-water areas particularly around Hullbridge.

He reported that as of the 31<sup>st</sup> March 2023 a Public Space Protection Order had been put in place for the whole of the Southend area, which meant there was only one place people could launch a jet ski from in Southend, they cannot go within 400 metres of any beach on a Jet Ski. The downside being that this could result in more PWC's/ Jet Skis coming to the Crouch.

PC Rawson ended his report by appealing to the members to pass onto their representatives a request that they report to the Police any incidents of anti-social behaviour on the river, to gather enough evidence to build a case against the unlawful launching/dangerous navigation of these craft.

#### 11.2 *Burnham Town Pontoon*

Mrs Bailey asked if there was an update on the Burnham Town Pontoon, which collapsed and had to be taken away.

The Harbour Master reported that it was down to Maldon District Council to decide whether to reinstate another jetty.

Mr Calver assured members that the Town Council had been putting as much pressure on the Council as possible, as it was a big loss to the local community.

Cllr Fleming said she would ask for an update and report back to members.

#### 11.3 *Ski Licenses*

Mr Pope tabled a report for members attention.

Mr Pope reported that a decision was made after advice that it was no longer as far as the Crouch Harbour Authority was concerned necessary for people who held the SBDA qualification to be members of the British Water Ski & Wakeboard.

The BWSF have written to say that the qualification is no longer valid if they allow their membership with the BWSF to elapse.

Mr Pope pointed out that the WFWSC was the biggest Water Ski Club on the Crouch and insisted that their members had an SBDA, which was kept current to allow them to be a member of their Club. He said that by making this decision, the Authority were setting a precedent against upholding the protocols of the national governing leader of the sport.

The Harbour Master then went on to explain the reasoning behind the Authority's decision. She stressed that the Authority were retaining the standard it had always required, however it was not in agreement with the practice that to retain membership of the BWSF an annual fee had to be paid. If the person had proved their capabilities and been awarded the qualification and there was no requirement to renew the qualification, from the Authority's point of view that was sufficient.

The Vice Chairman suggested to allow members to have time to read through the report provided by Mr Pope that the item should be put on the agenda for discussion at the next meeting.

11.4 *Next meeting Date*

12<sup>th</sup> July 2023.

Members to be notified by email confirmation of the date and details of the venue once booked.

There being no further business the meeting closed at 8.55 p.m.