

# Cowes Harbour Advisory Committee

Meeting held by Zoom on Friday 14th January 2022, 15.00 – 17.00

## MINUTES

### Present

John Corby, Chair, waterside private property owners and West Cowes boatyards, (JC)  
Peter Jackson, Medina Mariners (PJ)  
Mark Southwell, RNLI, (MS)  
Gary Hall, CEO, (GH)  
Ed Walker, Harbour Master, (EW)  
David Riley, Chair CHC, (DR)  
David Walters, CTC, (DW)  
Ben Willows, UKSA, (BW)  
Clive Blount, CHC (CB)  
Phil Jordan, IWC (PJO)  
Lawrence Mead, Cowes Week (LM)  
Sam Fulford, Wooden & Steel Ship Repairs (SF)  
Richard Hollis, CTC (RH)  
Giles Peckham, CCC (GP)  
Bolt Holt, Water Taxis and commercial fishermen (BH)  
Lee Rayment, commercial vessel operators (LR)

### **1. Apologies for absence**

Rob Stewart, Lora Peacy-Wilcox, Tracey Reardon

### **2. Approve the minutes from the previous meeting.**

Approved.

### **3. Matters arising**

PJ mentioned a couple of items not likely to be covered in the agenda: the first one being the visibility at night of the unlit training pontoon. At the last meeting EW was going to get Trinity House to look at it. The second item being the two very similar racing marks off the Green. Thirdly, not on the agenda today, an update on the new proposed EC slipway.

EW responded about the first two items: Trinity House did inspect the training pontoon back in November and stated that lighting was at CHC's discretion, and would support either outcome.

Bob Milner is discussing the racing marks with SCRA.

GP also asked Bob Milner to respond urgently because the mark positions get locked down on January 25th.

LM said that the plan is for the marks to swap over, so that the more northerly one will be the race mark with the cross on it.

BW updated everyone about the slipway: IWC and CHC have a consultant working on feasibility and designs, but some chasing might be required. There is a very vague chance of some 'Levelling Up' funding being available for this.

JC asked PJO if he was involved and he said not but was surprised that Chris Ashman was involved.

#### **4. To discuss declaring interests as CHAC meeting**

JC said that it had been pointed out to him that there are never formal opportunities for declarations of interest at CHAC meetings, like there are at for example council meetings, but that in all his time on the CHAC he didn't recall any moments when they had been necessary other than, for example when he had declared an interest in moorings last year when he lobbied CHC on behalf of many other people as well as himself.

RH pointed out that everybody on CHAC had some kind of interest in the harbour so where do you draw the line?

JC suggested carrying on with the way things are.

BH raised the matter of him being the only water taxi supplier and JC reminded everyone that there have been a few times when he has been asked to leave the room but the matter self polices itself as necessary.

Nobody felt the need to introduce formal declarations of interests at CHAC meetings.

#### **5. Harbour Safety and General Directions**

JC said that swimming in the harbour had been mentioned to him so asked EW for clarification that it isn't allowed, and also for clarification about the recent 'personal watercraft' ruling which states that certain small boats like jet skis aren't vessels so don't have to comply with normal rules.

EW said that there had been a significant decrease in incidents in 2021. In 2020 there had been 34 swimming incidents and only 7 in 2021 after lots more signage and messaging.

Personal watercraft is a much more complicated matter and a consultation was carried out by the MCA and published late last year but didn't give a clear guidance on what was going to happen. CHC are still intending to start some form of licensing but are waiting for the MCA to finalise the necessary changes to the law. 2021 did see a massive decrease in antisocial behaviour by personal watercraft, and only about seven had been pulled over throughout the entire summer with most complying with wash and speed. Langstone and Portsmouth reported the same.

MS mentioned a recent article about Hamble River imposing sanctions on speeders and asked if this was copying other harbours or just their own initiative. EW didn't think there was anything new there.

PJ said that there was a notable increase in the use of the slipway at the Folly and people were concerned about the lack of 3rd party insurance required by people using it. JC mentioned the question of bicyclists and insurance. EW said this isn't currently a legal requirement anywhere in the UK and also not enforceable due to cost and the resource needed to check every vessel. CHC would very unlikely be able to obtain any power to regulate insurance due to the consultation required with DfT and RYA who would be unlikely to support the request.

JC said that in reality it's not really a problem so maybe not worth energy on it. DW said it probably isn't within official Action Orders to enforce insurance, and changing GDs would require going to the DFT and the RYA.

## **6. CHC's latest plans for sustainability and responsible business.**

GH said that CHC commissioner Fiona Fitzherbert-Brockholes had been doing a lot of work looking at what CHC does currently and what other harbours do. CHC has been through a tender process to appoint a carbon management consultant, and have selected Cedar Marine with the first meeting in two weeks time, ultimately leading to an action plan with some short, medium and long term goals.

JC asked that if switching electrics to a green supplier was going to raise costs, and therefore prices, would CHC discuss this with CHAC.

## **7. Bed levelling and dredging**

PJ said this was a regular topic, particularly among the smaller organisations in the Medina. The silting problems are affecting operations in a significant manner. He said that he has heard very little on the subject since the CHC dredging strategy meeting a year or two ago, other than from the perspective of the larger operators like the marinas. He then asked about dredging aspects for the smaller user.

JC then asked SF to comment on the dredging problem.

SF explained that he has rebuilt both the Arctic dry dock and the Clarence Boatyard slipway, getting them into decent working order at considerable effort and cost. He now needs to dredge the dry dock entrance to facilitate his bookings for larger vessels which require the full draft of the dock. He has been surprised about the hassle and difficulty of getting a simple dock entrance cleared to a slipway which has been there since 1885. He has had to apply for dredge licenses at great expense, plus local harbour consent which has been very hard to obtain. Because of the delicate slipway tracks the only viable method is a water erosion dredger which has been lined up. Jenkins Dredging cannot take away the silt in a barge because of the damage the grab bucket or digger would do to the tracks. SF said he is proposing an overall dredge license which would allow all operators of slipways to wash out their slipways with fire hoses or use a water erosion dredger whenever they needed. He pointed out that the silt has come from outside and is a bit like somebody dumping an old sofa in your garden which you then have to dispose of but find you need a licence to move. The whole business needs to be made easier. Right now theoretically using fire hoses would be illegal.

EW responded, in 2018 there was a dredging stakeholder committee set up but because of Covid the committee didn't meet as planned but will now be reactivated and everyone will be able to get a voice about dredging. This committee will also be exploring alternative methods of dredging to the current excavation dredging. He has what is known as the Medina Baseline Document which has been written by the Environment Agency, Natural England, CHC and a few other organisations that have investigated the river, but it has only ever been written to include bucket dredging. In 2018 there was an agreement in conjunction with EC Marina to investigate water injection dredging which agitates the silt and then relies on the tide to wash it away. A lot of work was done to investigate this, however by the end there was no appetite for it. The Environment Agency aren't keen on this method, but natural England are keen. Both organisations need to be aligned. One problem that CHC have is they don't have the environmental document which they are required to have to include that type of dredging. To revise the baseline document is a lengthy process.

EW summarised by saying this is a fair point and one which benefits everyone and he will get a grip of the process to revise the baseline document to end up being able to pick and choose the type of dredging that all the different people need to use. Ultimately the process to get a license will be far smoother and easier. BW said UKSA use a traditional method to dredge. The process is tedious and expensive but CHC are helpful with the local license.

JC asked SF if he saw any light at the end of the tunnel. SF replied that he is so frustrated and desperate and worried for the sake of his business and investment to date.

EW said that the MMO are the only people who can authorise dredging licenses. After that you then get a local license. CHC have to go through the same process themselves to dredge, eg, the Eastern Channel. CHC can help the smaller operators in the river who might not have the history of dredging in that area by advising the MMO on what needs doing. Once the MMO have a historical record of it the applications process is much faster. He said that it's all doable and wants to help the smaller operators.

PJ welcomed EW's reassurance that the 2018 group will be revived. He also encouraged CHC to work with Newport Harbour Authority because the obvious place to pump silt ashore would be in the Newport area.

RH asked if CHC keeps historical records of dredging so can monitor the need. EW thought the electronic records go back to 2013 and paperwise almost certainly longer.

SF mentioned a self-service dredge license from the MMO which costs £50. His trouble being that his dock hasn't been dredged in over ten years which means he needs full standard license.

## **8. Kingston update**

GH said that CHC have recently submitted a planning application for some early stage development work at Kingston and hopes to hear back on this in the second quarter of the year.

RH asked about insurance: assuming that boats have to have insurance to be in the Kingston yard surely they should have to have insurance to be on the water in the harbour too, and drew attention to the small boats which tend to get left at Whitegates. Surely this is something which CHC could have in its bylaws?

GH said this was mixing statutory duty with commercial business.

BH pointed out that bertholders must surely have to have insurance, GH confirmed because taking a berth is a commercial transaction.

## **9. Red Funnel**

JC pointed out that there wasn't a RF rep at the meeting but he had two issues.

Firstly reliability which isn't anything to do with CHC but bearing in mind RF still can't make the clock on the tower work properly no wonder they can't make their boats work properly.

The second matter was concerning excessive black exhaust smoke, not only from the large ferries just as they leave the EC dock but also the Red Jets as they accelerate out of the harbour. JC has had some serious complaints from residents in Osborne Court who have to regularly clean black soot off their windows.

EW replied that pollution isn't actually part of CHC's statute but RF have to operate under international legislation for air pollution and are audited by the MCA, so from CHC's point of view as long as RF are complying with the legislation they are within the confines of the law.

JC said that we're not living in coal fired Victorian England anymore and these vessels shouldn't be doing it. EW agreed that it doesn't look right. He said that both RF and Wightlink are looking at this.

BW said that maybe CHAC should write to RF and get them to respond.

JC said that RF don't show themselves up in the best light in a number of ways.

## **10. To discuss harbour taxi arrangements.**

JC said that BH didn't need to leave the room because he is very much apart of this discussion.

PJ had two key points to make. Firstly the subsidy is up for review around now, and on the basis a reliable taxi service is critical particularly to MMA members using the river up at the folly.

Secondly the question of a safe taxi service in the outer harbour areas. Up to now CHC has taken an entirely reasonable position on this, in that as long as the taxi vessels are fit for purpose and the crews correctly qualified, it wasn't something CHC would wish to take on in the ways of inspections etc. Therefore we fall back on the national organisation for control of passenger vessels and the categorisation of waters. At the moment under MCA ruling taxis operating north of a line from Watch House Steps to EC breakwater require significantly greater provision of safety equipment which makes it very difficult for most club launches to meet MCA requirements for Category D waters. PJ then asked if CHC could provide some visibility of where we are for control of taxis in Cat D waters.

GH said that an open tender document had been issued to run the taxi service for the next three years and hopes to be able to come to an agreement with a company over the next few weeks.

With regards to the second point, GH said CHC needs any taxi services to work within the legislation.

BH mentioned a grey area in the rules where if wave height is considered to be less than 1.2m, a life raft is not considered to be essential providing operations are conducted in good visibility and daylight. Having said that, his taxis do carry liferafts and other enhanced safety equipment.

PJ said there was need for the national legislation to reflect the newer outer breakwater and requested clarification of the rules about starting a taxi or launch service.

MS remembered a previous meeting where EW was going to ask the MCA if they would consider extending the point northwards to take account of the new outer breakwater. EW said he was still waiting for the MCA to reply to him on this one and would chase them.

## **11. Sewage**

JC said he had received a complaint about sewage in the harbour and that although there wasn't anything CHC could do immediately about it, if nobody ever raised concerns about it at the bottom off the tree, nothing would ever get done at the top.

EW said that it was a big topic of conversation right now amongst many South Coast harbours, particularly Langstone. The outfalls are under the Environment Agency and other government departments, and all we can realistically do is write to the relevant people voicing our concerns to apply pressure. He said there are already prosecutions but maybe not as strong as they need to be.

BW added that it is a really complex topic which he has researched quite a bit. There is a new scheme in Chichester with all the harbours and users getting behind water testing. He said he had been to a presentation by Southern Water at Gurnard SC on Wednesday and in fact it was the Environment Agency which we should be putting pressure on, because it's their testing which holds Southern water to account. He said that Southern water aren't necessarily breaking any rules, it's more about whether the Environmental Agency are testing as thoroughly as they should.

BH said that national water quality around the British Isles is a disgrace. Locally we could insist on holding tanks because he didn't think the facilities that CHC offer are being used very much.

MS asked PJO about what IWC was doing about this. PJO said they had the same concerns and were very active. They are investing £2.3 billion to reduce raw sewage by 85% in five years. IWC is as frustrated and angry about this as everyone else.

RH said Bob Seely had raised this in Parliament.

BW reiterated the need for better testing.

JC asked if CHC could organise private testing.

GH confirmed that the pump-out station at Shephards is available and ready for use.

## **12. Update on Harbour handbook**

JC said he had heard rumours that the handbook wouldn't be printed in the future and go totally digital which he thought was a bad idea as every chart table needed a Harbour Handbook in it.

GH confirmed that it would still be printed but in smaller quantities.

## **13. Update on the Place Plan and Levelling up funding**

PJO said there is some money, about £6.5 million for EC regeneration plus a wider Levelling up funding bid which IWC has been successful in. As far as EC is concerned IWC was allowed to bid for one area and for certain reasons EC was chosen. JC asked how much of this money would find its way to the waters edge but PJO didn't have details but he understood that effort would be made to ensure the marine industry continues. SF thought that some of the money would be funding a larger lifting dock at Wight Shipyard.

BW said the UKSA interest was in any development at Victoria Barracks.

RH said that there was a shortage of places to work.

JC then made his regular point about the Harrison Trust not wanting marine industry on half of their site in order to make it appear there isn't any demand because they want to build houses and flats on it, but actually there is a massive demand for space for marine industry because Cowes is now full.

## **14. Uffa Fox event 2022**

JC said he was on the committee for this one and thought that this agenda item was an opportunity for Gary to update everyone on the various good deeds that CHC do with their small pot of grant money.

GH mentioned a few events and activities that CHC had supported last year and the board had agreed to do the same again this year including the Uffa Fox event and the Flying Fifteen European Championships.

## **15. Next CHAC Chairman**



JC reminded everyone that he would be standing down at the next meeting and was hopeful that somebody would take his place.

DR said he was also retiring so CHC would be recruiting at least one new commissioner and CHAC normally provide a stakeholder rep to sit on the interview team.

DR also thanked the CHAC for the constructive way they had dealt with most matters with CHC.

## **16 AOB**

RH asked if there was somewhere to dispose of flares. JC said this had been discussed at previous meetings and thought that UKSA had somebody who came to the Island and collected them. BW wasn't sure of the details.

EW said last year CHC held a flare amnesty which had proved very successful. They might do it again this year.

Next meeting in May

John Corby  
Chairman.