

Cowes Harbour Advisory Committee

Meeting held at CHC Offices on Friday 10th January 2020, 15.00 – 17.00

MINUTES

Present

John Corby, Chair, waterside private property owners (JC)
Steve Reynolds, Cowes Town Council (SR)
Ben Willows, UKSA and Cowes Training Schools (BW)
Chris Sibley, Red Funnel (CS)
Dan Jehan, Cowes Yacht Haven (DJ)
Michael Paler, East Cowes Town Council (MP)
Will Overton, East Cowes and West Cowes business associations (WO)
Simon Walker, East Cowes Town Council (SW)
Ian Baylis, commercial vessels operators (IB)
Giles Peckham, Cowes Clubs and Classes Association (GP)
Laurence Mead, Cowes Week Ltd (LM)
Alex Cottle, Island Ribs (AC)
Bob Holt, commercial fishermen and water taxis (BH)
Peter Jackson, Medina Combined Clubs (PJ)
Mark Southwell, Cowes RNLi (MS)
Steve Sheridan, CHC Commissioner (SS)
Stuart McIntosh, Harbour Master (SM)

1. Apologies for absence

Chris Preston, Rob Stewart, Alex Minns

2. Approve the minutes from the previous meeting.

CS asked for the line in item 7 'Red Funnel were trying to force the closure of the EC slipway' to be removed as nobody at RF had any idea where this might have originated.

3. Matters arising

4. Harbour Safety and General Directions

SM explained that CHC are carrying out their Annual Safety Review, and in particular the review of General Directions, which are effectively the local harbour rules. The major part of this review will include the detailed review of two of the Temporary GDs that have been in force since October 2018, and these are in respect of conduct and navigation in restricted visibility. One of the rules covers all

commercial vessels over 48m in length, which obviously includes the RF Raptors, and the other temporary GD covers all commercial vessels under 48m which includes the Red Jets. These two GDs limit the visibility in which these vessels can operate. For over 48m the GD requires at least two cables of visibility, and for under 48m in length the limit is 100m because they tend to be more maneuverable. Under CHC's powers of temporary GDs, these can only have a duration of three months before CHC either remove it, make it permanent or impose it for another three months after going back to the three statutory consultees, being the CHAC, RYA and Chamber of Shipping. Their two temporary GDs have now had four rollovers, one reason being because CHC have been waiting for the MAIB formal investigation into the Red Falcon incident. CHC had carried out their own report into this incident within about six weeks, which had recommended various actions, but thought that they should wait until the MAIB report before making permanent GDs. CHC have finally received the MAIB draft report which gives RF, CHC and the Yacht Haven a chance to review and comment on it before going public.

SM said he would be making recommendations to the Commissioners at the January board meeting on the two temporary GDs. SM then stressed that safety is CHC's primary responsibility but he is aware that RF supply the major communications for the Island so an efficient and regular service is also vital.

CS said that RF would not be changing their own company two cable rule which is a control measure in RF's risk assessment for safe entry in restricted viability. RF are awaiting the arrival of a new Operations Director and will then review the assessment, which could lead to either a retention of the two cables control measure if they assessed this to be the safest option, or a change, if the assessment identified other factors that mitigated this change. RF would, of course, continue to work closely with CHC whilst undertaking this process.

SR suggested adding a ghost AIS transponder behind a central main transponder would enable a more accurate alignment than using basic bridge equipment. SM replied that a review of all navigation aids was part of the actions already underway with both RF and CHC.

PJ asked if the two cables rule is aiming to improve the risk of either collision or situation awareness for navigation. CS replied that it was both and that broadly RF agree with most of the findings in the MAIB report.

SM said the other GD he was looking to change was the definition of the inner harbour limits in order to keep the 6 knot speed limit within 100m of the shore all the way along the Green.

5. Red Funnel navigational incidents/safety management

In addition to the matters discussed in the previous agenda item CS added that in 2018, just after the incidents, they had worked with the MCA to review the whole of their Safety Management Systems (SMS) to the extent that they had rewritten them with the assistance of two external bodies, and a new SMS will be launched in about a months time.

JC asked if there were any shipbuilding alterations to carry out, for example the shape of the bridge. CS replied that only changes to procedures were required. IB said that in his business (Seacat Services) they had a cloud based system which the masters and crew interacted with.

6. To clarify procedures for apprehension and prosecution of boat drink drivers

JC asked SM to clarify what his powers are:

SM replied that two of the local GDs refer to this. If CHC finds people contravening these GDs or suspect that somebody might be contravening them or has been involved in an incident, they have the powers to prosecute them and take them to court, usually a magistrates court. If then found guilty they can be fined up to £2,500.

Under primary legislation there are powers to breathalyse commercial seafarers. There is a clause in the Transportation Act to also breathalyse recreational boaters but it hasn't been enacted yet.

SM said that CHC does train their patrol officers how to collect evidence and they also wear body cameras. They are also instructed to call a policeman if they are concerned somebody may be under the influence of drink or drugs. In fact a shore policeman doesn't have the power to breathalyse a yachtsman either but they can ask a suspect to take a voluntary check. Failing that, declining to take a breathalyser maybe taken into account if CHJC takes a case to court.

7 Dredging update

JC asked SM if CHC were going to actually invest in some equipment.

SM replied that phase one was always looking at sustainable dredging firstly with water injection. He has a proposal for a trial, developed by CHC's dredging and estuary expert Dr Rob Nunny, for about 7000 to 10000 cubic meters in three different areas, both north and south of the floating bridge. CHC has shared this proposal with the major dredging stakeholders, being CYH and EC Marina who have raised some concerns because water injection elsewhere has had mixed reviews in the past. SM has agreed a meeting with the major stakeholders on the 17th January and will report back. Ultimately if they agree to move towards a water injection programme, they would then need to get all the smaller

stakeholders signed up. Water injection is about a third of the cost of more traditional dredging however there is question about how effective it is.

PJ said he was slightly concerned because the focus had been on the big stakeholders, but he is regularly being asked about it from the smaller stakeholders that still have a dredging requirement, for example the CCYC, ECSC, and Folly. SM said this was a good point. He added that water injection was always just one part of the plan and that if the larger stakeholders couldn't agree on it they would look at alternative methods. Also maybe the option of CHC getting a license for the whole harbour and then letting the larger stakeholders do their own dredging.

PJ said he had discussed it with the Estuaries Officer and there is a potential for putting the dredged material back onto the land and there are a couple of obvious sites above the Folly for this but this would need to be done in co-operation with Newport Harbour. SM added that this would require the process of proving 'beneficial use' so may not be cost effective for the smaller dredging stakeholders. BW said he had looked at exactly this for UKSA and it was really expensive and complicated.

8 CHC's guidelines for considering applications for stakeholder dividend projects

SM said that under Trust Port Guidance, CHC has the ability to make investments that don't provide the normal rate of commercial return that normal projects should do, into projects that will benefit either the harbour long term or the stakeholders. He said they had done a significant number of stakeholder benefits over many years but CHC is receiving more and more applications for funding so CHC thought it appropriate to have some guidelines on which they can judge these applications.

In October the board agreed these guidelines, which are now on the CHC website. After CHC have discussed an application they will normally consult CHAC before making a final decision.

9 Proposed CHC moorings on Shrape Watersports area

JC said that ideally UKSA would like the new EC slipway but as this was going to take some time to happen, BW had come up with another short term plan to help and reduce the frequency of having to tow dinghies with pupils onboard through the floating bridge and past East Cowes car ferry terminal.

BW said he had hoped everyone had had a chance to read the letter he had sent to SM and which had been circulated with the agenda. He said that he had been looking at this for a while now with SM and deputy Ed Walker, and have agreed that having some temporary mooring buoys on the Shrape would help to reduce

the frequency of towing, particularly at peak season. He could get his dinghies out to the Shrape early in the day and then get the students out in RIBs and launches. He is now asking CHC if they would support the fixing and securing of these buoys and the cost of them. Part of the process is for the CHAC to give some feedback. PJ said that ECSC uses that area too so has an interest and suggested buoys fit for only dinghies to discourage yachts from tying up to them.

JC asked if these moorings would dry out and BW said they would on a spring tide, but they don't teach then anyway.

GP asked if the £5,365 quote included maintenance, and BW replied that this was a one-off charge. SM said it's up to the Commissioners to decide on a stakeholder grant for this project. JC said he would support CHC paying for it as UKSA was a key part of Cowes and a huge net contributor to the community. SM accepted that towing dinghies through the floating bridge is a significant safety issue and anticipated a degree of support from Commissioners. GP wondered if there was a charity tax angle.

JC summed up, after asking around the table, that CHAC thought that CHC should give this matter favourable consideration.

10 East Cowes slipway update

BW reminded everyone that at the last meeting he and PJ had put a plan together to reignite the slipway project on the EC Esplanade and had sent a draft paper around. Following that they had formed a working group consisting of himself, PJ and SM. SM had helped to arrange the first stakeholder meeting in November which was really well attended, with IWC, ECSC, EC Regeneration group, Karl Love, ECTC all in attendance. PJ had looked again at some of the initial work that had been done and option B was agreed to be the initial preferred option. PJ, SM and BW will then present this option in more detail to ECTC at their next meeting. Beyond that BW expects to pull together a delivery plan and timetable and maybe appoint a consultant to identify the time, cost and planning considerations.

IB asked if the existing slipway at Red Funnel would be got rid of. PJ reminded everyone that the CHAC has already advised IWC, who own the slipway, that the slipway is not fit for purpose and is unsafe. One of the actions from the November meeting was for SM to go back to RF to clarify an annotation in the plans for Dover Road which put a gate in Dover Road to restrict access to the slipway by the public. SM said he was meeting Fran Collins in a couple of weeks time and that the new RF Operations Director starts in mid-February, so he should have an answer fairly soon.

CS said that correspondence between RF and IWC made it clear that IWC manage and control the gate and slipway, but the RF team would close the gate if it is left open after use but they do not accept any liability for it.

BW summarised that the new favoured location had been identified as the best option above several others for launching dinghies in a safe and relatively non-tidal area, and would also significantly support ECSC as they have a storage area on the Esplanade which they can't currently launch any boats from and they are an important community club.

AC made the point that he builds RIBs up to 7.5m in EC and there should be somewhere in EC to launch them. He said he had used the current slipway once but found it to be 'lively' despite being experienced using slipways.

11 Environment Agency's plans for flooding

JC said that this was something KL had emailed him about, but that KL hadn't been able to attend the meeting to discuss it.

SM said that there was a Flooding Plan for the whole of the Island identifying areas which they were going to defend and ones they weren't.

SM also said that any new developments needed to raise their sea defences up to the new level, and that there may be in the future, laws to force private owners to raise their defenses.

JC said the highest tide he'd ever seen in Cowes was 30 years ago, and then 5 years ago it was nearly as high but after 40 years of living by the sea he wasn't aware of the sea level being any higher in Cowes than it was in 1980. MS agreed. MS also made the point that the Globe pub had recently shut but that current rules would probably prevent it from being turned into residential.

12 Lack of shed space for boat work

JC admitted this was one of his pet crusades. The incredible success and expansion of all the aluminium shipbuilders in Cowes has meant that there is absolutely nowhere either side of the river to get a 40ft yacht in a shed and repaint it. The paint suppliers say they see lots of Cowes boats in Hamble being repainted. This is wrong. The knock on effects of not being able to put a yacht in a shed for a couple of weeks is significant, with owners maybe taking their boats to Hamble and the crews spending their money in the shops and restaurants there rather than in Cowes.

IB mentioned a private company from Cardiff which has been asked by IWC to identify potential for economic growth in the marine and composite sectors in the Medina Valley. They are due to visit IB and various other marine businesses to get opinion. IB said he had suggested they also contact JC and BW. (*update: JC is now meeting them*)

LM said he couldn't even find a shed to put his 23ft motorboat in to revarnish the gunwales.

PJ said he had attended the Newport Harbour development group meeting and their plans are reasonably well advanced, but he was concerned that the existing DIY facility there, currently managed by the Classic Boat Museum, might be lost. SR said the roof was Grade 1 listed so has to stay.

IB said far more commercial refit work would come to Cowes if, for example, Medina Yard or Kingston had improved facilities. He currently does all his refit and repair in Great Yarmouth.

AC expressed concern about letting DIY owners into boatyards. He said it stopped on the mainland 25 years ago and had to stop in Cowes too.

PJ mentioned the restoration of the Dry Dock by Sam Fulford which is progressing well, JC thought Sam deserved a medal.

JC said this discussion would roll into the next agenda item, Kingston.

13 Kingston boatyard and possible development

JC said he had been given a guided tour of the Kingston site by Jock last week because he was not only interested in the site as it is now but also what might happen in the future with the addition of the old aggregates site which effectively provides a massive 3rd, lower, terrace. He said Kingston was awkward to get to from West Cowes, but after looking at the site in detail, he felt that if it was absolutely fantastic over there, people would go and use it, and summed up by saying the future at Kingston was all or nothing. Right now it's a bit tatty with maybe people living on boats ashore.

AC said he moved his business there because the yard had so much potential but feels it requires a serious culture change. Boatbuilders need flexibility to expand and contract the space they use. He said the management is fantastic, they have listened and adapted but he isn't happy about non-professional people working on site because of health & safety concerns and the risk to CHC of culpability should there be an accident as a result of such DIY repairs being carried out without adherence to health & safety best practice/legislation. He felt that allowing DIY at the yard makes it impossible for yard management to ensure compliance, and this includes the implications from people living on boats in the yard.

AC added that a challenge of developing a water frontage site was boatbuilders rates which might not be high enough. JC said it needed to be affordable workshops in the same way as affordable housing.

SM said the starting point was looking at the whole of the marine industry and employment on the Island. Cowes has a long history of smaller specialised boatbuilding and CHC has been very active over the last few years of promoting the importance of the marine industry and maintaining marine employment sites. He went on to update everyone about Venture Quays where he understands there is an in-principal agreement in place for the transfer of all of the Homes England EC properties to the IWC. There are then advanced discussions between IWC and Wight Shipyard to ensure longer term employment on the site. Regarding the Samuel Whites/Medina Yard site, CHC and CHAC had objected to the planning application. Unfortunately IWC granted the application with mixed use of which about 75% is residential. However the plan doesn't appear to be commercially deliverable at the moment so the site is in a limbo state. SM said that CHC still believe that the best location for marine industry is at the Samuel Whites site, which is the northern end of what is now referred to as Medina Yard.

IB added that Diverse Marine's lease say that if they are building a new boat they can't be evicted, which means they should be safe for three or four years.

SM then explained that the Kingston Park site, nothing to do with the CHC Kingston Yard, is, he understands, now very unlikely to be developed for industry and IWC are looking for an alternative use. He then displayed some drawings of plans for Kingston Yard showing new sheds and improved facilities to develop the area into a marine industrial hub. This requires change of use being granted by IWC for the lower terrace from aggregates to marine employment use. 95% of all IW fuel used to be transported to the Island by tanker ships but now arrives by road tankers.

Phases one and two of the development would be putting in services into the lower terrace and making it hard standing. Then build between four to six fairly large marine units, fit some extra pontoons and upgrade the current lift dock from 40 tons to 120 tons.

Phase 3 would be building some smaller units on the top terrace and phase 4 some units on the middle terrace.

Ground examination has been done and a consultant has been appointed. Next is to appoint an architect and structural engineer and by March be able to apply for outline planning permission for the whole development and detailed for phases one and two. CHC have also been in discussion with the Solent LEP for some grant funding.

SM said he respected AC's comments about a fully commercial controlled yard but there had to be a balance to cater for Islanders who boat on a budget and need a DIY capability. LM agreed, adding that if he had to pay for his antifouling and varnishing to be done professionally on his 23ft motorboat, his annual running costs would double.

AC said he still didn't see that a commercial yard should be open to the general public to do as they wish as an accident in the yard may affect his business.

LM said we have to allow people to work on their own boats somewhere.

AC said there wasn't a single yard on the Hamble which allowed DIY, but SM replied that all the Hamble yards are privately run for commercial profit, and

although CHC has to be profitable it also has a duty to its stakeholders so there is a balancing act to perform.

JC finished by agreeing this was a very important aspect which would be discussed in detail in a future meeting but that maybe there was an opening for Kingston to be the place which did allow DIY.

14 New rules about water taps near water

JC said he and DJ had attended a British Marine industry meeting where new rules about one-way valves on water taps near the sea had been mentioned which he didn't think anyone knew about.

DJ then briefly explained the rules and showed the thick document which laid them out in detail. This applies to clubs, marinas, marine businesses and anyone near the waterfront from February 2020.

SR mentioned that even a blanked off end of a pipe can be a Legionella starter.

15 Flare disposal

JC said that this had been an agenda item in the past with no satisfactory solution, but that at the same British Marine meeting (see above) he thought that Red Ensign had said they had solved the problem of flare disposal and would offer their service to other people. However when JC had rang them up for more information they said they didn't have anything in place so he didn't have anything else to say on this matter.

SM said the only way on the Island for individuals to dispose of flares is to take them to Newport Police Station, but there is a limit of twelve.

IB & BW both said they leased theirs, so they get collected and replaced automatically every year.

16 CHC sustainability plan

JC said that this was nothing to do with becoming eco warriors, it was because the business world is changing rapidly and in order to keep up with business and Government expectations CHC should have a very visible Sustainability menu on its website and appoint a Sustainability officer because people will increasingly ask and look for it, indeed in the future choose which marinas and facilities they use in Cowes based on how sustainable they think the options are.

SM reminded everyone that part of the CHC strategic plan does include conservation and the environment. They currently have an Estuaries Officer who could be retitled Estuaries and Sustainability Officer. CHC is working on this matter and welcomes any ideas.

JC suggested switching to renewable energy suppliers.

PJ mentioned the problem of disposing of abandoned boats.

WO mentioned the Ellen MacArthur Foundation who work with a lot of large companies and who are giving a talk at Northwood House about the Circular Economy.

CS said he was an eco warrior and not just from a compliance side but an ethical one too. He agreed with JC that this would creep up and catch out people on the near future. IB said his business was audited every year about the green supply chain and corporate social responsibility. CS said RF had to publish a statement on their website.

BH made the point that his taxis only transport a small proportion of the visiting yachtsmen ashore which means most of them are pumping out into the river.

IB said there were small harbours that now prohibited taking rubbish ashore.

JC said that there was no recycling at Kingston. He then mentioned the social programme that is part of a sustainability plan which gets us back to Stakeholder Benefits.

17 Cowes Enterprise College Maritime Studies course

JC said this was a new course and that it would be fantastic for local maritime businesses to pro-actively engage with the College and maybe show the students some of the local businesses.

SM said that CHC had been supporting them and BW said he had students from the College every week.

18 AOB

SR mentioned that there was a plan to fit side thrusters to the Floating Bridge but that the vessel might have to return to the builders for this and he is worried there might not have been enough calculations done yet as to the required thrust.

SM said CHC are in regular contact with IWC about this.

SM said that CHC are in advanced discussion with ECSC about linking their facilities to CHC pontoons.

JC said that somebody had asked that Notices to Mariners be posted in full on the web rather than just a link, as does Portsmouth,

SM said that two commissioners were soon ending their first term and one commissioner ending a second term in May, so it was likely that CHC will be advertising for new Commissioners in the coming months.

Next meeting

Friday 1st May