

**BURNHAM OVERY HARBOUR TRUST
MANAGEMENT COMMITTEE**

**Minutes of the Meeting
held at 7.00pm on July 8th 2016
at Burnham Overy Village Hall**

PRESENT: David Horton-Fawkes (Chair), Tim Gatti (Boathouse), Pam Thompson, Iain MacKechnie-Jarvis, Sarah Henderson, Richard Warner, Peter Connor, Kevin Gathercole, Chris Henson, Simon Raven, Peter Beck (Trustee), Peter Low (Hon.Sec.)

APOLOGIES FOR ABSENCE: David de Stacpoole (Trustee), Tom Leicester (Trustee), Jonnie Usher (Hon.Treas.), Andrew Green

INVITED: George Parry, Michael Smith (SH & DCRA)

OBSERVING: Cyril Southerland (SH&DCRA), Chris Cotton (SH&DCRA), Stephen Bocking (Brancaster Parish Council & Commoner), Peter Bickell (Overy Working boats)

1.0 REPRESENTATION

1.1 Following the Overy Parish Meeting, Iain MacKechnie-Jarvis has replaced David MacLean as one of the two Parishioner representatives.

2.0 MINUTES OF THE MEETING: held on May 13th had been circulated and were agreed as a true record.

3.0 Matters arising

- 3.1 Provision of a noticeboard and the display of the moorings map is still being considered.
- 3.2 The website had been expanded to provide greater information, including the management structure, contacts, dates of meetings and minutes of meetings.

4.0 HARBOUR MANAGEMENT

4.1 The Chairman reported that he had met with Michael Smith (MS) to discuss how the CRH's manage the moorings at Brancaster in collaboration with the National Trust, and parish Council via the Brancaster Commons Committee (BCC). MS and DHF established that the CRH's and BOHT share the same goal of managing the harbour fairly and in the interests of people with strong local connections. Representatives of SH&DCRA had been invited to explain the Brancaster approach.

4.2 MS said the preliminary meeting had been positive, saying that 'do nothing' was evidently not an option and that no lasting solution would be achieved unless all parties worked together. MS said that CRH's do not recognise the Harbour Trust because the Constitution of the BOHT does not acknowledge the CRH's, it was expressed that the SH&DCRHA feel that this is an oversight that needs correcting as in law Rightholders are legal occupiers of the land, additionally by all working together the SH&DCRHA believe that the protection aim of the BOHT would be strengthened. He also stressed that the SH&DCRHA do not want to "take over" control but be formally recognised and work with the BOHT, as they do by their representation on the BCC.

- 4.3 MS outlined the way Brancaster is administered through a constitution that includes all parties who work together through a Fairways Committee. The CRH's are in a majority on the Fairways Committee. MS emphasised that all meetings are transparent and open to public observers, with venue, date and time published in parish magazines.
- 4.4 It is fundamental to the Brancaster arrangement that no one can profit from the moorings. The CRH's are entitled to one free mooring and all other moorings require the payment of a nominal annual fee, the income being used only in support of the harbour. Moorings cannot be sublet and can only be transferred with the approval of the moorings committee. A nominal annual admin fee is payable to the CRH's.
- 4.5 Ownership is confined to tackle only, and not the ground to which it is fixed. The system is managed by a paid moorings adviser. The income from the common also supports a paid Harbourmaster whose time commitment varies with the season and the tide
- 4.6 KG pointed out that consideration of the Brancaster model is entirely dependent on the BOHT Trustees being prepared to consider amending the constitution to recognise CRH's. The Chairman said that informal contacts suggested they are open to any proposal that could resolve the current situation in which unauthorised moorings are being laid, the channel is becoming obstructed, boats are clashing and moorings are being sold.
- 4.7 MS confirmed that the Brancaster arrangement was not without difficulty but that the relationship with the landowner (National Trust) had improved significantly over time and that the shared policy of local management now works well.
- 4.8 RW said that it didn't matter who controlled the harbour as long it was fair and nobody profited from it.
- 4.9 PB said that the existing constitution had its basis in advice from the Board of Trade who had stipulated that it should be locally controlled and should recognise local users hence the reference to the Sports Club and other local bodies. It was agreed that any changes to the BOHT constitution would require legal advice. MS indicated that the SH&DCRA needed to be at a meaningful level and not a token representation and those not directly involved with the harbour should have future representation considered – i.e. the sports and tennis club.
- 4.10 Cyril S described the background to the current arrangement at Brancaster. Moorings are numbered and those used by CRH's are marked as such. Sub-letting of moorings is not allowed and working boats are allowed as many as they reasonably require. Temporary moorings are not provided but are accommodated on an individual basis by the Harbourmaster. Transfer of moorings is not permitted but close family (mother/father/son) ties can be, and are recognised.
- 4.11 The position of the Boat House was discussed and the importance of the Boat House was recognised by all parties. It was noted that the Boat House maintains the Quay and provides a number of valued services. TG agreed to discuss the concept with the Boat House Board.
- 4.12 MS suggested that any new arrangement would be implemented from the basis of the 2009 Moorings Plan (the Goakes plan) to deter additional moorings being laid in haste and illegally in the interim. It was suggested that the Moorings Adviser needed to be local and prepared to enforce action.

- 4.13 The Chairman thanked the Brancaster representatives for their time and advice and looked forward to progressing the process.

5.0 Action

- 5.1 Trustees to confirm or otherwise their position on amending the constitution to recognise the CRH's.
- 5.2 Committee members to consult with their own organisations and report back to the next meeting.

6.0 CREEK MAP

- 6.0 A map showing the extent of land uses around the creek was tabled. It was agreed that the broad principles of ownership are not disputed and are a matter of legal fact, which has already been established. The relevant issue is rights of access to Common Land (CL65) in relation to the landowners and the CRH's. The Chairman confirmed that the majority landowner (Holkham Estate) recognises the rights of the Common Rights Holders in relation to CL65.

7.0 MOORING IDENTIFICATION

- 7.1 Wells Harbour has tried many options and has not found a satisfactory solution. Contact with a specialist supplier to engineering installations had indicated plastic tags would not be suitable and that Stainless Steel engraved tags would be appropriate. KG said that rubber tags were used in certain off-shore situations, but that security of the connection of tags to tackle is the weak point. It was agreed that until the mooring situation was resolved no further action would be taken.
- 7.2 Post meeting advice from MS:

With reference to metal tags on moorings – I have extensive experience of these being applied to valves and pipe markings – after pending many £000's marking lines on Shells installations we had a series of cut hands and fingers as the metal ty raps do become very sharp such that they were all replaced. Offshore we invested in a GlobalMark Industrial Label Maker easy to use – markings stick very well and once applied are very hard wearing – after initial purchase the labels are quick and easy to replace – but there is a significant capital investment – however this is also the case for stainless steel labels (they are a similar material as the BOHT boat stickers).

8.0 REPAIRS TO THE HARD

- 8.1 It was noted that the repairs to the hard had been carried out.

9.0 REPORTS

- 9.1 **Secretary** – in the absence of the Treasurer, the Secretary reported that income from licences, memberships and donations at the end of June was £9067, which is close to the figure reached 2 months later at the end of August last year. It is unclear whether this indicates an increased take-up or simply earlier payments. The breakdown of income is; Licences £6700, Membership £970, Donations £1397.

9.2 A draft Up the Creek had been prepared and was circulated for comment – required by 18th July. It was suggested and agreed that this might be circulated with the Parish Magazine.

10. AOB

10.1 Two instances of damage and/or moored craft being moved had been notified.

The meeting closed at 8.40pm.

NEXT MEETING

Friday 21st October at 7pm

CONTACT

Peter Low, Hon.Sec, 01328 730125

THESE MINUTES ARE PROVISIONAL AND UNCONFIRMED UNTIL APPROVED AT THE NEXT COMMITTEE MEETING