



**DECISION NOTICE
FOR SOUTHWOLD HARBOUR LANDS JOINT
COMMITTEE MEETING
HELD ON
TUESDAY 18 DECEMBER 2018**

**Publication Date:
Thursday 20 December 2018**

**Call-in period:
Friday 21 December 2018 to Monday 31 December 2018**

**Implementation Date:
Wednesday 2 January 2019**

(Please note the call-in provisions do not apply to
Southwold Town Council)

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SOUTHWOLD HARBOUR LANDS JOINT COMMITTEE DECISION NOTICE

Cabinet Area	Cabinet Members appointed to the Southwold Harbour Lands Joint Committee
Title of Report	Report on the Future of Southwold Harbour Lands
Report Reference	SHLJC05

Purpose of Report

To receive an update on the progress made in relation to the Southwold Harbour Lands and to consider the recommendation to rescind the previous decisions made by the Joint Committee which were that the new governance arrangements for the Southwold Harbour Lands should be a charitable company, with a trading subsidiary, and that the statutory function of the harbour authority should be transferred to that company. The reason for the recommendation to rescind the decision was due to further consideration of the circumstances which have emerged and developed over time, which indicates that those resolutions are no longer appropriate.

Approval was also sought to undertake a full consultation with professional advisers and stakeholders on the proposal of the creation of a Harbour Management Committee, which would succeed the current Joint Committee.

Options Considered

All options for the new governance arrangements for the Southwold Harbour Lands have been carefully considered and professional advice has been sought. The proposal for the creation of a Harbour Management Committee would secure the sustainability and viability of the Southwold Harbour Lands for future generations and a full consultation was recommended to take place, to ensure all view points were included and considered.

Reasons for Decision

A great deal has happened and emerged since 2015 which the Joint Committee needs to take into account when deciding how to proceed. For the reasons summarised in this report, it has become clear that the charitable model previously adopted by the Joint Committee is not appropriate. Accordingly, the resolutions made in 2015 to adopt that model should be rescinded.

It should be in the interests of all stakeholders to investigate the (informal) suggestion made by the Department for Transport (DfT) of planning to establish a Harbour Management Committee to enable short term governance improvements (including more local involvement) and plan for longer term improvements by an application for a Harbour Revision Order.

SOUTHWOLD HARBOUR LANDS JOINT COMMITTEE DECISIONS

The Joint Committee resolved:

1. that it is minded to revisit the resolutions it made on 18 March 2015 (the “**Resolutions**”), including those that the legal model for the new governance arrangements for the Southwold harbour lands should be a charitable company with a trading subsidiary and that the statutory function of harbour authority should be transferred to that company (as recited in paragraph 4.7 of the report to the Joint Committee dated 4 December 2018 (“**Report**”); relevant minute copied at Appendix H to the Report) because, having considered the circumstances which have emerged and developed since those Resolutions were made, as summarised in the Report, it considers that those Resolutions are no longer appropriate.
2. to note the recommendation in the Report that the Joint Committee:
 - a. rescinds the Resolutions; and
 - b. recommends to a simultaneous meeting of Waveney District Council and Southwold Town Council that they modify the resolutions made by them on 28 July 2014 to withdraw the delegation to the Joint Committee to act as an “*Initial Strategic Board*” and direct the Joint Committee to, in line with its terms of reference, arrange to consult professional advisers and stakeholders and advise WDC and STC on proposals for a Harbour Management Committee to succeed the Joint Committee and:
 - i. enable short term governance improvements (including more local involvement and engagement in management and delivery) in line with the key principles in the June 2014 consultation document and the Ports Good Governance Guidance issued by the Department for Transport in March 2018; and
 - ii. design proposals to deliver medium term improvements (which are likely to be made by application to the Marine Management Organisation for a Harbour Revision Order), addressing future ownership and long term sustainability, responsibility, liability and delivery.
 - c. arranges to instruct professional advisers to advise on the appropriate constitution for a Harbour Management Committee as outlined above; and
 - d. makes stakeholder engagement arrangements to consult community stakeholders and all other relevant stakeholders on the improvements outlined above.
3. to note that the Joint Committee keeps an open mind, that all potential outcomes (as to the Resolutions, the future of the governance arrangements for the Southwold harbour lands and the future role of the Joint Committee) remain open and the Joint Committee intends fully to take into account the results of the consultation exercise to be arranged as set out below before it makes its decision.
4. to carry out an exercise to consult potentially interested persons (**Stakeholders**) by:
 - a. arranging an event or events in Southwold to consult Stakeholders in person; and
 - b. using reasonable endeavours to notify Stakeholders, at such events and by advertisement in a local newspaper and/or publication on the WDC and/or STC websites, of these resolutions and that they must deliver any representations they may wish to make to kerry.blair@eastsuffolk.gov.uk and/or townclerk@southwoldtowncouncil.com in writing by midnight on 1 March 2019.
5. to arrange a further meeting to decide how to proceed once the results of the consultation exercise have been obtained and considered.

Declarations of Interest / Conflicts of Interest	<p>Southwold Town Councillor I Bradbury declared that he was the Southwold Town Council representative on the Southwold Harbour and River Blyth Users Association.</p> <p>There were no declarations received from any Waveney District Councillors on the Joint Committee.</p>
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Meeting Date	Tuesday 18 December 2018
Call-In Period	Friday 21 December 2018 to Monday 31 December 2018
Implementation Date (If no Call-In activated)	Wednesday 2 January 2019

Councillor W Windell
Chairman of Southwold Harbour Lands Joint Committee

Councillor M Bee
Vice-Chairman of the Southwold Harbour Lands Joint Committee