

Outcome of Information Gathering (Paragraph 4.2 of Report Refers)

Body	Information Being Ascertained	Outcome
Crouch Harbour Authority	Detail on the precise work of the Harbour Authority and the nature of the need for involvement in policy making/management activity.	A response letter from the Clerk to the Harbour Authority is appended. It can be seen from the second paragraph on page 2 that there are proposals to change the appointments mechanism during 2004.
Rochford Crossroads (Caring for Carers)	That reducing representation down to one appointee would not compromise/reduce the Council influence.	The Honourable Treasurer has indicated that a reduction in representation should not compromise/reduce the Council's influence.
St Marks Field Community Hall Management Committee	Clarification of the constitutional position from the Parish Council	Representation on the Management Committee was a requirement of the District Council in January 2001 when Full Council resolved:- That, subject to suitable representation from Rochford District Council on the future Management Committee, a sum of £60,000 (from existing provision within the Capital Programme) be offered to the Rochford Parish Council for the purposes of funding fixtures and fittings and facilitating initial revenue support in respect of the Community Hall at St Marks Field Rochford (HHHCC) (Minute 16/01)

Body	Information Being Ascertained	Outcome
South Essex Environmental Protection Sub-Committee (SEEPS)	That reducing representation down to one appointee would not compromise/reduce the Council's influence	The Head of Housing, Health and Community Care has advised that SEEPS has a constitution which specifies the number of delegates each Authority is allowed. The Sub-Committee has no executive powers. The Head of Service cannot recall there having been voting on any matter (although the constitution does provide for this if needed). In that other Authorities tend to take up all the allocated spaces, a reduction in numbers could potentially reduce the influence the Council had on the Sub-Committee's deliberations.
Rochford Health for All 2000 Action Team	The views of the Head of Housing, Health and Community Care on retaining membership.	The Head of Housing, Health and Community Care agrees that it would be appropriate to retain a link with this Group, whose aims and activities often complemented the Council's own. Officers have at times attended Meetings and participated in joint projects.

The Crouch Harbour Authority

APPENDIX

J James - Chairman

Stewart Ashurst : Clerk to the Authority
Post Box 11, County Hall, Chelmsford, CM1 1LX

Mr Bostock
Planning and Administration
Rochford District Council
DX: 39751
Rochford

Our ref: DWK/LS
Your ref: JB/KAR
Date: 04 March 2003

Dear Mr Bostock

Crouch Harbour Authority

Thank you for your letter of 25 February 2003.

The Crouch Harbour Authority is under a duty, subject to section 12 of the Crouch Harbour Act 1974 to take such steps from time to time as they may consider necessary or expedient for the preservation, protection, regulation, management, maintenance and improvement of the harbour and the navigation thereof. That is perhaps the most concise description of the work of the harbour authority. The authority ensures that safe and unrestricted navigation can take place within the area of the authority. It ensures that moorings are properly maintained and licensed and that any tidal works within the harbour are carried out in such a way that they do not impede river traffic. It also has a regulatory function in that it enforces bylaws for the harbour area which restrict speeds of vessels within certain areas of the authority's control. They also restrict fishing in certain areas to allow safe navigation as well as regulating actions in relation to water sports unseaworthy vessels and vessels that have sunk and have become abandoned.

Under the relevant Harbour Acts the Harbour Master also has a general duty to issue instructions to all vessels seeking to enter the harbour area to ensure safe use of the harbour.

The Harbour Authority is also a major landowner in the locality and in this role helps promote and facilitate the use of the harbour wherever possible for both commercial and leisure interests.

As part of the Harbour Authority's general duties under Section 12 of the Act, the authority shall have regard to the desirability of conserving and enhancing the natural beauty and amenity of the countryside and of encouraging the provision and improvement of facilities for the enjoyment of the countryside and of open-air

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recreation in the countryside. It is therefore also part of the Harbour Authority's remit to take great account of the environmental impacts of any actions within the harbour area and where possible to promote good environmental practice. To that end the Harbour Authority has produced a harbour management plan which lays down a number of policies upon how the policy will carry out its duties.

You may or may not be aware that the Harbour Authority is currently seeking a Harbour Revision Order which is hopefully to be put before the Secretary of State in the near future which has been promoted as a result of the Government's guidance in the DETR document 'Modernising Trust Ports – A Guide to Good Governance'. As a result of this proposed Harbour Revision Order, the authority will change its constitution and will become a board with ten members. As a result of this change there will no longer be directly appointed members of the board from any local authorities. Instead the board will be made up of appointments determined by an independent appointment panel. Under the proposed Harbour Revision Order the independent panel would have one member appointed jointly by the local authorities who currently appoint members to the harbour authority. It is hoped that the Harbour Revision Order will be adopted and in place for the next annual general meeting of the Crouch Harbour Authority which will be January 2004. There will then be a transitional period where members will resign and new appointments will be made over a period of six years until the new fully constituted Harbour Board is in place. I may well contact you in due as to proposals upon who should resign and when.

With regard to the need for district council involvement in policy making/management activity, it is the view of the current Harbour Authority an involvement by all Local Authorities who have an interest in the Crouch Harbour area is very important indeed. In fact one of the criteria for appointing members to the new harbour board will be knowledge of Local Authority work and legislation. As I am sure you will appreciate local members have the support of the their organisation and can be in position to advise or assist the Harbour Authority in particular circumstances. Similarly the Harbour Management Plan, was not a statutory plan does have a relationship with the approved Essex structure plan and the local plans prepared by Maldon and Rochford District Councils. Accordingly the involvement of the District Councils in monitoring and maintaining these policies is essential. Furthermore the benefit of the authority being connected to Local Authority networks cannot be overstated particularly in relation to the number of initiatives taking place in and around the Essex coastline. Similarly, the general experience of members taking part in meetings of the authority is beneficial because of their overall experience of working within a committee structure. This is often apparent where administrative issues arise and Local Authority Members can give other members of the authority and/or the advisory group the benefit of their personal experience in dealing with such issues at a District or County level.

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I hope that this has been sufficient information to enable you to advise your sub-committee upon the beneficial impact of appointing members to work with the Crouch Harbour Authority. If you need any further information please don't hesitate to contact me.

Yours sincerely



**David Kerfoot
For the Clerk to the Crouch Harbour Authority**

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