

Decision maker:	Cabinet
Subject:	Approval of Policy with Havant Borough Council for Langstone Harbour Board
Date of decision:	7 th April 2014
Report by:	City Solicitor
Wards affected	N/A
Key decision (over £250k)	No

1 Background

- 1.1 The Langstone Harbour Board comprises 15 members: 6 Councillors each from Portsmouth City Council and Havant Borough Council, 1 Councillor from Hampshire County Council and 2 members of the Board's own advisory committee.
- 1.2 Langstone Harbour Board is a statutory corporation, established under its own Act of Parliament and has the power to charge a precept, which must be paid by Portsmouth City Council and Havant Borough Council.
- 1.3 In the summer of 2013, the Board commissioned a review by Chris Fisher Associates. The findings of the review were accepted by the Board. In essence, it recommended a review of the governance of the Board and that it should be placed on a more modern commercial footing.
- 1.4 The cost to Portsmouth was £70,902 in 2012/13, reducing to £35,450 in 2013/14. It is intended, through the re-organisation of the governance of Langstone Harbour Board and placing it on a more commercial footing, to reduce the precept to nil by 2016/17. This objective was agreed in principle in November 2013 when the Leaders of Havant Borough Council and Portsmouth City Council met with the Chairman (Havant Borough Councillor, Jackie Branson) and the Vice-Chairman (Portsmouth City Councillor, Peter Eddis) of the Board.
- 1.5 No changes can be made to the governance of the Board without the Board's consent and also the support of the Marine Management Organisation. Both parties will therefore be closely involved at the appropriate times in the review and in particular the Harbour Masters.

- 1.6 The approval of both Councils is being sought on the attached draft policy (Appendix 1) towards Langstone Harbour Board as an agreed foundation for the way forward.
- 1.7 The Board will then need to meet to discuss the implications of the policy and agree a memorandum of understanding between the three bodies to set out roles, responsibilities and objectives for the next piece of work which will be the development of an implementation plan for the Board to work through the proposed changes.
- 1.8 It is also proposed that the Council engage Chris Fisher Associates to assist with this work. The cost is expected to be around £20,000, to be split equally between Havant Borough Council and Portsmouth City Council with Portsmouth City Council being the procuring authority.
- 1.9 Further work arising from the implementation will be agreed by the Board. It is envisaged that any additional costs arising from implementation would be met by the Board.

2 Purpose of Report

- 2.1 To seek Cabinet's approval to the attached draft policy.

3 Recommendation

- 3.1 Cabinet approves the attached draft policy.

4 Equality Impact Assessment (EIA)

- 4.1 The contents of this report does not have any relevant equalities impact and therefore an equalities assessment is not required.

5 City Solicitor's Comments

- 5.1 The City Solicitor's comments are included in this report.

6 Head of Finance & S151 Officer Comments

- 6.1 The S.151 Officer has approved the release of £10,000 from the council's central contingency provision for 2014/15 in order to fund the city council's share of the costs to progress work on the development of an implementation plan.

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Signed by: Michael Lawther City Solicitor

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
None	N/A

HAVANT BOROUGH COUNCIL & PORTSMOUTH CITY COUNCIL

LANGSTONE HARBOUR BOARD POLICY – DRAFT

1. This policy has been adopted in [month] 2014 by Havant Borough Council and Portsmouth City Council (“the Councils”) and sets out their agreed policy with respect to the Langstone Harbour Board.
2. Langstone Harbour Board is a corporate body responsible for the management of the Harbour, with terms and powers set by legislation. The majority of the Board membership has been drawn from among the elected members of the two Councils.
3. The Councils agree that the Harbour continues to present economic opportunities for the local area as well as being an attractive and important conservation area.
4. The Councils, as the appropriate local authorities, wish to continue to engage in a constructive way with the Board in support of the Councils’ strategies for Portsmouth and Havant.
5. The Councils would like to support the Board in developing plans for the sustainable management of the Harbour, free from dependence on local authority funding by the financial year 2016/17. The Councils wish to consider, with the Board, what future governance and funding models might be most appropriate to deliver these objectives and what policy or legislative changes might be required.
6. The Councils intend to work with the Board in 2014 to develop a new Memorandum of Understanding between the Board and the Councils, setting out clear relationships and responsibilities and reflecting this policy statement.