



**Notes of the Annual General Meeting
Sovereign Harbour Residents Association
3rd May 2012**

1. Welcome to Members

Rick Runalls (Chairman) (RR) welcomed members to the meeting. He drew members' attention to a booklet that had been distributed around the hall, which included the Agenda, the Committee's Report and the Treasurer's Report. He added that whilst it had been a very busy year there was some glimmer of hope for the future.

2. Apologies

Chris Runalls, Councillor David Elkin (ESCC). RR explained that we had an open arrangement with Meads Community Association; but unfortunately they had been unable to attend.

3. Welcome and Introduction of Guests

A warm welcome was offered to invited guests including Stephen Lloyd M.P, Cllr David Tutt (Leader of EBC), Sovereign Ward Councillors Patrick Warner (EBC), Gordon Jenkins (EBC), Philip Ede (EBC). The Neighbourhood Policing Team had been in attendance but unfortunately had to leave as they had received a call to an incident.

4. Introduction of Committee

RR introduced those committee members present including Jan Weeks (Deputy Chair), Ian Weeks (Communications Officer), Peter Thomas (Treasurer), Roger Kiernan (Membership Secretary), Chris Mephram and Anton Levy. He reported that Christine Runalls had stood down and would not be seeking re-election to the committee in the coming year. The Committee had been joined during the year by Des Davis.

RR reported that two people had come forward to join the Committee from the membership in the run-up to the AGM. The existing Committee had agreed to serve for another year and constitutionally they would be automatically re-elected along with the two new members.

As a consequence it was confirmed that the SHRA Committee entering the 2012 – 2013 year would comprise Jan Weeks, Rick Runalls, Ian Weeks, Peter Thomas, Roger Kiernan, Chris Mephram, Anton Levy, Des Davis, Angelo Errigo and Shirley Davis.

5. Committee Report

RR advised that the full Committee Report had been made available to all those attending the AGM in the pamphlet provided. However, he felt it was particularly relevant to highlight some of the key issues.

Before continuing RR briefly updated a matter arising from last year's AGM.

RR stated that at last years' AGM it was proposed that SHRA should examine the possibility of seeking charitable status. During the year this had been fully investigated to see whether this would be possible. It was finally agreed that it would not be suitable for SHRA to become a Charity as it was an activist group rather than an organisation providing activities in which the local community could participate.

RR gave thanks to other groups currently established in the Harbour including Harbour Community Association (HCA), which is trying to organise social events. The Carpet Bowls at the School is proving very successful. Unfortunately use of the School hall is only available during term time and when not in use by the School, which severely limits possible activities. However, HCA has now been awarded Charitable Status, which is a significant landmark. The Neighbourhood Panel is still very active with excellent Police support. They have been tackling issues of crime and anti social behaviour within the Harbour. Jan Weeks is Chair of the Neighbourhood Panel. SHECAT – RR introduced Alison Attwood who is the co-ordinator of SHECAT. He explained that Sovereign Harbour have entered a float into the Eastbourne Carnival to be held on 2nd June 2012. Sovereign Harbour Rotary Club (Peter Thomas – President), their fund raising was legendary and their members can always be found around the Harbour collecting monies for very worthy causes. The Sovereign Harbour Rotary Club was formed some 3 years ago. Sovereign Harbour Social Club (Sam Sweiry) who meet every week for older people to get together for coffee, chat and outings. Harbour Friends is still going strong and have changed the night they meet to Wednesday and this has proved very successful. All these groups are pulling people together and making social contacts.

RR advised that there was some very good news in that the long awaited Medical Centre was now up and running after a long and hard campaign and thanks should go to Dr Adoki for seeing this project through, and to Steven Lloyd M.P, for his contribution and engagement with SHRA in general.

Residents have made it very clear to all concerned what they want to happen within the Harbour. The Supplementary Planning Document has been drawn up and consultations are now open until July. There will be further open meetings over the summer and Residents must make their views known Plans need to be agreed by Carillion as the landowner and we do not expect an easy ride.

Steven Lloyd M.P was Chair of the Group set up to get the SDP off the ground. The MP stated that discussions and meetings had been going on a long time and have been very detailed. A lot of work has gone into getting to a place where we were satisfied. We now need to take the plan to Carillion in order to do a deal. We think it is workable, not perfect, but Residents will have to make a decision. He added that Sovereign Harbour was the jewel in the crown for Eastbourne.

RR advised that the SPD provides options for the final stage of the Harbour Development. SHRA has negotiated with the council to ensure residents ambitions are recognised within the SPD, but the final decisions will be made by the Sovereign Harbour Residents. He advised all present that they must make their views heard and go onto the Council Website and say what they think. It would be a tragic waste not to take advantage of this opportunity.

RR advised that there has been a compromise on the SPD. In order to have a Community Centre, recreational spaces and play areas for children there will be a maximum of 150 properties, mainly houses. The last consultation confirmed that the majority of residents were prepared to accept limited residential development provided the missing community facilities were realised. He also said that we have an agreement with EBC that before Carillion can do any residential building the Community Centre will have to be built and handed over to the Community. The Council had proposed a 400sqm Centre as already built at Willingdon Trees – they are already having an extension. We have argued that the Harbour is similar in size to Polegate and we should consequently have a Community Centre of similar size. Courtesy of the Council an Architect was engaged to draw up suitable plans for a Centre. We now have a clear understanding of what is wanted. We have a Business Plan drawn up courtesy of Des Davis who has over 30 years experience in Community Development, in particular Community Centres.

We have looked at various areas around the Harbour. Site 4 is particularly important and should incorporate a public open area – The Sovereign Harbour Village Square. We have also spoken to Carillion regarding cleaning up Site 7.

Prudential have put forward a plan to redevelop the Crumbles area. They have spoken with SHRA about their plans. The plans have to go ahead for us to have a cross Harbour bus link to join North and South Harbours. The Retail Park has proved to be a big issue with EBC who see the redevelopment of the Retail Park as a threat to the Town Centre. This view is not shared by SHRA who believe both developments are essential for the success of Eastbourne.

6. Treasurer's Report

The Treasurers Report was presented by Peter Thomas (PT) in summary. The Net Current Assets of the Association have risen to £18089.29 at 31/03/12 PT thanked our Auditor for auditing the accounts. Membership had now changed to Life Membership. PT invited members to review the accounts at their leisure and contact him if they had any questions.

RR gave thanks to Peter Thomas for his work during the year as Treasurer and to Ian Weeks (IW) for all his hard work in producing Waterlines and making this self funding. He also thanked him for his work on our Website.

7. Motion

RR proposed that £500 of SHRA funds be donated towards completion of the new Eastbourne lifeboat "Diamond Jubilee". This was seconded and unanimously agreed by a show of hands.

8. Open Discussion

RR opened this session with an invitation to Stephen Lloyd M.P. to address the meeting and to take questions from the membership.

Stephen Lloyd M.P.

The MP stated that he had been working very closely with RR and IW on the Sovereign Harbour Trust. He had been in contact with Lord Chris Smith, Chair of the Environment Agency (EA) to arrange a meeting to see if there was a way forward for the residents of Sovereign Harbour. Lord Chris Smith had replied that he did not think there was a need for such a meeting. The MP advised that next stage would be to go back to Chris Smith to see if he would be willing to have a meeting with just himself. If this is unsuccessful he will then ask questions in the House of Commons under Parliamentary Privilege. He stated that he felt that the Sovereign Harbour Trust would not want this type of publicity. However, at this stage, the Trust does not appear to want to budge.

RR advised that SHRA had continued to try and influence the EA and SHT but could not take legal action as it would cost too much. The £200 that all Residents pay is split between the Environment Agency for flood defences for Eastbourne along to Cooden Beach and the balance to Premier Marina for harbour maintenance.

At this point Stephen Lloyd M.P rounded off his presentation and was thanked by RR and the members.

RR then asked if there were any questions from the floor.

Question: *Parking problems in and around the Harbour, in particular, Atlantic Drive is now becoming a large car park. What can be done?*

Response: *The Neighbourhood Panel have been looking at parking problems throughout the Harbour. A review of parking by ESCC was currently in hand in North Harbour. Once completed a review will then be carried out in South Harbour. Carillion had agreed to let people collecting their children from the Haven School use the Bertholders Car Park at end of Atlantic Drive but parents do not use it apparently because it is too far to walk. Meeting confirmed that it was East Sussex County Council, Highways Department who deal with parking problems. It was felt that the parking problems will get worse with more development and the increase in school size.*

Question: *With regard to Site 10, Outer Harbour opposite Midway Quay - is there any proposal for developing this site?*

Response: *None in the SPD Access to the site and silted up outer harbour precludes this. Lifeboat Station had wanted to put a pontoon here but cost was approximately £80K to dredge out even this small area, with £10K per annum maintenance, which made it too expensive for the RNLi to consider.*

Question: *A lot of news in papers regarding the proposed redevelopment of the Crumbles and the Arndale Centre. Would appear that Arndale Centre is blackmailing Council into not supporting the Crumbles redevelopment?*

Response: *Councillor David Tutt (Leader, Eastbourne Borough Council) stated that both he and Councillor David Elkin (Leader of the Opposition)'s position on the situation was that both proposals were wanted. They were not happy with present situation and were talking with both parties. He stated that Eastbourne can cope with both and recognised that the Prudential proposal is crucial to the Harbour. He was hopeful that in a couple of week's time they would have a joint strategy. He stated that the Council were trying to keep equilibrium.*

Question: *Who is responsible for the weeds on roundabouts and also the Developers sign at entrance to Harbour was looking very tatty?*

Response: *With regard to the Developers sign, JW advised that SHRA had spoken with Carillion about this. RR advised that although Carillion are difficult on the large issues affecting the harbour they do respond positively to small problems when it does not cost money. RR stated SHRA would look into the situation of weeds on roundabouts and would send a list of jobs required to Carillion.*

RR added that SHRA spend most of their limited time on the big issues affecting the harbour, if there was anyone present who could look after these smaller issues under SHRA could they please let him know.

Councillor David Tutt said he had kept notes of all points raised by Residents and would be taking them back to the Council to discuss with appropriate Officers.

RR advised that in due course SHRA would like to get Carillion off the Harbour completely, so there was not a constant threat of additional residential development stretching into the future.

Question: *There appears to be quite a lot of fuel spillage in the Harbour. Do we know who is responsible?*

Response: *SHRA do not know who is responsible but they would try to find out. They do not, however, think Premier Marinas will take much notice.*

Question: *Is it possible to have a bus stop near the Medical Centre?*

Response: *Cllr Warner has been in discussion with Stagecoach. It appears that a bus stop cannot be brought closer to the Medical Centre because of where the Centre entrance is situated near to the roundabout. Highways are currently looking into it. SHRA will investigate further and the MP said he would also write to Highways.*

Question: *Raising of Bridges.*

Response: *Ian Weeks advised that under the 106 Agreement pedestrians not boats have right of way. They are in breach of contract for not applying this rule.*

This has been pointed out in the past. Peter Thomas advised all present to use the phone provided to ring the office to put the bridge down and to complain as often as possible and ensure that they log the call. They obviously do not have enough staff.

Question: *Where is the proposed Community Centre to be?*

Response: *RR advised that it was proposed to have the Community Centre on Site 5, opposite the Yacht Club. This is on the edge of landfill and we are therefore restricted to a single storey building. The Centre needs to be of a size and flexibility that enables it to be successfully run as a business.*

Question: *Is infrastructure in place for more development?*

Response: *If Carillion put in planning application Southern Water will not object, even though they had previously said there was insufficient capacity in the sewage system.*

Question: *What affect will Crumbles redevelopment have on traffic?*

Response: *There should be no difference to existing traffic as there will be little expansion to the retail park. Highways will address all traffic concerns on the redevelopment.*

Question: *We have been told that there will be no more than 150 houses built, what guarantee do we have for this?*

Response: *Councillor David Tutt stated that the Council have an agreement that a maximum of 150 properties would be built up to 2027. He could not say what would happen after this date.*

9. Any Other Business

Allison Attwood thanked Rick Runalls and the SHRA Committee for all the work they have done on behalf of the Residents of Sovereign Harbour.

There being no further business RR thanked everyone for attending and closed the meeting.



**Minutes of Special Meeting of
Sovereign Harbour Residents Association
Held on 3rd May 2012 at Haven School**

The meeting was called following the AGM in order to appoint Officers to the Committee for the 2012-2013 year.

Present: Rick Runalls, Jan Weeks, Ian Weeks, Des Davis, Roger Kiernan
Anton Levy, Chris Mephram, Peter Thomas, Angelo Errigo and Shirley
Davis

Election of Officers

Jan Weeks nominated as Chair, Chris Mephram nominated as Deputy Chair, Peter Thomas nominated as Treasurer, Shirley Davis nominated as Secretary, Roger Kienan as Membership Secretary and Ian Weeks as Communications.

All nominations were fully supported by the whole committee.

The above were duly elected to serve as Officers of SHRA for the coming year.



Annual General Meeting 3rd May 2012

Haven School Sovereign Harbour
Doors Open 19:00, Meeting Commences 19:30

Agenda

1. Welcome to Members
2. Apologies
3. Welcome and Introduction to Guests
 - Stephen Lloyd M.P.
 - Cllr David Tutt - Leader of Eastbourne Borough Council
 - Sovereign Ward Councillors
 - Neighbourhood Policing Team
 - Meads Community Association

4. Introduction of committee

5. Committee Report

6. Treasurer's Report

7. Motion:

It is proposed that £500 of SHRA funds be donated towards completion of the new Eastbourne lifeboat, "Diamond Jubilee"

8. Appointment of Committee for Coming Year

9. Open Discussion

10. A.O.B.

Meeting Ends

Committee Report for the Year 2011/2012

To put the past year in context, it's worth reviewing the objectives of Sovereign Harbour Residents Association (SHRA) and how its stance and achievements have developed over its history

In terms of its Constitution SHRA has always had the straightforward objective of representing the best interests of the residents of Sovereign Harbour. However, the background to the development of the harbour and changes to the original concept have been far from straightforward, and seemingly impossible materially to influence. This was the situation until 2005 when developers declared their plans to construct a B&Q superstore on one of the remaining significant harbour development sites.

The proposed development required a change of designated land use, which had potentially serious implications, and since it would essentially move existing B&Q premises to the new site, there were no long-term net employment benefits. Additionally there was nothing in the plans that would help to provide the community facilities that were missing from the harbour. The net result of this was a groundswell of objection from local residents that found its voice through the 'No to B&Q Action Group' supported by Stephen Lloyd, who was then a prospective parliamentary candidate. The strength of resident feeling also resulted in changes within the SHRA committee and subsequently changes in focus and approach from SHRA.

As an initial priority SHRA took up the campaign against the new B&Q, but

recognised that there was something of a void in the Association's ability to communicate with its members, and harbour residents more generally. It was far from clear whether residents were abreast of the key issues affecting their community and, indeed, were aware of the work the SHRA committee was trying to do on their behalf. The new committee made it an absolute priority to introduce a regular SHRA newsletter and also an effective web site. These have become essential means of communication with the harbour and beyond in promoting the interests of residents, not just for the Committee, but also for forward thinking residents who have ideas to help our community develop.

The threat from the B&Q application was stopped at EBC's Planning Committee in the face of a concerted campaign, and terrific support from residents. However, the harbour once again came under pressure, this time from Carillion's proposal to build even more flats across several of the remaining development sites. As Carillion is the land owner and given the Council's historic support for more residential development on the harbour, there was concern that this piecemeal over-development would be approved by the Council. In response SHRA led a campaign to press home the objections to this scheme, stressing the need for an integrated plan for completion of the harbour that incorporates the necessary community facilities. Once again this was strongly supported at the Planning Committee by residents and the developer's applications were rejected. Unfortunately the opportunity to capitalise on this in subsequent discussions between

the Council and Carillion was lost and the promise of a 'Master Plan' for the completion of the harbour development evaporated. This situation persisted for nearly four years.

The SHRA Committee has always believed that the SHRA has no mandate to decide what's in residents' best interests. Instead our objective has been to use Waterlines, the website and open meetings to give residents the facts necessary to make informed decisions.

As long ago as 2005, residents' main concerns quickly became apparent, and three main objectives were set:

- To resist further residential development, whilst ensuring residents' priorities for community facilities were given due weight in the remaining development of the harbour.
- To campaign for the provision of a first rate Harbour Medical Centre in support of Dr. Adoki at the Harbour Medical Practice.
- To get effective resident representation on the board of the Sovereign Harbour Trust (SHT), in order to ensure that the Marina Rent Charge was no greater than was permitted under the Deed and Grant of Covenant that all original purchasers of harbour properties were obliged to sign.

In addition, and in response to dissatisfaction with the quality of representation the harbour community had received at Borough and County Councils, the SHRA also campaigned for the formation of a Community Council. This was well-supported in a referendum, but failed to achieve the necessary majority.

So, what has been happening over the last year? Firstly, it must be said that in most areas the year has been generally upbeat, the exceptions being SHT and the Marina Rent Charge.

On the positive side we have seen, after years of SHRA campaigning, the completion of the new Medical Centre. It was good to see Dr. Adoki's dogged commitment bearing fruit, and we look forward to the development of an outstanding facility for residents of the harbour and Eastbourne more generally.

It was very encouraging to see a significant change in the relationship between the SHRA and the Borough Council regarding the final stage of the harbour development. The concerns expressed by SHRA and residents at public consultations on Eastbourne's Local Development Framework (LDF) elicited a response from EBC and a fresh approach followed.

A further consultation event was held to give the Council a more detailed view of residents' requirements, and to gauge their attitude to limited, additional residential development to resource community facilities. It is worth noting that community priorities were unchanged since a similar open event conducted more than a year previously.

As a result of these consultations, Sovereign Harbour has moved a significant step closer to seeing the delivery of the community facilities it currently lacks.

In a series of workshops led by Stephen Lloyd MP, the Leader of Eastbourne Borough Council, David Tutt, Opposition Leader, David Elkin, together with the ward councillors and the SHRA, a plan for the future

SOVEREIGN HARBOUR RESIDENTS ASSOCIATION

REVENUE ACCOUNT for the period 1st April 2011 to 31st March 2012 (12 months)

	11/12	10/11	09/10	08/09	07/08
INCOME					
Subscriptions	£ 3,610.00	£ 4,920.00	£ 6,870.00	£ 3,485.00	£ 4,349.00
Advertising Income	£ 2,000.00	£ 3,000.00	£ 2,575.00	£ 2,145.00	£ 3,975.00
Donations/Contributions	£ 500.00	£ 2.07	£ 592.40	£ -	£ -
Bank Interest	£ 4.49	£ 3.99	£ 6.94	£ 126.67	£ 224.62
The Crumbles Story	£ 79.90	£ 263.67	£ 377.54	£ -	£ 384.71
Other Income				£ 400.00	£ -
Total Income	£ 6,194.39	£ 8,189.73	£ 10,421.88	£ 6,156.67	£ 8,933.33
EXPENDITURE					
Waterlines & Printing	£ 3,179.97	£ 2,462.54	£ 3,143.00	£ 5,617.00	£ 3,709.00
Stationery & Office Supplies	£ 160.23	£ 154.30	£ 626.23	£ 495.00	£ 277.12
Internet Hosting	£ 193.75	£ 126.31	£ 124.95	£ 105.63	£ 126.76
Membership Cards			£ 1,661.04		£ 248.59
Hall Hire & Events	£ 190.00	£ 300.00	£ 275.00	£ 213.62	£ 85.00
PO Box	£ 163.75	£ 97.56	£ 62.39	£ 59.77	£ 48.20
Postage	£ 14.16	£ 27.25	£ 61.68	£ 21.00	£ 66.18
Insurance (Public Liability)	£ 272.45	£ 270.68	£ 292.61	£ 267.01	£ 99.75
Travel & Subsistence	£ 6.80	£ 66.60			
Misc/Sundries	£ 335.00	£ 37.99	£ 202.70		£ 129.15
Telephone	£ 40.00	£ 40.00	£ 213.31	£ 147.49	£ 93.69
PayPal Fees	£ 88.02	£ 93.42	£ 79.38		
Computer Software, Peripherals & Consumables	£ 411.07	£ 66.54	£ 1,014.89		
Bank Charges	£ -	£ -	£ 70.00		
Depreciation	£ 457.93	£ 559.85	£ 648.56	£ 279.39	£ 111.48
Donations (Charity and Prizes)	£ 248.00	£ 333.74	£ 92.28	£ 500.00	
The Crumbles Story	£ 5.13	£ 296.01	£ 345.20		£ 384.71
Total Expenditure	£ 5,766.26	£ 4,932.79	£ 8,913.22	£ 7,705.91	£ 5,379.63
Excess (Deficit) of Income over Expenditure for the year	£ 428.13	£ 3,256.94	£ 1,508.66	£ -1,549.24	£ 3,553.70
Balance b/f at beginning of year	£ 9,481.87	£ 6,224.93	£ 4,716.27	£ 6,265.51	£ 2,711.81
Balance c/f at the end of year	£ 9,910.00	£ 9,481.87	£ 6,224.93	£ 4,716.27	£ 6,265.51

SOVEREIGN HARBOUR RESIDENTS ASSOCIATION

BALANCE SHEET AS AT 31/3/12

	11/12	10/11
Current Assets		
Cash in Natwest Current a/c	5182.55	£ 5,594.06
Cash in Natwest Reserve a/c	12,003.50	£ 9,970.25
Cash in PayPal a/c	84.74	£ 1,112.30
Prepayments	267.73	£ 300.06
Equipment Assets		
asset b/f	414.71	
plus: purchases	594.00	
less: depreciation	457.93	
asset c/f	550.77	£ 414.71
Total Current Assets	£ 18,089.29	£ 17,391.38

Certified that I have laid before the Auditors all of the books and financial affairs for the period 1st April 2011 to 31st March 2012



Signed

1st May 2012

Peter Thomas (Treasurer)

of each of the remaining development sites has been prepared. Once the Draft Plan has been considered by the council's cabinet committee, local residents will be asked for their views.

The draft Supplementary Planning Document (SPD) for Sovereign Harbour provides guidance on the uses considered to be appropriate for each of the development sites, including details of the size, scale and form of development and the specific community benefits to be delivered.

Other issues that the SPD will address include the lack of open space and children's play areas, the provision of additional retail, leisure and employment uses, accessibility across the neighbourhood via a range of transport methods and the operational needs of the fishermen and boats.

In order to deliver the community benefits that the neighbourhood needs, it is acknowledged that some additional housing will be provided. However, this would be a maximum of 150 dwellings and the majority of these would be houses rather than flats.

The SPD will be the subject of a period of public consultation that will run from 1st May to 24th July to allow residents to decide whether it meets their expectations and this will include an open presentation of the plans at the Sovereign Harbour Yacht Club on 30th June.

The process has been useful and, although there are issues with which SHRA is still uncomfortable we believe the SPD reflects the best outcome for the harbour that we were able to achieve. However, whether the SPD delivers what

the harbour community wants will ultimately be decided by residents, not the SHRA committee.

A particularly encouraging aspect of this process has been the degree of support and co-operation arising from the cross-party group and we hope that this will be the model for future dealings between SHRA and the Council. Our thanks go to Stephen Lloyd and the Council members and officers involved.

The other area of 'planning' that has been of major importance to Sovereign Harbour over the last year has been the proposed redevelopment of the Sovereign Harbour Retail Park. The retail park is owned by Prudential, which has kept the SHRA up-to-date with progress throughout the life of the plan. You will probably recall the open day at the former 'Fitness First' studio, where the plans were first presented to the public. The importance of Prudential gaining approval for their plans is that the 'cross harbour bus link', which has been approved by our Councils, and for which finance was secured by a section 106 agreement on the original harbour development, is currently dependent on these plans, after being held in abeyance for some nine years. Sadly, the situation is being threatened because the developers of the town centre see the Sovereign Harbour Retail Park as a threat to the economic viability of the town centre redevelopment plans, and have threatened to withdraw unless retail uses of the park's units are severely restricted. The planning officers, concerned that the town centre redevelopment may not go ahead, responded to the threat by recommending unacceptable conditions on the

application.

Fortunately, the Planning Committee did not accept the officers' recommendation, and removed the majority of the conditions. We would like to thank residents who took a real interest in this and wrote to the Council in support of the Sovereign Harbour Retail Park scheme. SHRA will continue arguing in support of Prudential's plans, which will not only improve the retail park, but will secure a much needed community facility, improving our bus services and bringing the North and South Harbours closer together.

The disappointing area of SHRA's work has been our effort to get movement in the position of Sovereign Harbour Trust (SHT). We have always contended that the Southern Water Agreement of 1988, which moves the responsibility for funding flood defences from the developers to residents, was breached by both of the key signatories, the Environment Agency (EA) and Carillion plc (formerly Southern Water and Tarmac Construction).

Consequently, we are of the view that the subsequent deeds which reference this agreement, and contract residents to pay not only an additional flood defence charge, but also a subsidy towards the marina company are legally 'unfair'. The fact these deeds place potentially unlimited liability on property owners is of major concern.

We started on this particular quest by requesting a seat or seats on the Board of Trustees to represent residents' interests. These attempts were rebuffed by the EA and also by the Trust whose secretary made it clear that residents had no right

to representation on the Board and were only linked with the Trust by virtue of the charge they were contracted to pay.

Investigations showed that the Trust was not acting in accordance with its constitution and we submitted a formal complaint to the Charity Commission (CC). In investigating the complaint, the CC decided that, as the SHT had never been involved in any charitable activities, its charitable status should be withdrawn. The response of the SHT was to set up a Community Interest Company (CIC) as the collection agency.

At this time Premier Marinas had taken over as the marina operator and its CEO requested a meeting with SHRA and the trustees. At the meeting, he requested that the complaint be withdrawn to allow the new arrangements to come in. In return he agreed to use all his influence to ensure SHRA was given a seat, or seats, on the Board of the CIC. The complaint was withdrawn, but the offer to get SHRA representative(s) seats on the Board disappeared and we have heard nothing from Premier on this issue since.

The central issue is that although we believe that we are paying under an unfair contract the only way we can prove this is through the courts and this would cost more money than SHRA has, or can hope to raise. It would appear that both beneficiaries of the trust's income, the EA and Premier Marinas are relying on this.

Their motivation is clear, a ruling of unfair contract could require them not only to stop charging residents, but also to refund all charges previously collected.

It needs to be said that it is not in the interests of residents to jeopardise the integrity of the Harbour, or marina business, but equally it is not unreasonable to have representation on the Board to promote the interests of residents. An area of key concern is administration costs associated with collection of the Rent Charges, which have risen by about £120,000 over the last three years, and now total over £163,000, soaking up over a quarter of the trust's income. Also, tucked away as line items, are a £25,000 charge by Premier marinas to cover its costs for working out how much we must pay to subsidise the operation of its business, and £1,133 (+10%) to pay for the audit.

In an effort reduce these extortionate costs, SHRA proposed that, as an alternative, the 'Marina Rent Charge' could be collected through Council Tax. A meeting was held with EBC, at which it was concluded that there were precedents for this. EBC commented that they would have to impose an administration charge, but that this would be around £3,000 - £5,000 per annum.

SHRA approached the EA with this proposal, on the basis that as a Government organisation, it would welcome a better deal for harbour residents that still guaranteed its income. However, they rejected this on the basis that any change would require alternative contractual arrangements to be put in place. This is patently nonsense; what the EA is frightened of is that lawyers working on the change would uncover shortcomings in the contract.

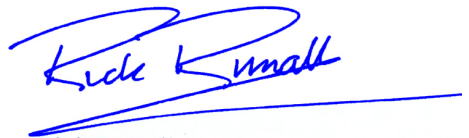
Stephen Lloyd MP has recently written to the Chairman of the EA on these issues, asking that it

should review the basis on which charges are levied, but the agency is doggedly holding its position. SHRA firmly believes that there is more work to be done in this area and is considering a response to the EA's position.

Sadly attempts to act reasonably have been rebuffed over the years and the Trust has acted only to hold residents at bay. We have had little alternative but to pursue a combative approach since 'acting reasonably' has failed.

We hope that Stephen Lloyd's support may have more effect and will continue trying to get a better deal for residents.

In summary, it has been a year of highs and lows, but there have been successes and if the planning process meets a positive response from Carillion there is a good chance that the harbour will be finished in a way that provides some of the facilities we need to become a sustainable community.



Rick Runalls,
Chairman
Sovereign Harbour Residents Association