



Information for Candidates

1. These notes provide information for potential applicants interested in serving as a part-time non-executive member on the Board of Teignmouth Harbour Commission (THC). The notes include short introductions to the work of the Commission, an explanation of the role of Board Members/Commissioners and the qualities sought in applicants. Unsuccessful applicants may also be considered for relevant appointments in subsequent years or co-opted for 12 months.

2. Introduction. It is an important objective of THC to appoint candidates representing a wide range of appropriate experience to serve on the Board. Therefore, you should not rule yourself out from applying because you imagine that “you are not the kind of person” who is appointed to such things. On the other hand, it is also an important objective to appoint competent individuals suited to what are demanding positions. Therefore, you should only apply if you feel you possess the qualities, skills and competencies sought in our advertisement (a copy of which is attached) at a level sufficient to take part in the leadership of this harbour/conservancy. A process which is open is also intrinsically competitive; it is not possible to recommend for appointment everyone who possesses the qualities described. Therefore, if you apply, it is important that your application clearly shows, with examples, the level and depth of your achievement and experience as applicable to the qualities we are seeking in a new Board Member. Some people may find it helpful to ask a friend to read through their application and comment before submitting it.

3. How to Use These Notes. Do you feel you can make a valuable contribution to this work? If so, keep reading about our Port and its operations. Do not apply unless you have the adequate time to give to the Board.

4. To apply, carefully follow the directions in Para 21 of these notes. Because of the high degree of interest in appointments of this kind, unless your application closely follows these directions (and is received at the correct address by the closing date) it will not be possible for it to be considered.

5. About the Appointment. As well as considering those who respond to the present advertisement, the Board may also consider names from other sources. Experience, interests, location, amount of time available and other relevant factors are important so that sensible matches between individuals and bodies can be considered.

6. The appointment is part-time, typically 1 day a month exclusive of time required for participation in an induction training programme. It is a voluntary position and does not attract a salary. Travelling expenses may be reimbursed in some cases. This appointment offers opportunities to individuals who wish to contribute to the community and to the efficient administration of Port/Harbour business. The opportunity may be to help the harbour run more effectively and safely, to offer advice on a challenging and complex issues, or to broaden a Board’s approach by bringing a fresh outlook to discussions on new areas of expertise.

7. Service on the Board of a Trust Port can give you a valuable insight into the practice of government. It can be a useful development opportunity for rising stars; it can provide those at the peak or end of their careers in the public or the private sector with a chance to contribute their expertise for the public good; and it can also offer an opening for valuable contributions from people taking career breaks or who have gained their experience in other areas, such as voluntary work.

a) **Personal Liability** Each Commissioner has a duty of care to the Commissioners' undertaking. However, the Commissioners have decided that, as a matter of policy, Commissioners will be effectively indemnified out of the Commissioners' resources for all actions taken with their powers. Accordingly, where a Commissioner has acted honestly, reasonably, in good faith and without negligence he or she will not have to meet out of his or her personal resources any personal civil liability which is incurred in the execution or proposed execution of his or her functions as a Commissioner, except where that Commissioner has acted recklessly.

b) **Newly Appointed Commissioners** Commissioners have a duty to ensure that any newly appointed Commissioner is provided with clear information on all aspects of his or her duties as a Commissioner. Each Commissioner has a duty to undertake relevant training during his/her first term of office. Certified completion of training is a precondition of reappointment for Board Members.

c) **Overall Performance Assessment Procedures** Commissioners will be subject to a regulated annual appraisal of their performance by the Chairman who will take appropriate action if any Commissioner is judged not to be performing his/her duties adequately.

A Board Member will be familiar with the area served by the Port. You should have wide experience in one or more of the following areas:

- Finance and administration
- Maritime and commercial activity
- Environmental matters
- Management of harbours and ports Industry

8. **An Overview of Our Port/Conservancy** THC is a Trust, which means it is an independent statutory body, governed by legislation within the Teignmouth Harbour Revision Order 2003. Trust Ports can be said to be special, holding a unique place in the UK ports industry. There are no shareholders or owners. Any surplus is ploughed back into the harbour and port operations for the benefit of the stakeholders of the Trust. The stakeholders are all those who use the Harbour and Port, the employees and all those individuals, organisations and groups having an interest in the operation of Teignmouth Harbour. It is the responsibility of THC to ensure that all these varied interests operate in harmony, both for the common good and for the long-term sustainability of the whole harbour and its stakeholders. Like many harbours Teignmouth is host to many conflicting interests – commercial, recreational, and environmental. In addition to the busy Port, the Harbour's extensive sheltered waters also provide a magnificent haven for recreational sailing and water sports. The mudflats and salt marshes are of great ecological value for feeding and roosting birds. Sharing the navigation channels with sightseeing vessels and leisure craft of all types and cargo vessels proceeding to and from the ABP commercial Port. The local fishing fleet albeit small arrives and departs at all hours.

9. The Commissioners' jurisdiction covers the entire water area up to the line of MHWS of Teignmouth Harbour from the Ness to the Stover Canal.

10. Commissioners Responsibilities THC's main responsibilities are:

- Ensuring that statutory duties are fulfilled, such as maintaining an open Harbour/Port.
- Maintaining the shipping channels by surveying, dredging and marking with navigational aids such as buoys and lights.
- Providing a pilotage service for ships visiting the Harbour.
- Allocating areas of the Harbour for leisure moorings.
- Providing and co-ordinating resources in the event of oil or chemical pollution in the Harbour.
- Contributing to the management of any maritime emergency in the harbour.
- Enforcement of Harbour Byelaws and keeping them under review.
- Taking account of the environmental requirements of the Transport and Works Act 1992 and other relevant legislation.
- Ensuring the safety of harbour users and employees alike.
- Addressing the obligations placed upon the Trust by legislation including the Waste Disposal Regulations and the Habitats Directive.

11. THC is a Trust Port created by an Act of Parliament as the Statutory and Competent Harbour Authority for the River Teign. Under the Teignmouth Harbour Order 1924 as amended by the Teignmouth Harbour Revision Order 2003 the role of the Harbour Commission is primarily as the Navigational Authority regulating marine operations within the Harbour from the river mouth to Newton Abbot. We are required to make sure that the harbour remains open for public use and that it can be navigated without danger. We have an environmental duty to conserve and facilitate the safe use of the harbour and its resources. In addition to following the non-statutory Port Marine Safety Code (P.M.S.C).

12. THC leases the fundus (sea/riverbed) of the Teign Estuary below the Mean High Water Line from the entrance to the Stover Canal to the Seaward Harbour Limit Boundary formed by a line joining the eastern extremity of The Ness with the Den Lighthouse. As such THC allocates and licenses all the moorings within this area on an annual basis with the exception of a few moorings that are part of private legal agreements.

13. A Brief History. Teignmouth has always been a port of some consequence for even in 1347 seven ships and 120 men were sent against the French at Calais. For centuries the port had a considerable inshore fishery and carried on an active trade with Newfoundland throughout the 18th century. Other trades to flourish in the 18th – 19th centuries were local Granite, Pipe Clay,

Manganese and Timber and in 1821 the New Quay was built for the purpose of shipping Dartmoor Granite to London for the construction of London Bridge.

14. The Teignmouth Quay Company was established by Statute in 1887 for development of the Port of Teignmouth and has been owned and operated by ABP Port since 1988. Teignmouth has been an active trading port for more than three hundred years, with over 300 shipping movements annually, handling about 400 thousand tonnes of cargo which fluctuate annually but remains fairly consistent. Ranging from bulks, mini bulks to palletised, unitised and general cargo. The main export is ball clay, mined locally at Kingsteignton and the Bovey basin, with imports including animal feed, aggregate, salt and blast furnace slag. There are four working berths, which are fully equipped to handle a wide range of cargoes for both import and export. There is over 9,300 square metres of warehousing plus a large area of quayside storage supporting this. We can currently accommodate vessels up to 90 metres in length and up to 5.0 metres draft on the highest spring tides.

14. Revenue. THC derive their entire revenue from the users of the Port and Harbour. In particular Shipping Dues charged to the commercial operators for using the Port and the cost of Leisure mooring licences. In an average year, income amounts to around £6-700K. There is no other routine source of grant or aid from either local or central government authorities.

15. The Strategic Vision: *To conserve the natural beauty, environment, character and history of the Harbour, balanced with the needs of the many people who use it, whilst ensuring that it is safe to navigate and accessible to as many people as possible, now and for succeeding generations.*

16. within that Vision, the Mission Statement: *To ensure that the Harbour is operated safely and efficiently, so as to safeguard the Harbour, its users, the public and the environment both now and in the future. It is committed, within its powers, to fulfilling all its duties and responsibilities in a safe and efficient manner, to the enhancement of access and facilities for river users and to the enhancement of the well-being, enjoyment and economic benefit of the River for all.*

17. Management. THC currently comprise of a Board of 10 Trustees (Commissioners), including the Harbour Master/Chief Exec and approximately 8 employees. All Board Members are required to sign a declaration that they will act impartially and make decisions in the best interests of the harbour.

18. Qualities Sought in Potential Board Members

a) **Board Member.** The duties of a Board Member/Commissioner are considered to be on a par with those of a non-executive director of a company, in addition to which there are obligations, responsibilities and statutory duties peculiar to the trust. In particular they will act as completely independent trustees for the benefit of all stakeholders in the trust including all Port users and the local community and will abide by the principles of good corporate governance set out in this guidance. The Trust's primary duty (and therefore that of a Board Member) shall be to take such steps as they consider necessary or expedient for the improvement, maintenance and management of the Port/conservancy and the accommodation and facilities afforded or in connection with the Port/conservancy with a recognition of the Port's role in the region. A Board Member is expected to act with independent judgement, to use their skills and experience for the benefit of the Board, to be committed to working in the best interests of the Port/conservancy, to devote the necessary time to carry out the function of Board Member and to undertake such training as specified by the Board and the Department for Transport from time to time.

b) **Generally.** All Commissioners should adhere to the following principles in the conduct of the Commissioners' business. Commissioners must fully understand their duties and responsibilities and should familiarise themselves with the contents of the Guide to Good Governance issued by the Department for Transport, Local Government and the Regions in January 2000 and updated March 2018.

c) **Independence.** The Commissioners are an independent statutory body. All Commissioners are appointed to act independently in the best interests of the Commissioners' Harbour undertaking and all of its stakeholders both present and future.

d) **Accountability.** Commissioners are accountable for their decisions and actions to all stakeholders of the Commissioners' harbour undertaking and should submit themselves to whatever scrutiny is appropriate to their office.

e) **Openness.** Commissioners should be as open as possible with all stakeholders about the decisions and actions they take. They should publicise the reasons for their decisions and restrict information only to the extent that matters of commercial confidentiality or matters of personal confidentiality (ie matters relating to an individual Commissioner or a member of staff) are involved.

f) **Selflessness.** Commissioners should take decisions solely in terms of the interests of stakeholders of the Commissioners' harbour undertaking. They should not do so in order to gain financial or other material benefits for themselves, their family and friends or any group or organisation with whom they are associated.

g) **Integrity.** Commissioners should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

h) **Objectivity.** In carrying out the Commissioners' business, including making appointments, awarding contracts, or recommending individuals for rewards and benefits, Commissioners should make choices on merit.

i) **Honesty.** Commissioners have a duty to declare any private interests which might influence their duties as Commissioners, and to take steps to resolve any conflict arising, in a way that protects the interest of stakeholders of the Commissioners' harbour undertaking.

j) **Leadership.** Commissioners should promote and support these principles (and ensure that they are adopted by fellow Commissioners) by leadership and example.

19 Before an individual is appointed to a Board, here are some of the things which need to be considered:

- You must broadly agree with the overall mission of the port but be prepared to question hard the means of getting there
- You may well bring specialist knowledge (of marketing or finance, for example, or as a consumer) but you must not be a defender of functional or sectional interests
- You must understand the constraints of the Port's relationship with the Department for Transport and of working within the guide to good governance for trust ports

- You must understand the organisation of the Port (not necessarily before appointment) but not become too identified with it
- You must understand the legislative and statutory framework within which the Port operates and the duties and obligations this places on the Board
- You must have a commitment to getting the best value for money, taking into account social objectives, for the Port's end customers
- You must be prepared to spend time, if necessary, over and above that nominally required, to do the job properly

20. **The key qualities** which need to be clearly demonstrated (by factual information and concrete examples) in your application include:

- You must have achieved results in demanding situations. These can be in a career or in unpaid (such as voluntary) work
- You must have demonstrated the ability to contribute effectively in group discussions involving a wide range of people, including specialists and professionals. This includes the intellectual ability to extract the essence of an argument from papers and to analyse problems and assess evidence impartially
- You must demonstrate that you have been able to earn the respect of colleagues and been influential as a member of a team working over a sustained period of time towards demanding goals
- Your application should make clear the level and depth of your management or specialist expertise (if any) and any other experience which demonstrates your knowledge and interests relevant to the post

You should also set out your reasons for wishing to be considered for this appointment.

21. **How to Apply**

Your application needs to comprise the following:

- A letter not exceeding two pages answering the four requests set out below
- A full CV listing your education, professional and personal qualifications, and full career history, paid or unpaid, including details of any budgets and numbers of people you have managed, and any relevant achievements. Please also give the names, addresses and brief details of two referees who know you well but are not personally connected to you, and can assess your potential to contribute to the Board.

Please include in your covering letter a response to the four questions below (not more than 2 pages). Your response may be quite limited in one or more cases, in which case please complete as far as you feel able.

- Describe briefly the most challenging problem with practical implications which you have faced and what you contributed to its solution.
- Describe a group situation in which you had to balance either your strongly held views or your specialist skills against wider or contrary considerations. What impact did others' views have on you and your views on them?
- Summarise any specialist or management experience (or local or regional knowledge in the case of geographical bodies) which you think particularly relevant to Teignmouth Harbour.
- Trust Ports need to represent a broad cross-section of experience of the community. How wide is your experience of the varied circumstances of life faced by individuals in your region? This could include, for example, domestic and family experience as well as voluntary or professional experience.

Email your application to thc@teignmouthharbour.com or post to:

Capt Karen Dalton-Fyfe
 Chief Executive and Harbour Master
 Teignmouth Harbour Commission
 2nd Floor, ABP Port Office, Old Quay Road,
 Teignmouth,
 TQ14 8ES

NB. The content of unsuccessful applications will remain confidential.

22. **DATA PROTECTION ACT 2018.** Individual records shall be kept for a maximum of three years, in line with the maximum length of the appointment cycle. Information held by the Department about individuals in connection with appointments to trust port Boards shall be fully in compliance with the provisions of the Data Protection Act 1984, that is to say:

- Personal data shall be held only for the purposes specified in this guidance, and will be relevant
- Data shall not be used or disclosed in any manner incompatible with the appointments process
- All data shall be accurate and kept up to date
- Applicants shall be entitled, at reasonable intervals and without undue delay, to have access to data held and to have data corrected or erased where appropriate
- Appropriate security measures shall be taken to protect personal data against unauthorised access, alteration or deliberate or accidental loss or destruction.