

Bembridge Harbour Needs You

- Isle of Wight Council has granted a harmful **planning permission** for the housing development around the harbour.
- A recent legal report evidences systematic **wrongdoing** in the name of the Statutory Harbour Authority
- Navigation has, and will, become increasingly restricted. **This need not happen.**

Planning permission for housing

Presented as if for the benefit of the harbour, this in fact not only leaves it much worse off, but opens the door for further developments that do nothing to benefit the harbour while leaving it poorly maintained and visibly silting up. In order to save the harbour, we have to act now to challenge the IOW Council's decision in the courts by judicial review.

Systematic wrongdoing in the name of the Statutory Harbour Authority

There is also a unique opportunity (also strictly time limited) to challenge the actions of the Harbour Authority. The case is supported by a recent legal report to the Trust. Success should lead to recovering around £1.5m which the owners have diverted from the Statutory Harbour Authority.

Background

We have no other option but to pursue this course, having exhausted all other possible routes to reach agreement with the Statutory Harbour Authority. These efforts have included those brokered by the harbour's own advisory committee from which the directors withdrew.

Funding the process

We will not launch these reviews unless we have the resources available. We need to raise £100,000. After recovery of costs in the event of winning both claims, about 65% could be recovered.

This is a large amount, but it is only a fraction of the benefits it will bring to the harbour if either or both the challenges are won or settled, by redressing the harm both in the past and for the future.

Implications of the planning challenge

We are conscious that the Isle of Wight Council will be faced with costs. These can be avoided if the council accepts the basis of the challenge. The SHA will not be a party to the challenge and need incur no costs.

The developer, which is not the Harbour Authority, has the opportunity to volunteer to change the terms of the legal agreement to deliver genuine benefits to the harbour. This course would enable the challenge to be withdrawn.

Implications of the harbour Challenge

The Trust and others have sought financial transparency in line with Government Guidance. The legal action will ensure that this happens. This can form the basis of early rectification and can avoid the need for the SHA costs.

Action

Your harbour needs YOUR help - not only to cover the full costs but to demonstrate once and for all to the harbour owners that the community will act to save the harbour. As much as 65% could be reimbursed depending on the outcomes. If the full funds prove unnecessary contributions will be offered back pro rata.

Donors have already contributed generously to fund rigorous in depth analysis and opinion by independent legal and financial experts. The proposed course, painful and expensive as it is, is necessary. The successful outcome will be to ensure the harbour has the funds it needs for its future sustainability.

This is not a drill. It really is now or never if we are to save the harbour. Please help, now.

Here is how to donate.

1. Pay **Bembridge Harbour Trust a/c 00950644 at Lloyds Bank plc** sort code **30-97-21** use the reference **BHT JR** and add **C** if you would rather your donation were confidential.
2. By cheque to: **Bembridge Harbour Trust c/o The Old Cottage, Upper Green Road, St Helens, Isle of Wight PO33 1UQ.** Write **BHT JR** on the back of your cheque and a **C** if you prefer confidentiality.

All donations will be set aside in a reserve account exclusively for this purpose. All unspent funds can be returned to donors in the proportion of the donations made as will any legal costs recovered. No money will go to any BHT member or Trustee, who all work as unpaid volunteers. Please also fill out the **GIFT AID APPLICATION** on the website so we can claim on the net amount of your donation at the end of the process or let us know and we will send you a Gift Aid form. Do not make personal claims for tax relief now as these would be invalid until the non-refunded net donation is fixed at the end of the process.

Please email secretary@bembridgeharbourtrust.org with pledges or any questions.

BHT is a registered charity (No 1120225. Registered in July 2007) It is also a company limited by guarantee (Company No 05671595). Registered address: 9 St John's Place, Newport, Isle of Wight, United Kingdom, PO30 1LH

