

Saundersfoot Harbour Revision Order Inquiry

NOTE OF THE PRE-INQUIRY MEETING

10AM, 10 NOVEMBER 2025

**CONDUCTED IN-PERSON AT
SAUNDERSFOOT HARBOUR**

A. INTRODUCTION AND OPENING REMARKS

1. The Chair is a barrister appointed by the Welsh Ministers to chair an inquiry into the proposed Harbour Revision Order (“the HRO”).
2. The Chair would address procedural matters only, and not the merits of the application for the HRO.
3. This pre-inquiry meeting was intended to be relatively informal. Everyone present who wishes to contribute has an opportunity to do so. As it is a public inquiry, and it is open to anyone to attend and observe.
4. If anyone wishes to speak in Welsh, they are very welcome to do so. A translator is present.
5. The inquiry is an independent process. Although the Chair has been appointed by the Welsh Government, but he is independent. Mari Williams, of the Welsh Government’s Aviation, Ports and Logistics Team, is in attendance today as an observer.

B. PURPOSE AND SCOPE OF THE INQUIRY

6. The Welsh Government has decided to determine the application for a HRO through an inquiry process, particularly in light of both (a) the period of time that has elapsed since the HRO was applied for, and (b) the extent of outstanding objections.

7. The Chair has been appointed to conduct the inquiry, and then advise the Welsh Ministers. His possible recommendations may be to either:
 - a. approve the HRO;
 - b. refuse the HRO, or;
 - c. approve a version of the HRO which is different to the HRO applied for by the Applicant (in other words, one of the possible outcomes of the inquiry may be that the Chair advises that the Applicant's proposed HRO in its current form is unacceptable, and he may therefore recommend the approval of an amended version of the HRO).
8. The Chair will hear the Applicant's application for the proposed HRO, and the objections against it, during the inquiry hearing.
9. Once the inquiry hearings have concluded, the Chair will then produce a report for the Welsh Ministers. The report will set out his recommendation, analysis, and provide an explanation for the recommendation. The Welsh Ministers will ultimately take the decision, and the Chair's recommendation is not binding.
10. The Chair is supported by a highly experienced Programme Officer, Helen Wilson. There is a dedicated webpage for the inquiry:
<https://www.hwa.uk.com/projects/saundersfoot-harbour-revision-order-inquiry/>.
11. Information about the inquiry has also been published on the Welsh Government's website.
12. The Minister cannot approve the HRO unless a specific legal test is met, which is prescribed by section 14(2) of the Harbours Act 1964. In particular, in order to make the HRO the Minister must be satisfied that:
 - the making of the order is desirable in the interests of securing the improvement, maintenance or management of the harbour in an efficient and economical manner or of facilitating the efficient and economic transport of goods or passengers by sea or in the interests of the recreational use of sea-going ships.

13. It is the Chair's role to advise the Welsh Ministers as to whether that legal test has been met.

C. IDENTIFICATION OF PROPOSED ISSUES FOR DETERMINATION

14. The core issue that the Chair is required to therefore determine is the need and justification for each of the amendments that would be introduced by the HRO - specifically:

- a. Changes in the constitution and numbers of commissioners (including the appointment of the Chief Executive Officer and a senior officer as commissioners);
- b. Changes in the limits on terms of service as commissioners and chair respectively;
- c. Changes to the appointment process (including the introduction of a nominations committee and abolishment of the current appointments panel);
- d. Changes to the process for filling casual vacancies;
- e. Changes to the constitution of the advisory committee;
- f. Increase in borrowing power from £5m to £10m;
- g. Increase in temporary borrowing limit from £100,000 to £2m;
- h. Remuneration of commissioners and chair (including the establishment of a remuneration committee);
- i. Changes to the scope of the commissioners' general powers and powers to make byelaws.

15. The Chair will also consider whether any aspects of the proposed HRO are unlawful or inconsistent with other legislation.

16. No other issues were raised by the parties in attendance.

D. OVERVIEW OF THE INQUIRY PROCESS

Procedural timetable

17. From the pre-inquiry meeting, the steps will be:
- a. The submission of a statement of case;

- b. The submission of proofs of evidence, and;
- c. The submission of rebuttal evidence.

18. Anybody can submit a statement of case and written evidence – it is not limited to only those parties that have previously objected.

Inquiry hearing process

19. This inquiry will be conducted by way of a public hearing. As such, and in very brief terms:

- a. the Applicant will present its case for the HRO, with objectors having the opportunity to ask cross examine the Applicant's witnesses, and;
- b. then the objectors will then present their cases against the HRO, and
- c. all parties will then make closing submissions.

20. At the inquiry hearing, the Chair will aim to ensure that anyone who wishes to participate is able to do so.

Recommendation report

21. The Chair will then produce a recommendation report. The report will be provided to the Welsh Government.

E. STATUS OF OBJECTIONS

22. The Chair's approach to the status of objections is as follows: unless the Chair has an unequivocal confirmation from an objector, in writing, that their objection has been withdrawn (whether conditionally or unconditionally) – either issued to the Applicant, the Welsh Government or the Chair, the Chair will be treating the objection as live (and not withdrawn).

23. When the application was first made in early 2020, there were 8 objections:

- a. Royal Yachting Association / Royal Yachting Association Cymru Wales
- b. Saundersfoot Community Council
- c. Friends of Saundersfoot and District
- d. Member of the public, Mr Neville Andrews

- e. Saundersfoot Harbour Advisory Committee
- f. Pembrokeshire County Council
- g. Saundersfoot Sailing Club
- h. Saundersfoot Chamber for Tourism (Defunct)

24. In addition, Natural Resources Wales submitted representations on the application, which did not constitute an ‘objection’ as such, but which the Chair considers necessary to treat as a relevant consideration.

25. In terms of objections which have been withdrawn:

- a. Saundersfoot Sailing Club withdrew their objection to the 2020 proposed HRO in writing on 30 November 2020. However, the Chair has not seen anything that concerns the 2024 version.
- b. The Chair understands that Pembrokeshire County Council may have also withdrawn their objection, but the Chair has not seen a clear statement in writing from Pembrokeshire County Council, and therefore, the Chair is not presently inclined to treat its objection as withdrawn.

26. The Chair notes that Saundersfoot Chamber for Tourism has been dissolved as a company, but the Chair does not understand it to have withdrawn its objection before that occurred. The Chair is therefore inclined to treat it as a live objection.

27. The Chair understands there has been communication from Friends of Saundersfoot and District. The Chair am unclear whether the 2020 objection from Friends of Saundersfoot and District is from Rowland Williams as an individual or Friends of Saundersfoot and District. Either way, the Chair will treat it as a live objection.

28. The Applicant explained that the Saundersfoot Sailing Club and Pembrokeshire County Council have both withdrawn their objections. The Chair asked that both the Saundersfoot Sailing Club and Pembrokeshire County Council write to him, via Helen Wilson, to confirm.

29. Pending receipt of those confirmations, there are 6 live objections.

F. AGENDA FOR PRE-INQUIRY MEETING

Inquiry venue

30. The inquiry hearing venue will be: Bay View Suite, Saundersfoot Harbour, The Harbour, Saundersfoot, Pembrokeshire SA69 9HE.
31. Video link facilities will be available for those who are unable to give live evidence. Those who wish to give evidence remotely should apply to the Chair, via Helen Wilson.
32. Equally, any applications for reasonable adjustments should also be addressed to the Chair, and submitted via Helen Wilson.

Inquiry dates and sitting times

33. The provisional inquiry hearing dates are proposed to be the first week of February – Monday 2 February to Friday 6 February.
34. Depending on the number of parties that formally participate in the inquiry, it may be that the inquiry can be heard in a shorter number of days. The hearing dates will be confirmed once statements of case have been received.

Inquiry programme and order of appearances

35. Following a discussion between the Chair and the parties, the following dates were confirmed:
 - a. The submission of a statement of case on Tuesday 9 December.
 - b. The submission of proofs of evidence on Monday 12 January.
 - c. The submission of rebuttal evidence on Monday 19 January.
36. If any party needs more time to prepare a document, please notify the Chair via Helen Wilson.

37. The Applicant indicated concern that a party could serve evidence without having engaged in the inquiry process. The Chair confirmed that a party who wishes to formally participate as an interested party in the inquiry must submit a statement of case. However, it will be open to anyone to comment on the application at the hearing of the inquiry.

38. In the terms of the inquiry itself, the order would be as follows:

- a. Opening submissions from all parties (comprising written submissions to be read out orally)
- b. The Applicant's witnesses – evidence in chief, cross examination and any re-examination;
- c. Objectors' evidence – evidence in chief, cross examination and any re-examination.
- d. Submissions/statements from members of the public.
- e. Closing submissions from objectors.
- f. Closing submissions from the Applicant.

39. Once evidence has been submitted, it will be possible to determine how much time is likely to be needed for each party's witnesses. A timetable will then be drawn up and published.

40. Both the Applicant and Saundersfoot Harbour Advisory Committee provisionally indicated that they would be relying on two witnesses each.

Welsh language/translation

41. The Chair has ensured that anybody who wishes to contribute today in Welsh is able to do so. The parties in attendance indicated that they would not require translation at the inquiry hearing.

Submission and format of evidence

42. Statements of case and proofs of evidence must be submitted to Helen Wilson, which will then be published online. The Chair may require hard copies of some documents and parties will be contacted should that be the case.

43. Statement of Case and proofs of evidence:

- a. must contain full details of relevant facts and legal arguments,
- b. must be accompanied by all documents (including for example data, analysis or copies of legal cases) maps and plans and any relevant extracts to which the statement refers,
- c. should cite any policy (for example, the Ports Good Governance Guidance) statutory provisions and case law (and contain the full report reference) they consider supports their arguments.

44. The Applicant should take account of, and respond to, any representations and objections already submitted by objectors and interested parties. The Chair would be grateful if the Applicant could please provide a table summarizing its response to each of the live objections.

45. The Chair would also be grateful if the Applicant could please provide a red line version of the HRO showing the proposed amendments (i.e. a tracked changes version).

Core and inquiry documents

46. A core documents and inquiry documents library will be established online, on the inquiry's web page. For example, the core documents will include the application documents, objections, statements of case, and evidence.

47. The inquiry documents will include the documents created by the inquiry process, and will include (for example) today's agenda, and a note of today's pre-inquiry meeting.

48. A draft core index is in an advanced stage, and will be shared with the parties very shortly after today. The Applicant and the objectors will be provided with an opportunity to suggest other documents to be included in the core bundle. Those documents should also be sent to Helen Wilson with hyperlinks.

49. The Core Documents library will be finalised as soon as possible to enable parties to reference them in their statements of case and proofs of evidence.

Gethin Thomas

21 November 2025