

Minutes of the Harbour Committee

3 December 2007

-: Present :-

Councillor Horne (Chairman)

Councillors Amil, Carter (C), Doggett, Hodge, Kerslake, Manning

External Advisors

Colonel Chris Bedford, Mr William Butcher, Captain Bob Curtis, Mrs Elaine Lambert
and Ms Heather Maxwell

391. Apologies. Apologies for absence were received from Councillor Ellery and Mr Gordon Jennings. The Chairman welcomed the newly appointed External Advisors to the Committee.

392. Committee Membership. It was reported that, in accordance with the wishes of the Conservative and Liberal Democrat Groups, the membership of the Committee had been amended for this meeting by including Councillors Hodge and Doggett instead of Councillors Bent and Faulkner (J) respectively.

393. Minutes. The Minutes of the meeting of the Committee held on 18 September 2007 were confirmed as a correct record and signed by the Chairman.

394. Urgent Items. The Chairman advised the Committee that Torbay Council had been awarded 'Leading Lights' status under a scheme set up by the Department for Transport, Department of Communities and Local Government and the British Ports Association to acknowledge ports across the country who work to recommendations intended to help Councils gain the maximum benefit from their ports. The Chairman thanked all associated with Torbay's harbours for their hard work in securing this award.

395. Minutes of the Harbour Liaison Forums. The Committee noted the Minutes of the Torquay/Paignton Harbour Liaison Forum held on 4 September 2007 and the Minutes of the Brixham Harbour Liaison Forum held on 6 September 2007 (as set out in Report 324/2007).

396. Marine Services Budget Monitoring 2007/08. The Committee received Report 325/2007 which identified the latest situation in relation to the Marine Services Budget. The Director of Marine Services summarised the Statement of Accounts and responded to questions from Members and Advisors.

Resolved: that the contents of Report 325/2007 be noted.

397. Marine Services Budget and Harbour Charges 2008/09. the Director of Marine Services outlined the possible options in relation to the Marine Services Budget and setting of Harbour Charges for 2008/09 as set out in Report 326/2007. The report provided Members with proposed budgets and Harbour Charge Schedules demonstrating both a 5% and 7% increase in charges for the 2008/09 period. Report 326/2007 also contained the responses of the Torquay and Brixham Harbour Users Forums in relation to the proposed increase in Harbour Charges. The Committee was advised that a response had not yet been received from the Paignton Harbour Users Forum. The Director of Marine Services responded to questions from Members and Advisors on the proposals before them.

It was noted that it was very difficult to compare the levels of charges with other authorities due to the vast variations in categorisation of vessels and therefore the large variety of charges in place but the Director of Marine Services confirmed that Torbay was a member of national benchmarking and that the charges levied



previously have been slightly above the average.

It was suggested that a set formula was needed in future years to govern the increase in harbour charges which would help local people to be able to understand the charges and to even be able to calculate for themselves the increase that could be expected. The Director of Marine Services agreed that this was something that could be looked into for the next budget setting round.

Members noted that any increase in charges would mean that current harbour users would experience a sharp increase in their bills and it was agreed that a phasing system would be put in place to make the increase more affordable.

Resolved: (i) that, having had regard to the opinions expressed by the Harbour Liaison Forums and the Harbour User Groups, the harbour charges for 2008/09 be increased by a representative average of 7%;

(ii) that the Marine Services budget for 2008/09, based on a 7% increase in harbour charges (as set out at Appendix 3 to Report 326/2007) be approved;

(iii) that the existing non-commercial customers being displaced by the Torquay Harbour Town Dock be given a three year phased increase to the charges being proposed for new non-commercial customers; and

(iv) that during 2008/09 Marine Services review the harbour charges for commercial customers using the Torquay Harbour Town Dock and other harbour facilities.

(Note 1: Prior to consideration of the item in Minute 397 the Chairman and Councillor Manning declared Personal Prejudicial interests and withdrew from the meeting whereupon Councillor Amil took the Chair).

(Note 2: Prior to consideration of the item in Minute 397 Councillor Kerslake declared a personal interest by virtue of his position as a member of the Torquay Yacht Club).

398. Revision to the Tor Bay Harbour Moorings Policy. Members considered Report 329/2007 in relation to the Tor Bay Harbour Moorings Policy. The Committee was advised that the Moorings Policy adopted at the meeting held on 18 June 2007 now needed updating. The Director of Marine Services introduced the item and advised Members that there were two main changes to the original Moorings Policy as set out at Appendix 1 to Report 329/2007. The Director responded to questions from Members and Advisors on the changes to the Policy.

Resolved: that the revised Tor Bay Harbour Operational Moorings and Facilities Policy, as set out at Appendix 1 to Report 329/2007, be adopted.

399. Tor Bay Harbour Estates – Decriminalised Parking. Members received Report 328/2007 in relation to Decriminalised Parking Enforcement on the Tor Bay Harbour Estates. The Brixham Harbour Master introduced the report and responded to questions from Members and Advisors. Concerns were raised in respect of how the scheme would be run and operated and the Harbour Master advised Members that such details would be finalised when an appropriate consultant had been selected.

Resolved: (i) that the use of decriminalised parking enforcement to regulate vehicles using the harbour estates, be endorsed; and

(ii) that the Director of Marine Services be requested to use his delegated powers to procure the assistance of consultants to guide the Harbour Authority through the process of implementing decriminalised parking enforcement on the Tor Bay Harbour Estate.

400. Torquay Harbour Structures – Princess and Haldon Piers. Members considered Report 329/2007 on the current state of repair of Princess and Haldon Piers and the options available for addressing the structural problems identified in the report. Members were advised that both piers were over 100 years old and that the level of investment required was high. The Committee was also informed that a detailed phased programme of works had been prepared by

engineers and that phase 1 comprised elements of repair works on both piers. The External Advisors suggested that it was necessary to implement a programme of repairs as soon as possible in order to avoid further deterioration of these assets and therefore a steep increase in the cost of repair.

Resolved: (i) that the Harbour Committee notes the serious structural condition of both Princess and Haldon Piers and the level of investment required to address the issues identified in Report 329/2007;

(ii) that, the Mayor and Cabinet be requested to consider, as a matter of urgency, the funding options available to enable the major repairs to be undertaken, alongside other Council priorities for investment, during the annual review of the 4-year Capital Plan Budget;

(iii) that subject to the budget review, the Council be requested to approve a Capital Budget of £2.1million to enable the most critical repairs to be undertaken to both Princess and Haldon Piers to be carried out during 2008/09;

(iv) that the Harbour Committee approve the principle of allocating funding from the Torquay/Paignton Harbour Account to support £1.2 million of Prudential Borrowing towards the cost of the first phase of works; and

(v) that, subject to funding being approved by Council for Phase 1, a further report be presented to the Harbour Committee in autumn 2008

reporting on the works undertaken to date and identifying the required budget for implementing the remainder of the repair works between financial years 2009/10 and 2013/14.

401. Port Marine Safety Code – Annual Compliance Audit. The Committee received Report 330/2007 on the Annual Compliance Audit with the Port Marine Safety Code. Members were advised that the Port Marine Safety Code served as a standard for Harbour Authorities to achieve best practice. The Code stipulated that an annual audit of the safety management system must be carried out by a 'designated person', who in this case was Nicholson's Risk Management Ltd, to ensure compliance with the Port Marine Safety Code. The Chairman congratulated the Harbour Team on a good outcome from the audit.

Resolved: that the content of Report 330/2007, including the recommended actions for 2008, be noted.

402. Brixham Harbour Regeneration. Members received Report 331/2007 on the Brixham Harbour Regeneration project. The Committee was advised that at present work was being carried out to ensure that the costs of the project matched the available funding and that a further update would be given to the Committee when a satisfactory outcome had been reached. The Director of Marine Services advised Members and Advisors that due to the sensitive nature of the ongoing negotiations, further information was not available at this stage.

Resolved: that the current position in relation to the Brixham Harbour Regeneration project, be noted.