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| Meeting Title | Torquay & Paignton Harbour Liaison Forum |
| Venue | Torquay Harbour Office |
| Date | 10 th March 2009 at 10.30 |

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| Present | Capt K Mowat (KM) Cllr N Amil (NA) Mr J Brzozka (JB) Ms H Meacock (HM) | Cllr G Oliver (GO) Mr C Easterbrook (CE) Mr J Bond (JB) Mr D Musgrove (DM) | Capt P Labistour (PL) Mr T Ekers (TE) Mr W Butcher (WB) Mr J Turner (JT) |
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| Agenda Items | <ol style="list-style-type: none"> 1. Apologies 2. Minutes of the last meeting 3. Matters Arising 4. Draft Constitution for the Harbour Liaison Forums 5. Harbour and Marine Services Business Plan 6. Operational Moorings and Facilities Policy – Version 3 7. Decriminalised Parking 8. Capital Works 9. Exception from Alcohol Limits for Non-Professional Mariners 10. Harbour Committee – Agenda 11. Date of next meeting |
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| 1. | Apologies for Absence | Action |
| 1.1 | Mr M Ritchie & Cllr R Horne | |

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| 2. | Previous minutes | |
| 2.1 | It was agreed that the minutes of the meeting of 25 th November 2008 were a true and accurate record of that meeting. | |

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| 3. | Matters Arising | |
| 3.1 | Stagecoach/Fast Ferry KM reported that he had not received any further feedback from Stagecoach. KM added that he had met with Stagecoach's consultant and in November 2008 but there had been no further developments. KM/PL had highlighted the need for a structured project plan and feasibility study that was adequately resourced, if it was considered the service was needed. These points had generally been accepted by all those involved at the Council and the Chairman of the Harbour Committee had asked KM to seek further clarification regarding Stagecoach's current position on a fast ferry proposal. HM stated that Stagecoach was considering appointing a project manager to carry out a feasibility study. KM undertook to keep the Forum and commercial operators updated. | KM |
| 3.2 | Alcohol Ban Paignton Harbour Neil Penman was not in attendance but it was believed that he had not yet written to the police. JT & TE agreed to remind NP. | JT & TE |

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| 3.3 | Torquay Harbour Entrance-Risk Review Chart 26 had been amended and re-issued so that it restated the fact that the 5 knot controlled area extends beyond the seasonal Starboard hand mark. KM would be issuing a Harbour Masters Notice and would further consider the need for "Dead Slow" signs painted on the pier ends | KM |
| 3.4 | SeaTorbay - update This coastal partnership initiative had been launched and the Working Groups were now established and were moving forward at various speeds. Minutes of the main Steering Group (not working groups) would be circulated to the Forums when they become available. | KM |
| 3.5 | Mussel farm extension No objections had been received to this proposal. The Coastal Protection Act consent process had commenced and the plans were open for inspection. KM made the Forum aware that he was proposing the need for an additional Special Mark and light on the NW corner of the extended Mussel Farm area. Also, KM stated that the matter would be handled using delegated powers. | KM |
| 4. | Draft Constitution for the Harbour Liaison Forums | |
| 4.1 | The constitution had been re circulated without response. KM would recommend acceptance to the Harbour Committee. | KM |
| 5. | Harbour and Marine Services Business Plan | |
| 5.1 | The draft Business Plan had been circulated prior to the Forum meeting. No feedback had been received and the Plan would now be considered by the Harbour Committee. | KM |
| 6. | Operational Moorings and Facilities Policy – Version 3 | |
| 6.1 | KM reported the proposed changes as follows :- <ol style="list-style-type: none"> Confirmation that the Town Dock would give local residents priority An expectation that sleeping on board would not happen unless the vessel was fitted with a suitable holding tank Refuelling rules were redefined particularly regarding petrol from cans Additional details were provided on the Waiting List procedure Visitor moorings would normally have a 3 week time limit with no return within a week - this was to prevent users from Paignton and Brixham using the pontoons as seasonal moorings and denying space for genuine visitors <p>The Forum suggested that on point (b); consideration should be given to a keypad on the public toilets so they can be accessed outside of normal opening hours and on point (e); an increased visitor rate for periods of over 3 weeks. KM to consider implementing both points raised by the Forum.</p> | KM |

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| 7. | Decriminalised Parking | Action |
| 7.1 | <p>KM informed those present that plans were proceeding to introduce fixed penalty parking restrictions at Paignton harbour and Torquay harbour with a target date of Whitsun 2009. The Orders had been drafted and fixed penalties were only to be used to enforce the existing Byelaws. JT issued and briefed the Forum on the additional measures to be taken at Paignton regarding no unauthorised parking and the introduction of new pedestrian safety measures. JT recorded his thanks to Paignton Rowing Club and Harbour Sports for their co-operation on this matter. There followed some debate regarding who would be the right people to issue the fixed penalties.</p> | |
| 8. | Capital Works | |
| 8.1 | <p>Town Dock Update KM reported that most of the snagging had now been completed.</p> <p>Haldon Pier KM reported that work had continued on the spray concrete and rock armour design. Listed building consent had been secured and further testing was underway. Phase 1 was still subject to some funding issues but the plan was to spray concrete onto a steel mesh on the seaward side and increase the rock armour down the Pier towards Living Coasts. KM assured the Forum that work would not disrupt the summer season.</p> <p>Bridge and Cill KM reported that the bridge and cill would be closed from 23/3 to 7/4 to permit essential maintenance to take place. Inner harbour users have been given the opportunity to use space on the Town Dock during this period.</p> | |
| 9. | Exception from Alcohol Limits for Non-Professional Mariners | |
| 9.1 | <p>KM made the Forum aware that the Legislation existed to apply alcohol limits to recreational mariners but it had not yet implemented. The Government were now conducting a consultation exercise on what the proposed exceptions would be if the legislation was implemented. In the consultation the proposed exemptions would apply to ships which are less than 7 metres in length and which have a maximum design speed of 7 knots or less. After some discussion regarding clarification KM was requested to recommend that the Harbour Committee supports a “no exceptions” feedback to Government from Tor Bay Harbour.</p> | KM |
| 10. | Harbour Committee – Agenda | |
| 10.1 | <p>KM made the Forum aware of the agenda items for the forthcoming Harbour Committee meeting and advised that it was an open meeting if Forum members wished to attend.</p> | |
| | <p>KM thanked the Forum members for their attendance and their contribution.</p> <p>The meeting closed at 12.15pm.</p> | |

Next Meeting

Venue

Future Meetings

**Dates of future
Harbour Committee
Meetings**

Tuesday 2nd June 2009 at 10.30

Torquay Harbour Office

1st September 2009

24th November 2009

2nd March 2010

23rd March 2009 - Torquay

22nd June 2009 - Brixham

14th September 2009 - Paignton

7th December 2009 - Torquay

15th March 2010 - Brixham

Meeting Title **Brixham Harbour Liaison Forum**

Venue Brixham Yacht Club

Date 11th March 2009 at 10.30

Present

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| Capt P Labistour (PL) | Cllr G Oliver (GO) | Miss K Annis (KA) |
| Mr D Bartlett (DB) | Mrs S Armstrong (SA) | Mr R Smith (RS) |
| Mr D Putt (DP) | Cllr C Bedford (CB) | Mr R Mead (RM) |
| Mr S Smith (SS) (MH) | Mr B Curtis (BC) | Cllr M Hodge |
| Cllr M Morey (MM) | Mr P Aggett (PA) | |

Agenda Items

12. Apologies
13. Minutes of the last meeting
14. Matters Arising
15. Harbour and Marine Services Business Plan
16. Emergency Towing Vessel
17. Regeneration
18. Exception from Alcohol Limits for Non-Professional Mariners
19. Harbour Committee – Agenda
20. Date of next meeting

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| 1. | Apologies for Absence | Action |
| 1.1 | Capt K Mowat, Mr D Ham, Mr A Haynes, Mr R Williams, Mr N Davies, Mr R Richardson, Ms M Spiller, Mr D Jones, Mr A Lloyd & Cllr R Horne | |

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| 2. | Previous minutes | |
| 2.1 | It was agreed that the minutes of the meeting of 26 th November 2008 were a true and accurate record of that meeting. | |

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| 3. | Matters Arising | |
| 3.1 | <p>Stagecoach/Fast Ferry</p> <p>MM questioned whether the infrastructure was in place for Stagecoach to go ahead with the ferry service this year.</p> <p>PL explained that he had not received any further feedback from Stagecoach. PL had highlighted the need for a structured project plan and feasibility study that was adequately resourced, if it was considered the service was needed. These points had generally been accepted by all those involved at the Council and Elizabeth Raikes has asked Charles Uzzell, the Environment Commissioner, to look into how to get this project working in conjunction with Geoff Coleman who has been leading officer since the beginning.</p> <p>BC asked why there is no Business Plan yet.</p> <p>PL said that Stagecoach had had no driving management team behind them to take it forward but that they were starting to get it together.</p> <p>CB wondered if Stagecoach was starting to lose interest. Also he was concerned that this type of new ferry service should be tendered for.</p> | |

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| | <p>GO said that the Council must talk openly to the Harbour Committee when having discussions about Stagecoach and that talks should not happen elsewhere and then the Committee informed at a later date.</p> <p>MH stated that it was dangerous to for the information to be given verbally and that it really should be given in writing so that any information can not misconstrued.</p> <p>PL said that a Business Plan from Stagecoach was needed before the project went any further.</p> <p>SA questioned whether they were going to look at the ferry service Business Plan from last year and take this into account.</p> | |
| 3.2 | <p><u>Harbour Assets</u></p> <p>PL reported that the first Harbour Assets Sub-Committee meeting had taken place and over 200 harbour assets were reviewed. The reason for this meeting was because the Harbour Committee's Terms of reference required the Committee to provide the Council with strategic advice regarding the use of harbour assets.</p> <p>BC was worried that Torbay Council wanted to take over the harbour assets.</p> <p>GO said there was no information to support this conclusion; the meeting took place to enable the Harbour Committee to justify keeping all of the land and infrastructure currently in operational use.</p> <p>SA said it is important for us to keep our land and facilities as it has an impact on the future of Brixham harbour. PL agreed it was important to help realise the ambitions of the harbour.</p> <p>CB asked whether Freshwater Quarry was in the Harbour Estate. PL indicated that it was not on the harbour estate. He also pointed out that the Council had, in accepting RDA funding for the Fish Market development, agreed to develop Freshwater Quarry, along with Oxen Cove, to deliver a Northern Arm.</p> <p>BC said that a complete harbour estate plan was needed for the next Liaison Forum meeting. PL agreed to bring a complete harbour estate plan to the next meeting.</p> | PL |
| 3.3 | <p><u>Underwater Survey</u></p> <p>PL said that the planned maintenance/inspection scheme for the harbour was reasonably successful. Reports have been carried out on Victoria Breakwater, Slipway & Strand Quay, New Pier, Fish Quay, North Quay, South Quay and East Quay.</p> <p>Victoria Breakwater had £250,000 worth of repairs carried out on it in 2002 the report revealed that not a great deal of damage had occurred on the inside of the breakwater but that there were some 6 metre voids on the seaward side. Millennium Marine Contractors had provided a guide price for repair of approximately £100,000 to £150,000.</p> <p>PL also reported that some of the sacrificial anodes had come away from the sheet piling due to weld failure. A meeting had been held with the company to make good the corrosion control failure of previous work carried out.</p> | |

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| | <p>BC asked what was being put in place for the New Fish Quay regeneration. PL replied that the similar anodes from the same company were in place.</p> <p>DB commented that a different local company carried out the welding of the anode brackets as this was felt to be the problem of the last anodes coming away.</p> | |
| 3.4 | <p>Draft Constitution of The Harbour Liaison Forums</p> <p>PL asked if everyone was happy with the Constitution discussed at the last meeting.</p> <p>CB was not happy with electing a Chairman from the group. He felt it was not the way to go and believed that the chairman should continue to be a Harbour Master.</p> <p>GO felt that the less bureaucratic the better whilst maintaining the influence of the harbour user.</p> <p>RS said that the Harbour Liaison Forum was good as it is and should remain as an informal advisory group. PL agreed to raise these points at the Harbour Committee meeting.</p> | PL |
| 3.5 | <p>Port Master Plans</p> <p>PL said that this was something that was discussed in the past and is an initiative from the Department for Transport, which applies mainly to larger ports but trickles down through to smaller harbours. He had spoken to KM who thought it was a good idea that would probably benefit Tor Bay Harbour but would be expensive to commission because consultants would be needed to write a full Master Plan. There has not been a firm discussion as to whether to go ahead with a plan.</p> <p>GO said that a lot of ports now have a Master Plan. It is a good idea to have ambitions for the port, to look at what we want to achieve for the future and how best to develop it.</p> <p>CB commented that it was worthwhile doing the plans but that it would be very expensive.</p> <p>SA said that we had had four consultants in the past who that had drawn up separate Master Plans and that this information should be collated into one document.</p> <p>PL said that he would go away and look at the guidelines and come back to the Forum.</p> <p>GO looked at the financial aspect of it and thought that it would be a good idea to involve local universities and do a joint project together as a way of cutting down on costs.</p> <p>PL agreed to contact local Universities to see if there was any interest in a joint project.</p> | <p>PL</p> <p>PL</p> |

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| 3.6 | <p>Port Marine Safety Code Audit</p> <p>PL was asked to come back with a report on it. He said we employ a consultant once a year to review our standards who then reports directly to the Harbour Committee with a comprehensive audit on our procedures. This ensures that the Harbour Authority is complying with the PMSC.</p> <p>PL stated that there was a bi-monthly meeting of the Tor Bay Harbour Masters and Deputy Harbour Masters where all the accidents/incidents are reviewed to look at ways things could be improved so that they do not happen again.</p> <p>CB raised concerns about safety around the old BYC slipway. PL said that a small feasibility exercise was now needed to identify options to sort out the problem.</p> <p>GO stated that the law had changed in the last couple of years and that the Committee would be the responsible group if an accident or incident occurred so it is important to take the old BYC slipway concerns very seriously.</p> <p>PL said that in the short term the old BYC slipway had been properly fenced off and on high tides his team will close off the surrounding area. PL agreed to put this matter on the agenda for next Liaison Forum meeting.</p> | <p>PL</p> <p>PL</p> |
| 3.7 | <p>Mussel Farm Extension</p> <p>After the presentation everyone was reasonably comfortable with the mussel farm extension. KM has the authority to act on behalf of the Harbour Authority to work out the lease. PL has all the relevant paperwork relating to the formal consultation process for the Coastal Protection Act consent from the government in the Brixham harbour office to for any Forum members wanting to comment personally.</p> <p>PB wondered if they were moving to Brixham Harbour from Dart side. PL said that they were keen to move to a new Unit on the new Fish Quay but that these empty units would be going out to tender.</p> <p>SA asked if there was a problem with water discharge from the mussel farm.</p> <p>PL replied that he would take up the matter with Environmental Agency.</p> <p>CB said that water was allowed to be taken out but not put back in and that we needed to check on that.</p> <p>RS said that with mussel farming the water goes through a filtration system, an infrared light passes over it to purify the water; the water that is discharged is basically purified water.</p> <p>PL stated that the harbour had a new consent to discharge. PL agreed to speak to the Environmental Agency regarding discharge of waste.</p> | <p>PL</p> |

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| 4. | Harbour and Marine Services Business Plan | |
| 4.1 | PL said the draft Plan had been circulated. It shows that the harbour business supports all the aims of the Council. The downside is that the Business Plan shows poor finances for the short/medium term. The Council operated ring- | |

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| | <p>fenced accounts for the harbour and they are not a burden on Torbay Council tax payers.</p> <p>BC looked through the report and was happy with it; he suggested that perhaps we should scratch the title Business Plan and put Master Plan.</p> <p>MM said that urgent training was needed on harbour matters.</p> <p>PL advised that KM had made presentations on harbour matters in the past to elected members and perhaps something similar would be appropriate.</p> <p>SA said that in the plan the 22miles of coast comes under harbour jurisdiction but beaches are separate to harbours, how can you manage the coast? She felt that it needed to be together to be able to manage them properly.</p> <p>GO indicated that in dealing with the repairs needed to Haldon Pier the Council had made the point to the Environment Agency that it formed part of the flood defences. He suggested that the same argument could be used for a Northern Arm.</p> <p>PL said he will talk to Environment Agency regarding a Northern Arm as a flood defence measure. He would also ask the consultants on that issue.</p> <p>CB said that the RDA (James Wilson) is approaching it as a flood defence.</p> | PL |

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| 5. | Emergency Towing Vessel | |
| 5.1 | <p>BC said he was concerned that there are a great many big vessels now anchored up in or off Tor Bay and there was a lack of tug protection provisions in Tor Bay.</p> <p>PL said there were 4 MCA tugs around the UK; one of which was based in Falmouth and this was the one that covered the South West.</p> <p>BC believes that the tug would be better positioned in Plymouth.</p> <p>GO said there should be a risk assessment done on the big vessels anchored in the Bay.</p> <p>PL stated that MCA have done many risk assessments on this matter. The main issue is the stationing of the tug and whether there is merit in asking the Government or MCA to formally move the tug.</p> <p>GO said we need to be prepared for an accident/incident. i.e. as in the Napoli.</p> <p>PL There is always a duty Harbour Master on call and we have many plans in place for any incidents that may occur.</p> <p>PA thought that PL asking the MCA formally about moving tug around would be a good idea. Also, PA indicated that the French have a responsibility towards the Channel and thinks that it may include this area.</p> <p>PL is to speak formally to the MCA about the moving the tug around from Falmouth. PL will also consider talking to the BPA and SWRPA to ascertain their views.</p> | PL |

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| 6. | Regeneration | Action |
| 6.1 | <p>PL said that the final pours of the concrete slab were now taking place. The Chairman will help cut the ribbon on April 11th for the tenants to go into the new Units.</p> <p>On speaking to the Project Manager it was understood that Phase II is still going ahead as planned on completion of Phase I.</p> | |

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| 7. | Exception from Alcohol Limits for Non-Professional Mariners | |
| 7.1 | <p>PL said that a report was going to the Harbour Committee about a Government consultation to bring legislation into force about alcohol limits for non-professional mariners. The harbour authority needed to format a response to the Department for Transport.</p> <p>BA asked how this could be policed.</p> <p>PL stated that this was something that needed looking into; the legislation was complicated with lots of holes in it.</p> | |

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| 8. | Harbour Committee – Agenda | |
| 8.1 | <p>PL explained that the upcoming agenda contained</p> <ul style="list-style-type: none"> A review of the Director of Marine Services delegated powers The Harbour Business Plan A review of the Moorings Policy The minutes of Torquay/Paignton and Brixham Harbour Liaison Forums The quarterly budget monitoring report To agree a Harbour Committee Work Programme To monitor the performance of the Harbour and Marine Service Business Unit (SPAR.Net) To agree the Liaison Forum Constitution To consider the Alcohol Limits for Non-Professional Mariners legislation consultation. | |

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| | <p>PL thanked the Forum members for their attendance and their contribution.</p> <p>The meeting closed at 12.30pm.</p> | |
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Next Meeting

Venue

Future Meetings

Wednesday 3rd June 2009 at 10.30

Brixham Yacht Club

2nd September 2009

25th November 2009

3rd March 2010

Dates of future Harbour Committee Meetings

23rd March 2009 - Torquay

22nd June 2009 - Brixham

14th September 2009- Paignton

7th December 2009- Torquay

15th March 2010- Brixham