

Minutes of the Harbour Committee

8 December 2008

-: Present :-

Councillors Addis, Amil, Carter, Faulkner (J), Horne, Kerslake, Manning, Morey and Oliver

External Advisors: Mr Bedford, Mr Curtis and Mr Jennings

465. Election of Chairman/woman. Councillor Oliver was elected Chairman of the Harbour Committee for the 2008/2009 Municipal Year.

Councillor Oliver in the Chair

466. Apologies. Apologies for absence were received from Mr Butcher, Ms Hayes and Ms Maxwell.

467. Committee Membership. It was reported, that in accordance with the wishes of the Conservative Group, the membership of the Committee had been amended for this meeting and future meetings by including Councillor Horne instead of Councillor Bent. The Committee expressed their thanks to Councillor Bent for his support given to the Harbour Committee.

It was also reported, that in accordance with the wishes of the Independent Group, the membership of the Committee had been amended for this meeting by including Councillor Morey instead of Councillor Ellery.

468. Minutes. The Minutes of the meeting of the Harbour Committee held on 29 September 2008 were confirmed as a correct record and signed by the Chairman.

469. Harbour Liaison Forum Minutes. The Committee noted the Minutes of the Torquay/Paignton Harbour Liaison Forum held on 25 November 2008 and Brixham Harbour Liaison Forum held on 26 November 2008 (as set out in Report 357/2008). The Committee made reference to the Stagecoach Fast Ferry Service Trial and was advised by the Executive Head of Harbour and Marine Services that to date no formal proposals had been presented by Stagecoach or any other operator and if such proposals were

forthcoming then a report would be presented to the Committee.

(Note: Prior to consideration of Minute 469, Mr Bedford and Mr Curtis declared a personal interest as they were members of the Brixham Harbour Liaison Forum. Councillor Addis declared a personal interest as Vice-Chairman of the Licensing Committee.)

470. Marine Services Budget Monitoring 2008/2009. Members noted Report 358/2008 which provided the projected income and expenditure for the year 2008/09. Members were advised that Report 358/2008 was the third budget monitoring report to be presented to the Committee and identified the overall budgetary position for Harbour and Marine Services as at the end of October 2008. Report 358/2008 also set out details of decisions taken or likely to be taken by the Executive Head of Harbour and Marine Services under his delegated powers, in relation to the Harbour and Marine Services Budget. The Executive Head of Harbour and Marine Services summarised the Statement of Accounts and responded to questions from Members and Advisors.

Resolved: that Report 358/2008 be noted.

471. Harbour and Marine Services Budget and Harbour Charges 2009/10. Members received Report 359/2008 which provided the opportunity to consider the level of harbour charges that were to be levied by the Harbour and Marine Services for the 2009/10 financial year.

The Executive Head of Harbour and Marine Services advised the Committee that consultation had been undertaken with the Torquay/Paignton and Brixham Harbour



Liaison Forums and the individual Harbour User Associations regarding the proposed charges. The Committee were informed that the respective Liaison Forums had clearly indicated that they would support a 5% increase in charges and would prefer future increases to be consistent.

Resolved: (i) that having had regard to the opinions expressed by the Harbour Liaison Forums and the Harbour User Groups, the harbour charges for 2009/10 be increased by a representative average of 5% as set in Appendix B to Report 359/2008;

(ii) that the Harbour and Marine Services budget for 2009/10, based on a 5% increase in harbour charges (as set out in Appendix 4 to Report 359/2008) be approved;

(iii) that in accordance with minute 395(iii)/12/07 non commercial customers previously displaced by the Torquay Harbour Town Dock continue to be given a phased increase to the charges being proposed for new non commercial customers;

(iv) that Members note a VAT rate of 15% on relevant charges as set out in appendix 8 to Report 359/2008 will be applicable on charges for facilities covering the full year period and that residual charges levied after 31 December 2009 will include a new VAT rate of 17.5% at which time an amended schedule will be presented to the Harbour Committee for approval; and

(v) that during 2009/10 Harbour and Marine Services continue to review the harbour charges for commercial customers using the Torquay Harbour Town Dock and other harbour facilities.

472. Port Marine Safety Code – Annual Compliance Audit. The Committee considered Report 360/2008 setting out the annual Port Marine Safety Code Compliance Audit. Members were advised that the Port Marine Safety Code (PMSC) was designed as a standard which was to be achieved by

Harbour Authorities when carrying out their duties and powers to promote best practice.

The Executive Head of Harbour and Marine Services advised the Committee that the PMSC stated that assurance should be sought from an independent body to ensure that the safety management system was working effectively.

Resolved: (i) that the Port Marine Safety Code Compliance Audit as set out in Appendix 1 to Report 360/2008 be noted;

(ii) that the actions identified in the Port Marine Safety Code Compliance Audit as set out in Appendix 2 to Report 360/2008 be implemented during 2009; and

(iii) that the contents of the current Tor Bay Harbour Committee Safety Management System as set out in Appendix 4 to Report 360/2008 be noted.

473. Torquay Harbour Structures – Princess and Haldon Piers. The Committee received Report 361/2008 which provided an update of the work undertaken to date in respect of Princess and Haldon Piers. Members were informed that in December 2007 the Harbour Committee received Report 329/2007 highlighting structural problems with each Pier and the level of investment required to address the issues with the Piers. Members were advised that the design phase of the project had commenced, and that the Environment Agency had recognised the need for sea defences. Subsequently the Environment Agency had made mention of both Piers in their medium term financial plan for flood defence schemes. Members expressed the need to identify funding to continue the project and to clarify whether the Piers were a community asset as well as a harbour asset.

Resolved: that the Chairman of the Harbour Committee and Executive Head of Harbour and Marine Services meet with the Environment Commissioner to identify possible future funding for Haldon Pier.