

Minutes of the Harbour Committee

22 June 2009

-: Present :-

Councillors Addis, Bent, Ellery, Horne, Manning, Pentney and Richards

External Advisors – Colonel Chris Bedford, Mr William Butcher, Captain Bob Curtis, Ms Elaine Hayes and Mr Gordon Jennings

98. Election of Chairman/woman.

Councillor Horne was elected Chairman of the Harbour Committee for the 2009/2010 Municipal Year.

Councillor Horne in the Chair

99. Apologies.

An apology for absence was received from Ms Heather Maxwell (External Advisor).

100. Committee Membership.

It was reported that the membership of the Committee had been amended for this meeting by including Councillor Pentney instead of Councillor Carter (C).

The Committee also wished to express its thanks to Councillors Oliver, Amil and Kerslake for their contribution to the Committee during the last municipal year.

101. Appointment of Vice-Chairman/woman

Councillor Richards was appointed Vice Chairwoman of the Harbour Committee for the 2009/2010 Municipal Year.

102. Minutes.

The Minutes of the meeting of the Harbour Committee held on 23 March were confirmed as a correct record and signed by the Chairman.

103. Harbour Liaison Forums Minutes.

The Committee noted the minutes of the Torquay and Paignton Harbour Liaison Forum held on 2 June 2009 and the Brixham Harbour Liaison Forum held on 3 June 2009 (as set out in Report 144/2009).

Members raised concerns that some of the comments in the minutes had been taken out of context and did not sufficiently reflect the discussion that had taken place.

The Executive Head of Harbour and Marine Services confirmed that he was due to communicate with the Mayor of Torbay regarding the Committee's involvement in any

debate over ferry services in the Bay. He confirmed he would report back to the Committee any response he received.

Resolved:

That the Senior Public Transport Co-Ordinator be advised that the Harbour Committee feel that a Feasibility Study considering the current infrastructure and cost of possible work should be undertaken before any ferry service is confirmed.

104. Harbour and Marine Services Budget Monitoring 2009/10.

The Committee received Report 145/2009 which identified the latest situation in relation to the Harbour and Marine Services Budget. The Executive Head of Harbour and Marine Services summarised the Statement of Accounts. The Report 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. Members noted that due to the commencement of the new financial year, the information provided in the report only related to April and May 2009.

The Committee expressed its concern regarding the reductions in contributions to the Patrol Boat (Oscar 4) budget. It was noted that the contribution to the Patrol Boat from the Beaches budget had been reduced last year, and may be reduced again next year. The Committee considered the service as essential to safety across the Bay. Although it's main function was not as a rescue boat the Committee was in no doubt that the service saved lives. It would be important to stress this aspect of the service to the Cabinet as it considered the budget for the coming year, and Councillor Bent confirmed that he would take this issue forward in his role as a Cabinet Member. The Committee was also assured by the Executive Head for Harbour and Marine Services that should there be further cuts to the budget of the Patrol Boat alternative provisions would be sought.

Resolved:

that Report 145/2009 be noted.

105. Harbour and Marine Services Outturn 2008/2009.

Members noted Report 146/2009 which set out details of the Harbour and Marine Services final expenditure and income figures against the budget targets for 2008/2009.

The Committee commented on the increased provision of bad debt to manage the risks of outstanding debt from Beacon Quay. It was noted that this area was now up to full occupancy and that it was not felt that the same situation would arise again.

106. Torquay Inner Harbour Pontoon Berthing Project.

Members noted Report 150/2009 and agreed that the Executive Head of Harbour and Marine Services would submit a 'Key Decision' entry, for inclusion in the Council's Forward Plan, regarding the Torquay Inner Harbour Pontoon Berthing Project. The Executive Head of Harbour and Marine Services confirmed that Community Partnerships would be included in the consultation process and that the pricing

structure would need to ensure that those who currently use the Inner Harbour could continue to do so.

107. 2008/2009 Performance – Harbour and Marine Services.

The Committee noted Report 148/2009 which detailed the 2008/09 Performance of Harbour and Marine Services. It was also noted that the Harbour Users Survey results would be available for the Committee at its September meeting, and that there would be some additional Performance Indicators included as the year progressed.

Resolved:

that a Performance Indicator relating to Health and Safety, detailing the number of reported accidents be added.

108. Appointment of External Advisors to the Harbour Committee.

The Committee considered the recommendations of the Harbour Appointments Sub-Committee regarding the appointment of the five external advisors to the Harbour Committee. The Sub-Committee recommended that the terms of office of the External Advisors should be extended for a further two years. This would mean the terms would expire in September 2011. The importance of continuity had been expressed in the Municipal Ports Review, and the concept of staggered terms had not yet been implemented. With the local government elections scheduled for May 2011, the issue of continuity would need to be addressed.

Resolved:

That Elaine Hayes, Chris Bedford, William Butcher, Bob Curtis, and Gordon Jennings be re-appointed to serve as external advisors to the Harbour Committee for a further period of two years from September 2009 until the end of September 2011.

109. Appointment of Harbour Appointments Sub Committee.

The Committee considered appointments to the Harbour Appointments Sub Committee. Members were advised that the sub-committee was formed in 2007 to consider applications for external advisors to the Harbour Committee and make recommendations to the Committee on suitable appointments to those positions.

Resolved:

- 1) that a Harbour Appointments Sub-Committee be re-appointed to comprise two members of the Conservative Group (Councillors Horne and Richards) and one member of the Liberal Democrat Group (representative to be confirmed);
- 2) that the terms of reference for the Harbour Appointments Sub-Committee be to consider ad hoc applications for external advisor positions on the Harbour Committee and recommend to the Harbour Committee the persons who should be appointed to those posts as and when vacancies arise. And to determine the rolling programme for advisors tenure.

110. Appointment of Harbour Asset Review Working Party.

The Director of Marine Services advised Members that the Harbour Committee's Terms of Reference require that the Harbour Committee provide strategic direction in relation to those assets within Tor Bay Harbour and the harbour estate that are managed by Marine Services.

Resolved: that a Harbour Asset Review Working Party, comprising three members of the Harbour Committee (two Conservative Members (to comprise the Chairman and Vice Chairman of the Harbour Committee), one Liberal Democrat Member and two of the External Advisors to the Committee (Captain Bob Curtis and Mr Gordon Jennings)), be appointed with the following terms of reference:

- a) to review all assets within Tor Bay Harbour and the Harbour Estate;
- b) to establish how each asset is performing; and
- c) to identify any assets that are surplus.

111. Harbour and Marine Services Internal Audit Report – May 2009.

The Committee noted exempt Report 147/2009 which detailed the results of the Internal Audit. The Executive Head of Harbour and Marine Services informed the Committee that the Audit had generally found good systems in place, with some areas needing attention. Voting rights for External Advisors who sit on the Committee, it was felt, may be something to aspire to in the future.

The Committee discussed the proposed Northern Arm for Brixham Harbour, and it was agreed that the Executive Head for Harbour and Marine Services would draft a press release to confirm that the Committee was continuing to look into the feasibility and funding options for this.

(**Note:** Prior to consideration of Appendix 1 of exempt Report 147/2009 the press and public were formally excluded from the meeting on the grounds that the items involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).)

112. Torbay Sailability Limited.

Members considered exempt Report 149/2009 on a request for a reduction in harbour charges by Torbay Sailability Limited.

Resolved:

that the application for a reduction in harbour fees be refused, on the grounds that Torbay Sailability Limited had already received a grant from Torbay Council.

(**Note:** Prior to consideration of Minute 112, Councillor Bent declared a personal interest as he was Co-Chair of the Learning and Disability Partnership Board, and Councillor Horne declared a personal interest as he was a member of the Royal Torquay Yacht Club and a berth holder at the Town Dock.)

113. Disability Sailing Association Limited.

Members considered exempt Report 151/2009 on a request for a reduction in harbour charges by Disabled Sailing Association Limited.

Resolved:

that the application for a reduction in harbour fees be granted at 50% for Disability Sailing Association Limited for a twelve month period.

(**Note 1:** Prior to consideration of Minute 113, Councillor Bent declared a personal interest as he was Co-Chair of the Learning and Disability Partnership Board, and Councillor Horne declared a personal interest as he was a member of the Royal Torquay Yacht Club and a berth holder at the Town Dock.)

(**Note 2:** Prior to consideration of exempt Reports 149/2009 and 151/2009, the press and public were formally excluded from the meeting on the grounds that the items involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).)

Chairman
