

Minutes of the Harbour Committee

23 March 2009

-: Present :-

Councillor Addis, Amil, Carter (C), Ellery, Faulkner (J), Kerslake, Manning and Oliver

External Advisor Bedford, Butcher, Curtis, Hayes and Jennings

000. Apologies. Apologies for absence were received from Councillor Horne and External Advisor Heather Maxwell.

000. Minutes. The Minutes of the meeting of the Harbour Committee held on 8 December 2008 were confirmed as a correct record and signed by the Chairman.

000. Harbour Liaison Forum Minutes. The Committee noted the Minutes of the Torquay/Paignton Harbour Liaison Forum held on 10 March 2009 and Brixham Harbour Liaison Forum held on 11 March 2009 (as set out in Report 58/2009). The Committee made reference to the Stagecoach Ferry Trial and highlighted the need for the Harbour Committee to be consulted before any decision was made.

Resolved: that the Executive Head of Harbour and Marine Services write to the Mayor expressing the need for the Harbour Committee to be consulted on any matters that are maritime related.

000. Harbour Marine Services Budget Monitoring 2008/09. Members received and noted Report 60/2009 which provided the projections of income and expenditure for 2008/09. The Executive Head of Harbour and Marine Services advised the Committee that Report 60/2009 identified the overall budgetary position for Harbour and Marine Services as at the end of February 2009. Report 60/2009 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, responded to questions and drew Members attention to the increased provision within the Torquay and Paignton Harbours accounts for bad debt.

Resolved: that Report 60/2009 be noted.

000. Tor Bay Harbour Business Plan 2009/10. The Committee considered Report 59/2009 which sought approval of the Tor Bay Harbour Business Plan 2009/10. The Executive Head of Harbour and Marine Services informed the Members that the Municipal Ports Review recommended that all local authority owned ports and harbours should consider producing a business plan. He advised Members that such a business plan would provide staff with clear priorities and targets and forecast income and expenditure.

Resolved: (i) that the draft Tor Bay Harbour Business Plan 2009/2010 as set out in Appendix 1 to Report 59/2009 be approved; and

(ii) that, subject to the inclusion of the Harbour Committees views, the Chairman of the Harbour Committee and Executive Head of Harbour and Marine Services be authorised to agree the final detail of the Tor Bay Harbour Business Plan 2009/2010, and sign the Acceptance Statement in Section 9.

000. Consultation on the Exception from Alcohol Limits for Non-Professional Mariners. Members received Report 61/2009 on consultation currently being undertaken by the Government on draft regulations that would govern which recreational vessels would be covered by the offence of being 'over the limit' when consuming alcohol afloat. The Executive Head of Harbour and Marine Services sought the views and agreement of the Harbour Committee for him to respond to the consultation on behalf of the Council. Members of the Committee expressed the view that there should be no exceptions.



Resolved: that the Executive Head of Harbour and Marine Services, in consultation with the Chairman of the Harbour Committee, be authorised to respond to the Government's consultation on the Draft Regulations for an Exception from Alcohol Limits for Non-Professional Mariners subject to the views expressed at the meeting.

000. Tor Bay Harbour – Operational Moorings and Facilities Policy. The Committee received Report 62/2009 that sought to amend the operational moorings and facilities policy. The policy sought to ensure a consistent, fair and equitable approach for all customers that use Tor Bay Harbour and the harbour estate. The Executive Head of Harbour and Marine Services summarised the suggested changes to the policy as set out in Report 62/2009.

Resolved: that subject to the deletion of 'and appropriate consent has been received from the Marina operator' stated under the Town Dock Priority in Appendix 1 to Report 62/2009, the Tor Bay Harbour Operational Moorings and Facilities Policy – Version 3 as set out in Appendix 1 to Report 62/2009 be adopted.

000. Constitution of the Harbour Liaison Forums. Members considered Report 63/2009 which sought agreement of the Harbour Liaison Forums Constitution. The Executive Head for Harbour and Marine Services advised Members that the creation of a constitution for the Harbour Liaison Forums was a suggestion of the Municipal Ports Review. The Executive Head of Harbour and Marine Services explained that the constitution provided a framework for the Liaison Forums to work by. The Chairman expressed his thanks to all those that attend and contribute to the Harbour Liaison Forums.

Resolved: that the Harbour Liaison Forum Constitution, as set out in

Appendix 1 to Report 62/2009, be approved.

000. Review of Delegated Powers. The Committee considered Report 64/2009 which provided Members with the opportunity to review the powers delegated to the Executive Head of Harbour and Marine Services as set out in the Council's Constitution. The Executive Head of Harbour and Marine Services advised that the Terms of Reference for the Harbour Committee required the powers delegated to the Executive Head of Harbour and Marine Services be reviewed annually.

Resolved: that the Constitution Working Party be recommended to amend the title of the post from Director of Marine Services to Executive Head of Harbour and Marine Services in the Constitution.

000. 2008/09 Performance Indicators – Harbour and Marine Services. The Committee received and noted Report 65/2009 that provided data on the performance of Harbour and Marine Services against set performance indicators. The Executive Head of Harbour and Marine Services advised that the suggestions made for additional indicators at the meeting of the Harbour Committee on 29 September 2008 (minute 344/9/08 refers) were being pursued with colleagues within the Council.

The Executive Head of Harbour and Marine Services drew Members attention to the Brixham Fish Tolls being below target and explained that there were a number of factors that affected the achievement of this performance indicator, with the price of fuel at the beginning of the year being a significant factor.

000. Harbour Committee Work Programme – 2009/10. The Committee noted Report 66/2009 which set out the future work programme of the Harbour Committee.