

Meeting Title **Brixham Harbour Liaison Forum**

Venue Brixham Yacht Club

Date 3rd June 2009 at 10.30

Present

Capt P Labistour (PL)	Mrs S Armstrong (SA)	Mr D Ham (DH)
Capt K Mowat (KM)	Cllr C Bedford (CB)	Mr M Cooke (MC)
Mr D Bartlett (DB)	Mr B Curtis (BC)	Mr N Wright (NW)
Miss K Annis (KA)	Cllr M Morey (MM)	Mr S Smith (SS)
Mr A Lloyd (AL)	Mr D Saunders (DS)	

Agenda Items

1. Apologies for absence
2. Minutes of the last meeting
3. Harbour Liaison Forum Constitution
4. Matters arising from last minutes
5. Regeneration update
6. Move to temporary Harbour Office accommodation
7. Harbour Committee – upcoming agenda
8. Harbour Committee Changes
9. Office Demolition – safe use of New Pier
10. Harbour Byelaws
11. Capital works Victoria Pier
12. Electricity Recharge
13. Problem Boats
14. Other Issues
- Date of next meeting

1. Apologies for Absence

1.1 Mr A Haynes, Mr R Richardson, Mr P Bartlett

2. Previous minutes

2.1 It was agreed that the minutes of the meeting of 11th March 2009 were a true and accurate record of that meeting.

3. Harbour Liaison Forum Constitution

PL reported that a Chairman needed to be elected.

CB stated that the Forum was a focus group for the Harbour Authority but doesn't make any decisions and therefore there was no need for a Chairman or any declaration of interests.

KM said that the Forum Constitution had been agreed by the Harbour Committee and it should therefore go ahead. He stated that it was in the best interests of the Forum to have a Constitution. The Forum does make decisions by way of recommendations to the Harbour Committee and without a basic structure it would be vulnerable to challenge. It was agreed that the Forum would monitor the impact of the new Constitution and keep the matter under review.

	The Forum voted and PL was elected as Chairman and KM as Vice Chairman.	
4.	Matters Arising	
4.1	<p><u>Old Brixham Yacht Club (BYC) slipway - safety issues</u></p> <p>MC reported that BYC were concerned about the usage of their newly built slipway due to the wash action from the waves and passing vessels. The slipway is now used considerably less than the old one due to this problem. BYC will be writing formally to the Harbour Authority regarding this matter. MC asked what can be done about this ?</p> <p>PL said that the Harbour Authority took onboard the BYC concerns and a feasibility study has been commissioned to see how we can resolve the matter. Obviously the building of a Northern Arm would certainly help with the weather driven sea conditions but not necessarily the wash from boats using the main fairway.</p> <p>MC asked if the mitigation options from the feasibility study would really make a difference.</p> <p>PL said that the proposed rock-armour should help.</p> <p>KM said that stakeholders were being consulted on the best solution to mitigate the problems identified. Three options were being proposed and the next challenge would be to find the funding for the preferred option. KM said that it may be necessary to look at financing the work from the harbour reserve fund.</p> <p>PL will ask Natural England for funds towards the coastal path overtopping problem.</p> <p>SA raised the issue of the wall options and the safety of the public walking behind the wall.</p> <p>KM said that we need to have something that deals with the problems that we face now rather than relying on the construction of a Northern Arm.</p> <p>KM stated that it was important to work with BYC towards resolving this issue and the solution may also involve improvements to the main public slipway in Oxen Cove.</p> <p>CB felt the only way to address the problem was with option one as people would not use the slipway till they can get on it without getting their feet wet.</p> <p>It was agreed that a preferred option for mitigation work should be identified following stakeholder consultation along with further meetings with BYC and the finalised option should be reported back to the Forum in September.</p>	<p>PL</p> <p>KM/PL & BYC</p>
4.2	<p><u>Mussel Farm – Coast Protection Act consent</u></p> <p>PL had discussed the lighting issue with them. Unfortunately the by-product of the mussel farm is that it has created more 'spat' in Tor Bay. There is a conflict of interest with the farm and the leisure industry therefore it is unlikely that any further mussel farms will be permitted within Tor Bay harbour limits.</p>	

4.3	<p><u>Harbour & Marine Services Business Plan</u></p> <p>PL stated that the Business Plan had been finalised and would be sent out electronically to the Forum members.</p>	PL
4.4	<p><u>MCA – Emergency Towing Vessel (ETV)</u></p> <p>PL stated that he had been in talks with the MCA regarding the ETV and that the MCA had said that if there was an easterly storm the ETV would move up so that she was closer to Tor Bay harbour. PL also said that he would like to see the ETV visit the Bay more often but that at least the issue had now been formally raised with the MCA.</p> <p>AL said that the ETV did move around the English Channel & western approaches.</p> <p>BC was concerned that if there was a storm that the ETV would not get to Tor Bay in time.</p>	
4.5	<p><u>Exception from Alcohol Limits for Non-Professional Mariners</u></p> <p>PL stated that KM had sent a formal response to the government's consultation on the exception from alcohol limits for non-professional mariners.</p> <p>The Forum discussed the issues and concerns surrounding the speed of personal watercraft (jet-skis).</p> <p>PL informed the Forum that the harbour had a very robust personal watercraft strategy in place; that all craft had to be registered to launch within the Bay and owners could be banned from the harbour for any misuse occurring within harbour limits.</p>	
5.	Regeneration update	
5.1	<p>KM stated there was a delay in completing Phase 1 and this was due to the levels of the floors within the new employment space. The contractors are currently looking to remedy the problem so that the drainage is acceptable for fish processing.</p> <p>Phase 2 should be starting very soon and the steelwork frame for the new fishmarket had already been received by the contractor and was ready to go up.</p> <p>SA said that the viewing platform, that had been lost from the project, was crucial to tourism and to the town. She suggested that the consultation process needs to be revised when important elements of the scheme are subject to change.</p> <p>MM agreed with SA.</p> <p>KM replied that the only way that the viewing platform could ever be realistically reinstated was if we were to remove some office space. He pointed out that the decision was based on affordability to make the budget fit the project. He reminded the Forum that there was an existing viewing platform over the New Pier public toilets and the public could make use of the new fish restaurant balcony if they were a customer.</p>	

	BC said that the residents of Brixham were not happy with not being consulted, not just Brixham 21.	
6.	Move to temporary Harbour Office accommodation	
	PL said that the move to a temporary Harbour Office in Oxen Cove was now due to happen in September, which is why the equipment compound was being emptied.	
7	Harbour Committee – upcoming agenda	Action
	PL reminded the Forum that the next meeting would take place on 22 nd June 2009 at 5:30pm at the Berry Head Hotel; everyone is welcome to attend and the agenda plus papers should be available on the night. PL then listed the items likely to be on the agenda. The Forum discussed some issues regarding the Old Market House including the recent planning decision, the Tourist Information Centre, the fisherman's store and the rendering to the walls.	
8.	Harbour Committee – changes	
	BC asked who would be the new Harbour Committee Chairman ? PL listed the names of the Councillors who would make up the Committee and pointed out that the Chairman would be elected at the meeting.	
9.	Office Demolition – safe use of New Pier	
	SA wanted to be assured that there would be safe use of the pier during the demolition of the existing office building. PL suggested that as the main work would now occur in October this issue had probably resolved it's self. SA agreed but asked that the matter remained under consideration.	
10.	Harbour Byelaws	
	CB thought that the Harbour Byelaws needed to be revised with regard to littering so that the enforcement powers on the harbour estate matched the Council's powers on the adjacent land around the harbour. PL stated that the Police are empowered to act on the Harbour Byelaws as they are criminal offences. KM & PL advised the Forum that, due to the process, to change one harbour byelaw would require a complete revision and they were last reviewed in 1994. Also the exercise would be expensive and time consuming as it required full consultation and approval by the Department for Transport. CB and PL agreed to look at some practical solutions.	PL & CB
11	Capital works Victoria Breakwater	
	PL said that the most recent dive inspection had revealed that the bull nose end of the breakwater was in need of some repair work. Contractors had indicated that the work would probably cost in the region of £150,000. The last capital repair work to the breakwater cost £250,000 in 2000.	

	<p>SA asked if the work could be incorporated into the Northern Arm design.</p> <p>PL said that he would speak to Keith Humphries regarding this issue.</p> <p>KM said that the preferred option for the design of the Northern Arm would incorporate the end of the Victoria Breakwater but we cannot assume that the preferred option would be affordable. PL indicated that we should not delay the work too long and consideration would need to be given to use the harbour reserve fund. KM pointed out that the Shoreline Management Plan for the area was suggesting a strategy of "Hold the line" and that it should therefore be possible to have the Victoria Breakwater recognised as a flood defence by the Environment Agency.</p> <p>PL reminded the Forum about the planned inspections of the entire harbour infrastructure, which were designed to highlight these maintenance problems. The Forum concluded that although the Harbour accounts are ring-fenced the cost of maintaining the main piers and breakwaters is so important that assistance from Torbay Council and the Environment Agency was probably inevitable given the future levels of harbour debt.</p> <p>KM stated that when the fishmarket Phase II project was finished the harbour account will have borrowed in the region of £4.75m and without significant new income it would not be safe to borrow any more money. All agreed that the work to the breakwater should be targeted for the year 2010/11 and talks should start with the Environment Agency with regard to possible flood defence funding. PL agreed to look into this matter.</p>	PL
12	Electricity Recharge	
	<p>PL stated that there had been a significant rise in the consumption/cost of electricity by fishing vessels using the MFV basin. He added that he had been in discussion with boat owners about the intention to recharge them. Investigations are underway into how this can best be achieved. Some helpful suggestions were provided by MC, SS and SA.</p>	
13	Problem Boats	
	<p>PL announced that there were three MFV's in the inner harbour which the MCA had detained on the grounds of safety.</p> <p>GRIETJE had been served with a torte of interference. The next step was to work with the MCA on a load line exemption certificate, so that the vessel could be towed away and sold for scrap.</p> <p>LADY LOU has been taken off of her mooring, where she was sinking, and is now on the inner harbour beach. She had no serviceable future.</p> <p>PEACE AND PLENTY had also been beached within the inner harbour.</p> <p>PL is now putting pressure on the boat owners to deal with their vessels.</p>	
14	Other Issues	
	<p>PL said that a drowning had occurred within the harbour on May 7th 2009. The Harbour Masters would be reviewing the risks and the Council's preliminary accident report. The Forum members indicated that they were not aware of any problems with the walkway and believed that the cause of the accident</p>	

	<p>was unknown.</p> <p>KM said there did not appear to be any evidence to indicate how or where the deceased had entered the water.</p>	
	<p>PL thanked the Forum members for their attendance and for their valuable contributions.</p> <p>The meeting closed at 12.30pm.</p>	

Next Meeting

Venue

Future Meetings

Wednesday 2nd September 2009 at 10.30

Brixham Yacht Club

25th November 2009

3rd March 2010

**Dates of future
Harbour Committee
Meetings**

22nd June 2009 - Brixham

14th September 2009- Paignton

7th December 2009- Torquay

15th March 2010- Brixham