



Minutes of the Harbour Committee

15 March 2010

-: Present :-

Councillor Horne (Chairman)

Councillors Addis, Bent, Carter (C), Ellery, Faulkner (J), Manning and Richards

External advisors Messrs Bedford, Butcher, Curtis, Jennings and Ms Hayes

496. Minutes

The Minutes of the meeting of the Harbour Committee held on 11 January 2010 were confirmed as a correct record and signed by the Chairman.

497. Review of Delegated Powers

The Committee considered Report 62/2010 which provided Members with the opportunity to review the powers delegated to the Executive Head for Harbour and Marine Services as set out in the Council's Constitution. The Executive Head for Harbour and Marine Services advised that the Terms of Reference for the Harbour Committee contained in the Constitution required the powers delegated to the Executive Head for Harbour and Marine Services be reviewed annually. The Senior Democratic Services Officer informed the Committee that 13.1 of the Delegations in Appendix 1 to the Report should state that the delegations to the Executive Head for Harbour and Marine Services are from Council rather than Cabinet.

Resolved: that, having reviewed the powers delegated to the Executive Head for Harbour and Marine Services, as set out in Appendix 1 to Report 62/2010, the Harbour Committee found no reason to refer any proposed changes to the Council for determination.

498. Tor Bay Harbour Business Plan 2010/2011

The Committee considered Report 63/2010 which sought approval of the Tor Bay Harbour Business Plan 2010/11. The Executive Head for 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. The Committee noted the projected future years budgets and members discussed the harmonisation of charges across the three ports.

Resolved: (i) that subject to the inclusion of engaging young people in marine activities, the draft Tor Bay Harbour Business Plan 2010/2011, as set out in Appendix 1 to Report 63/2010, be approved;

(ii) that members of the Harbour Budget Review Working Group be invited to attend quarterly budget meetings with the Executive Head for Harbour and Marine Services and draw the Committees' attention to any areas of pressure or concern; and

(iii) that, the Executive Head for Harbour and Marine Services and the Chairman of the Harbour Committee agreed the final detail of the Tor Bay Harbour Business Plan 2010/2011, and sign the Acceptance Statement in Section 9 as set out in Report 63/2010.

499. Tor Bay Harbour – Operational Moorings and Facilities Policy

The Committee considered Report 64/2010 which sought approval to amend the operational moorings and facilities policy. The Executive Head for Harbour and Marine Services informed members that the policy would ensure that a consistent, fair and equitable approach was applied to new, existing and potential facility customers that use Tor Bay Harbour and the harbour estate. It also aimed to ensure that the policy and associated conditions were fully understood and recognised as being reasonable.

Resolved: that the Tor Bay Harbour Operational Moorings and Facilities Policy – Version ~ 4, as set out in Appendix 1 to Report 64/2010, be adopted.

500. Torquay/Paignton and Brixham Harbour Liaison Forums

The Committee noted the Minutes of the Torquay/Paignton Harbour Liaison Forum held on 2 March 2010 and Brixham Harbour Liaison Forum held on 3 March 2010 (as set out in Report 65/2010).

501. Harbour and Marine Services Budget Monitoring 2009/10

The Committee received Report 66/2010 which provided the projected income and expenditure for 2009/10. The Executive Head for Harbour and Marine Services advised the Committee that the Report identified the overall budgetary position for Harbour and Marine Services as at the end of January 2010. The Committee noted the amended outturn positions of the two harbour accounts and the resulting change in reserve movements.

The Executive Head for Harbour and Marine Services informed members that both harbour accounts were expected to improve their position against the previously approved budgets. Members noted the Harbour Masters' use of delegated powers to waive certain harbour charges, which this year amounted to £785.35 (excluding VAT) and which had been spread across both harbour accounts.

502. Harbour Committee Work Programme – 2010/2011

The Committee received Report 67/2010 which set out the future work programme of the Harbour Committee. The Executive Head for Harbour and Marine Services informed the Committee that Torquay Rowing Club/Royal Torbay Yacht Club item would not be considered at the Harbour Committee on 20 September 2010.

Resolved: that, subject to the removal of Torquay Rowing Club/Royal Torbay Yacht Club item from 20 September 2010 meeting, the work programme be approved.

503. Performance Monitoring 2009/10 – Quarter 3

The Committee received Report 68/2010 which reviewed the performance for quarter 3. The Executive Head for Harbour and Marine Services explained that with regard to THARB23 – to reduce staff absence, the current average for the year to date was 1.99% which demonstrated that performance was well above target.

Resolved: that the Report 68/2010 be noted.

504. Merchant Shipping Ship to Ship Transfer Regulations - Consultation

The Committee considered Report 69/2010 which explained to Members that the Maritime and Coastguard Agency (MCA) had launched a consultation on draft Regulations that would help prevent pollution from ships engaged in ship-to-ship transfers of oil.

The Committee noted that Tor Bay Harbour was not normally used for ship-to-ship transfers but bunkering operations were permitted on rare occasions. In previous years large volumes of oil cargo had been transferred from ship to ship in Lyme Bay. Given the close proximity of such activity to the Bay and the significant impact an oil spill could have on our environment, economy and local communities, it was important that the Harbour Authority send a response to this consultation.

The Executive Head for Harbour and Marine Services informed members that the MARPOL Convention was considering amending its regulations in due course which related to the above consultation.

Resolved: that the Executive Head for Harbour and Marine Services be requested to respond to the Merchant Shipping Ship to Ship Transfer Regulations consultation explaining that the Harbour Authority felt that option three should be supported but that the regulations should be delayed until the MARPOL Convention amendments are confirmed.

Chairman
