

Appendix 1 to Report 173/2010 - Harbour Committee Terms of Reference

Membership

8 members of the Council plus up to five external non-voting advisors appointed by the Committee on a four year term (maximum term 8 years) and one non-voting advisor private sector representative of the Board of Torbay Development Agency Limited

(Group Leaders will be asked to take account of the geographical spread of members in making appointments to the Committee)

Terms of Reference

To determine all matters relating to the strategic management of the Council's function as a Harbour Authority, in line with the Tor Bay Harbour and Maritime Strategy, the Council's Policy Framework. Specifically the Committee will :-

1. manage all of the Harbours financial matters in accordance with approved financial procedures and the Council's aspirations for the harbour to be self financing as outlined in the Harbour and maritime strategy and including (but not limited to):
 - (a) the setting of harbour charges from time to time (including in-year changes to the schedule) normally following consultation with the relevant Harbour Liaison Forums;
 - (b) approving the annual revenue budgets within the ring-fenced harbour accounts;
 - (c) receiving quarterly budget monitoring reports and to approve variances as appropriate; and
 - (d) monitoring the harbour reserve funds and to seek to ensure that the funds are kept above an appropriate minimum contingency level and ensure the harbour remains self-financing;

providing that no decision by the Harbour Committee shall impact adversely on the Council's general fund or capital budget.
2. to act as Duty Holder for the purposes of the Port Marine Safety Code;

3. approve and monitor a business plan for Tor Bay Harbour, in line with the Council's policy framework, and address any issues relating to performance;
4. review these terms of reference annually and request the Council to make any necessary amendments and/or additions;
5. review annually the powers delegated to the Director of Marine Services and the Harbour Master and refer any proposed changes to the Council for determination. The Committee itself shall not authorise any changes;
6. consider any other matters referred to the Committee by the Director of Marine Services;
7. establish any sub-committee or working parties as the Committee sees fit, in particular a Harbour Appointments Sub-Committee for the recruitment of advisors;
8. recommend the format, composition and governance of the Harbour Liaison Forums and keep the arrangements under review;
9. to provide strategic direction in relation to those assets within Tor Bay Harbour and the harbour estate that are managed by Marine Services. (Note: the extent of the harbour estate and asset purchase and disposal over £25,000 is determined by the Council.); and
10. appoint advisors following receipt of recommendations from the Harbour Appointments Sub-Committee and the Board of Torbay Development Agency Ltd. Appointments will be merit based and be in accordance with the Local Protocol for members of the Harbour Committee.