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Governance Support
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Dear Member

HARBOUR COMMITTEE - TUESDAY, 13 DECEMBER 2016 – LATE REPORT PACK 1

I am now able to enclose, for consideration at the Tuesday, 13 December 2016 meeting of the Harbour Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
13.	Torquay/Paignton and Brixham Harbour Liaison Forums	(Pages 130 - 137)

Yours sincerely

Teresa Buckley
Clerk

Meeting Title	Torquay & Paignton Harbour Liaison Forum		
Venue	Torquay Harbour Office		
Date	29 th November 2016 at 10.30 am		
Present	Capt K Mowat (KM) Mayor (GO) Cllr N Amil (NA) Cllr R Stringer (RS)	Mr S Pinder (SP) Mr M Stewart (MS) Mr M Ellis (ME) Ms Clare Rugg (CR)	Mr A Rayner (AR) Mr T Ekers (TE) Miss L Stewart (LS)

1. Apologies
2. Welcome
3. Matters Arising and Minutes of the last meeting
4. Torbay Council's Budget 2017-2020 & Tor Bay Harbour Budget/Charges 2017/18 – 3.0%
5. Capital Works
6. Beacon Quay Toilets Refurbishment
7. Maritime Events 2017
8. Quarterly Accident & Incident Data
9. Annual Compliance Audit of the Port Marine Safety Code
10. Review of Tor Bay Harbour Policy Statement for Local Port Services (LPS) – December 2016
11. Review of Tor Bay Harbour Marine Environmental Policy – December 2016
12. Maritime Conservation Zones
13. Security Cameras
14. Harbour Committee - Upcoming Agenda

1.	Apologies for Absence	Action
	Apologies were received from Mike Smith, Paul Lloyd, Dave Buckpitt, Nick Bye and Marshall Ritchie.	
2.	Welcome	Action
	KM welcomed everyone to the meeting.	
3.	Matters arising and Minutes of the last meeting	Action
3.1	KM advised that the last meeting was a joint Torquay, Paignton and Brixham Liaison Forum meeting held in September. The last meeting prior to that was in June 2016. It was agreed that the minutes of the June 2016 meeting are an accurate record of the meeting.	

3.2	Paignton Beach Slipway – SP advised that the situation was resolved for this summer with some assistance from the Paignton Sailing Club but the situation is quite bad at present due to the recent weather conditions so there was a need to find a permanent ongoing solution. TE and MS both agreed that they have never seen the situation quite so bad.	
3.3	Cruise Ships visits – South Devon College students assisted in the cruise ship visits for this year and will be continuing for next year. KM commented that their support was greatly appreciated.	
3.4	Enforcement and Prosecution Policy – The policy was approved at the Harbour Committee meeting in June.	
3.5	Accident & Incident reporting – KM advised that the harbour authority is in the process of creating an online form for customers and members of public to use to report accidents and incidents. This option will go live before end of the year.	

4.	Torbay Council's Budget 2017 - 2020 & Tor Bay Harbour Budget/Charges 2017/18 – 3.0%	Action
	<p>KM advised that the forecast position for the current year is for a break-even budget. The general uplift in income from that is projected will enable the refurbishment of the Beacon Quay toilets to be funded from the revenue account.</p> <p>At the joint Harbour Liaison Forum meeting in September, a proposed increase to harbour charges of 2% was the subject of discussion. However, KM explained that a 3% increase was now being recommended due to a significant increase in the harbour authority's business rates liability. The Forum was advised that at the Torquay Harbour Users group meeting they voted to increase harbour charges by 2% not 3%. ME advised that he understood at the meeting that the users would accept the 3% increase as long as they can see works and investment happening at the Harbour. KM agreed with this and advised that he has now signed off for necessary maintenance works to go ahead at all of the enclosed harbours.</p> <p>If approved by the Committee the harbour charges will increase, on average, by 3.0%. As usual, there will be some exceptions; including passenger boats charges which will increase by 4% to cover wear & tear. The 50% reduction for the winter storage of passenger boats at Brixham will be removed. A new banded fresh water charge for fishing vessels that have water tanks will be introduced. There will be no increase in charges for visitors, slipway launches, annual launch/recovery passes, jet ski launch & recovery, trailer parking and cruise ship passenger dues. Also, it will be a recommendation to introduce a charge for berthing on Princess Pier pontoons rather than the standard alongside charge. It would be introduced and increased over a 5-year period. Electricity charges will remain unchanged and a new Oxen Cove storage charge will be suggested.</p> <p>MS asked about the acquisition of fuel berth at Torquay, which had been previously discussed for 2018. KM advised that this spend is included in capital works plan attached to the Budget Monitoring report.</p>	

5.	Capital Works	Action
a)	Haldon and Princess Pier – update Millennium Marine are now working again on Princess Pier to continue with the works previously started last winter/spring, which is still being funded through an Environment Agency grant. KM advised that Torbay Council is hoping to be able to apply for funding for Haldon Pier in future for those works to continue.	
b)	Town Dock – 'V' Pontoon KM advised that the 'V' pontoon is in danger of breaking up and needs to be replaced with a pontoon system similar to the wave screen. The cost will be in the region of £220,000. This replacement work is important to safeguard income from permanent berths and from visitor berths. It will be possible to recycle some of the floats from the old pontoons for maintaining other pontoons. A report will be presented to the Harbour Committee on this matter.	

6.	Beacon Quay Toilets Refurbishment	Action
	<p>KM advised that the TDA has now been instructed to go out to tender for the refurbishment works. KM issued plans showing the agreed layout. A separate toilet area will be created for Visitors & Harbour customers that will have a different entrance away from the public toilets. The public toilets have been designed as a unisex facility. The proposals were emailed out to all Torquay Harbour users and there has been some feedback from customers that helped to inform the design. Security arrangements will be improved with better locks. The refurbishment work is planned to be completed before Easter.</p>	
7.	Maritime Events 2017	Action
	<p>SP issued a copy of the current list of Maritime Events for 2017. The list will soon be published on the harbour website and an email will be sent out to ask if any events are being planned that we have not been notified of to ensure that application forms are completed. An online application form for event organisers to complete will be launched by the end of the year. GO commented that the Tall Ships event date may be wrong. SP commented that a meeting is to be arranged in January to confirm dates & other details. GO also commented that the event list numbers seem to be down for 2017 and SP advised that some event information has yet to be provided, for example details are required for the Regattas at Torquay and for Brixham.</p>	
8.	Quarterly Accident & Incident data	Action
	<p>KM showed the Forum two lists showing accident & incident data for 2015/2016 and 2016/2017 to compare the position this year with the same period last year. The position is better for this year, 50 records, compared to last year with 62 instances. There was a significant incident recently involving a diesel spill in Brixham harbour and the source was hard to identify because it involved diesel without any red dye. The owners and insurance company have been identified and held responsible. MS commented that he does not know if there was any oil damage to boats moored in Brixham harbour due to the spillage but he has been advised that some customers from MDL had experienced breathing difficulties. KM advised he has been in contact with the MDL manager to enquire as to any ongoing issues.</p>	
9.	Annual Compliance of the Port Marine Safety Code	Action
	<p>KM said that the annual compliance audit had just been completed. He advised that the Harbour Authority has continued to appoint the Devon Audit Partnership as the 'Designated Person'. The audit found the Harbour to be compliant and a number of recommendations have been made within the report. A copy of the full audit report will be published as part of the Harbour Committee agenda for 13th December and discussed at the meeting.</p>	
10.	Review of Tor Bay Harbour Policy Statement for Local Port Services (LPS)	Action
	<p>KM advised that it was time to undertake the biennial review of the Local Port Services Policy Statement. It is good practice to state how the harbour authority will provide Local Port Services for Tor Bay Harbour and the enclosed harbours of Brixham, Torquay and Paignton, including the need to maintain VHF communication with all vessels covered by the Pilotage Directions. There are no changes planned to the statement from 2014, which will be considered by the Harbour Committee on 13th December.</p>	
11.	Review of Tor Bay Harbour Environmental Policy Statement	Action
	<p>KM advised that it was time to undertake the biennial review of the Tor Bay Harbour Environmental Policy Statement. The Policy Statement will be considered by the Harbour Committee on 13th December but no significant changes are anticipated.</p>	

12.	Maritime Conservation Zones	Action
	<p>KM advised the Forum that he had received a visit from Natural England (NE) to discuss proposals for increasing the local Marine Conservation Zone. One of the proposals would be to protect the sub-tidal mud and this level of protection would prohibit any vessels from anchoring in the Bay. KM had advised NE that there would be a lot of resistance to such a proposal from a range of stakeholders, including commercial fishermen, merchant shipping and recreational boat users.</p> <p>It was also proposed by NE that rafting sea birds could be protected by an exclusion zone around the Berry Head area. KM advised the Forum that his view was that such a measure would be unenforceable. CR commented that this would have been a RSPB request to address a disturbance issue with the sea birds.</p> <p>Another proposal was for the protection of dolphins in the Lyme Bay area and a notice of motion has been submitted to the Council and referred to the Mayor on this matter. The Mayor was seeking views from the Harbour Committee before responding. A campaign is being led by the Devon Wildlife Trust but as there are no management measures to consider it is not clear what the implications will be for wider stakeholders. A number of Forum members commented on dolphin behaviour and human interaction.</p> <p>RS advised that he has been contacted about a community initiative to do with sea grass, which has been organised by the Marine Aquarium in Plymouth. SP commented that the harbour authority has published their video and posters are displayed in all the Harbour offices. KM provided advice on other ways that sea grass awareness is already being promoted in the Bay.</p> <p>MS commented that he believes the main threat to the sea grass and sub tidal mud is from the trawling activity in the Bay. KM advised that he thought this was now an offence through the IFCA and if anyone sees this happening, they should report the matter to the Harbour offices so that the IFCA can be informed.</p>	All to note

13.	Security Cameras	Action
	<p>KM advised that there was a lot of discussion at the recent Harbour Users Group meeting about CCTV. KM confirmed that funding for the CCTV system for Torbay Council is now expected to remain in the budget. The harbour users have advised that they want the cameras around Torquay Harbour to watch the harbour directly and not to be diverted to other sites. KM advised that he would try to secure reinvestment in cameras around Torquay Harbour within the available budget. KM advised that harbour users should comment on where they believe the cameras should be sited.</p>	All to note

14.	Harbour Committee	Action
	KM ran through the agenda for next Harbour Committee meeting on 13 th December 2016.	

Next Meeting

Venue

Future meetings

Torquay Harbour Office

7 th March 2017	10.30 am
7 th June 2017	1.00 pm
11 th September 2017	10.30 am
20 th November 2017	10.30 am (Prov)

Dates of Harbour Committee Meetings

20 th March 2017	5.30 pm (Torquay)
26 th June 2017	5.30 pm (Torquay)
5 th December 2017	5.30 pm (Torquay) (Prov)
19 th March 2018	5.30 pm (Torquay) (Prov)

Meeting Title	Brixham Harbour Liaison Forum
Venue	Brixham Harbour Office
Date	2 nd December 2016 at 10.30am

Present	Capt K Mowat (KM)	Mr J Wilson (JW)	Mr D Faithful (DF)
	Mr D Bartlett (DB)	Mr M Stewart (MS)	Mr B Young (BY)
	Cllr R Stringer (RS)	Mr D Fowler (DF)	Mrs A Blackburn (AB)
	Cllr V Ellery (VE)		

Agenda Items	1. Apologies
	2. Welcome
	3. Minutes and Matters arising from the last meeting
	4. Torbay Council's Budget 2017 - 2020 & Tor Bay Harbour Budget/Charges 2017/18 – 3.0%
	5. Capital Works
	6. Maritime Events 2017
	7. Quarterly Accident & Incident Data
	8. Annual Compliance Audit of the Port Marine Safety code
	9. Review of Tor Bay Harbour policy statement for local port services (LPS) – December 2016
	10. Review of Tor Bay Harbour Marine Environmental Policy – December 2016
	11. Marine Conservation Zones
	12. Harbour Committee
	a) Upcoming Agenda
Date of the next meeting – 9 th March 2017 at 10.30am	

1.	Apologies for Absence	Action
	Apologies were received from Cllr Nicole Amil, Cllr Nick Bye, Shaw Smith, Robbie Richardson, David Saunders, Jerry Carter and Ben Wheatley.	

2.	Welcome	Action
	KM welcomed everyone to the meeting.	

3.	Minutes and Matters arising from the last meeting	Action
	KM advised that the last meeting was a joint Torquay, Paignton and Brixham Liaison Forum meeting held in September. The last meeting prior to that was in June 2016. It was agreed that the minutes of the June 2016 meeting are an accurate record of the meeting	
3.1	Ongoing MCA Issues	
	MS & JW advised that they were still experiencing issues with Solent Coastguard not responding to both emergency and routine VHF calls; this is in addition to Tor Bay having a poor radio signal. KM advised all members to lobby their local MP's and he	

VE thanked KM, DB and the Harbour staff for all the help with the unveiling of the Man and Boy statue on Saturday, the event went seamlessly and staff looked professional and worked hard throughout the entire day. The statue was now the property of the Council for insurance purposes.
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7.	Quarterly Accident & Incident Data	Action
	KM showed the Forum two lists showing accident & incident data for 2015/2016 and 2016/2017 to compare the position this year with the same period last year. The position is better for this year, 50 records, compared to last year with 62 instances. There was a significant incident recently involving a diesel spill in Brixham harbour from the MFV 'Progress'. The source was initially hard to identify because it involved diesel without any red dye as the vessel had bunkered in Ireland. The owners and insurance company have been identified and held responsible. MS commented that he does not know if there was any oil damage to boats moored in Brixham harbour due to the spillage but he has been advised that some customers from MDL had experienced breathing difficulties. KM advised he has been in contact with the MDL manager to enquire as to any ongoing issues.	

8.	Annual Compliance Audit of the Port Marine Safety code	Action
	KM said that the annual compliance audit had just been completed. He advised that the Harbour Authority has continued to appoint the Devon Audit Partnership as the 'Designated Person'. The audit found the Harbour to be compliant and a number of recommendations have been made within the report, including foreign language translations and the need for immediate access to a translator on occasions when dealing with vessels coming into port encountering communication problems. A copy of the full audit report will be published as part of the Harbour Committee agenda for 13 th December and discussed at the meeting.	

9.	Review of Tor Bay Harbour policy statement for local port services (LPS) – December 2016	Action
	KM advised that it was time to undertake the biennial review of the Local Port Services Policy Statement. It is good practice to state how the harbour authority will provide Local Port Services for Tor Bay Harbour and the enclosed harbours of Brixham, Torquay and Paignton, including the need to maintain VHF communication with all vessels covered by the Pilotage Directions. There are no changes planned to the statement from 2014, which will be considered by the Harbour Committee on 13 th December.	

10.	Review of Tor Bay Harbour Marine Environmental Policy – December 2016	Action
	KM advised that it was time to undertake the biennial review of the Tor Bay Harbour Environmental Policy Statement. The Policy Statement will be considered by the Harbour Committee on 13 th December but no significant changes are anticipated.	

11.	Marine Conservation Zones	Action
	<p>KM advised the Forum that he had received a visit from Natural England (NE) to discuss proposals for increasing the local Marine Conservation Zone. One of the proposals would be to protect the sub-tidal mud and this level of protection would prohibit any vessels from anchoring in the Bay. KM had advised NE that there would be a lot of resistance to such a proposal from a range of stakeholders, including commercial fishermen, merchant shipping and recreational boat users.</p> <p>It was also proposed by NE that rafting sea birds could be protected by an exclusion zone around the Berry Head area. KM advised the Forum that his view was that such a measure would be unenforceable.</p> <p>Another proposal was for the protection of dolphins in the Lyme Bay area and a notice of motion has been submitted to the Council and referred to the Mayor on this</p>	All to note

matter. The Mayor was seeking views from the Harbour Committee before responding. A campaign is being led by the Devon Wildlife Trust but as there are no management measures to consider it is not clear what the implications will be for wider stakeholders. A number of Forum members commented on dolphin behaviour and human interaction.

KM mentioned the issue of trawling activity in the Bay, which had been raised at the Torquay & Paignton Harbour Liaison Forum. BY advised that certain areas of the Bay could still be fished by trawling and VE agreed to ask the IFCA to provide some maps to help harbour staff to deal with telephone calls from the public.

VE

12.	Harbour Committee – Upcoming Agenda	Action
	KM ran through the agenda for next Harbour Committee meeting on 13 th December 2016, which is due to be held in the Town Hall in Torquay.	All to note

Next Meeting

Venue

Future meetings

Brixham Harbour Office

9 th March 2017	10.30am(Brixham)
8 th June 2017	10.30 am
14 th September 2017	10.30 am
17 th November 2017	10.30 am (Prov)

Dates of Harbour Committee Meetings

20 th March 2017	5.30 pm (Torquay)
26 th June 2017	5.30 pm (Torquay)
5 th December 2017	5.30 pm (Torquay) (Prov)
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