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Dear Member

HARBOUR COMMITTEE - MONDAY, 20 MARCH 2017

I am now able to enclose, for consideration at the Monday, 20 March 2017 meeting of the Harbour Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
11.	Quarterly Accident and Incident Data for Tor Bay Harbour	(Pages 110 - 111)
12.	Torquay/Paignton and Brixham Harbour Liaison Forums	(Pages 112 - 121)

Yours sincerely

Teresa Buckley
Clerk



Tor Bay Accident / Incident List

	Date	ID Code	Accident Category	Name		
	09/03/2016	TOR0698IVD	Breaking Free of Mooring	'Whipsea' - broke free from mooring		
	09/03/2016	TOR0699IVD	Slip, trip, fall same level	Trip and fall on Middle Pier, Brixham		
	09/03/2016	TOR0700IVD	Breaking Free of Mooring	'Turn-a-bout' - broke free from mooring		
	04/03/2016	TOR0697IVD	Other nautical safety	Unexploded ordnance		
	16/02/2016	TOR0696CLO	Contact - Fixed object	'Brixham Vitesse' / Beacon Quay Slipway		
	19/01/2016	TOR0695CLO	Dangerous occurrence	Potential unexploded ordnance		
	06/01/2016	TOR0694CLO	Fire / Explosion	Fire at Molly Malones		
	31/12/2015	TOR0693CLO	Flooding/Foundering	'Broom' - sinking on outhaul mooring		
	21/12/2015	TOR0692CLO	Breaking Free of Mooring	'Liberty Lass' stern line parted		
	18/12/2015	TOR0691CLO	Other nautical safety	Scallop ranch floats		
	10/12/2015	TOR0690CLO	Breaking Free of Mooring	MFV 'Mary Anne' slipped lines		
	02/12/2015	TOR0689CLO	Flooding/Foundering	'Florrie B' - sank on mooring		

Number of Accidents listed = 12

Incident report status as follows;

Reported = 0; Investigating = 0; Investigation Complete = 4; Actioned-Closed = 8

Key	
Symbol showing the record type:	Symbol showing the record status:
- Incident	- Reported
- Potential Incident	- Investigating
- Details not yet completed	- Investigation Complete
	- Actioned-Closed



Tor Bay Accident / Incident List

	Date	ID Code	Accident Category	Name		
	06/03/2017	TOR0749INV	Dangerous occurrence	Person in water Princess Pier		
	13/02/2017	TOR0748IVD	Flooding/Foundering	Blue Dolphin sinking on mooring		
	13/01/2017	TOR0746INV	Breaking Free of Mooring	Fox Draco Broke Free Of Outer Harbour Mooring		
	13/01/2017	TOR0747INV	Pollution - Water	Diesel Spill Brixham Harbour		
	12/01/2017	TOR0744INV	Breaking Free of Mooring	Lylphus Rider Broke Free Of Outer Harbour Mooring		
	12/01/2017	TOR0745INV	Breaking Free of Mooring	Wind Rush Broke Free Of Outer Harbour Mooring		
	09/01/2017	TOR0743INV	Drowned, asphyxiated or exposed to harmful substance	Body located in water at Inner Dock		
	24/12/2016	TOR0742IVD	Drowned, asphyxiated or exposed to harmful substance	Body recovered from Paignton Harbour		
	22/12/2016	TOR0741INV	Contact - Fixed object	Serena hitting cill gate		

Number of Accidents listed = 9

Incident report status as follows;

Reported = 0; Investigating = 7; Investigation Complete = 2; Actioned-Closed = 0

Key	
Symbol showing the record type:	Symbol showing the record status:
- Incident	- Reported
- Potential Incident	- Investigating
- Details not yet completed	- Investigation Complete
	- Actioned-Closed

Meeting Title	Torquay & Paignton Harbour Liaison Forum
Venue	Torquay Harbour Office
Date	8 th March 2017 at 10.30 am

Present	Capt K Mowat (KM)	Mr S Pinder (SP)	Mr A Rayner (AR)
	Cllr N Bye (NB)	Mr M Stewart (MS)	Mr T Ekers (TE)
	Cllr N Amil (NA)	Mr M Ellis (ME)	Mr C Baker (CB)
	Cllr J O'Dwyer (JO'D)	Ms Clare Rugg (CR)	Mr M Ritchie (MR)
	Cllr C Robson (CR)	Mr Jason Bond (JB)	Mr M Smith (MSm)
		Mr D Buckpitt (DB)	Miss L Stewart (LS)

1. Apologies
2. Welcome
3. Minutes of the last meeting – 29th November 2016
4. Matters Arising from the last meeting –
 - a) Town Dock V Pontoon
 - b) Beacon Quay Toilets Refurbishment
 - c) Maritime Conservation Zones
 - d) Security Cameras
5. Capital Works
 - a) Haldon Pier – update
 - b) Princess Pier – update
6. Maritime Events 2017
7. Harbour Light Restaurant
8. Tor Bay Harbour Business Plan 2017/18
9. Quarterly Accident & Incident Data
10. Tor Bay Harbour Asset Management Plan 2017/18
11. Review of Operational Moorings Policy – proposal to remove 12 metre boats and moorings on the Town Dock
12. Direct Debit admin charge
13. Harbour Committee - Upcoming Agenda

1.	Apologies for Absence	Action
	Apologies were received from the Mayor and Cllr Roger Stringer	

2.	Welcome	Action
	KM welcomed everyone to the meeting.	

3.	Minutes of the Last Meeting	Action
	Everyone agreed that the minutes were an accurate record of the last meeting.	

4.	Matters Arising	Action
(a)	Town Dock V Pontoon - KM confirmed that the Harbour Committee has approved the purchase of a new pontoon for V Pontoon. This will cost between £160k - £200k. The plan is to install the new pontoon at the end of the summer to minimise the disruption to berth holders. ME commented that he has been down onto the pontoons this morning and it looks like further damage has occurred.	
(b)	Beacon Quay Toilets Refurbishment – Works are underway at present. KM advised that there has been an issue with a leak in the car park that may delay the completion of the works but the plan is to have the toilets open by the Easter holidays.	
(c)	Marine Conservation Zones (MCZs) – KM has been lobbying on this issue and has contacted local MP’s. A proposal is expected from Defra to extend the area of the existing MCZ to protect the sub-tidal mud on the bed of the Bay. Such a conservation measure would most likely lead to a ban on ships anchoring in the area. KM is concerned because there are clear and significant economic benefit that result from vessels anchoring in the Bay. Economic impact data has been sent to Defra, local MP’s, the BPA and the British Chamber of Shipping. CR commented that she believes there is not enough environmental evidence/data to support the protection of sub-tidal mud. MS asked whether this would stop vessels from anchoring in an emergency and KM confirmed that no details are available concerning the potential management measures but the Secretary of State’s Representative (SOSREP) would be able to overrule in any event.	
(d)	Security Cameras - KM advised that this topic had been discussed at the Torquay Harbour users meeting that was held in December. No progression has been made further due to the uncertain future of Torbay Council’s corporate CCTV network. A request from harbour users was made for CCTV to be introduced at the Inner Harbour entrance gate and along South Pier. KM advised that with the go ahead of the Pavilion Development scheme it is likely that further CCTV cameras will be introduced around the inner harbour areas by various new businesses. MS asked if it would be possible for the Harbour Authority to make a decision to invest in CCTV without Torbay Council and KM advised that it would be better to wait for Torbay Council to make decision. ME commented that he is concerned that if delay till after the summer this could be seen to be ignoring the requests of stakeholders and may mean another year without change. ME asked KM if he could chase Torbay Council further to make a decision. KM agreed. MR commented on the camera issue and raised his concerns over the threat over terrorism. KM advised that he has not received any requests to increase security. MSm commented that the marina is heavily covered with cameras and they have staff on site 24 hours a day.	KM
	Other matters arising but not on the agenda -	
	DB asked if there would be any impact on the Inner Harbour with the Pavilion redevelopment scheme going ahead. Particularly in respect of the walls and the water levels. KM commented that these matters were covered by a planning condition and the developer will be required to ensure the walls are safeguarded against damage. DB asked if an environmental risk assessment would be carried out due to the risk to navigation. KM advised that surveys are normally carried out before and after a large development. DB said that the Inner Harbour is in flood zone 3. KM commented that the Environment Agency are a statutory consultee under the planning application process.	
	NB advised the Forum that the Harbour Authority reserve fund has been secured and they will not now be taken to support the Council’s corporate deficit. KM thanked NB & VE for their support.	

5.	Capital Works	Action
a)	Princess Pier - Most of the work has now been completed and the capital funding has been spent on the underwater scour damage and seaward steps infilling.	
b)	Haldon Pier - A dive survey was recently carried out to investigate the current extent of the underwater damage. The evidence found will be put into a report and used by the TDA to support future funding applications to the Environment Agency. DB asked whether more rock armouring could help with the problems. KM explained that the main areas of concern were now on the inside wall at bed level.	

6.	Maritime Events 2017	Action
	<p>KM asked SP to provide an update on Maritime Events for 2017. SP issued a copy of latest schedule and he explained that it would shortly be uploaded onto the harbour website. The Harbour Authority will increasingly be promoting events via social media going forward. Tor Bay Harbour website is currently being redesigned and there will be an updated events page. SP asked that if anyone is aware of any events not on the list to let him know as soon as possible so that it can be added to the latest list. SP ran through the main events for the year.</p> <p>MR advised that the Normandy Veterans would like to carry out their service on 6th June, which will be a more low-key service than previously. NA confirmed that she and the Mayor are involved. MR asked that the event be added to the events list. KM confirmed he is happy with the service taking place on Beacon Quay but we need to know the size of the event to ensure the right level of staffing, etc. MR will confirm with Tony Ryder and the Mayor.</p>	<p>All to note</p> <p>MR</p>

7.	Harbour Light Restaurant	Action
	<p>KM advised that the TDA would be presenting a report to the Harbour Committee on 20th March with proposals for the Harbour Light Restaurant at Paignton harbour. A structural survey has been carried out and architects have looked at the existing layout and are aware of flood risks. A restaurant will continue to be located on first level and on ground floor level, the proposal will be for shop units and a cafe. KM advised that under the new proposal the existing stores and boat booking board sites would be at risk. KM invited everyone who may be interested to attend the Committee meeting.</p> <p>TE asked what the intentions are towards the existing tenants would they be asked to leave. KM confirmed that the existing tenants would be compensated as tenancy agreements would end. However, existing tenants could tender for the new units. Discussions will be carried out with the existing tenants. TE commented that Paignton is a unique Harbour and it cannot be compared to Torquay and Brixham. Paignton harbour can be improved but not completely changed. KM advised the Forum that there are other plans for the future of the harbour including a large redevelopment of the south side of the harbour. The TDA are leading on this issue and will be contacting stakeholders soon but this is not for determination by the Harbour Committee on 20th March. TE commented that there would be opposition received for the Harbour Light scheme. KM encouraged Paignton harbour users to attend the Harbour Committee meeting on 20th March.</p> <p>KM advised that these redevelopment proposals are contained within the Tor Bay Harbour Port Masterplan. KM confirmed that if the Harbour Committee gives their agreement for the proposals, they would then be taken to full Council and/or the Mayor for a decision. NB confirmed that he agrees with the redevelopment.</p>	<p>All to note</p> <p>All to note</p>

8.	<p>Tor Bay Harbour Business Plan 2017/18</p> <p>KM confirmed that the Business Plan is produced each year. LS had circulated the document to the Forum for consideration. The Business Plan will be presented to the Harbour Committee for approval on 20th March. KM would welcome any feedback from stakeholders before the 20th March.</p> <p>AR asked KM if the Harbour reserve could be used to acquire new assets after seeing that the Council has recently acquired a big asset. He suggested that this could be a better way of using the reserve and an income could be derived. KM advised that it would be possible but this would need to be looked at on a corporate level. NB commented that there is a Torbay Council Investment Committee. JO'D commented that it could be an idea to use the additional income received from fish tolls to invest in solar panels at the Brixham Fishmarket, which would reduce energy costs at the Fishmarket and provide a modest return for the future. KM explained that the TDA had investigated this option.</p>	<p>Action</p> <p>All to note</p>
9.	<p>Quarterly Accident & Incident Data</p> <p>KM advised in the last 3 months there have been 9 accident/incidents or near misses. KM ran through the various incidents. This information will be discussed at the Harbour Committee. KM advised that there is now an online form for reporting accident/incidents or near misses.</p>	<p>Action</p> <p>All to note</p>
10.	<p>Tor Bay Harbour Asset Management Plan 2017/18</p> <p>The Asset Management Plan 2017/18 will be presented to the Harbour Committee on 20th March. There was very little change from the 2016/17 Plan.</p> <p>KM advised the Forum that he had met with the Royal Torbay Yacht Club to discuss their existing premises. They currently occupy premises on Beacon Hill and are looking to relocate onto the quayside because their existing Clubhouse is not sustainable. The Club have previously spoken with CR about locating near to Living Coasts but this was not possible.</p> <p>The meeting with the Club also involved Planning officers and KM circulated a concept plan for everyone to look at. The idea would be to build on a platform in the space between the existing D-Day ramps on Beacon Quay. They would look to redevelop their current site to secure funding for the new site. KM advised that this proposal would impact on the Harvester with some of their views being impeded. In addition, it would be necessary to move the Town Dock access bridge. KM asked for comments on the plan from the Forum. KM advised that the views expressed by Historic England would be critical. NB commented that he believes we should encourage development for the quayside. KM advised that he had agreed to pass on RTYC proposals to the Forum but the Club should continue to work through the Planning issues, especially the matter of the Grade II* listed slipways. It was pointed out that there would be an issue with flood zone 3 if the bar were located at quay level.</p>	<p>Action</p> <p>All to note</p>

11.	Review of Operational Moorings Policy – proposal to remove 12 metre boats and moorings on the Town Dock	Action
	<p>KM advised that the Policy is reviewed each year. Currently the Town Dock is experiencing problems with damage and this is happening in areas where the larger boats are berthed. KM advised that he is considering the possibility of limiting the maximum size of vessels on the Town Dock to 10 metres. ME asked what the loss of income for this would be and KM advised that this has not been looked at yet but he will be looking at this and comparing the lost income against the cost of repairs. ME advised that if the Town Dock visitors and wave screen pontoon is repaired then this may resolve this issue. DB asked would this affect visiting vessels. KM advised that this possible change would be for annual customers who use finger pontoons. Nothing will be changed in this year's policy but it may be changed for next year depending if further damage is sustained.</p> <p>KM advised that he is now aware of a number of websites where you can rent a berth for the night. Sub-letting is not permitted and this practice poses a security problem with access codes for facilities as well as safety issues. The current policy advises you cannot live on board your vessel and cannot sublet your vessel/mooring. KM will be making it clear in the Moorings Policy that customers cannot rent their boat for the night to subsidise harbour dues. KM read out the proposed amendment to the policy. MS asked how this affects sailing vessels such as Pilgrim or charter vessels and KM advised he is aware that difference exists with these vessels if they are taking passengers to sea.</p>	
12.	Direct Debit Admin Charge	Action
	<p>KM advised that the change to a banded administration charge has caused some disquiet among certain customers this year. When the option to pay by direct debit was first introduced this included a 2.5% charge to pay over 9 monthly instalments. Torbay Council finance team had various issues with this and asked for a different method to be used. This year a tiered charge was introduced and a number of complaints were received from customers who believed it was not fair. KM said that he would seek to change the system for next year after discussions with NB & VE. KM advised that if customers are unhappy with this change for the current year then they should cancel the direct debit option and pay in full. TE commented that the system is unfair and he would welcome a return to the percentage method. KM advised that a different system would be introduced for next year.</p>	
13.	Harbour Committee	Action
	<p>KM ran through the Harbour Committee agenda for 20th March 2017.</p> <p>KM briefly commented on the Budget monitoring report. The Harbour Authority income has increased from a forecast of £2.6m to an expected £3.1m. However, expenditure has also increased this year partly due to cost of the Beacon Quay Toilet refurbishment, which will be taken from the revenue budget due to the increased levels of income. At the end of the year, the balance should be zero. The Harbour Reserve fund should finish the year with a balance of £649k.</p>	

Next Meeting	Torquay Harbour Office	
Venue	7 th June 2017	1.00 pm
Future meetings	11 th September 2017	10.30 am
	20 th November 2017	10.30 am
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)
	19 th March 2018	5.30 pm (Torquay)

Meeting Title	Brixham Harbour Liaison Forum
Venue	Brixham Harbour Office
Date	9 th March 2017 at 10.30am

Present	Capt. K Mowat (KM)	Mr M Stewart (MS)	Mr D Saunders (DS)
	Mr D Bartlett (DB)	Mr D Faithful (DF)	Mrs A Blackburn (AB)
	Cllr N Bye (NB)	Mr M Shaw (MS)	

Agenda Items	<ol style="list-style-type: none"> 1. Apologies 2. Welcome 3. Minutes of the last meeting - 2nd December 2016 4. Matters Arising from the last meeting- <ol style="list-style-type: none"> a) Marine Conservation Zones 5. Capital Works 6. New work boat update 7. Direct Debit administration charge 8. Maritime Events 2017 9. Quarterly Accident & Incident Data 10. Review of the Operational Moorings Policy 11. Tor Bay Harbour Business plan 2017/18 12. Tor Bay Harbour Asset Management Plan 2017/18 13. Harbour Committee - Upcoming Agenda
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1.	Apologies for Absence	Action
	Apologies were received from Cllr Nicole Amil, Cllr Vic Ellery, Robbie Richardson and Ben Wheatley.	

2.	Welcome	Action
	KM welcomed everyone to the meeting.	

3.	Minutes from the last meeting	Action
	Everyone agreed that the minutes were an accurate record of the last meeting.	

4.	Matters Arising from the Last meeting	Action
(a)	<p>Marine Conservation Zones (MCZs) – KM has been lobbying on this issue and has contacted local MP's. A proposal is expected from Defra to extend the area of the existing MCZ to protect the sub-tidal mud on the bed of the Bay. Such a conservation measure would most likely lead to a ban on ships anchoring in the area. KM is concerned because there are clear and significant economic benefit that result from vessels anchoring in the Bay. Economic impact data has been sent to Defra, local MP's, the BPA and the British Chamber of Shipping.</p> <p>KM asked MS if an expanded MCZ would impact on Brixham Trawler Agents. MS replied that he thought there would be more of an impact for individual fishing boat owners. NB offered to send a letter to George Eustace MP, Minister of State for Farming, Food and the Marine Environment. KM to draft a letter.</p> <p>The other element of the proposed zone might consist of a restriction zone around Berry Head to protect the sea birds and also some potential control measures in Lyme Bay to protect the whale and dolphin population.</p>	KM & NB

5.	Capital works	Action
	<p>DB updated the Forum that the repair works to the passenger pontoon have been completed. However, there is a 20mm difference in the freeboard between the old and new pontoons, which the Council's engineers, designers and insurers are currently investigating and looking to rectify. Over the last few weeks the situation has improved and this is thought to be due to settlement and possible marine growth. KM enquired when the rubber 'D' fendering was going to be installed. DB advised that he is waiting for the completion of the insurance works but the improved fendering was still in the pipeline.</p>	DB

6.	New work boat - update	Action
	<p>DM informed that Forum that the new work boat was scheduled to be delivered by the winter re-launch date on the 30th March. It is however a week behind schedule as the MCA coding process is taking longer than expected.</p>	DB

7.	Direct Debit administration charge	Action
	<p>KM advised that the change to a banded administration charge has caused some disquiet among certain customers this year. When the option to pay by direct debit was first introduced this included a 2.5% charge to pay over 9 monthly instalments. Torbay Council finance team had various issues with this and asked for a different method to be used. This year a three tiered charge was introduced and a number of complaints were received from customers who believed it was not fair. KM said that he would seek to change the system for next year after discussions with NB & VE. KM advised that if customers are unhappy with this change for the current year then they should cancel the direct debit option and pay in full in advance as in previous years. It was pointed out that many other organisations make a charge for the option to pay by instalments including the DVLA (road tax) and a TV Licence.</p>	KM

8.	Maritime Events 2017	Action
	KM advised that the schedule of Maritime Events for 2017 has been published and will be available on the website by Monday 13 th March. The Harbour Authority will increasingly be promoting events via social media going forward. Tor Bay Harbour website is currently being redesigned and there will be an updated events page. KM asked that if anyone is aware of any events not on the list to let Simon Pinder know as soon as possible so that it can be added to the latest list.	All to note
9.	Quarterly Accident & Incident Data	Action
	KM advised in the last 3 months there have been 9 accident/incidents or near misses. KM ran through the various incidents. This information will be discussed at the Harbour Committee. KM advised that there is now an online form for reporting accident/incidents or near misses.	All to note
10.	Review of Operational Moorings Policy	Action
	KM advised that the Policy is reviewed each year. He advised that he is now aware of a number of websites where you can rent a berth for the night. Sub-letting is not permitted and this practice poses a security problem with access codes for facilities as well as safety issues. The current policy advises you cannot live on board your vessel and cannot sublet your vessel/mooring. KM will be making it clear in the Moorings Policy that customers cannot rent their boat for the night to subsidise harbour dues. KM read out the proposed amendment to the policy. MS asked how this affects sailing vessels such as Pilgrim or charter vessels and KM advised he is aware that difference exists with these vessels if they are taking passengers to sea.	All to note
11.	Tor Bay Harbour Business Plan 2017/18	Action
	KM confirmed that the Business Plan is produced each year. AB had circulated the document to the Forum for consideration. The Business Plan will be presented to the Harbour Committee for approval on 20 th March. KM would welcome any feedback from stakeholders before the 20 th March. MS asked if issues surrounding the security could be looked at and extra money found to have additional cover for the site. He also raised the ongoing issue with parking on the site and advised that the fishermen are continuing to park in the main loading bay area instead of East Quay and this is leading to profound congestion and the fish dealers are having trouble parking. DB advised that he has a meeting with KM on Monday and will be putting forward a plan to tackle this issue. It was agreed that AB would set up a meeting with Cllr Bye, KM, DB and Mike Shaw so that all issues can be discussed and a joint solution found that is agreeable to all.	All to note AB
12.	Tor Bay Harbour Asset Management Plan 2017/18	Action
	The Asset Management Plan 2017/18 will be presented to the Harbour Committee on 20 th March. There was very little change from the 2016/17 Plan. KM explained to the Forum that this plan looks at all of the Harbour Authority's Assets and he confirmed that generally they are all performing well. He also informed the Forum about several new concessions that are currently being considered.	All to note

13.	Harbour Committee – Upcoming Agenda	Action
	<p>KM ran through the Harbour Committee agenda for 20th March 2017.</p> <p>KM briefly commented on the Budget monitoring report. The Harbour Authority income has increased from a forecast of £2.6m to an expected £3.1m. However, expenditure has also increased this year partly due to cost of the Beacon Quay Toilet refurbishment, which will be taken from the revenue budget due to the increased levels of income. At the end of the year, the balance should be zero. The Harbour Reserve fund should finish the year with a balance of £649k.</p>	

Next Meeting

Venue

Future meetings

Brixham Harbour Office

8 th June 2017	10.30 am
14 th September 2017	10.30 am
17 th November 2017	10.30 am

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)
19 th March 2018	5.30 pm (Torquay)