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Dear Member

HARBOUR COMMITTEE - TUESDAY, 24 SEPTEMBER 2019

I am now able to enclose, for consideration at the Tuesday, 24 September 2019 meeting of the Harbour Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
5.	Port Masterplan Addendum 2019-2024	(Pages 54 - 81)
8.	Harbour Budget 2020/21 and Schedule of Fees and Charges	(Pages 82 - 114)
9.	Port Marine Safety Code	(Page 115)
10.	Torquay/Paignton and Brixham Harbour Liaison Forums	(Pages 116 - 122)

Yours sincerely

Lisa Antrobus
Clerk



Meeting: Harbour Committee

Date: 24th September

Wards Affected: All wards in Torbay

Report Title: Port Masterplan (Addendum)

Is the decision a key decision? Yes

When does the decision need to be implemented? 24th September 2019

Cabinet Member Contact Details: Councillor Mike Morey, Cabinet Member Infrastructure, Environment and Culture

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1. Proposal and Introduction

1.1 This report presents the Port Masterplan (Addendum) which has been developed following extensive public consultation and sets out a practical and realistic strategy for Tor Bay Harbour from 2019-2024.

2. Reason for Proposal and associated financial commitments

2.1 The Port Masterplan (Addendum) is a policy framework document which requires both Harbour Committee and Cabinet approval and ultimately endorsement and adoption by Full Council. This report seeks Harbour Committee recommendation as part of that process

2.2 The proposals contained in this report does not commit the Council financially over and above the requirement to set a balanced Harbour Authority revenue budget annually (this is delegated to the Harbour Committee). It does however *inter alia* seek:

- grant funding from external agencies (eg Environment Agency and Central Government) to improve environmental protection of all three enclosed harbours eg further rock armouring of Victoria breakwater, Paignton’s North and East Quay and Torquay’s Haldon pier;
- grant funding for a northern arm floating breakwater to enhance the environmental protection of Brixham harbour, further land reclamation between the Fish Quay and Oxen Cove to provide additional landing berths; and,

- a limited dredging campaign to accommodate deeper-draught fishing vessels to be paid for from harbour revenue reserves.

3. Recommendation(s) / Proposed Decision

3.1 That the Harbour Committee recommends the Cabinet propose the Port Masterplan (Addendum) to Full Council for approval.

Appendices

Appendix 1: Port Masterplan (Addendum)

Background Documents

Tor Bay Harbour Port Masterplan published 2013

Section 1: Background Information

1.	What is the proposal / issue? Tor Bay Harbour published its Port Masterplan in 2013 which for the first time set out a practical and long-term strategy for the future of Tor Bay Harbour for 20-25 years. It was designed as a 'living document' which was to be the subject of periodic updates to remain aligned with the evolving needs and wishes of harbour users, reinforce and build on achieved successes and to identify and react to new challenges and opportunities. Given that over 5 years have now passed, and following a number of public consultation events that took place throughout 2018, it was decided that the overall Port Masterplan had stood the test of time and required only an addendum to provide, in greater detail, the plans and intentions for the next 5 years between 2019-2024.
2.	What is the current situation? The Port Masterplan (Addendum) has been developed through extensive public consultation and Harbour Committee input, but requires Full Council adoption to become a policy framework document.
3.	What options have been considered? To continue with the original Port Masterplan and accept that it would become more dated with time. To undertake a comprehensive review of the Port Masterplan and publish at approximately quinquennial intervals an Addendum to update the Masterplan, which would remain as a 'capstone' document
4.	What is the relationship with the priorities within the Partnership Memorandum and the Council's Principles? The Port Masterplan (Addendum) ensures that the Harbour Authority's strategic plans and activities remain aligned with the needs of harbour users and has been designed to dovetail into a number of other frameworks including: <ul style="list-style-type: none">- The National Policy Statement for Ports- South Inshore and South Offshore Marine Plan- The Coastal Concordat- The Torbay Local Plan- Various Neighbourhood Plans and deliver against the Council priorities of: <ul style="list-style-type: none">- Thriving people and communities:

	<ul style="list-style-type: none"> ○ the Addendum recognises the cultural and historical context of Tor Bay and its enclosed harbours including its heritage fleet and world-famous vistas as well as its Geo-Park status ○ It enables commercial growth through expansion of fishing industry infrastructure ashore and afloat ○ It delivers a better stakeholder experience ○ It improves the visibility and access to the water ○ It reinforces the Bay as a safe, vibrant and attractive destination <ul style="list-style-type: none"> - A climate fit for the future: <ul style="list-style-type: none"> ○ The Addendum explicitly seeks better environmental protection to take account of climate change and seeks to make marine activities more sustainable - A Council fit for the future: <ul style="list-style-type: none"> ○ It seeks greater efficiencies in staff and, through facilitating commercial growth, increases revenue returns to the Council
5.	<p>How does this proposal/issue contribute towards the Council’s responsibilities as corporate parents?</p> <p>Not applicable</p>
6.	<p>How does this proposal/issue tackle poverty, deprivation and vulnerability?</p> <p>The Addendum seeks to tackle poverty, deprivation and vulnerability through the facilitation of commercial growth and year-round skilled job opportunities throughout Torbay. It seeks to introduce presently lacking services through encouraging third parties to deliver them within the enclosed harbours eg better marine engineering facilities, greater access to the water</p>
7.	<p>How does the proposal/issue impact on people with learning disabilities?</p> <p>There are specific proposals that impact positively or negatively on people with learning disabilities</p>
8.	<p>Who will be affected by this proposal and who do you need to consult with? How will the Council engage with the community? How can the Council empower the community?</p> <p>Comprehensive public and stakeholder consultation events were run in each of the 3 enclosed harbours in 2018 in which attendees were invited to ‘design’ a future vision of Tor Bay Harbour. Many of these proposals have been incorporated into this Addendum which reflects their evolving needs and wishes.</p>

Section 2: Implications and Impact Assessment

9.	<p>What are the financial and legal implications?</p> <p>There are no financial implications over and above the annual setting of a Harbour Authority revenue budget. All plans requiring capital expenditure would be subject to a separate and stand-alone business case.</p> <p>There are no legal implications of this report</p>
10.	<p>What are the risks</p> <p>There is a risk that if the climate adaptation measures contained within the Addendum are not enacted then Tor Bay harbour will more frequently and more powerfully experience significant adverse environmental changes eg more frequent and more powerful storms, flooding, sea-level rises</p> <p>There is a risk that if the commercial growth measures contained within this report are not enacted then Tor Bay will not keep pace with future stakeholder needs</p>
11.	<p>Public Services Value (Social Value) Act 2012</p> <p>The Addendum seeks the delivery of several work-streams each of which will require its own procurement processes within existing Government and Council regulatory guidelines. These will be the subject of separate and stand-alone procurement processes</p>
12.	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>A number of public and stakeholder consultation events were held throughout 2018 to develop this Addendum. Many of the ideas and suggestions proposed have been incorporated into this document</p>
13.	<p>What are key findings from the consultation you have carried out?</p> <p>While the Port Masterplan (2013) has broadly stood the test of time it has diverged in parts from the evolving needs of 2019 and beyond. The Addendum provides an update to the over-arching capstone document to rectify this</p>
14.	<p>Amendments to Proposal / Mitigating Actions</p> <p>None</p>

Equality Impacts

15.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	Greater employment opportunities Better access to the water		
	People with caring Responsibilities			No impact
	People with a disability			No impact
	Women or men	Greater employment opportunities Better access to the water		
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			No impact
	Religion or belief (including lack of belief)			No impact
	People who are lesbian, gay or bisexual			No impact
	People who are transgendered			No impact
	People who are in a marriage or civil partnership			No impact
	Women who are pregnant / on maternity leave			No impact

	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Greater well-being and greater employment opportunities	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Better access to the water and marine activities	
16.	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	No	
17.	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	No	



PORT MASTERPLAN ADDENDUM 2019-2024



EXECUTIVE SUMMARY

In 2013 The Tor Bay Harbour Authority published its Port Masterplan which set out, for the first time, a practical and realistic long-term strategy for the future of Tor Bay Harbour over the following 20-25 years. The Masterplan was designed as a 'living document' and the subject of periodic updates to remain aligned with the evolving needs and wishes of Harbour users, reinforce and build on achieved successes, and to identify and react to new challenges and opportunities.

In the 5 years since its publication much has changed. Operationally, the Bay's popularity as a working and recreational harbour has increased with greater number of marine events held every year. The fishing industry based primarily in Brixham has expanded, and the Bay remains a regular destination anchorage for cruise ships and other merchant vessels.

Many of the projects identified to improve

the Bay and its 3 enclosed ports of Brixham, Paignton and Torquay have been successfully delivered, including improvements to Princess Pier and Beacon Quay in Torquay, improved fendering and other infrastructure for the fishing and shell-fishing industry in Paignton and Brixham. Inevitably a lot of the Port Masterplan has yet to be delivered but this is only to be expected: we are only 5 years into a 25-year programme.

There have been many changes to the operating environment, too: reductions to central government funding of Local Authorities, combined with increased demands upon its services, have left Torbay Council (among many others) facing severe financial pressures. The consequences of the 2016 Brexit vote have yet to crystallise but could present challenges for tourism, and the marine and environmental sectors which will have to be addressed quickly if business continuity is to be maintained. It might also result in greater opportunities eg for the fishing industry. It is probable that the administrative burden will increase eg as a result of increased customs checks of non-UK vessels landing to Torquay or Brixham, and proactive steps are being taken to mitigate this.

As part of ongoing efforts to minimise the impact of human activity on Tor Bay's natural environment – while also allowing, where possible, for those activities to take place - the Harbour Authority have been closely involved in several Bay-wide initiatives to improve sustainability. These have included monitoring the recently introduced Torbay inshore Marine Conservation Zone; working alongside Living Coasts and others by contributing to the design and installation of experimental eco-moorings to hopefully reduce scouring of the seabed caused by mooring and anchor chains; and working with the Community Seagrass Initiative and Fishing for Litter projects, among others.



INTRODUCTION

In 2012 the Tor Bay Harbour Authority commissioned Royal Haskoning DHV to consult on and draft a strategic Port Masterplan for Tor Bay and the three enclosed ports of Torquay, Paignton and Brixham. This document was published in 2013 by the Harbour Authority to set out, for the first time, a practical and realistic long-term strategy for the future of Tor Bay Harbour over the following 20-25 years.

The Port Masterplan was unashamedly ambitious in its reach and undoubtedly

comprehensive in its breadth: it considered not only the physical infrastructure requirements of the Harbour's ports and the wishes of its users, but it also encompassed the wider environmental and socio-economic aspects including tourism, transport links, employment opportunities, and its contribution to the health and wellbeing of residents and visitors.

When the Port Masterplan was published, the Torbay Local Plan and the towns' Neighbourhood Plans were still being developed, and thus a key purpose of the Port Masterplan was to inform, influence and assist their development by explaining to local communities and the marine industry how they could expect to see the Harbour and its

ports develop over time.

Pleasingly, the Port Masterplan has stood the test of time: although much has changed over the intervening period, it remains a valid and actionable document, requiring only a minor update – the purpose of this Addendum, which is designed to be read in conjunction with the original publication. Objectives and projects which have already been achieved are identified; those that are ongoing are critically reviewed against the current and foreseeable operating environment and modified as necessary to ensure that they can be delivered. New opportunities are identified and incorporated into the Addendum. Similarly, those objectives described in the 2013 publication which are either undeliverable or no longer pertinent are also categorised along with an explanation of why they will no longer be pursued.

This document has been developed after extensive consultation with stakeholders and the public to reflect their evolving aspirations and requirements. Consultation events were held on a number of throughout the summer of 2018 at each of the enclosed ports to ensure that as many views as possible could be captured and considered.

THE BAY AND ITS THREE PORTS

Tor Bay

Tor Bay Harbour, the waterfront, the three enclosed ports and the coastline all form the central part of Torbay's built and natural environment. The focal point is the wide and open bay which provides substantial protection from the prevailing south-westerly weather. It is truly a community resource. It is a 'working' harbour in which cruise ships and merchant vessels frequently anchor to land passengers, change crews or undertake at-sea hull inspections. In poor weather it is a 'port of refuge' for vessels seeking shelter. The Bay accommodates inshore passenger ferries to connecting the towns of Torquay, Paignton and Brixham to Teignmouth and Dartmouth.

The absence of strong tidal currents, rip-tides or eddies, as well as its gently shelving seabed make it an ideal and popular destination for recreational and leisure vessels and hosts

many maritime races and events each year. It is a regionally-significant tourist destination and also supports a fishing industry of national importance.

Tor Bay is also visited by cruise ships which anchor off Torquay Harbour both because of its location - it neatly links the destinations of Hamburg or Southampton in the east, to Cork or Dublin in the west, and the Iberian Peninsula to the south. It is also the ideal 'gateway' to Exeter, Dartmoor and many South Devon attractions as well as a popular destination in its own right. It is also the diversionary harbour of choice for cruise vessels which cannot safely make Plymouth or Dartmouth in poor weather.

A number of merchant vessels make use of Tor Bay's sheltered deep water anchorages to temporarily lay-over, to swap crews or to conduct under-water hull inspections. Historically they also used to conduct hull cleans and propeller polishing activities but these stopped several years ago due to concerns over the potential to introduce environmental pollutants into the Bay. A number of technological advances have addressed these reservations and it is hoped that these will recommence in the near future,

hopefully increasing the number of visiting merchant vessels.

Connectivity

Since the 2013 publication of the Port Masterplan the Bay has become increasingly well connected to the South Devon hinterland and beyond: recent large-scale road network improvement projects including the A380 South Devon Expressway have reduced journey times for the 30,000 vehicles which daily travel between Torbay and Newton Abbott by up to 40 minutes. This will be further improved if the Torquay Gateway Scheme is progressed.

Ongoing road widening works along the 'western corridor' are also improving Brixham's connectivity to Paignton, Torquay and beyond. However, immediate road connectivity to each of the three ports remains single-carriageway only, and there are competing pressures between resident, tourist and commercial traffic, all of which continue to increase in volume.

Intra-port connectivity has similarly improved with regular seasonal foot-passenger ferries which operate between the three ports of Tor Bay and also to Teignmouth and Dartmouth.

However the fast ferry service which commenced in 2015 was scrapped in 2017 due to lack of customer demand.

Rail connectivity for the Bay has similarly stalled despite the line at Dawlish being rebuilt after it was washed away in 2014, as the rail improvements outlined in the Local Transport Plan have been indefinitely delayed due to funding considerations.

Brixham

Brixham remains the 4th largest fishing port in the UK and the largest in England and Wales by value of catch landed; this is illustrated in the table below:

Type	Quantity (thousand tonnes)		Value (£m)	
	2012	2017	2012	2017
Demersal	4.2	4.7	11.9	15.6
Pelagic	2.1	1.6	0.7	0.5
Shellfish	7.4	8.7	13.5	24.6
total	13.7	15	26.1	40.7

Since the Port Masterplan was published in 2013 both the quantity and value of fish and

shell-fish product have increased and the fishing port is approaching capacity in terms of vessels that it can accommodate. Similarly, the fish market is reaching capacity shore-side regarding the number and size of lorries that it can safely accommodate. An objective of this Addendum is to address these capacity issues to ensure that the fishing industry can continue to grow and evolve into the future.

Brixham’s heritage fishing fleet continues to be an active and visible presence in and around the Bay and, along with the commercial fishing fleet described above, remains a key element of Brixham’s attraction as a tourist destination particularly during the main summer season when the town can become congested with both people and traffic. Parking within the town remains at a premium and the plans within this Addendum are, where practicable, cognisant of their impact on the availability of parking.

In addition to the MDL-operated marina, Brixham also hosts approximately 200 swinging moorings in the outer harbour. There is an aspiration to replace these with a piled ‘walk ashore’ pontoon system which would reduce their footprint and enable further development of the harbour; however the 2013 Masterplan

noted that this could not be undertaken without the further environmental protection provided by a northern breakwater arm.

Paignton

Paignton Harbour is a compact and enclosed working harbour which completely dries out at low tide. It is situated within an urban and mostly residential area of Paignton, lending it a strong community feel by virtue of its active dinghy sailing, rowing and Sea Scout groups. It is surrounded by several historic buildings, vibrant restaurants and café as well as some small commercial marine units, particularly on South Quay, including crab vivier tanks. It is spatially dislocated from the town centre and experiences reduced footfall and vehicle traffic as a result. Addressing the perceived gap will unlock the unlocked potential of Paignton Harbour, and this plan seeks to achieve just that.

The busy East and North Quays are used to store many dinghy-sized craft and canoes, some fishing-related stores and seasonal passenger-ferry boarding stations.

Ample car parking behind the buildings on South Quay exists but is underused except during the high season, and the harbour’s two

slipways are popular launching sites.

The harbour walls are aging but sound, however many of the buildings on South Quay require refurbishment. Many of the businesses and clubs wish to expand but are prohibited from doing so due to lack of space or inefficient building's design or layout. In particular the demand for storage outstrips supply due to spatial constraints.

The 2013 Port Masterplan noted the need to raise, and potentially to extend, the East Quay wall to improve environmental protection as well as the possibility of building a new slipway and quay wall on its outer (seaward) side. These have not yet commenced due to cost, but remain high priorities, however other Masterplan projects are being taken forward, particularly the redevelopment of the Harbour Light building and the redevelopment of South Quay.

Torquay

Torquay Harbour is a modern enclosed harbour from which a small but significant commercial fishing industry as well as a number of passenger ferry companies operate. Visually the harbour is dominated by pontoon-style berths for recreational vessels,

split approximately evenly between MDL and Local Authority ownership, and the harbour has almost reached capacity: there is very little room afloat for further berths.

The harbour is protected by the twin arms of Haldon Pier and Princess Pier, the latter being recently refurbished (2018) when the derelict landing stage was removed. Haldon Pier was historically a popular berth for small to medium sized coasters but is unlikely to ever operate in this capacity again for several reasons: rock armouring prohibits berthing along the outer face and the harbour entrance is too narrow to allow such vessels to manoeuvre safely alongside the inner face. Furthermore Haldon Pier requires substantial refurbishment if the current vehicle weight restriction is to be revoked, which presently curtails the volume of cargo that can be discharged alongside. Instead, the visitors' pontoon is moored alongside the inner face and provides walk-ashore access to the toilets, showers, shops and cafes situated along Beacon Quay on the harbour's northern side.

The Beacon Quay slipway is an extremely popular launching point for small vessels and in summer often requires active management to prevent congestion. Further west along

Beacon Quay are the historically significant, but despite their listed status are sadly dilapidated, WWII landing craft ramps from which some of the armed forces which participated in D-Day departed. Between the ramps and slipway is the Town Dock which is used by passenger ferries and cruise vessel tenders to land and pick up passengers.

There is a fuel berth on South Pier which vends both petrol and marine diesel but this needs substantial renovation before it can be permitted to recommence trading. This Pier, along with the adjoining bridge and cill, provides further protection for vessels moored in the Inner Harbour which dovetails into the lower part of the town and is surrounded by commercial premises as a consequence.

The route from the Town Dock to the town centre has been the focus of improvements in Torquay to reflect its 'gateway' status into and out of the town from the water. The focus in this Addendum will be the less conspicuous but equally important quay walls around other parts of the harbour as part of an ongoing programme of future-proofing and renovations.

THE NEED FOR PORT MASTER- PLANNING

The Harbour Authority is continuously responsible for improvements to the harbour facilities to accommodate changes in the needs and demands of port customers, port users, stakeholders and legislation in order to ensure continuing success.

Published in 2013, the main purpose of the Port Masterplan was to provide a practical and realistic long-term strategy for the future of Tor Bay Harbour over the following 20-25 years. It was designed as a 'living document' and is the subject of periodic updates (of which this document is the first) to remain aligned with the evolving needs and wishes of Harbour users, reinforce and build on achieved successes, and to identify and react to new challenges and opportunities.

This Port Masterplan is a high level framework document that provides overall strategic

spatial development guidance on the most sustainable future for Tor Bay Harbour and its three enclosed ports. It is not meant to include detailed plans of developments for implantation but instead provides flexibility for development over the longer term.

It is also designed to communicate the Harbour Authority's aspirations to the wider community and other planning bodies to ensure that future harbour development remains coherent with change delivered through the Torbay Local Plan, Neighbourhood Plans and other regional and local strategies.



THE APPROACH FOR THIS ADDENDUM

Designed to remain relevant for up to 20 years, much of the Port Masterplan remains permanent as a 'capstone' document which articulates the broader strategic setting. This Addendum, and each of those which follow will serve to update the contextual and other changes which have occurred since the 2013 publication and to provide greater levels of clarity and detail regarding priorities, proposed developments and a proposed delivery plan for the forthcoming 5-10 year timeframe.

Like the Port Masterplan, this and future Addendums are deliberately ambitious and, to a certain extent, aspirational: many of the plans are not currently funded and it may prove impossible to deliver these capabilities within the desired timeframe (or indeed at all if circumstances so dictate). However it is important to describe future plans and



projects in sufficient detail that future growth, however piecemeal, remains coherent. Each delivery plan should thus not be viewed as stand-alone project but instead a piece within a wider holistic 'jigsaw'.

The development of this Addendum followed closely to that employed for the original Port Masterplan. Stakeholder workshops were undertaken during the summer in each of the three harbours to understand what had changed since publication of the Port Masterplan and to identify future requirements and priorities. These workshops focused on 4 questions:

- What changes have taken place since publication of the Port Masterplan?

- What are the future requirements of Tor Bay Harbour that we must address?
- What are your ideas for the development of the harbour?
- What is your order of priority for future development?

Each workshop concluded with a plenary session to gauge areas of collective agreement. These were incorporated into a draft version of this document which was circulated amongst consultation attendees for feedback prior to its being presented to the Harbour Committee for endorsement and subsequent Council adoption.

THE STRATEGY FOR TOR BAY HARBOUR AUTHORITY

The overarching strategy for Tor Bay Harbour Authority remains unchanged from that published in the Port Masterplan:

‘to provide a high quality service that is committed to improve Tor Bay Harbour and provide a cleaner and safer environment by addressing the following objectives:

- Maintain Tor Bay Harbour and the three enclosed ports under the management of one Harbour Authority
- Review and use the statutory powers of the Harbour Authority to fulfil its statutory duties in a timely manner for the purpose of improving, maintaining and managing

the harbour while continuing to contribute, where possible, to the finances of the owning authority – Torbay Council;

- Develop robust partnerships with key maritime stakeholders to attract and deliver commercial port businesses, contributing to job creation and the local economy;
- Manage the harbour in a sustainable manner by supporting a variety of marine activities including fishing, shipping, marine-related businesses, heritage, eco-tourism and marine recreational activities;
- Balance the responsible stewardship of the marine environment with appropriate socio-economic development and use of Tor Bay;
- Measure and monitor the needs and wishes of harbour users, the local community and visitors through appropriate research; and,
- Improve connectivity between the enclosed ports by upgrading facilities for marine transport.’

These objectives remain unchanged from the original Port Masterplan because they were

designed with longevity in mind, and despite changes to the operating context they remain valid. That notwithstanding their priorities have undoubtedly changed: issues surrounding port governance have diminished in relative terms compared to the protection of the marine environment for example.

The plans and projects detailed later in this document each contribute towards one or more of these objectives.

WHAT HAVE WE ACHIEVED SINCE THE LAST PLAN?

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Much has been achieved since the original plan was published in 2013. These include:

The Bay

- The establishment of an inshore Marine Conservation Zone (MCZ) around the Bay in 2013 has enhanced the protection of the Bay's natural environment;
- The number of our beaches which have been granted the prestigious Blue Flag award standard has risen despite the threshold criteria for water quality having been substantially raised in 2015. This reflects the continuing improvement in our natural environment and also the facilities offered at the waterfront;
- New seasonal passenger ferry links to Teignmouth have reinforced the Bay's attractiveness as a tourist destination;

- The continuing use of the Bay as a place of refuge in inclement weather and also as a destination for cruise vessels provides an economic boost to the area.

Torquay

- The replacement of the swinging moorings in the Torquay inner harbour with walk-ashore pontoons. This has considerably improved safe access for harbour users to and from their vessels and enhanced the security of the vessels while berthed in the harbour;
- Permanent pontoons have been installed at the foot of Princess Parade for the commercial fishing fleet in Torquay, which has both increased the number of vessels which can be accommodated in the harbour and improved safe access for the fishermen;
- Seasonal pontoons have been installed along the inner face of Haldon Pier for visitors to improve the amenity and appeal of the port;
- The provision of improved pontoons and access brow for cruise ship passengers inside Haldon Pier;

- The obsolete landing stage on Princess Pier has been removed and the walkway refurbished to improve pedestrian access, particularly disabled access;

- The decking along Beacon Quay has been replaced with a composite surface, making it substantially safer especially in wet weather by improving its non-slip properties;

- The Harbour Authority has recently re-acquired the marine fuel station and investigating how best to refurbish it to ensure a future fuelling capability remains in Torquay;

- The wave screen in the outer harbour has been upgraded and is designed to better withstand any wave action during storms.

Paignton

- Refurbishment of the Harbour Light building is expected to commence in early 2019.
- Improved flood protection gates at the top of the slipway



Brixham

- Repairs to the Victoria breakwater following storm damage, the emplacement of more robust rock armouring along part of its seaward face as well as raising the breakwater's height by 50cm is expected to substantially improve its utility as a breakwater and future-proof it against rises in sea level due to climate change for up to 50 years.
- Better fendering of the Fish Quay's northern face will ensure that the more exposed landing berths remain operational in a wider range of inclement weather than at present;
- The expected installation of a shell-fish landing jetty in Oxen Cove will raise the

harbour's capacity will meet the growing demand by an increasing number of vessels to land a greater volume of stock.

Perhaps unsurprisingly (since we are only 5 years into a 25 year plan) a number of plans outlined in the Port Masterplan have yet to be delivered. While a few are no longer relevant, most are still needed although perhaps a few require modifying to reflect the changing operating environment, while other, new, requirements have emerged.

Those that will not be taken forward include:

- The extension to Haldon Pier to provide a deep water berth. This is not considered viable due to cost, the disruption to the inshore Tor Bay MCZ and also the lack of suitably deep water to attract sufficient

vessels alongside to justify the cost of construction. Moreover the fragile material state of the existing Haldon Pier would require costly and extensive maintenance works to bear the likely vehicular traffic and plant needed to make the pier a useful loading and unloading berth.

- Additional slipway on the seaward side of Paignton's East Quay and on the seaward side of Haldon Pier. Although these will be kept under review, there is sufficient launching capacity around the Bay to offset the need for the construction of additional slipways. Moreover the cost of construction is unlikely to ever be recouped from the launching fees they could generate and they would both be vulnerable to surge or flood damage in an easterly storm.
- A half-tide cill and lift bridge in Brixham. Experience from Torquay has shown that this would be very costly to build and require an increased number of harbour staff to manually lift and lower the bridge. Even if a pontoon berthing system similar to that in Torquay's inner harbour were built it is unlikely that the cost of the cill and bridge could ever be recouped.

SWOT ANALYSIS

The SWOT (strengths, weaknesses, opportunities and threats) analysis published in the Port Masterplan has been updated here to reflect the changes which have taken place over the intervening 5 years.

Strengths	Weaknesses
<p>Tor Bay Harbour is well protected with good anchorages for ships</p> <p>Significant Harbour Estate that makes the harbour sustainable</p> <p>English Riviera is a strong marketing and tourism brand</p> <p>Unique character of the individual ports</p> <p>Good provision of leisure and recreational boating facilities, including a number of active yacht clubs</p> <p>4th largest fishing port in UK with excellent reputation for quality</p> <p>Tor Bay is recognised as a port of refuge</p> <p>Attractive area for living and working</p> <p>All ports come under one governing Authority</p> <p>Outstanding natural environment with variety of designations eg MCZ</p> <p>Excellent water quality</p> <p>Safe road network which is continually improving</p> <p>Paignton and Torquay connected to national rail network</p>	<p>Some unused and derelict harbour facilities</p> <p>Aging critical harbour infrastructure eg piers, quays and harbour walls</p> <p>Lack of waterfront space to expand harbour businesses, particularly fishing industry</p> <p>Congested road networks, particularly in high season</p> <p>Lack of lift out/repair facilities for vessels eg MFVs</p> <p>Shortage of onshore marine leisure facilities</p> <p>Lack of cargo handling facilities</p> <p>Lack of cold storage and fish processing facilities</p> <p>No rail connections to the enclosed ports</p> <p>Tor Bay anchorages exposed to easterly weather</p> <p>Infrastructure & water depth are insufficient to accept cargo/ cruise vessels alongside</p> <p>Vulnerability to effects of climate change, particularly Paignton</p> <p>Paucity of car parking</p> <p>Shortage of maritime skills</p>

Opportunities	Threats
<p>Growth in 'green' tourism, investment and research</p> <p>Potential to run Tor Bay Harbour as an 'arm's length' company of the council similar to TDA</p> <p>Space for development in Brixham harbour</p> <p>Improvement potential for transport links</p> <p>Installation of climate change defences could enhance built environment</p> <p>Potential for further growth in visiting cruise and fishing vessel numbers</p> <p>Brexit may provide opportunities eg additional landing quota/TAC</p> <p>Introduction of electronic fish auction could increase volume/value of product landed</p> <p>Installation of a floating breakwater in Brixham would attract cargo and passenger vessels to the Bay</p> <p>Introduction of a hull-cleaning service would attract additional vessels into the Bay</p> <p>Potential for multi-storey parking</p> <p>Links to regional Higher and Further Education establishments</p> <p>External development funding opportunities</p>	<p>Climate change and coastal erosion</p> <p>Unknown consequences of Brexit on fishing and tourism industries (eg access to markets, loss of grant aid, disruption etc)</p> <p>Lack of finance to fund harbour infrastructure developments /size of financial contribution to the Council</p> <p>Risk of piecemeal development without a coherent overarching vision (eg like this document)</p> <p>Increasingly onerous legislative and regulatory environment could stifle development</p> <p>Competition from other harbours/ fishing ports/ cruise destinations</p> <p>Introduction of electronic fish market auction could result in product landed to other ports instead of Brixham</p> <p>Very lean staffing levels at each of the enclosed ports</p>

DEVELOPMENT PLANNING POLICY

This document, and the Port Masterplan which preceded it, have been developed with regard to the wider policy frameworks such as the National Planning Policy Framework (updated 2018), the National Policy Statement for Ports (2012), the Torbay Local Plan (2015) and the more recent Neighbourhood Plans. This document has also been written with reference to the DEFRA publications Coastal Concordat and the separate South Inshore and South Offshore Plan.

National Policy Statement for Ports

The Government policy for ports seeks to encourage sustainable port development to cater for long-term forecast growth in volumes of imports and exports by sea in order to (amongst other things):

- Contribute to local employment, regeneration and development;

- Preserve, protect and where possible improve marine and terrestrial biodiversity;
- Be adapted to climate change;
- Minimise use of greenfield land;
- Enhance access to port and the jobs, services and social networks they create, including for the most disadvantaged;
- Being an engine for economic growth.

South Inshore and South Offshore Marine Plan (known as the South Marine Plan)

This DEFRA-authored document was published in 2018 to introduce a strategic approach to planning within the inshore and offshore waters between Folkstone and the River Dart. It provides an evidence-based framework for marine users and regulators to shape and inform decisions over how the area's waters are developed, protected and improved over the next 20 years. It sits alongside other regional marine plans that are (or will be) published to encompass the whole of the UK coastline.

The South Marine Plan contains a number of

objectives and policies of which those below are the most relevant.

Objective 1: To encourage effective use of space to support existing and future sustainable economic activity through co-existence, mitigation of conflicts and minimisation of development footprints

S-CO-1: Proposals will minimise their use of space and consider opportunities for co-existence

Policy aim: Enables plans to be spatially planned to maximise use of limited space

S-PS-1: Proposals that have adverse impact on current activity and future port expansion should be avoided or minimised

Policy aim: Ensures proposals do not restrict current port activity or future growth

S-AQ-1: Sustainable aquaculture ... will be supported

Policy aim: Recognises importance of aquaculture industry

Objective 2: To manage existing, and aid the provision of new, infrastructure supporting marine and terrestrial activity

S-INF-1: Support to appropriate land-based infrastructure which facilitates marine activity

Policy aim: Supports integration between marine and land-use plans

S-AQ-2: Support for proposals that enable the provision of infrastructure for sustainable fisheries & aquaculture & related industries

Policy aim: Encourages supporting infrastructure for marine industries

Objective 3: To support diversification of activities which improve socio-economic conditions in coastal communities

S-FISH-1: Proposals that support diversification of sustainable fishing industry, or enhance its resilience to climate change should be supported

Policy aim: Enables fishing industry to manage climate change risks & maximise sustainable use of marine resources

S-TR-1: Proposals supporting tourism & recreation activities...should be supported

Policy aim: Enables greater range of employment opportunities and minimises economic risks

Objective 4: To support marine activities that increase or enhance employment opportunities

S-EMP-1: Development of marine related activities will be supported

Policy aim: Enables maximum sustainable activity, prosperity and opportunities for all

Objective 5: To avoid, minimise, mitigate displacement of marine activities, particularly where of importance to marine communities

S-SOC-1: Support to proposals that promote social benefits

Policy aim: Protects against displacement of activities which provide a social benefit

S-FISH-3: Proposals that enhance access to sustainable fishing or aquaculture sites should be supported

Policy aim: Enables support for sustainable fishing and aquaculture

Objective 7: to support the reduction of environmental, social and economic impacts of climate change

S-CC-2: Proposals should demonstrate resilience to climate change throughout lifetime of proposal

Policy aim: Enables climate change resilience of developments & activities

Coastal Concordat

The Coastal Concordat is one of a suite of actions the Government and regulatory bodies (eg DEFRA, DfT, DCLG, MMO, EA, NE) are taking to achieve more efficient and coordinated regulation to enable sustainable growth in the coastal zone. Although Torbay Council is not currently a signatory to the Concordat it nevertheless benefits from the application of its principles when applying for regulatory and other permissions to undertake maintenance or development activities.

The Torbay Local Plan: a landscape for success

The Torbay Local Plan recognises the importance of the harbours and commits to investment and regeneration of harbours and harboursides, including infrastructure for the fishing industry which it identifies as “vital to success”. In particular it articulates several ‘area’ policies thus:

SDB1 (Brixham)

Mixed use harbourside development with a focus on marine related employment uses.

SDB2 (Brixham)

The provision of a northern arm breakwater is

proposed to enable the creation of additional employment and leisure opportunities.

SDP1 (Paignton)

Mixed use schemes as part of harbourside, waterfront and town centre regeneration of Paignton.

SDT1 (Torquay)

Mixed use schemes as part of harbourside, waterfront and town centre regeneration of Torquay.

Neighbourhood plans

Although the Torquay Neighbourhood Plan identifies its seafront and harbour as the primary ‘core tourist investment area’ for Torquay which “should be the main focus for investment” it also seeks to “integrate water based sports and activities into the tourism offer” through:

- Easier access to the water for all users, including the storage and launching/recovery of small craft from beaches and harbours;
- Ensuring infrastructure investment to support Blue Flag/Quality awards for beaches;

- Linking the ports along the south west coast with coastal ferry services.

The Paignton Neighbourhood Plan seeks improvements to the harbour frontage (PNP3) which retains the ‘quaintness’ of the harbour, attracts more tourists and enables more use of the harbour for water sports.

The Brixham Peninsula Neighbourhood Plan seeks to sustain a vibrant harbour-side economy (J5) by further developing it as a working harbour, utilising the land in Freshwater Quarry and Oxen Cove for marine related employment (J7) including engineering and boat repair facilities, boat storage and shellfish processing and a multi-level car park along with access to a northern arm breakwater.

IMPLEMENTATION AND DELIVERY

Tor Bay Harbour

A large number of ideas were collected during the consultation events and augmented those already captured in the Port Masterplan. Over the next 5 years the Harbour Authority will consolidate our recent achievements and also lay the foundations for future success through the delivery of three broad themes: improving visibility and access to the water; reinforcing the Bay as a safe, vibrant and attractive destination; and environmental stewardship. The activities which support their delivery are listed below:

Improving visibility and access to the water

- The use of enhanced signage of the enclosed harbours, and proposals to improve their footfall will raise their visibility from landward. In tandem the Authority will champion the retention of adequate nearby car parking.

- Outside of the enclosed ports the Authority will advocate the retention and maintenance of launching sites (eg slipways) around the Bay if the Shoreline Management Plan and their importance to the local marine community would make it appropriate to so.

Reinforcing the Bay as a safe, vibrant and attractive destination

- The number of maritime events that take place annually in the Bay is increasing annually and we will continue to support and facilitate these wherever possible.
- As the popularity of open water swimming grows there are an increasing number of swimmers who throughout the year are venturing further into the Bay where swimmers have not previously been encountered. A swimmers code of practice and an education campaign to encourage vessels to keep a better lookout will be introduced to ensure everyone's safety.
- Numbers of visiting cruise vessels have halved over the previous 5 years and the Authority will seek to reverse this decline by re-launching Tor Bay as a destination in its own right and also a gateway into the

heart of the south west. We will attempt to build a stronger regional profile by collaborating with other local ports which also accommodate cruise vessels.

Environmental stewardship

- We will work proactively with other agencies to identify where future climate change adaptations may be required, for example additional or augmented sea defences, and support efforts to attract external funding for such projects.
- The introduction of an Environmental Management Plan will enable the protection of the Bay's nationally acclaimed natural environment to be sensibly balanced against the growth of the Bay's tourist, fishing and other industries.

Brixham Harbour

The outcome of a very well attended and energetic stakeholder workshop was broad agreement with the ideas set out in the Port Masterplan albeit with some important refinements. There was universal agreement that the recent and welcome growth of the fishing industry required further port

expansion to allow the increased spatial demands of the fish market, equipment storage and MFV berths to be met; improved marine engineering support, with a boat hoist/lift-out facility for at least the majority of the MFVs; the replacement of the swinging moorings with 'walk-ashore' pontoon facilities; more space to host resident and visiting maritime event activities as well as winter boat storage; and perhaps most importantly better environmental protection in the form of a northern arm floating breakwater. This last item was seen as the sine qua non to ensure the future sustainability of Brixham harbour and lower town particularly given the forecast impact of future climate change as evidenced by the damage wrought by Storm Emma earlier in 2018. The importance of tourism generally, and the heritage fishing fleet in particular, was also reaffirmed.

The following projects are those which will be prioritised over the next 5-10 years:

Improving sea defences

- Grant funding will be sought to continue the improvements to Victoria Breakwater which have already commenced with the placement of additional rock armour on

the external face and raising the height of the wall to compensate for expected sea-level rises due to climate change.

- Funding and other approvals will be sought for a northern arm floating breakwater to enhance the environmental protection to Brixham harbour. This is a significant departure from previous plans which have sought the construction of a stone breakwater. While the latter undoubtedly has greater longevity and provides even better protection it has always been prohibitively expensive (approximately 6 times the expense of a floating breakwater) and has a very large 'footprint' on the fundus (seabed) and is thus environmentally very intrusive. Consideration of a floating solution has several advantages in that it provides the necessary environmental protection at significantly reduced cost, has a much reduced environmental footprint, allows medium sized vessels (and even small cruise liners!) to berth alongside and can accommodate vehicular traffic.

Enabling commercial growth

- Further land reclamation between the Fish

Quay and Oxen Cove to provide additional MFV landing berths and to allow road access between the two sites. It would also enable further fish cold/freezer storage, offices and fish market hall, and equipment storage spaces to be built, and reduce the traffic volume along Blackball Lane and Overgang Road and thus away from the closest residential areas neighbouring the western side of the harbour.

- Development of the derelict tanker berth at the end of Victoria breakwater into a marine engineering facility, possibly with a boat hoist capability, will be investigated and if cost-effective will be pursued.
- A limited dredging campaign to deepen the fairway, and landing and fuel berths, is seen as essential to keep Brixham harbour open for the deeper-draught vessels.
- Replacement of the existing swinging moorings in the outer harbour with walk-ashore pontoon berths, including dedicated visitor berths. This will require the northern arm floating breakwater to be installed first as otherwise the pontoons would be too environmentally exposed.

Recognising Brixham’s heritage

- In the inner harbour an increased focus on heritage, including the Brixham heritage trawlers and the ‘Golden Hind’ with better berthing facilities.
- Installation of a boardwalk along the south western side of the inner harbour to support maritime events.
- Support efforts to increase the profile of the south-eastern part of the harbour, particularly that adjacent the MDL marina and breakwater slipway, as being predominantly recreational in nature. This may include further infrastructure for dinghies, gigs and other small vessels, and supporting those who wish to move out of Oxen Cove to do so.

Progressing these projects will have the effect of creating distinct ‘zones’ of differing character around the harbour: the inner harbour would be focussed on heritage and tourism; the western side of the outer harbour being the most ‘industrial’ and the south eastern side being focussed on recreation. Such deconfliction will ensure that safety of navigation remains paramount and avoids congestion as the harbour becomes busier.

Paignton Harbour

The consultation revealed a number of issues which the stakeholders wanted to address: the port is set away from the town centre and as a result its visibility within the community is lower than that of the other two harbours. Stakeholder consultation feedback indicated that some visitors are unaware that Paignton has a harbour and even some residents rarely or never visit. Commercial activity around the harbour has reduced as a result of the low foot-fall and even though the harbour is flanked by a multi-storey car park this is rarely more than half full except in the high season. In summary, connectivity and storage space would be transformational to the harbour’s future.

The harbour stakeholders are proud of the harbour’s continuing commercial nature and while landings from its small but locally important fishing fleet has increased, crab processing no longer takes place on site. Commercial vehicular traffic has also reduced. There was some concern that the imminent (in 2018) redevelopment of the Harbour Light building could presage a dilution of the harbour’s distinct working character and which could instead become centred more on

retail and restaurants, but many felt that if this could be achieved without detriment to the existing commercial activities then it would be welcomed.

During the consultation concerns were raised about the reduced foot-fall, the lack of space generally but specifically the availability of storage for equipment, boats and trailers and greater environmental protection especially from easterly storms. Refurbishment of South Quay was also considered, particularly if such redevelopment could address some of these issues, and while all agreed that there was now a much reduced requirement for a second slipway off East Quay, there was strong demand to infill part of the western side of the harbour to generate more space around the harbour which most wished to see converted from swinging moorings to a walk-ashore pontoon-based system if the environmental protection along East Quay was improved and potentially extended. During the period of this Addendum the following deliverables will be sought:

Improving sea defences

- Subject to obtaining the appropriate planning and other regulatory clearances

and identifying funding (including grant funding) the Authority would seek to improve environmental protection from wind and wave damage by enhancing the sea defences.

- Installing rock armour along the East Quay's outer face to absorb some of the wave energy, thereby reducing the frequency that water 'over tops' the quay wall;
- Countering future sea-level rise brought about as a result of climate change by raising the height of the East and North Quay walls by up to 50cm;
- Conducting a feasibility study of extending East Quay northwards by up to 40m to provide greater protection of the harbour mouth and reduce the swell experienced in the harbour during poor weather.

Improving the visibility of the harbour

- Audit the existing signage on vehicular and pedestrian approaches to the harbour. Where necessary, liaise with Highways to improve signage. Fencing and other street furniture will also be studied to ensure

that it is not inadvertently discouraging footfall eg by directing footfall in the wrong direction.

- Many pedestrian visitors approach the harbour through the arch under the Harbour Light building, however their vista through the arch is limited by a number of wooden kiosks. It may be possible to improve this vista through a review of their number, sizing and location.
- There was a strong desire among stakeholders to reclaim land along the western edge of the harbour to connect North and South Quays. The land reclaimed would substantially address the existing (and increasing) demands for usable quayside space in Paignton, would improve connectivity around the harbour and make the best use of an area of currently under-utilised harbourside.
- As identified in the original Port Masterplan the buildings along South Quay require refurbishment and/or redevelopment. A development partner has been sought by the Council to determine the scope of these works and to identify appropriate solutions to ensure that

the built environment surrounding the harbour remains fit-for-purpose, sustains vibrant and financially sustainable marine recreational, commercial and youth communities, and becomes an attractive visitor destination.

Torquay Harbour

All sectors of Torquay's stakeholder community were represented at the consultation event held at the end of a busy summer. It was recognised that spatial constraints precluded large-scale change in Torquay, however there are a number of small but important enhancements to the infrastructure and services which will ensure that the harbour continues to meet the needs of its users to a high standard. The items which will be progressed over the next 5-10 years include:

Improving sea defences

- Seek grant funding for the refurbishment and repair of Haldon pier. This is vital as both a sea defence and a working quay where vessels load and unload. The pier is increasingly being 'over topped' by waves in inclement weather (a situation which is likely to become more frequent as the

climate changes) and at present there is a 20 tonne weight bearing restriction which limits the size and types of vehicles that can drive onto the pier.

Enabling commercial growth

- Recommissioning of the marine fuel station, particularly for the sale of petrol: while diesel can be obtained at Brixham, the next closest ports selling petrol are Dartmouth to the west and Portland to the east. Recommissioning is given a high priority because of the safety implications of hand-filling vessels from containers at their berth.
- Refurbishing North Quay: both the quay wall and surface are in a poor state of repair and require upgrading. Reorganising the lay-out to provide further (much-needed) storage space, and the aspiration to facilitate the provision of ice (eg by installing a small ice machine), will support Torquay's small but significant commercial fishing industry.

A better stakeholder experience

- Installation of more recycling bins.
- Install visitor pontoons along the inner face

of Princess Pier.

- Investigate the feasibility of recommissioning the inner harbour slipway.
- Where possible, enable the Royal Torbay Yacht Club's aspirations to establish a waterfront presence. Although there is a paucity of operational space, innovative design solutions may create the room for a small waterfront presence.
- Increase the quantity of available dinghy parking space.
- Investigate the feasibility of installing a slipway along the outer face of Haldon Pier.

Improving the visibility of the harbour

- Audit the existing signage on vehicular and pedestrian approaches to the harbour. Where necessary, liaise with Highways to improve signage. Fencing and other street furniture will also be studied to ensure that it is not inadvertently discouraging footfall eg by directing footfall in the wrong direction.

TOR BAY HARBOUR
TORQUAY • PAIGNTON • BRIXHAM



Tor Bay Harbour Authority

Schedule of Charges, Dues & Fees

2020 – 2021

For the period commencing 1st April 2020 until 31st March 2021

VAT Registration No. GB 142 2082 11

For the period commencing 1st April 2020 – 31st March 2021

Torquay Tel: 01208 292429

Brixham Tel: 01803 853321

Paignton Tel: 01803 557812

Email: harbourauthority@torbay.gov.uk Website: www.tor-bay-harbour.co.uk

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Section 1- Introduction

General

- 1.1.1 All charges, dues and fees are subject to the appropriate rate of Value Added Tax except where indicated.
- 1.1.2 Annual charges relate to the period 1st April to 31st March following and any part thereof. Certain charges may be levied. The full annual charge will be charged for anyone accepting a facility in the first 3 months (1st April – 30th June). Anyone accepting a facility after 1st July will be charged at the appropriate pro rata rate through to 31st March.
- 1.1.3 Seasonal charges, only where applicable, relate to the periods:
- | | | |
|-----------------------------|---|--------|
| 1st April to 30th September | - | Summer |
| 1st October to 31st March | - | Winter |
- 1.1.4 All accounts are to be paid within 14 days unless otherwise specified. Payment of charges listed may be required in advance of the service being taken up. Credit and debit card facilities are available for payments made online, at the Harbour Offices or via telephone.
- 1.1.5 Penalty for evading payment of charges – Section 30 Tor Bay Harbour Act, 1970:
“The owner of any vessel or goods or any other person who eludes or evades or attempts to elude or evade payment of, or refuses to pay, a charge payable by such owner or person to the harbour authority at the time when the same becomes due and payable shall be liable to pay to the harbour authority, in addition to the charge, a sum equal to the amount thereof, which sum shall be a debt due to the harbour authority and shall be recoverable by them in any court of competent jurisdiction.”
- 1.1.6 Failure to notify the harbour office of arrival, or departing the harbour without paying harbour charges, will be taken as an attempt to evade the payment of harbour charges.
- 1.1.7 Visiting vessels of special interest and/or vessels owned by Registered Charities may be eligible for a 50% concession on applicable Harbour Charges at the discretion of the Harbour Master.
- 1.1.8 Any person claiming the return of the whole or part of any charges paid to the Authority shall make such claim and produce all documents and give all information required by the Authority in proof of such claim within twelve months from the time of payment and, in default thereof, the claim shall cease to be enforceable. Refunds would normally only apply in exceptional circumstances and will incur an administration charge.
- 1.1.9 All lengths referred to are overall lengths which in the context of these charges includes bowsprit, push-pit, stern davit, and/or bumpkin etc. as determined by the Harbour Master.
- 1.1.10 Any person who without reasonable cause fails to provide information which is reasonably required for the purpose of the harbour undertaking shall be liable on summary conviction to a fine not exceeding level three on the standard scale.
(Section 18 Tor Bay Harbour (Torquay Marina &c.) Act 1983).
- 1.1.11 Application for and acceptance of a mooring, quay berth, boat park space, pontoon berth or other facility, implies acceptance of the rate of charge currently in force and of the conditions of issue including that the Authority and its staff are indemnified against any claims arising from or in

connection with such berth or facility, save only as the Authority may be liable under the Unfair Contracts Terms Act 1977.

- 1.1.12 Vessels directed into the harbour by the Secretary of State's Representative (SOSREP) or by any other person legally entitled to direct vessels into a harbour are required to pay one month's harbour dues in advance as a condition of entry. If using a mooring facility, they will also be required to pay one month's mooring fees in advance as a condition of entry. These charges are in addition to any charges incurred for pilotage, tugs, berthing the vessel or for the provision of any other service supplied by the Authority.
- 1.1.13 The lawful orders or directions of the Council's Harbour Master and other authorised officers must always be obeyed promptly.
- 1.1.14 No facility granted may be shared, assigned or sub-let without the prior consent of the Harbour Master in writing and further charges may apply (Tor Bay Harbour Byelaw no 38 & 41).
- 1.1.15 The Harbour Authority has the right to exercise a general lien upon any vessel, and/or her gear and equipment, whilst in or upon the Harbour premises, or afloat, until such time as the monies due to the Council from the applicant in respect of such vessel whether on account of storage or mooring charges or otherwise, shall be paid.
- 1.1.16 No person shall place a vessel on a mooring prescribed in the mooring scheme prepared by the Council for a vessel of a different size than that applied for, without the applicant obtaining the prior approval of the Harbour Master in writing (Tor Bay Harbour Byelaw no 40).
- 1.1.17 In the event of the applicant selling or otherwise disposing of the vessel authorised to use the mooring, the Harbour Master shall be notified in writing (Tor Bay Harbour Byelaw no 33).
- 1.1.18 These charges will be applied in a fair and equitable manner, to reflect, as reasonably as possible, the service provided. However, for the avoidance of doubt, the Harbour Master may interpret this Schedule in such a manner as to maximise income to the Council as the Harbour Authority.
- 1.1.19 The Harbour Master may vary these charges and/or levy additional charges in respect of anything done or provided by (or on behalf of) the Harbour Authority in accordance with the Harbours Act 1964 and/or Section 24 of the Tor Bay Harbour Act 1970 (or any amendments or re-enactments of those Acts) and all powers delegated to the Harbour Master by Torbay Council.
- 1.1.20 The owner of any vessel using Tor Bay Harbour shall indemnify the Council, their servants and agents against all actions, claims, costs and demands in respect of any injury or death of any person and any damage to any property which may arise out of the owner's occupation and use of the harbour facilities including slipways, steps, jetties, pontoons and staging and for this purpose shall maintain a Public Liability policy against such risks. Failure to maintain the appropriate insurance cover will result in the withdrawal of mooring, launching or other facilities.
- 1.1.21 Harbour Dues are payable on **all** vessels entering, within or leaving the harbour. Harbour Dues relate to a particular vessel and are not transferable. Refunds are not normally given.
- 1.1.22 Vessels paying Annual Harbour Dues must display the Harbour Authority 'plaque' issued when payment is made. Failure to do so may result in daily charges being applied. Tenders must be

registered with the Harbour Authority and display a tender plaque. The display of any plaque issued for another vessel will be taken as an attempt to evade the payment of harbour dues.

1.1.23 Vessels exempt from Harbour Dues are as follows:

- Small vessels < 3m LOA propelled solely by oars or paddles and which are not normally berthed within the harbour
- Canoes < 4m LOA, sailboards and rowing skiffs
- Tenders less than 4.3m LOA for parent vessels paying relevant annual harbour charges that are less than 10.0m LOA
- Tenders less than 6.0m LOA for parent vessels paying relevant annual harbour charges less than 10.0m LOA
- Safety/rescue vessels as agreed with the Harbour Master
- All RNLI vessels
- HM Ships, Customs and Excise vessels and craft in the service of Trinity House

1.1.24 Tenders must be clearly marked 'Tender to (the main vessel's name) and must show the Harbour Authority 'plaque' issued when payment is made. Only one tender per vessel is covered in this way. Tenders can only be used for transport to and from the parent vessel and/or mooring. All tenders shall be stored within designated tender racks except by prior written agreement from the Harbour Master.

Definitions

1.2.1 **Limits of the Harbour**

The limits of the Harbour shall comprise the areas as set out in Parts I and II of Schedule 1 of the Tor Bay Harbour Act, 1970.

1.2.2 **Recreational Vessels**

Any vessel, less than 50m LOA, used solely for the purpose of recreation. All vessels owned and operated by a registered charity for the purpose of training people at sea for recreational purposes.

1.2.3 **Passenger Vessels**

An MCA Class V, VI or VIA vessel, or an MCA coded vessel, or, where applicable a vessel licensed by Torbay Council to carry fare-paying passengers. Any vessel that meets this definition shall not be considered a recreational vessel.

1.2.4 **Motor Fishing Vessels**

A registered Motor Fishing Vessel based in and working from a Tor Bay Harbour, the owner/master of which is engaged in commercial fishing, whose sole or main income is derived from selling fish on the Brixham Fish Market or landing fish for sale at Brixham, Torquay or Paignton Harbours and paying Fish Tolls to the Torbay Council. Income from Fish Landings must total at least £12,000 in the previous year to meet the sole or main income test. Motor Fishing Vessel charges only apply to vessels bona fide engaged in fishing. Registered fishing vessels employed as pleasure craft and carrying passenger for reward are to pay the appropriate passenger vessel charge for the period so employed

1.2.5 **Commercial Vessels**

Recreational vessels > 50m LOA and all other vessels, including naval vessels, workboats and pilot boats used for any purposes other than recreation with the exception of, licensed passenger vessels, fishing vessels, or training vessels as defined in 1.2.2 to 1.2.4 above.

1.2.6 **Heritage Vessel**

A limited number of 'Heritage' vessels are permitted, with the Harbour Master's consent, to berth on the Town Pontoon in Brixham Harbour. The Council's agreed criteria against which vessels could be measured for inclusion within the "fleet" of heritage boats based at Brixham Harbour is as follows :-

"that a heritage boat in Torbay be defined as a vessel which is British built, 40 feet or more in length and built prior to 31st December 1935 and that, at the absolute discretion of the Council, is considered to have an historical relevance to Tor Bay and its operation and general activity is considered to be beneficial to the local community; and that compliance with the approved definition of a heritage boat should form the basic criteria against which vessels can be measured for inclusion within the "fleet".

1.2.7 **Vessels**

Means every description of vessel however propelled or moved. Under Tor Bay Harbour byelaws a 'power boat' is defined as a small vessel propelled by machinery and which is ordinarily capable of a speed exceeding 17 knots.

1.2.8 **Passenger**

Any person carried that is not essential to the running of the vessel or any person who has paid to be transported, accommodated or trained on the vessel on which they are embarked.

1.2.9 **Work Within The Harbour**

The loading, discharging, transport, carriage, storing or accommodation of goods, cargo, dry, liquid or gaseous commodities, livestock or passengers. The carrying out of any project for any purpose including but not limited to photographic, film or other artistic work on or by any vessel; capital dredging; diving support; pile driving or pile removal; laying or recovering an underwater cable or pipeline; laying, maintenance, survey or recovery of mooring anchors, ground tackle, risers or buoys; surveying, scientific research, water sampling or core sampling; and drilling into the river bed for any purpose. Any other project resulting in the construction or removal of any structure or the alteration of the harbour bed or infrastructure. Operations carried out by HM Customs, immigration officers, police and fisheries patrols but excluding firefighting and SAR operations.

1.2.9 **Further Definitions**

Definitions contained within the Harbours Act 1964, the Tor Bay Harbour Act 1970, the Tor Bay Harbour (Torquay Marina &c.) Act 1983 and Tor Bay Harbour Byelaws are applicable where appropriate.

Recreational Visitor Facilities



- 2.1.1 This section applies to visiting recreational vessels and to visiting non-commercial vessels under 50m LOA not undertaking work within the harbour.
- 2.1.2 These charges apply at each of the enclosed harbours and are **inclusive of VAT except where stated**. These charges include both harbour dues and mooring fees where applicable.
- 2.1.3 Visitor Pontoons are available, normally for Recreational Vessels during the summer months in Brixham and Torquay harbours.
- 2.1.4 Visitors staying more than three nights get one night free, only applicable for up to a three week stay, weekly charge for visitors staying five nights get two nights free (This offer is at the discretion of the Harbour Master for undeclared visits). Vessels may be required to double-up with other craft, and in such cases fendering will be the responsibility of the Masters of the craft involved. There is no reduction for doubling up.
- 2.1.5 To avoid the abuse of visitor moorings by local vessels, all craft using visitor mooring facilities will be charged as set out below and are normally restricted to a maximum stay of three weeks (21 days) with no return within one week 7 days.
- 2.1.6 Use of harbour facilities will be denied or withdrawn if boats are not adequately insured.
- 2.1.7 Harbour visitors are permitted up to 2 hours alongside free of charge before the charges set out in this section become due. Slipway charges are payable in addition to visitor charges.
- 2.1.8 Maritime events using pontoon or visitor moorings will be charged at 50% for the duration of the event and thereafter full price. All other charges are at the discretion of the Harbour Master.

Visitor Charges (per night or over 2 hours)	Per Day	Per Week
Up to 5.5m (18ft)	£12.00	£60.00
Over 5.5m	£2.00 p/m	£10.00 p/m
Catamaran	£2.50 p/m	£12.50 p/m
Trimaran	£3.00 p/m	£14.50 p/m

Launch & Recovery Fees

2.1.9 Launching and recovering fees are charged per day. Vessels which frequently launch or recover may, at the Harbour Master's discretion, purchase an annual slipway pass subject to availability (see annual charges). **Trailer parking** charges (section 2.3) are **in addition** to these charges.

Daily Slipway Charges	Per Day
Up to 5.5m (18ft)	£12.00
Over 5.5m	£2.00 p/m
Canoes/Kayaks/Paddleboards	£2.50 p/m

Personal Watercraft (Jet Skis)

2.2.1 All personal watercraft (jet skis) must be registered with the Harbour Authority. Proof of insurance must be produced if so requested by the Harbour Office or Harbour Patrol.

2.2.2 Use of launching/recovery facilities is at the Harbour Master's discretion.

2.2.3 Launching/recovery charges **do not** include trailer parking.

2.2.4 To promote safety within the Bay, persons holding a recognised RYA Personal Watercraft Certificate will be charged the lesser 'qualified' rate shown below. Proof of such qualification will be required on each occasion.

Personal Watercraft (Jet Skis) Launching & Recovery	Standard Charge	Qualified Charge
Daily, per craft, per day	£20.00	£12.00
Weekly, per craft, per week	£100.00	£62.00
Registration Fee, per craft	£20.00	£20.00

Trailer Parking

2.3.1 Trailer parking is subject to availability.

Trailer Parking	Charge
Daily trailer parking	£10.00
Weekly trailer parking	£30.00

Quayside Berthing, Drying Out & Storage on Quays

2.4.1 Subject to availability

Quayside Berthing	Charge
Use of slipway/beach to dry out/ and other quayside berths for repairs	£3.66
Use of Grids exclusive of harbour dues Brixham Harbour only	£5.10
Boat storage on the Quay (on or off a trailer)	£3.07

Recreational Annual Facilities



Berthing & Mooring

- 2.5.1 This section applies to vessels which are moored or berthed within Torquay, Paignton or Brixham harbours. Charges are levied per metre per annum or part thereof expiring 31st March following and are **inclusive** of VAT, **except where specified**.
- 2.5.2 Town Dock non-commercial facilities are charged per the allocated berth size, not vessel LOA.
- 2.5.3 Vessels owned by charities or charitable organizations, including bona fide local youth organisations are eligible for up to 50% reduction of this charge at the discretion of the Harbour Master.
- 2.5.4 Waiting lists exist for some moorings & facilities. The registration fee to join each waiting list is £25.00 (£50.00 for commercial waiting lists). **The fee is not refundable or transferable.**
- 2.5.5 Permanent moorings and berthing facilities are allocated on an annual basis, 1st April to the 31st of March following.
- 2.5.6 Vessels moored with raised outboard engines must cover the propeller and skeg with a bucket or similar to prevent damage to other boats. Vessels must be sufficiently fendered to prevent damage to other vessels, quays or other property (Tor Bay Harbour Byelaw 46).
- 2.5.7 All other charges **include** VAT except where specified.
- 2.5.8 Annual berthing and mooring facilities are **inclusive** of harbour dues at **£46.39** per metre per annum unless otherwise stated.

Torquay Annual Berthing Charges	Charge per m
Town Dock – Private Vessel (6,8 or 10m berths only)	£252.32 per m per berth
Inner Harbour Private Vessel (up to 6,8 or 9.14m only)	£189.89 per m per berth
Inner Harbour South Pier Pontoon (9.14m only)	£189.89 per m per berth
Inner Dock – Specific charge for certain vessels	£94.96 per m per berth
Princess Pier Pontoon	£220.06 per m
Lying Along the Quayside	£135.67 per m
Jet Ski pods	£850.00 per pod

Paignton Annual Berthing Charges	Charge per m
Trot mooring (no risers provided)	£101.73 per m LOA
Outhaul mooring (not exceeding 4.88m)	£68.75 per m LOA
Inner Dock – Specific charge for certain vessels	£94.96 per m per berth
Lying Along the Quayside	£103.43 per m LOA
Mooring Licence Fee	£5.20

Brixham Annual Berthing Charges	Charge per m
Outer Harbour swinging mooring	£142.96 per m
Inner Harbour Trot mooring (no risers provided)	£101.73 per m
Lying Along the Quayside	£103.43 per m
Use of Town Pontoon by Tenders (At the Harbour Masters discretion)	£57.04 per m

Parking, Quayside Storage Facilities

- 2.5.9 Annual charges for boat and trailer parking on quays are **inclusive** of VAT and **include** harbour dues. Charitable organisations, local yacht clubs, and recognised youth training organisations are invited (on an annual basis) to submit details of eligible young persons under 18 years old to be considered for the reduced rates highlighted below.
- 2.5.10 All Boat & Trailer parking is subject to availability. Annual trailer parking is only available when an annual launching and recovery pass is purchased.
- 2.5.11 The annual trailer parking identified in this section does not entitle permanent parking of the trailer in the parking area. Customers seeking continuous trailer storage should refer to Boat & Trailer parking.
- 2.5.12 All personal watercraft (jet skis) must be registered with the Harbour Authority. Proof of insurance must be produced if so requested by the Harbour Office or Harbour Patrol.

2.5.13 Use of launching/recovery facilities is at the Harbour Master's discretion.

2.5.14 Launching/recovery charges **do not** include trailer parking.

2.5.15 To promote safety within the Bay, persons holding a recognised RYA Personal Watercraft Certificate will be charged the lesser 'qualified' rate shown below. Proof of such qualification will be required on each occasion.

2.5.16 Charges for horizontal racks are **inclusive** of harbour dues.

2.5.17 Craft other than tenders to a larger vessel on a Council Mooring, will pay harbour dues in addition to the rack charge. Boat park charges will be based on the greater length of either boat or trailer - if not stored on a launching trolley.

2.5.18 Beacon Quay reserved car parking spaces: allocation of spaces is subject to their being required by the Authority for up to 14 days per year to accommodate maritime events.

2.5.19 Winter storage is only available at Paignton Harbour for the period 1st October to 31st March following only (in whole or in part) and no reduction will be allowed for any lesser period.

Car, Boat & Trailer Parking/Storage on Quayside	Charge
Winter Storage Charge Paignton Harbour	£41.22 per m LOA
Boat storage on the Quay (on or off a trailer)	£3.07 per m/ LOA per day
Use of Grids inclusive of harbour dues Brixham Harbour only	£5.00 per m per day
Use of slipway/beach to dry out/ and other quayside berths for repairs	£3.66 per m per day
Annual trailer parking (only available with private annual launch & recovery pass)	£100.00 per year or part of
Summer storage of empty boat trailers (only available between May and October at Paignton Harbour)	£22.00 per month or part of
Annual launching and recovery pass for private use of slipways.	£40.00 per m per year or part of
Annual Jet ski launching and recovering pass per craft standard charge	£300 per year or part of
Annual, Jet ski launching and recovering pass per craft qualified charge	£200.00 per year or part of
Paignton horizontal racks, subject to availability (max, length 3.7m)	£180.41 per rack per year or part of
Kayak/Canoe rack (where available)	£117.79 per year or part of
Dinghy/tender rack	£60.00 per year or part of
Beacon Quay car parking (quayside level only)	£530.60 per year or part of
Brixham parking permit (Oxen Cove only)	£315.00 per year or part of

Section 3

Passenger & Commercial Visiting Facilities



- 3.1.1 This section applies to visiting Passenger Vessels (defined in 1.2.3) and commercial vessels (defined in 1.2.5). Prices are **exclusive** of VAT.
- 3.1.2 Where applicable, the charges in this section include mooring/quayside charges.
- 3.1.3 Visiting commercial vessels under 50m LOA not undertaking work within the harbour will pay the charges laid down in the recreational section.

Visiting Passenger & Commercial Vessels	Charge
Commercial vessels visiting an enclosed harbour	£1.92 per m per day
Commercial vessels laid up un-laden (& gas free if applicable)	£8.67 per m/ LOA per day £15.64 per m LOA per week
Commercial vessels taking on or discharging fuel oil or supplies within an enclosed harbour (max stay 24 hours)	£30.60 per m LOA per month or part thereof
Floating Docks (each vessel docked therein is also liable for Harbour Dues)	£1.45 per m per LOA day
Commercial vessels anchored in Tor Bay (those seeking shelter are exempt from this charge)	£1.45 per m LOA per day
Vessels anchored in Tor Bay for underwater survey, hull cleaning or repairs	£260.10 for first 48 hours or part of (in addition to the above charge)

- 3.1.4 These charges apply at each of the enclosed harbours and are **inclusive of VAT except where stated**. These charges include both harbour dues and mooring fees where applicable.
- 3.1.5

- 3.1.5 Visitor Pontoons are available, normally for Recreational Vessels during the summer months in Brixham and Torquay harbours.
- 3.1.6 Vessels may be required to double-up with other craft, and in such cases fendering will be the responsibility of the Masters of the craft involved. There is no reduction for doubling up.
- 3.1.7 To avoid the abuse of visitor moorings by local vessels, all craft using visitor mooring facilities will be charged as set out in the recreational section and are normally restricted to a maximum stay of three weeks (21 days) with no return within one week 7 days.
- 3.1.8 Use of harbour facilities will be denied or withdrawn if boats are not adequately insured.

Launch & Recovery Fees

- 3.2.1 Launching and recovering fees are charged per day. Vessels which frequently launch or recover may, at the Harbour Master's discretion, purchase an annual slipway pass subject to availability (see annual charges). Trailer parking charges (section 2.3) are in addition to these charges.

Daily Slipway Charges	Per day
Up to 5.5 m (18ft)	£12.00
Over 5.5 m	£2.00 per m

Trailer Parking

- 3.3.1 **Trailer parking is subject to availability.**

Trailer Parking	Charge
Daily Trailer parking	£10.00
Weekly Trailer parking	£50.00

Goods and Cargo Dues

3.4.1 Goods dues are levied on all vessels (VAT exempt for vessels of over 15 GRT) per occasion.

3.4.2 The payment of fish tolls includes alongside berthing charge at Brixham and water consumption where a recharge facility does not exist.

Goods (Exclusive of VAT)	Per day
Vessels undertaking fish and cargo trans-shipments Trans-shipment whether at anchor or under way within Harbour limits	Determined by the Harbour Master
General Cargo/Other Commodities	£3.12 per pallet
General Ships Stores/Spares etc.	£1.98 per tonne
Waste Bins (1100 litres)	£2.60 per unit

Annual Passenger & Commercial Facilities

Harbour Dues

3.5.1 This applies to Passenger Vessels (as defined in 1.2.7) and commercial vessels (as defined in 1.2.5) normally moored within an enclosed harbour regardless of whether they are carrying out work or not (other than passenger vessels). Prices are **exclusive** of VAT.

3.5.2 Charges are levied per metre per annum or part thereof expiring 31st March following.

Harbour Dues for Passenger & Commercial Vessels	Charge per m
Commercial Vessels	£46.39 per m LOA
Passenger Vessels under 16.5m LOA or carrying 12 passengers or less	£62.66 per m LOA
Passenger Vessels over 16.5m LOA or carrying 12 passengers or more	£91.25 per m LOA

Berthing & Mooring

3.6.1 This section applies to vessels which are moored or berthed within Torquay, Paignton or Brixham harbours. Charges are levied per metre per annum or part thereof expiring 31st March following and are inclusive of VAT, except where specified.

3.6.2 Vessels owned by charities or charitable organizations, including bona fide local youth organisations are eligible for up to 50% reduction of this charge at the discretion of the Harbour Master.

3.6.3 Waiting lists exist for some moorings & facilities. The registration fee to join each waiting list is £50.00. The fee is not refundable or transferable.

3.6.4 Permanent moorings and berthing facilities are allocated on an annual basis, 1st April to the 31st of March following.

3.6.5 Vessels moored with raised outboard engines must cover the propeller and skeg with a bucket or similar to prevent damage to other boats. Vessels must be sufficiently fendered to prevent damage to other vessels, quays or other property (Tor Bay Harbour Byelaw 46).

3.6.6 All charges **include** VAT except where specified.

3.6.7 The annual berthing, mooring & lying along quayside **exclude harbour dues** unless otherwise stated. The annual fees are made up of 55% harbour dues and 45% mooring fees.

Torquay Annual Berthing Charges	Charge per m
Inner Harbour South Pier (includes harbour dues)	£189.89 per m per berth
Princess Pier Pontoon	£155.87 per m LOA
Lying along the Quay	£73.61 per m LOA

Paignton Annual Berthing Charges	Charge per m
Trot mooring (no risers provided)	£55.34 per m LOA
Outhaul; mooring (not exceeding 4.88m)(no risers provided)	£22.36 per m per berth
Lying alongside the Quay per year (does not include harbour dues)	£57.04 per m LOA
Mooring Licence Fee	£5.20

Brixham Annual Berthing Charges	Charge per m
Outer Harbour swinging mooring	£96.57 per m LOA
Inner Harbour trot mooring (no risers provided)	£55.34 per m LOA
Lying along the Quayside	£57.04 per m LOA
Use of Brixham Town Pontoon by Tenders (at the Harbour Masters discretion)	£57.04 per m LOA

Use of Tor Bay Harbour Authority Landing/Embarkation Facilities

3.7.1 These charges apply to passengers embarking/landing within any of the enclosed ports, at piers, pontoons or any other fit-for-purpose harbour facility.

3.7.2 Passengers embarked as trainees aboard vessels owned and operated by a registered charity for the purpose of training people at sea for recreational purposes are exempt.

Passenger Vessels	Charge
MCA coded vessels and MCA class V,VI, VIA vessels & EU classes & other passenger vessels; per passenger per visit	£2.89
Cruise ships; per passenger per visit	£3.75
MCA coded vessels and MCA class V,VI, VIA vessels & EU classes visiting Tor Bay Harbour (combined charge)	£312.12

3.7.3 Annual charges may instead be levied on passenger vessels which routinely land or embark within Tor Bay Harbour:

Passenger Vessels – Annual Compound Charges	Charge
MCA coded vessels < 24m LOA	£69.81
MCA class V,VI, VIA vessels, EU classes and coded vessels of 24m & over ; per licenced passenger capacity	£3.55

Annual Slipway Charges

3.8.1 Annual slipway pass subject to availability. Trailer parking charges are **in addition** to these charges.

Passenger Vessels – Annual Compound Charges	Charge
Launching & Recovery pass for commercial use of slipways	£50.00 per m
MCA coded and MCA class V,VI, VIA Passenger vessels and EU classes visiting Tor Bay Harbour (combined charge)	£312.12

3.8.2 Passenger vessels other than MCA Coded and MCA class V, VI, VIA Passenger Vessels and EU Classes to be charged as commercial vessels.

Goods and Cargo Dues

3.9.1 Goods dues are levied on all vessels (VAT exempt for vessels of over 15 GRT) per occasion.

3.9.2 The payment of fish tolls includes alongside berthing charge at Brixham and water consumption where a recharge facility does not exist.

Goods (Exclusive of VAT)	Per day
Vessels undertaking fish and cargo trans-shipments Trans-shipment whether at anchor or under way within Harbour limits	Determined by the Harbour Master
General Cargo/Other Commodities	£3.12 per pallet
General Ships Stores/Spares etc.	£1.98 per tonne

Parking, Quayside Storage Facilities

3.10.1 All Boat & Trailer parking is subject to availability. Annual trailer parking is only available when an annual launching and recovery pass is purchased.

3.10.2 The annual trailer parking identified in this section does not entitle permanent parking of the trailer in the parking area. Customers seeking continuous trailer storage should refer to Boat & Trailer parking.

3.10.3 All personal watercraft (jet skis) must be registered with the Harbour Authority. Proof of insurance must be produced if so requested by the Harbour Office or Harbour Patrol.

3.10.4 Use of launching/recovery facilities is at the Harbour Master's discretion.

3.10.5 Certificate will be charged the lesser 'qualified' rate shown below. Proof of such qualification will be required on each occasion.

3.10.6 Charges for horizontal racks are **inclusive** of harbour dues.

3.10.7 Craft other than tenders to a larger vessel on a Council Mooring, will pay harbour dues in addition to the rack charge. Boat park charges will be based on the greater length of either boat or trailer - if not stored on a launching trolley.

3.10.8 Beacon Quay reserved car parking spaces: allocation of spaces is subject to their being required by the Authority for up to 14 days per year to accommodate maritime events.

3.10.9 Winter storage is only available at Paignton Harbour for the period 1st October to 31st March following only (in whole or in part) and no reduction will be allowed for any lesser period.

Car, Boat & Trailer storage	Charge
Winter storage charge at Paignton Harbour	£41.22 per m LOA
Boat storage on the Quay (on or off a trailer)	£3.07 per m per day
Use of Grids inclusive of harbour dues - Brixham	£5.00 per m per day
Use of Slipway/beach to dry out/ other quayside berths for repairs	£3.66 per m per day
Dinghy/Tender racks	£60.00 per year
Beacon Quay car parking(quayside level only)	£530.60 per year or part of
Brixham parking permit(Oxen cove only)	£315.00 per year or part of

Section 4

Visiting Registered Fishing Vessels Facilities



- 4.1.1 This section applies to visiting Motor Fishing Vessels (defined in 1.2.3). Prices are **exclusive** of VAT.
- 4.1.2 Where applicable, the charges in this section include mooring/quayside charges.
- 4.1.4 Vessels may be required to double-up with other craft, and in such cases fendering will be the responsibility of the Masters of the craft involved. There is no reduction for doubling up.
- 4.5.1 Use of harbour facilities will be denied or withdrawn if boats are not adequately insured.

Visiting Motor Fishing Vessel	Charge
Motor fishing vessels landing fish which attract fishing tolls	Free for the day of landing, otherwise; £30.00 per day for MFV under 20m £40.00 per day for MFV over 20m

Goods and Cargo Dues

4.2.1 Goods dues are levied on all vessels (VAT exempt for vessels of over 15 GRT) per occasion.

4.2.2 The payment of fish tolls includes alongside berthing charge at Brixham and water consumption where a recharge facility does not exist.

Goods (Exclusive of VAT)	Charge
Fish (other than cured fish) including shellfish, crabs etc. brought into the harbour or to any place within the limits of the harbour by sea and sold, on the gross proceeds of fish.	£0.025 per £
Fish overlanded and sold on the Brixham Fish market	£0.015 per £
Fish overlanded onto the Harbour estate, not sold on the market	Determined by the Harbour Master
Vessels undertaking fish and cargo trans-shipments, whether at anchor or under way	Determined by the Harbour Master
General Cargo/Other Commodities	£3.12 per pallet
General Ships stores/Spares etc.	£1.98 per tonne

Annual Registered Fishing Vessel Facilities

Harbour Dues

4.4.1 This applies to Motor Fishing Vessels (as defined in 1.2.4) normally moored within an enclosed harbour regardless of whether they are carrying out work or not). Prices are **exclusive** of VAT.

4.5.3 Charges are levied per metre per annum or part thereof expiring 31st March following.

Harbour Dues – Motor Fishing Vessels Motor Fishing vessels based in and working from Tor Bay Harbour	Charge per m
Under 8m LOA	£9.64 per m per year
8m – 12m LOA	£11.50 per m per year
Over 12m LOA	£14.00 per m per year

Berthing & Mooring

4.5.1 This section applies to vessels which are moored or berthed within Torquay, Paignton or Brixham harbours. Charges are levied per metre per annum or part thereof expiring 31st March following. and are **inclusive** of VAT, **except where specified**.

4.5.2 Waiting lists exist for some moorings & facilities. The registration fee to join each waiting list is £50.00. The fee is not refundable or transferable.

4.5.3 All charges are exempt from VAT, for vessels under 15 GRT VAT will be added.

Torquay Annual Berthing Charges	Charge per m
Princess Pier Pontoon	£129.90 per m LOA
Lying alongside the Quay	£74.40 per m LOA

Paignton Annual – Berthing	Charge per m
Trot Mooring (no risers provided)	£46.12 per m LOA
Outhaul Mooring (not exceeding 4.88m)(no risers provided)	£18.63 per m LOA
Lying alongside the Quay	£147.53 per m LOA
Mooring Licence Fee	£4.33

Brixham Annual Berthing	Charge per m
Outer swinging mooring (no risers provided)	£80.48 per m LOA
Inner Harbour trot mooring (no risers provided)	£46.12 per m LOA
Lying along Quayside	£47.53 per m LOA
Use of the Brixham Town Pontoon by Tenders (At the Harbour Masters discretion)	£47.53 per m LOA

Goods and Cargo Dues

4.6.1 Goods dues are levied on all vessels (VAT exempt for vessels of over 15 GRT) per occasion.

4.6.2 The payment of fish tolls includes alongside berthing charge at Brixham and water consumption where a recharge facility does not exist.

Goods (Exclusive of VAT)	Charge
Fish (other than cured fish) including shellfish, crabs etc. brought into the harbour or to any place within the limits of the harbour by sea and sold, on the gross proceeds of fish.	£0.025 per £
Fish overlanded and sold on the Brixham Fish market	£0.015 per £
Fish overlanded onto the Harbour estate, not sold on the market	Determined by the Harbour Master
Vessels undertaking fish and cargo trans-shipments, whether at anchor or under way	Determined by the Harbour Master
General Cargo/Other Commodities	£3.12 per pallet
General Ships stores/Spares etc.	£1.98 per tonne

Parking, Quayside Storage Facilities

4.7.1 Craft other than tenders to a larger vessel on a Council Mooring, will pay harbour dues in addition to the rack charge. Boat park charges will be based on the greater length of either boat or trailer - if not stored on a launching trolley.

4.7.2 Beacon Quay reserved car parking spaces: allocation of spaces is subject to their being required by the Authority for up to 14 days per year to accommodate maritime events.

4.7.3 Winter storage is only available at Paignton Harbour for the period 1st October to 31st March following only (in whole or in part) and no reduction will be allowed for any lesser period.

Car, Boat & Trailer storage on Quays	Charge
Winter storage charge at Paignton Harbour	£34.35 per m LOA
Boat storage on the Quay (on or off a trailer)	£2.56 per m per day
Use of Grids inclusive of harbour dues - Brixham	£4.17 per m per day
Use of Slipway/beach to dry out/ other quayside berths for repairs	£3.05 per m per day
Dinghy/Tender racks	£50.00 per year
Beacon Quay car parking(quayside level only)	£530.60 per year or part of
Brixham parking permit(Oxen cove only)	£315.00 per year or part of

Section 5

Services and Other Charges

- 5.1.1 Electricity cards for electricity only, are available in the following denominations for the respective price (prices listed are inclusive of 5% REDUCED RATE VAT)
- 5.1.2 These utility charges are applicable only where a recharging facility exists, e.g. card/token meters or sub meters. Also these charges are linked to the relevant energy prices at any given time.

Electric	Charge
Level 1 card (available only at Torquay & Paignton)	£1.00 each
Level 1 card (10 kw - available only at Brixham)	£1.00 each
Level 5 card (50 kw - available only at Brixham)	£5.00 each
Level 10 card (100 kw - available only at Brixham)	£10.00 each
Smart card (available at Torquay only)	To be determined by the Harbour Master
Brixham Harbour KW charge for Motor Fishing Vessels	To be determined by the Harbour Master

- 5.1.3 Water taken in quantities of less than one tonne there is no charge except where a recharge facility exists.

- 5.1.4 For water supplied from the Council's standpipes the following charges apply.

Water	Charge
Water charges (zero rates VAT)	
Up to 50 tonnes	£3.43 per tonne
50 tonnes and over	£2.74 per tonne
Fishing Vessels with fresh water tanks – 0m – 8m	£20.81 per annum
Fishing Vessels with fresh water tanks – 8m – 12m	£41.61 per annum
Fishing Vessels with fresh water tanks – 12m – 20m	£208.08 per annum
Fishing Vessels with fresh water tanks over 20m	To be determined by the Harbour Master
Brixham Harbour per cubic meter (where facility is in place)	To be determined by the Harbour Master

Crane, Labour and Equipment Hire Charges

5.2.1 Use of mobile commercial cranes or other lifting appliances (including Hiab's) on Harbour estate is at the Harbour Master's discretion. At least 48 hours advance notification must be provided for each operation.

Crane	Charge
Storage on the Quay	£3.07 per m day or part of/LOA
Site rental for mobile crane at Torquay Harbour	To be determined by the Harbour Master
Use of mobile commercial crane and/or Hiab on Harbour Property/Estate up to 4 hours (Inclusive of launch fee)	£41.62 per crane
Use of mobile commercial crane and/or Hiab on Harbour Property/Estate over 4 hours (Inclusive of launch fee)	£83.23 per crane/per day

5.2.2 Enhanced rates will be charged, out of ordinary working hours, where overtime is required to be worked. If staff have to be called out, a minimum of 2 hours overtime will be charged (per person).

5.2.3 Tor Bay Harbour Authority personnel and equipment (subject to availability) are charged out at the following rates all including VAT. Hire of these facilities are at the Harbour Masters discretion.

5.2.4 Towing and water taxi services are provided at the discretion of the Harbour Master.

5.2.5 Use of forklifts on harbour property/estate is at the discretion of the Harbour Master.

5.2.6 Fork lift truck services to Ship's Agents, includes labour up to 30 minutes and minimal storage up to 1 week. Storage charges (subject to capacity) after 1 week are at £2.00 per pallet per day. (Exclusive of VAT).

5.2.7 The boat pressure washing service includes the provision of an operator.

Labour & Equipment	Charge
Labour chare (during normal working hours)	£40.00 per hour or part of
Hire of workboat including skipper and crew	£156.06 per hour or part of
Hire of workboat including skipper and crew	£728.28 per day 09.00-17.00 hours
Water taxi service to or from vessel in enclosed Harbour, including crew	£13.27 per single trip if no waiting
Towing within enclosed Harbour	£26.01 per ½ hour or part of
Towing outside enclosed Harbour to nearest enclosed Harbour within Tor Bay	£52.02 per ½ hour or part of
Pumping out of vessels within the enclosed Harbours	£52.02 per hour or part of
Hire of Forklift truck without driver (Requires qualified driver)	£104.04 per half day
Hire of Forklift truck with driver	£52.02 per hour or part of
Fork lift truck service to Ship's Agents (Exclusive of VAT)	£18.73 per pallet
Boat pressure washing service (minimum charge £45.00)	£10.99 per m LOA

Storage Space

5.3.1 Storage of fishing equipment is chargeable after 48 hours at the Harbour Master's discretion.

5.3.2 Moving equipment into storage will be charged at the applicable rates in 4.2.

Storage	Charge
Unleased quay areas for fish boxes, fishing gear, cargo containers etc.	£2.00 per m2/per day
Unleased quay areas for fish boxes, fishing gear, cargo containers etc.(subject to availability and at Harbour Masters discretion	£100.00 per m2/per annum
Storage of Beams on unleased quay areas	£10.00 per set/per week
Storage of waste bins (1,100 litres)	£2.61 per bin per day
Unleased storage areas in Oxen cove, Brixham	£30.00 per m2/per annum
Lock up storage (ship stores only) (Equipment removal & transportation costs at applicable hourly rate)	To be determined by the Harbour Master
Storage lockers at Paignton Harbour (subject to availability)	£200.00 per annum

Licences (Exclusive of VAT)

- 5.4.1 Fish salesmen's and buyer's licences are valid from 1st April each year.
- 5.4.2 The period of validity for a Boatman's licence must run concurrent with their DFT licence - MCA and Code of Practice Boatmen only.
- 5.4.3 Torbay Council, as the Harbour Authority, may grant upon such terms and conditions as they may think fit licences for pleasure craft to be let for hire or to be used for carrying passengers for hire within the Harbour, and to the boatmen or persons assisting in the charge or navigation of such craft. (See section 22 (1) Tor Bay Harbour Act 1970).

Licences	Charge
Fish Salesman's licence (includes use of Fish Market)	£332.93 per annum
Fish Buyer's licence (includes use of Fish Market)	£332.93 per annum
Self – drive pleasure boats	£5.20 per boat/per annum
Harbour Estate trading licence (at the Harbour Masters discretion)	As per Council's Street Trading consent fee
Fishing permit	To be determined by the Harbour Master

Bunkering Charges (Exclusive of VAT)

- 5.5.1 Bunkering charges do not apply where fuel is taken from the refuelling stations at the Bunkering Jetty at Brixham, Brixham Marina or South Pier at Torquay

Bunkering	Charge
For fuel oil delivered to vessels from tankers on shore or afloat up to 4,000 litres (minimum charge £30.00)	£0.04p per litre per vessel
For fuel oil delivered to ships from tankers on shore or afloat over 4,000 litres (minimum charge £30.00)	£1.56 per 500 litres
For fuel oil delivered to ships from tankers on shore or afloat in Tor Bay	To be determined by the Harbour Master

Waste Charges

5.6.1 Waste/rubbish that litters the Harbour Estate as a result of refit or repair work may be removed by the Harbour Authority. Fishing vessels undergoing a refit will be required

Waste	Charge
Transportation to the Council refuse tip, Including attendants & use of Council transport etc.	£156.06 per truck load or part load
Council Tipping Charge	As per weighbridge load
Provision of skip for fishing vessels in refit	At cost + 10%
Fly Tipping charge	£100.00
Passenger Craft Waste Reception Facilities	To be determined by the Harbour Master

5.6.2 A significant contribution towards the reasonable cost of Port Waste reception facilities for vessels covered by the Port Waste Reception Facilities Regulations 2003 will be made by way of a consolidated harbour dues charge where applicable. With the exception of small volumes of waste oil, the charge for receipt of dirty ballast water, tank washings (slops), oily mixtures containing chemicals, scale and sludge from tank cleaning operations, oily bilge water, sludge from purification of fuel oil, noxious liquid substances, sewage and excessive volumes of garbage will be levied at cost plus 10%.

Miscellaneous Charges (inclusive of VAT unless otherwise stated)

- 5.7.1 The parking of exhibition vehicles on Harbour Estate is at the discretion of the Harbour Master.
- 5.7.2 Pleasure Boat Advertising Boards are licensed sites and are subject to a tendering process.
- 5.7.3 Vessels of exceptional construction or methods of propulsion, or not otherwise covered which include; sea planes, hovercraft, hydroplanes, hydrofoils and similar craft, rafts used for recreational purposes, etc.
- 5.7.4 The Harbour Authority may from time to time levy a charge on persons promenading on Quays and Piers of the Harbour Estate
- 5.7.5 Annual Contractors passes are valid from 1st April each year and are subject to Terms and Conditions of Use. To be determined by the Harbour Master using Powers Delegated by Torbay Council.
- 5.7.6 A Payment Plan is available on a discretionary basis for annual facility charges only. The annual charge will remain the full amount payable and will not be subjected to a pro-rata basis. The payment plan can be set up for a maximum of six months, with April being the first month, ensuring all payments are complete by 1st October.

Other Charges	
Administration Charge (This charge is at the discretion of the Harbour Master)	£52.02 minimum
Officer Charge (For time spent by officers preparing reports or supervising work that is not the Harbour Authority's responsibility)	To be determined by the Harbour Master
Parking of an exhibition vehicle on Harbour Estate	£75.00 per day or part of
Replacement of swipe card or Fob for controlled access/electricity meters	£11.00 per unit
Additional pontoon cleat (subject to Harbour Master's agreement)	£50.00 per unit fitted
Vessels of exceptional construction or methods of propulsion, or not otherwise covered	Such charges as may from time-to-time be fixed
Contractors Pass (for Tradesmen working on the Harbour Estate) (ex VAT)	£327.73 per year or part of
Daily Contractors Pass (ex VAT)	£9.38 per day or part of
Advertising Charges	To be determined by the Harbour Master
Salt Water extraction charge (Use of quays to pump water for commercial purposes) (At the Harbour Masters discretion)	£26.01 per day or part of £1,040.40 per year or part of
Payment Plan Administration charge (Direct Debit payments over monthly instalments for Annual facilities only) (All payment plans must be over 6 months maximum/completed by October)	£0.- £499 - £30.00 £500-£999 - £42.00 Over £1000 - £60.00

Section 6

Pilotage

2019 Prices Below, Pilotage 2020/21 Charges Still To Be Agreed



Services of a Pilot and/or Pilot Boat (Exclusive of VAT)

6.1.1 Extract from Tor Bay Harbour Pilotage Directions

Pilotage shall be compulsory within the compulsory pilotage area for all vessels except:-

- i. any ship of Her Majesty's Royal Navy or Royal Fleet Auxiliary;
- ii. foreign warships navigating in the harbour for the purpose of taking up or leaving an anchorage;
- iii. any vessel of less than 36m LOA entering or leaving an enclosed harbour and not carrying a cargo of dangerous goods or marine pollutants;
- iv. any vessel of less than 80m LOA providing they do not enter or leave an enclosed harbour
- v. any vessel engaged in towing where the length of such vessel aggregated with the length of the tow is less than 80m or less than 36m for those entering or leaving an enclosed harbour;
- vi. any fishing vessel less than 47.5m LOA;
- vii. any vessel, or vessel engaged in towing, proceeding to or departing from a designated anchorage provided such vessel has been forced by stress of weather to seek shelter.

See www.tor-bay-harbour.co.uk for the latest version of the Tor Bay Harbour Pilotage Directions

Pilotage	Charge
From Sea to Brixham or Torquay Harbours	£73.95 per m draught
From Brixham or Torquay Harbours to Sea	£68.85 per m draught
Shift berth within Torquay or Brixham Harbours	£42.84 per m draught
From Sea to Tor Bay Harbour anchorage	£31.62 per m draught
From Tor Bay Harbour anchorage to Sea	£23.46 per m draught
Sea to Tor Bay Harbour & Tor Bay Harbour to Sea – (Surcharge for vessels over 150m LOA)	£1.63 per m for each m over 150m
Minimum charge (with or without a pilot on board)	£112.20
Detention, after 1 hour	£71.40 per hour or part of
Pilot Boat Charges (Shipping or landing a local Pilot)	Levied by Marine & Towage Services Group Ltd (Brixham Office)

Note – Add 50% surcharge to Pilotage Charges incurred on Bank Holidays

Charges for Pilotage Exemption Certificates

5.2.1 Pilotage Exemption Certificate, per issue

Revised Officer Recommendation

3.1 The Harbour Committee is invited to:

- a. Note and approve the contents of the draft Maritime and Coastguard Agency PMSC Health Check report (Appendix 1) and the proposed response contained therein;
- b. Establish a Marine Safety sub-committee ~~as recommended by the MCA,~~ **with the following Terms of Reference:**

'To ensure appropriate insight and understanding of the organisations marine safety management system and supporting systems and when necessary make recommendations to the Harbour Committee regarding health and safety related matters.'

That the Marine Safety sub-committee be politically balanced on the basis of:

**2 Conservative Members,
2 Liberal Democrat Group Members; and
1 Independent Group Member**

- c. Note the contents of the MarNIS report.

Meeting Title	Torquay & Paignton Harbour Liaison Forum		
Venue	Torquay Harbour Office		
Date	4 th September 2019		
Present	Capt. A Parnell (AP) Cllr N Amil (NA) Cllr J Mills (JM) Cllr J O'Dwyer(JO'D)	Mr S Pinder (SP) Mr N Burns (NBurns) Mr M Ellis (ME) Mr D Buckpitt (DB) Mr M Stewart (MS)	Mr N Ould (NO) Mr M Ritchie (MR) Mr C Easterbrook (CE) Miss Amy Blackburn (AB)

1. Apologies
2. Welcome
3. Minutes and matters arising from the last meeting – 25th June 2019
 - Update on Harbour Light Restaurant development
 - Torquay Fuel Station update
 - Hydrographic survey at Torquay Harbour
4. Budget update
5. Capital Works
6. Maritime Events 2019
7. Quarterly Accident & Incident Data
8. Harbour Committee - Upcoming Agenda
9. Any other business

1.	Apologies for Absence Apologies were received from Tim Morris & Cllr Christine Carter, Ashley Lane & Mike Ellis	Action
2.	Welcome AP welcomed everyone to the meeting	Action
3.	Minutes and matters arising from the last meeting – 25st February 2019 Harbour Light update - AP reported that St Austell brewery have submitted, and had plans approved, there are ongoing issues regarding the outdoor seating plans and concerns about the loading weight of the concrete floor. This has led to an increase of costs, of which we need to ensure that we get a viable return. JO'D asked reminded AP to check what is included in the licence for the new restaurant regarding music for outdoor spaces. Torquay Fuel station update – AP was pleased to report that the fuel station is open for petrol, and they are waiting for a HMRC licence before they can sell diesel.	Action AP ALL TO NOTE

	Hydrographic Survey at Torquay harbour – AP agreed that the Harbour requires a survey this year, and advised that he intends to book in surveys for both the Brixham and Torquay harbour seabed's in October. NO made his concerns about the build-up in the fairway and said that if it continues like this then the harbour will be out of use for many high drafted vessels.	AP
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4.	Budget update	Action
	<p>AP advised that as it stands the end of year forecast could be at around a £50,000 deficit, this is because the Fish Tolls are down on the same period last year, however this may improve as the year progresses.</p> <p>He reported that expenditure is slightly up due to high maintenance spending that was required.</p> <p>AP expects that the 2020-21 fees will rise around 2%, this will be discussed at the Harbour Committee later this month.</p>	ALL

5.	Capital works	Action
	<p>Princess Pier - MS asked at last meeting that we check with the insurers to make sure that the policy remains valid since changes to Princess pier. – AP advised that he has checked and confirmed the insurance is still valid.</p> <p>Haldon Pier – AP reminded everyone of the 20-tonne weight restriction, because of voids within the pier. This has decreased the fish toll income due to larger lorries not been able to land some fishing vessels.</p> <p>South Pier – NB reported that electric supplies are now installed; one is for the new fuel station, one for the crane and one for the RTYC davit. The fendering has been purchased and we are currently waiting for installation to be organised by the TDA.</p> <p>Brixham Oxen Cove development – AP advised that this is 90% complete, with only the installation of the wooden fendering remaining. Early issues when drilling the piles have caused the costs to rise; consequently, the contractors are looking to the Harbour to cover these additional expenses. AP made it clear that we are not going to pay the sums they are looking for and we are hoping to come to an agreement soon. Works to be completed end of September.</p> <p>Victoria Breakwater - Works are complete and despite significant emergent work being identified, the project is on time and under budget.</p>	<p>All TO NOTE</p> <p>AP/NB</p>

6.	Maritime Events 2019/2020	Action
	<p>AP discussed the previous year's events; these included the latest J70 world series event, which has had a significant impact on harbour resources and a loss of visitor's income. Looking ahead to next year we need to be more discerning before agreeing to events and look at covering our costs.</p> <p>SP also voiced his concerns about the high administration time that these events take, staff need to ensure that we have all the correct paperwork in time for the event and to issue notices.</p> <p>AP reported that there has been an increase in the number of cruise ships visiting the bay this year with 7 so far and a further visit in October; this has increased the predicted income.</p>	<p>AP</p> <p>All to note</p>

7.	Quarterly Accident & Incident data 2019	Action
	<p>AP gave an overview of the reported Accidents and incidents that have occurred over the last quarter; these included the recent fatalities in Ansteys cove, one in Brixham harbour and one in the Torquay Inner Harbour. He reported that we are updating safety signs on the Harbour estate to remind people to the dangers of drinking alcohol near water, the harbour have created a new safety leaflet made, to be handed out to all visitors and harbour users.</p> <p>There have been several reports of near misses involving jet skis and swimmers, this is becoming a more frequent concern, we will be going through the safety management system to see if there is anything the harbour authority can do to reduce this risk. There was a suggestion of adding a new harbour direction to change the times that the 5-knot marker buoys out.</p> <p>Within the last 8 weeks, we have had 8 UXO incidents. AP suggested this is due to the new 'Fishing for litter' scheme, whereby all boats are asked to bring in all rubbish.</p>	All to note

8.	Harbour Committee – Upcoming Agenda	Action
	AP ran through the proposed agenda for the meeting, which includes the re-presentation of the Port Mater plan, the budget 2020-21, the monitoring report and that Port Marine Safety code.	All to note

9.	Any Other Business	Action
	<p>AP advised that the harbour have been approached by Fugro, who are looking for a lay-up area to put their barges between commissions, this would be an easy source of revenue. No one in the room was against the idea and it was suggested that we have a trial period. CE conveyed the Sea Scouts worries over the possible redevelopment of South Quay in Paignton, AP and NA both responded to say that talks have gone quiet but AP will ask the council for an update.</p> <p>NO voiced his concerns over the fuel spillages by the fuel berth in Brixham and said this is due to fishing vessels laying up and not taking fuel, resulting in vessels who need to take fuel having to raft up alongside. AP advised that this behaviour has been stopped.</p> <p>SP advised all that he has launched a new Seafarer safety forum, where all aspects of sea safety will be discussed, and will distribute any minutes to the Liaison forum.</p> <p>MR queried the email that was sent to customers, advising that electric cables need to be covered on the pontoon, NB replied that the Harbour are purchasing some from Havills and should soon have them for sale in the office.</p> <p>Mr mentioned the public toilets and that the Harbour has a poor reputation of having sub-standard facilities – AP is to look into.</p>	<p>AP</p> <p>AP</p> <p>SP</p> <p>NB</p> <p>AP</p>

Future meetings

Torquay Harbour Office

Thursday 21st November 2019 10.00 am

Dates of Harbour Committee Meetings

24th September 2019

5.30 pm (Torquay)

16th December 2019

5.30pm (Torquay)

Meeting Title	Brixham Harbour Liaison Forum
Venue	Brixham Harbour Office
Date	Thursday 5 th September 2019 at 10.30am

Present	Mr Adam Parnell (AP)	Mr Mike Shaw (MS)	Mr Mike Shaw (MS)
	Cllr Vic Ellery (VE)	Mr Dave Saunders (DS)	Mr Neil Watson (NW)
	Cllr Nicole Amil (NA)	Mr Fred Farmer (FF)	Mr Nick Davis (ND)
	Cllr Judith Mills (JM)	Mr Edward Keeling (EK)	Mr Steve Poulton (SP)
	Mr Mike Stewart (MS)	Mr Terry Philips (TP)	Miss Jessica Marles (JM)

Agenda Items	<ol style="list-style-type: none"> 1. Apologies 2. Welcome 3. Minutes of the last meeting – 6th December 2018 and matters arising from the previous meeting: <ol style="list-style-type: none"> a) Parking at Brixham Harbour b) Oxen cove Development 4. Budget Update 5. Captail Works 6. Maritime Events 2019/2020 7. Harbour staffing update 8. ‘No Fishing into Harbour’ signs for the Breakwater 9. No tomb stoning into Harbour 10. Pontoon for Breakwater 11. Health & Safety/ Port Marine safety code 12. Quarterly Accident & Incident Data 13. Harbour Committee - Upcoming Agenda
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1.	Apologies for Absence	Action
	No apologies	

2.	Welcome	Action
	AP welcomed everyone to the Brixham Liaison Forum.	

3.	Minutes from the last meeting	Action
	Everyone agreed that the minutes were an accurate record of the last meeting.	
	Matters Arising from the Last meeting	Action
	A) Parking Brixham Harbour- AP advised the parking in Oxen cove will improve, he is going to ask the TMS contractors to start parking their cars in the cornered off area to free more space.	
	B) Oxen Cove development – Due to be finished by the end of September.	NA
4.	Budget Update	Action
	AP advised of the £55,000 deficate due to the fishtoll income currently being below forecast. Expecting this to weigh itself out over the winter with landings and there is nothing to be currently worried about.	
	The Moritorium was mentioned by AP advising we are unable to spend on certain things currently, but we are continuing to spend on Health and Safety related items.	NA
5.	Capital works	Action
	Victoria Breakwater - Works are complete and despite significant emergent work being identified the project is on time and under budget. AP the contractors that worked on this job were very efficient and the job was done well. The gate that was implemented is going to stay there incase of future bad weather.	NA
	Oxen Cove Development – The jetty will be complete by the end of this month. The plan to install a static davit crane has altered as a mobile crane will have greater utility throughout Brixham harbour.	
	Northside Fendering- The fendering on north side is almost complete.	
6.	Maritime Events 2019/2020	Action
	All events this year so far have gone well. We have accommodated 7 cruise liners 2 of which were not booked in. AP advised we are in the process of training more pilots to assist with cruise ships.	
	Dartmouth & Plymouth harbours are looking at using Tor Bay as foul weather anchorage.	AP
	AP mentioned the loss of income from facilitating some maritime events e.g J70 World Series. We have lost about £2,000- £3,000 this weekend due to turning away visitors coming into port. AP advised in future we may need to look at charging for larger maritime events.	

7.	Harbour staffing updates	Action
	<p>AP advised of the restructure within the harbour. We will be recruiting a Assistant Harbour Master for Brixham within the next few weeks.</p> <p>MS asked about the current cover in Brixham regarding staff. AP advised we now do have 24hr security onsite, Harbour Assistant cover from 7am- 5pm and Dockmaster cover from 6am- 10pm.</p>	AP
8	'No Fishing into Harbour' signs for the Breakwater	ALL TO NOTE
	AP advised these signs are on order.	
9.	No tomb stoning into Harbour	ALL TO NOTE
	DS advised of kids tomb stoning into the harbour by the breakwater. They are also doing this at low tide and it is becoming a H&S issue.	
10.	Pontoon for Breakwater	NA
	DS asked if we can get a pontoon where the Breakwater slipway is for people getting on and off their boats. He also suggested this would help prevent people tomb stoning over there as they would not be able to jump over the pontoon into the Harbour. AP agreed this would be a good idea and he will look into it. We currently have a spare pontoon in Torquay that is being used at the moment but when it is not in use it is going to come over to Brixham, potentially can be used for the Breakwater slipway.	
11.	Health & Safety/ Port Marine safety code	ALL TO NOTE
	<p>A health and safety check was carried out 2 weeks ago in Brixham, the report came back and it overall went well. There are some good ideas and considerations to take in, one being a risk assessment for the basin and all vessels entering and exiting the harbour calling on channel 14 to advise of movement, this has been implemented.</p> <p>There has been a few incidents this year/ deaths within the harbour. One being someone drowning within Torquay Harbour, HSE are looking at trailing wires on pontoons.</p> <p>Lighting will be in place around the new jetty and marker buoys for the entrance to the jetty.</p>	
12.	Quarterly Accident & Incident Data	ALL TO NOTE
	<p>We have had 12 incidents reported this year, many being jet ski near misses.</p> <p>Within the last 8 weeks we have had 8 UXO incidents. AP suggested this is due to the new 'Fishing for litter' where all boats are bringing in and landing rubbish to be collected. VE asked what the Harbour Authroity has in place to stop this from happening due to the backlash he is getting from it. AP advised we are aware of who landed the last one and all of the crew on board this vessel have been made aware</p>	

	of this. A frequently used UXO posted has been created and notice to mariners has been sent out	
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13.	Harbour Committee – Upcoming Agenda	
	The meeting was briefed on the upcoming agenda and this can be found on the Council website	ALL TO NOTE

	Brixham Harbour Office	
Next Meeting	5 th December	10.30 am Brixham
Venue	5 th February	10.30 am Brixham
Future meetings		
Dates of Harbour Committee Meetings	24th September	5.30 pm (Torquay)
	16th December	5.30 pm (Torquay)
	23rd March 2020	5.30pm (Torquay)