



## **Minutes of the Harbour Committee**

**13 June 2011**

**-: Present :-**

Councillors Amil, Ellery, Faulkner (J), Hytche, James, McPhail and Richards

External Advisors: Capt. Curtis

(Also in attendance: John Turner)

---

### **70. Election of Chairman/woman**

Councillor Ellery was elected Chairman for the 2011/12 Municipal Year.

Councillor Ellery in the Chair.

### **71. Apologies for absence**

Apologies for absence were received from Councillor Stringer and External Advisers Mr Butcher, Ms Hayes and Mr Jennings.

### **72. Election of Vice-Chairman/woman**

Mayor Oliver was elected Vice-Chairman for the 2011/12 Municipal Year.

### **73. Minutes**

The Minutes of the meeting of the Harbour Committee held on 14 March 2011 were confirmed as a correct record and signed by the Chairman.

### **74. Harbour Committee Terms of Reference**

The Committee noted the current Terms of Reference for the Harbour Committee, revised during the previous Municipal Year to reflect the change from Harbour and Marine Services to the Tor Bay Harbour Authority and to correctly encompass the

## Harbour Committee

Monday, 13 June 2011

role of the Mayor in decisions regarding assets, as set out in the Council's Constitution.

### 75. Harbour Appointments Sub-Committee

The Committee considered appointments to the Harbour Appointments Sub Committee to consider applications for External Advisers to the Harbour Committee and to make recommendations to the Harbour Committee on suitable appointments to those positions. Members were advised that previous Sub-Committees consisted of three Councillors, including the Chair and Vice-Chair.

**Resolved:** that a Harbour Appointments Sub-Committee be re-appointed to comprise six members of the Harbour Committee (The Chair, Vice-Chair and Councillors Hytche, Richards, McPhail and Faulkner (J)).

### 76. Harbour Asset Review Working Party

The Committee considered appointments to the Harbour Asset Review Working Party to provide strategic direction in relation to those assets within Tor Bay Harbour and the harbour estate that were managed by the Tor Bay Harbour Authority.

**Resolved:** that a Harbour Asset Review Working Party, comprising three members of the Harbour Committee (Councillors Faulkner (J), Richards and McPhail) and two of the External Advisers to the Committee (Captain Bob Curtis and Mr Gordon Jennings), be appointed with the following terms of reference:

- a) to review all assets within Tor Bay Harbour and the Harbour Estate;
- b) to establish how each asset is performing; and
- c) to identify any assets that are surplus.

### 77. Harbour Budget Review Working Party

The Committee considered appointments to the Harbour Budget Review Working Party to assist the Harbour Committee in the management of all of the Harbour's financial matters in accordance with approved financial procedures and the Council's aspirations for the harbour to be self financings as outlined in the Tor Bay Harbour and Maritime Strategy.

**Resolved:** that a Harbour Budget Review Working Party, comprising two members of the Harbour Committee (Councillors Stringer and Hytche) and two External Advisers to the Committee (Ms Hayes and Mr Jennings), be appointed to scrutinise the draft Tor Bay Harbour Authority budget prior to presentation to the Harbour

## Harbour Committee

Monday, 13 June 2011

Committee and to review the full range of harbour charges, including commercial customers using the Torquay Harbour Town Dock and other harbour facilities.

### 78. Harbour Authority - Outturn 2010/11

Members received a report setting out details of the Tor Bay Harbour Authority's final expenditure and income figures against the budget targets for 2010/11.

The Executive Head Tor Bay Harbour Authority explained that the report reflected the best outturn figures for the Harbour for many years, which in Torquay and Paignton was down to increased income and less maintenance costs than predicted, while in Brixham the increase in income due to rising fish prices had made a major contribution.

The Committee noted and congratulated the Executive Head of Tor Bay Harbour Authority, the Brixham Harbour Master and their Team for all the work they had done in turning a small surplus of £6k in Torquay and Paignton and a deficit of £27k in Brixham into a £140k surplus in Torquay and Paignton and a £48k surplus in Brixham.

### 79. Torquay/Paignton and Brixham Harbour Liaison Forums

The Committee received the minutes of the latest Torquay and Paignton Harbour Liaison Forum and Brixham Harbour Liaison Forum, and discussed the proposals to sink the Ark Royal off Tor Bay, forming a manmade reef and creating a diving site.

The Committee also discussed the move by the Valuation Office to rate the new Fish Market at Brixham Harbour and their decision to charge the Brixham Trawler Agents as the beneficial occupiers. This decision was being appealed and Tor Bay Harbour Authority has offered support to the Trawler Agents in this matter.

The Committee noted the minutes of the Torquay and Paignton Harbour Liaison Forum held on 31 May 2011 and the Brixham Harbour Liaison Forum held on 1 June 2011.

**Resolved:** to support the principle of the strategic placement of man-made wrecks and/or artificial reefs, in line with the Tor Bay Harbour and Maritime Strategy, and to provide assistance to those proposing to do this.

### 80. Harbour Authority Budget Monitoring Report

## Harbour Committee

Monday, 13 June 2011

The Committee received a report which provided members with projections of income and expenditure for the year 2011/12 compared with approved budgets.

The Committee noted that the report represented less than a quarter of results, however, it was anticipated that the accounts were expected to show a worse position to the approved budget due to reduced income from Torquay and Brixham marinas, along with additional expenditure resulting from a late invoice relating to the previous moorings contract in Brixham.

The Committee noted the Executive Head's use of delegated powers to waive certain harbour charges, which this financial year amounted to £821.88 (excl VAT) spread across both harbour accounts.

### 81. Harbour Authority Performance

The Committee noted the report which detailed the year end 2010/11 performance position of the Tor Bay Harbour Authority.

The Committee was pleased with the reduction in the number of accidents and staff absences, and the Executive Head Torbay Harbour Authority confirmed that a Business Continuity Plan would be prepared during the coming year.

### 82. Audit Plan 2011/12

The Committee received a report setting out a dedicated Audit Plan for the Harbour Authority for the next six years. The first audit would take place in autumn 2011 looking at income. The Committee was asked to review and endorse the rolling plan.

**Resolved:** that the Rolling Audit Plan for Tor Bay Harbour Authority set out at Appendix 1 to the report be approved.

### 83. Tor Bay Harbour Enforcement and Prosecution Policy

The Committee received a report setting out an Enforcement and Prosecution Policy which the Committee were requested to review and endorse.

**Resolved:** that the Enforcement and Prosecution Policy set out at Appendix 1 to the report be approved.