

## **Minutes of the Harbour Committee**

**16 June 2025**

**-: Present :-**

Councillor Strang (Chairman)

Councillors Carter (Vice-Chair), Fox, Penny, Twelves and Hutchings

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**20. Apologies**

It was reported that, in accordance with the wishes of the Conservative Group, the membership of the Committee had been amended for this meeting by including Councillor Hutchings instead of Councillor Fellows.

An apology for absence was received from External Advisor, Mr Mark Day.

**21. Minutes**

The Minutes of the meeting of the Harbour Committee held on 24 March 2025 were confirmed as a correct record and signed by the Chairman.

**22. Declarations of interest**

There were no interests declared.

**23. Tor Bay Harbour Budget Out turn report 2024-2025**

Members noted a report that provided an update on the outturn position for Tor Bay Harbour Authority as at the end of March 2025 compared against the annual budget for 2024/25.

The Deputy Director of Finance informed Members that the Harbour Revenue Account had made a surplus at year end of £89,000, a significant improvement on the budgeted deficit of £109,000. This was also an improvement on the surplus of £39,000 projected at quarter 3 (Q3) and was mainly due to the additional fish toll income received during the year, which had offset overspends on repairs and maintenance and less income received across areas such as mooring fees and pontoon berths.

Furthermore, the overspend of £100,000 across various premises budgets ended up being lower than forecast at Q3. The fish toll income for the year exceeded the levels budgeted by almost £300,000 (27%) due to volumes being significantly higher than estimated. Income from marina rentals also exceeded budget due to higher than anticipated levels from previous years.

Members sought an explanation for the additional £5,000 contribution to both the General Fund and Environmental Health Officer. The Deputy Director for Finance informed Members that he believed the increases were inflationary increases. He further advised that Officers would be looking at the rationale for the contributions to the General Fund prior to the 2026/2027 budget setting process.

The Interim Director of Tor Bay Harbour Authority informed Members that the moorings fees were lower than expected due to concerns about the inner and outer mooring chains at Brixham. Officers were about to go out to tender for a contract for inspection and replacement, in the meantime Officers were being cautious about which vessels could moor on the mooring chains. The contract for inspection and replacement had been delayed slightly due to the significant value of the contract that had resulted in the need to undergo a full procurement a process.

#### **24. Tor Bay Harbour Masters Safety and Management Report**

Members noted a report that provided an update on the current safety and management considerations of the Harbour. The Interim Director of Tor Bay Harbour Authority informed Members that there had been no reported injurious accidents in any of the harbours since the last meeting of the Harbour Committee in March. With safety inspections and general safety precautions being undertaken in accordance with policy.

Members were advised that a tenant had an accident which involved the rollover of a forklift truck on the harbour estate and exacerbated the situation by trying to recover with another forklift. The tenant has provided the Harbour Authority and Health and Safety Executive with full details and follow up actions to prevent a reoccurrence.

In addition, an abandoned fishing vessel that was moored on Western Lady quay sank in the early hours of the morning and impacted two other vessels which were rafted alongside. This resulted in one other vessel sinking and another being damaged and about to sink. The Brixham Operations Team, Harbour Master, Councillor Strang and local fishermen all assisted in recovering the damaged and secondary sunk vessels. The incident highlighted the requirement for improved security and stand by personnel, which have since been addressed. Members were advised that from 1 July 2025 port security would be undertaken by SWISCo, resulting in active patrols and the tagging of any equipment being stored inappropriately. Going forward the ports would benefit from regular and considerate monitoring.

A day boat fisherman whilst alongside the landing berth lost control of the derrick which crashed down on the quay. The owner had been requested to respond with details, to date a response had not been received. The Maritime and Coastguard Agency would be contacted if there remained no response.

**25. Review of Harbour Committee Terms of Reference and Appointment of Harbour Appointments Sub-Committee**

The Terms of Reference for the Harbour Committee were noted.

**26. Port and Marine Safety Code and the role of the Designated Person**

The Interim Director of Tor Bay Harbour introduced Mr James Hannon, who had been appointed as Tor Bay Harbour Authority's Designated Person in accordance with the Ports Marine and Facilities Safety Code 2025 (PMSC). Mr Hannon shared with Members details of his professional background which included previously being the port policy lead for Government.

Mr Hannon informed Members that whilst the PMSC was not mandatory it does draw from legislation. A requirement of the PMSC was the appointment of a Designated Person, who would monitor and report to the Duty Holder on the effectiveness of the marine safety management system (MSMS) and provide independent advice on matters of marine safety. Mr Hannon informed Members that he had started to review the Maritime and Coastguard Agencies health check and the corresponding action plan rating the majority of actions as complete, those outstanding were predominantly pending the Designated Person audit.

Members sought guidance from Mr Hannon as to whether in his opinion, there was anything that the Harbour Authority should be doing differently as a result of new PMSC. Mr Hannon reassured Members that at present there was nothing as the changes to the PMSC were quite subtle. He highlighted that the Port Marine Association was offering free online seminars for Duty Holders on the new PMSC.

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Chairman