



## **Minutes of the Harbour Committee**

**22 September 2014**

**-: Present :-**

Councillor Amil (Chairwoman)

Councillors Ellery (Vice-Chair), Faulkner (J), Hytche, McPhail, James, Stringer and Addis (In place of Richards) and Mayor Oliver

External Advisor: Mr Ellis

(Also in attendance: Councillor Morey)

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### **23. Apologies**

Apologies for absence were received from Mr Buckpitt, Mr Stewart and Capt. Bob Curtis.

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 Addis instead of Councillor Richards.

### **24. Minutes**

The Minutes of the meeting of the Harbour Committee held on 23 June 2014 were confirmed as a correct record and signed by the Chairman.

### **25. Exclusion of the Press and Public for Item 6 only**

Prior to consideration of the item in Minute 26 only the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

### **26. Torbay British Sub Aqua Club Grant Update**

Members considered an application by the Torbay British Sub Aqua Club for a grant to set-off rent that would otherwise be due.

Members were advised by the Executive Head of Tor Bay Harbour Authority, that in addition to the submitted report the Torbay British Sub Aqua Club had submitted a further representation dated 9 September 2014 which was circulated to Members via e-mail prior to the Committee taking place and a hard copy was circulated to Members at the meeting, in support of their new application.

Resolved;

That a grant of £810, which is 50% of the current market rent, be allowed for a period of one year but emphasise that should the Club wish to make a further grant application in 12 months they are encouraged to attain Charitable Status and Membership of the Sports Council as previously requested and continue to attain higher membership levels.

#### **27. Torquay/Paignton and Brixham Harbour Liaison Forums**

The Committee noted the Minutes of the Torquay and Paignton Harbour Liaison Forum meeting on 2 September 2014 and the Brixham Harbour Liaison Forum meeting on 11 September 2014.

The Executive Head, Tor Bay Harbour Authority advised the Committee that the Local Sustainable Transport Fund (LSTF) Cycle Routes had been considered at both Liaison Forum Meetings with the Forums having no issue with the proposed permissive route for Torquay harbour.

The Torquay/Paignton Forum raised concerns over the Paignton harbour proposal citing a number of incidents where cyclists approached the Harbour Light Building at speed, endangering pedestrians. It was decided to put this idea on hold, as the benefits did not outweigh the likely problems.

#### **28. Harbour Authority Risk Register**

The Committee noted the submitted report which provided Members with details of the Tor Bay Harbour Authority Business Risk Register for 2014/15.

#### **29. Harbour Asset Review Working Party**

The Committee noted the report from the Harbour Asset Review Working Party which met on 4 August 2014.

Members noted that the procurement of a replacement workboat may have to be delayed.

Other than the old workboat, no assets were identified as being surplus to the requirements of the Harbour Authority.

Members were advised that the Asset Review Working Party were looking at options for the development of the Harbour Light Restaurant building at Paignton harbour, including the options within the submitted exempt report as per Minute 13 and two additional dates had been arranged for the Working Party to enable the work to be completed and an update report to be brought back to the Harbour Committee in March 2015.

Two maps of the Torquay Harbour Estate were circulated to Members showing the proposal that the harbour estate boundary should be extended to include all of Princess Pier and the Boat Booking Kiosks located at the base of the Pier as set out in paragraph 2.6 of the submitted report.

Members were content for the Executive Head, Tor Bay Harbour Authority should use his Delegated Authority to implement this change after checking the proposed boundaries with the Executive Head, Commercial Services and advising the Mayor and the Executive Director.

Members advised the Executive Head of Tor Bay Harbour Authority that should there be any significant changes to the proposal then a report be brought to the next Harbour Committee in December for consideration.

### **30. Audit of Harbour Asset Management**

Members noted a report which provided an overview of the results of the Internal Audit Report undertaken for Tor Bay Harbour Authority on Asset Management, which was concluded in March 2014.

### **31. Harbour Estate - Haldon and Princess Pier Structural Repairs**

Members considered a report which outlined the works that have been undertaken at Haldon Pier and the remaining works that are required to be undertaken on both Piers which have an estimated cost in the sum of £5.7m.

Following advice from the Asset Review Working Party the Executive Head of Tor Bay Harbour Authority advised Members of the current condition of Haldon and Princess Piers.

Resolved;

- (i) that the Harbour Committee notes the serious structural condition of both Haldon and Princess Piers and the level of investment required to address the issues identified in the submitted Report; and
- (ii) that the Council be asked to consider making an allocation of £4.6m within the capital programme, as a matter of urgency, to allow repair work to proceed on both Haldon and Princess Piers; and

- (iii) that, given the strategic importance of Haldon and Princess Piers, the Mayor should be formally advised of the need for urgent repairs to both structures; and
- (iv) that, the Harbour Committee makes representations to the Heart of the South West Local Enterprise Partnership and the relevant Minister, regarding the need for urgent repairs to both structures; and
- (v) that Officers are requested to investigate other sources of funding, in addition to the Environment Agency, to help fund the Capital programme.

**32. Tor Bay Harbour Authority Quarterly Budget Monitoring Report**

The Committee noted a report on the Budget Monitoring which provided members with the overall budgetary position for Tor Bay Harbour Authority as at the end of August 2014.

The Committee further noted that the two harbour accounts had been merged to show one set of figures.

The Executive Head of Tor Bay Harbour Authority advised the Committee that there was a forecast deficit of £99,000 due mainly to a decrease in fish toll income.

**33. Performance of the Tor Bay Harbour Authority Business Unit (SPAR.Net)**

The Committee noted a report outlining the performance of Tor Bay Harbour Authority.

**34. Tor Bay Harbour Marine Environmental Policy (biennial - 2014)**

The Committee considered a report to review and endorse the Revised Environmental Policy Statement.

Resolved;

that the Environmental Policy Statement as shown in Appendix 1 of the submitted report be approved.

**35. Tor Bay Harbour Pilotage Directions (biennial - 2014)**

Members considered a report to review and endorse the Tor Bay Harbour Pilotage Directions.

The Executive Head of Tor Bay Harbour Authority advised Members that the revised Pilotage Directions were recommended by the Pilotage Review Working Party.

Resolved;

- (i) that the draft Tor Bay Harbour Pilotage Directions shown in Appendix 1 of the submitted report be approved, subject to statutory consultation; and
- (ii) that the Executive Head of Tor Bay Harbour Authority be asked to consult with interested parties prior to the implementation of the Tor Bay Harbour Pilotage Direction; and
- (iii) that the Executive Head of Tor Bay Harbour Authority seek further approval from the Harbour Committee if the consultation exercise results in significant objections or suggested amendments; and
- (iv) that on implementation of the Tor Bay Harbour Pilotage Directions shown in Appendix 1 of the submitted report , the previous Pilotage Direction for Tor Bay Harbour, shown as Appendix 2 of the submitted report, be revoked.

**36. Quarterly Accident and Incident Data for Tor Bay Harbour**

Members received a briefing note which provided a quarterly update of the current accident statistics for the Harbour Authority's operational area up until September 2014.

Members noted there had been 1 fatality which had been categorised as SU (suicide), 8 hospitalisations, 18 navigational incidents and 1 pollution incident.

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Chairman/woman