



## **Minutes of the Harbour Committee**

**5 December 2017**

**-: Present :-**

Councillor Bye (Chairman)

Councillors Amil, Carter, Ellery (Vice-Chair), Hill, Manning and Pentney

External Advisors: Mr Ellis and Mr Stewart

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### **64. Apologies**

Apologies for absence were received from Councillors Robson and O'Dwyer and Mr Buckpitt.

### **65. Minutes**

The Minutes of the meeting of the Harbour Committee held on 8 November 2017 were confirmed as a correct record and signed by the Chairman.

### **66. Urgent items**

The Committee considered the items in Minute 67 and 68, and not included on the agenda, the Chairman being of the opinion that they were urgent by reason of special circumstances i.e. the matter having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

### **67. External Advisor**

The Executive Head of Assets and Business Services advised that Mr Ellis' first four year term of office as an External Advisor to the Harbour Committee had come to an end and Members were asked to consider extending his term of office for a further four years.

Resolved:

That Mr Ellis' term of office as an External Advisor to the Harbour Committee be extended for a further four years, ending in December 2021.

**68. Royal Torbay Yacht Club**

Members received a presentation from Adrian Peach, Commodore of the Royal Torbay Yacht Club. Mr Peach informed Members that the club were seeking a premises that were located closer to the harbour side. He explained that the current premises were old and not fit for purpose, requiring a level of investment that the club could not sustain when being so remote from the harbour side. Mr Peach advised the Committee that having worked with the Executive Head of Assets and Business Services a number of sites had been identified and subsequently discounted. However an area known as Yachtsman's Steps had been put forward and this was now being considered as a possible suitable site for new club facilities.

The Executive Head of Assets and Business Services advised that the idea of Centre for Excellence for watersports in the Bay had been an aspiration for decades, the Tor Bay Harbour Port Master Plan was due to be refreshed and this would provide an opportunity for harbour users and the community to identify a need for such a centre in conjunction with a local club. Whilst the Committee welcomed the idea, Members were reminded that procurement rules and financial regulations would require the Harbour Authority to secure the 'best value' for the land. Therefore the land would have to be advertised and should multiple bids be received then they would need to be evaluated in accordance with procurement rules.

**69. Tor Bay Harbour Authority Budget and Setting of Harbour Charges 2018/2019**

Members considered the submitted report which presented the opportunity to consider the level of harbour charges to be levied by Tor Bay Harbour Authority, for the forthcoming financial year and to consider the Tor Bay Harbour Authority budget for 2018/19 as recommended by the Budget Review Working Party. Members were advised that the charges and budget were being considered at this time to enable implementation and payment to be made in advance of the granting of facilities for the coming financial year.

Resolved:

- i) **That, having had regard to the opinions expressed by the Harbour Liaison Forums and the recommendation from the Harbour Committee's Budget Review Working Party, to increase the harbour charges for 2018/19, by a representative average of 2.0% and approve the schedule of harbour charges as set out in Appendix 1 to the submitted report.**

- ii) That, as set out in the submitted report, an additional contribution be made to the Council's General Fund from the Tor Bay Harbour Authority accounts, to the equivalent value of £145,000 for 2018/19.
- iii) That, the Tor Bay Harbour Authority budget for 2018/19, based on a 2.0% representative average increase in harbour charges (as set out in Appendix 2 to the submitted report) be approved.
- iv) That, during 2018/19 the Tor Bay Harbour Budget Review Working Party should continue to review the full range of harbour charges, monitor the revenue budget, and recommend a budget for 2019/20.

**70. Port Marine Safety Code - Annual Compliance Audit**

Members noted the submitted report that provided details of the annual Port Marine Safety Code compliance audit undertaken for the Council, as the Harbour Authority, by the Devon Audit Partnership and the actions identified for implementation in the forthcoming year ending November 2018. The report also included a table of accident/incident statistics for the period from December 2016 to November 2017.

**71. Tor Bay Harbour Authority Budget Monitoring 2017/2018**

Members noted a report that identified the overall budgetary position for Tor Bay Harbour Authority as at the end of October 2017 to enable appropriate action to contain expenditure and maintain reserves at appropriate levels. In particular Members were asked to note the amended outturn projections of the harbour accounts and adjustments to the Reserve Funds as shown in Appendix 1 to the submitted report.

**72. Review of Tor Bay Harbour Business Risks 2017/2018**

Members noted the Tor Bay Harbour Business Risk Register for 2017/18 which had been presented to the Harbour Liaison Forums and going forward will be presented annually to the Harbour Committee.

**73. Tor Bay Harbour Pilotage Directions**

Members received a report that explained the Pilotage Directions for Tor Bay Harbour need to be reviewed on a regular basis as part of the Council's ongoing compliance with the Port Marine Safety Code. It is essential that Tor Bay Harbour Authority has Pilotage Directions that are fit for purpose and reviewed regularly in order to reflect national best practice.

**Resolved:**

That, having considered the recommendation of the Pilotage Review Working Party, the Harbour Committee agreed that following a recent review of the existing

Tor Bay Harbour Pilotage Directions, which were published on 1 June 2015, no further amendments are required to the Directions.

**74. Oxen Cove Fish/Shellfish Processing Facility**

The Committee noted a report that was to be presented to Council on 7 December 2017. Members informed the Executive Head of Assets and Business Services that there had been various rumours regarding this proposal and that his presentations to both the Brixham Chamber of Trade and Brixham Town Council had allayed a number of concerns.

**75. Torquay/Paignton and Brixham Harbour Liaison Forums**

The Committee received the Minutes of the latest Torquay/Paignton Harbour Liaison Forum and the Brixham Harbour Liaison Forum and noted the contents.

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Chairman