



Minutes of the Harbour Committee

17 December 2012

-: Present :-

Councillor Ellery (Chairman)

Councillors Baldrey, Faulkner (J), James and Richards
and Mayor Oliver

External Advisors: Mr Buckpitt, Capt. Curtis and Mr Jennings

38. Apologies

Apologies for absence were received from Councillors Hytche and Amil. Councillor Baldrey left the meeting after Item 7.

39. Minutes

The Minutes of the meeting of the Harbour Committee held on 17 September 2012 were confirmed as a correct record and signed by the Chairman.

40. Appointment of External Advisor

The Committee were advised that following an application and interview process, the Harbour Appointments Sub-Committee had met and were pleased to recommend the appointment of Mike Stewart.

The Chairman advised that due to the cost of placing an advert in local newspapers the position had been advertised through various user groups and on the Council website instead. He further explained that eight applications had been received (nine with one application received one week after the deadline had expired) with two being selected for interview.

Resolved:

That Mike Stewart be appointed as an External Harbour Advisor from 17 December 2012 for a term of 4 years

41. Blue Sea Food

The Chairman advised the Committee that due to the level of public interest in this item and the need for fairness to allow people the opportunity to speak, the item would be deferred to an additional (unscheduled) Harbour Committee meeting to be held in January 2013. Date to be confirmed subject to diary commitments.

The Chairman advised that the meeting should take place at 6pm to allow local businesses to attend, outside of working hours, to allow a proper and balanced debate.

The Chairman also reiterated that the matter to be considered concerned the Council's function as Tor Bay Harbour Authority and as the landlord for the harbour estate at Paignton harbour. He indicated that there should be no blurring of this function with previous decisions that had been made through the separate Development Management Control Meetings concerning planning matters.

Legal advice received prior to today's Harbour Committee had confirmed that the matter to be considered related to Tor Bay Harbour Authority as a landlord and that previous planning decisions should not be part of the discussions taking place during the Harbour Committee.

Clarification would be sought prior the January meeting for Committee Members who sit on both the Harbour and the Development Management Control Committee, who had previously been at the meeting where planning decisions had been made in relation to Blue Sea Food.

42. Tor Bay Harbour Authority Budget Setting and Harbour Charges 2013/14

The Committee considered the report which provided Members with the opportunity to consider the level of harbour charges to be levied by Tor Bay Harbour Authority. The Committee noted that due to the economic climate a deficit budget had been set and were of the view that 'price sensitivity' was very important and a 'balancing act' had to be maintained between keeping customers and increasing income.

Resolved:

- (i) that the Committee, having considered the recommendation from the Harbour Committee's Budget Working Party, agreed to increase the harbour charges for 2013/14, by a representative average increase of 2.8% and approve the schedule of harbour charges set out in Appendix 1 to the report; and
- (ii) that the Tor Bay Harbour Authority budget for 2013/14, based on a 2.8% representative average increase in harbour charges (as set out in Appendix 2 to the report) be approved; and
- (iii) that during 2013/14 the Tor Bay Harbour Budget Working Party continue to review the full range of harbour charges, monitor the revenue budget and recommend a budget for 2014/15; and
- (iv) that, as recommended by the Harbour Committee's Working Party, the Executive Head of Tor Bay Harbour Authority consider using harbour reserve funds to make additional payments against the financing charges of capital projects, provided that the minimum reserve fund level is maintained and such

budget adjustments are approved by the Harbour Committee Chairman and reported to the Harbour Committee through the budget monitoring reports; and

- (v) that, as recommended by the Harbour Committee's Budget Working Party, each harbour reserve fund be split with 20% of budgeted turnover ring-fenced to meet any deficit in the revenue budget or winter storm damage and the balance ring-fenced to fund harbour related capital projects; and
- (vi) that the level of the cash dividend to the Councils general fund be capped at a maximum of 6% of harbour income in future years and that the Executive Head of Financial Services be asked to review the level of support costs to the harbour account to reflect the ongoing reduction in central resources.

43. Port marine Safety Code - Annual Compliance Audit

Members noted a report which provided details of the annual Port Marine Safety Code compliance audit. The audit had been undertaken by Nicholsons Risk Management Ltd who were appointed as the harbour authority's 'Designated Person.'

Members noted that there had been three fatalities (as set out in Appendix 2 to the report). The Executive Head of Tor Bay Harbour Authority was asked to consider amending the coded entry for these incidents to D & A (drowning and alcohol) rather than just D (drowning).

It was reported and noted by Members, that at one of the drowning incidents the recently acquired defibrillator was used within one minute of the alarm being raised.

44. Torquay/Paignton and Brixham Harbour Liaison Forums

Members noted the minutes of the Torquay/Paignton and Brixham Liaison Forum meetings on 28 November 2012.

45. Quarterly Budget Monitoring

Members noted the report which provided them with projections of income and expenditure for the year 2012/13 with approved budgets and identified the overall budgetary position for Tor Bay Harbour Authority.

46. Annual Harbour Users Survey

Members noted the Annual Tor Bay Harbour Users Survey 2012 which had been sent out and had received 135 replies which accounted for approximately 14% of customers.

The information collected from the survey results will be used to make improvements to the provision of services provided by Tor Bay Harbour Authority.

The Chairman advised Members that a Viewpoint Survey had also been undertaken and had included some questions about harbours for the first time, with some interesting results, the highlights being:

That most respondents use harbours within the Bay to walk along (61.5%) and shop (50.3%). 27.7% of respondents stated they did not use the harbours within Torbay.

The greatest number of the respondents who use / visit Torbay's harbours do so every week (29.5%) or at least once a month (26.0%). 20.9% of respondents will have visited or used harbours every 6 months to a year with only 11.1% of respondents stating that they do not use harbours within the Torbay.

That respondents do not tend to use water to commute to work. 36.8% of respondents travel by water for leisure but this tends to be every 6 months to a year.

Most respondents felt harbours overall were very important to them. The appealing harbour views was the category with the greatest response (91.1%).

That respondents were generally satisfied (very or fairly satisfied 62.9%) with the way that the harbours were run in Torbay. However (34.2%) of respondents did not form an opinion on their satisfaction.

47. Performance Report

Members noted the quarterly report on the performance of the Harbour Authority.

48. Tor Bay Harbour Policy Statement for Local Port Services (biennial 2012)

The Committee reviewed the Tor Bay Harbour Authority Local Port Services (LPS) Policy Statement.

Resolved:

- (i) that the Local Port Services (LPS) Policy Statement (as set out in Appendix 1 to the report) be approved.

Chairman