



Meeting: Harbour Committee

Date: 22nd September 2014


Wards Affected: All wards in Torbay

Report Title: Tor Bay Harbour - Environmental Policy Statement

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1. Purpose

- 1.1 Tor Bay Harbour Authority has an existing Environmental Policy Statement and the Harbour Committee is asked to review and endorse a revised Environmental Policy Statement. Our customers and employees will benefit from a clear and concise Environmental Policy Statement that is regularly reviewed by the Harbour Committee.

2. Proposed Decision

- 2.1 **That the Environmental Policy Statement shown in Appendix 1 to this report is approved.**

3. Action Needed

- 3.1 Adoption of a clear Environmental Policy Statement should help our community to understand our approach to environmental management within the limits of the harbour. The environmental and sustainability implications are self evident within the body of the report.

4. Summary

- 4.1 In addition to their operational activities ports and harbours have extensive environmental responsibilities. The designation of more new areas – both land and marine sites – requiring special protection has now resulted in the creation of new management structures for the open coast as well as for estuaries. A harbour's commercial and recreational activity must co-exist with sound environmental practice.
- 4.2 Torbay Council as the Harbour Authority is bound by law to conserve the Harbour of Tor Bay to a reasonable state for use as a port and in a fit condition for a vessel

to resort to. The Council's adopted Port Masterplan contains the overarching strategy for Tor Bay Harbour Authority and it includes the following two objectives :-

- Manage the harbour in a sustainable manner by supporting a variety of maritime activities including fishing, shipping, marine related businesses, heritage, eco-tourism and marine recreational facilities.
- Balance the responsible stewardship of the marine environment with appropriate socio-economic development and use of Tor Bay.

To assist the Harbour Committee to fulfil these objectives it is appropriate to produce and keep under review an Environmental Policy Statement.

- 4.3 Tor Bay Harbour Authority also has a general duty to exercise its functions with regard to nature conservation and other related environmental considerations. There is an obligation, where a Special Protection Area for Birds or a Special Area of Conservation has been designated under the Wild Birds or Habitats Directives, to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. A significant inshore area of Tor Bay Harbour is now a Special Area of Conservation in respect of reefs and submerged or partially submerged sea caves. It is therefore increasingly important that the Harbour Committee demonstrates 'accountability' for environmental matters.
- 4.4 Marine Protected Areas (MPAs) are zones of the seas and coasts where wildlife is protected from damage and disturbance. The Government is committed to establishing a well-managed ecologically coherent network of marine protected areas (MPAs). The Marine and Coastal Access Act (2009) created a new type of Marine Protected Area (MPA), called a Marine Conservation Zone (MCZ). MCZs protect nationally important marine wildlife, habitats, geology and geomorphology. A Marine Conservation Zone has been designated for most of the inshore area within the limits of Tor Bay Harbour.
- 4.5 It is therefore essential that Tor Bay Harbour Authority has a fit for purpose Environmental Policy Statement. Keeping such a policy under regular review reflects national best practice.
- 4.6 An Environmental Policy Statement is the first step towards the development of an Environmental Management System. It is important that the Harbour Authority helps to maintain a healthy and safe environment for harbour users, employees and the local community alike.

Supporting Information

5. Position

- 5.1 The Council first approved a specific Environmental Policy Statement for Tor Bay Harbour in March 2000.

- 5.2 In 2007 the Council approved its first Harbour and Maritime Strategy and in 2013 this Strategy was superseded by a new Port Masterplan for Tor Bay Harbour. As indicated in 4.2 above the Port Masterplan makes it clear that, through the Harbour Committee, the Harbour Authority should manage the harbour in a sustainable manner and balance the responsible stewardship of the marine environment with appropriate socio-economic development and use of Tor Bay.
- 5.3 At present the following environmental designations exist within or adjacent to Tor Bay Harbour limits:-
- Area of Outstanding Natural Beauty (AONB)
 - Sites of Special Scientific Interest (SSSI)
 - Local Nature Reserve (LNR)
 - National Nature Reserve (NNR)
 - Marine Nature Reserve (MNR)
 - Special Protection Area (SPA)
 - Special Area of Conservation (SAC)
 - Marine Conservation Zone (MCZ)
 - County Wildlife Sites
- 5.4 A policy statement is the start of a process which will look at and identify all operations affecting the environment. These will include:-
- Sewage discharges from pleasure craft
 - Anchoring and mooring policy
 - Litter control
 - Dredging and spoil disposal
 - Oil/fuel contamination into the harbour
 - Control of fish waste into the harbour
 - Use of biocides
 - Screening of suppliers
 - Recycling
 - Recreational disturbance of wildlife
 - Management of sub-contractor or lessee activities

- Energy consumption
- Water consumption

5.5 Statutory plans already exist covering waste reception facilities as well as oil spill response and contingency planning for the Tor Bay Harbour area. In addition, as a resort destination the English Riviera places considerable importance on bathing water quality and strict regulations also apply.

6. Possibilities and Options

6.1 To take no action and continue using the existing Environmental Policy Statement, approved in September 2012, without any further review.

7. Preferred Solution/Option

7.1 To approve the Environmental Policy Statement shown in Appendix 1.

8. Consultation

8.1 The Environmental Policy Statement is a well-established policy that has been available to the public for many years. It has also been considered by the Harbour Liaison Forums.

9. Risks

9.1 There are no key risks associated with taking this decision.

9.2 The adoption of a clear Environmental Policy Statement will enhance the Council's reputation for transparency and accountability in respect of its function as Tor Bay Harbour Authority.

Appendices

Appendix 1 Environmental Policy Statement – September 2014

Additional Information

The following documents/files were used to compile this report:

Minutes of the Harbour Sub-Committee – 30th March 2000

Environmental Policy Statement – September 2012

Tor Bay Harbour Port Masterplan - 2013