



## **Minutes of the Harbour Committee**

**15 December 2014**

**-: Present :-**

Councillor Amil (Chairwoman)

Councillors Faulkner (J), Hytche, McPhail, James and Stringer  
and Mayor Oliver (until Item 7)

External Advisors: Mr Ellis, Mr Stewart and Buckpitt

(Also in attendance: Mr David White (for Item 5 only))

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### **37. Apologies**

Apologies for absence were received from Councillor Ellery and from Capt Lloyd.

### **38. Minutes**

The Minutes of the meeting of the Harbour Committee held on 22 September 2014 were confirmed as a correct record and signed by the Chairman.

### **39. Update on Marina Car Park -David White**

Members heard a verbal update on the Marina Car Park and the proposed plans for redevelopment at Torquay harbour that will affect physical areas of the Harbour Estate.

All the proposals outlined to the Committee are available on-line and will be heard at a Development Management Committee in the future.

Members heard of the proposal to widen the inner harbour walkway and extend it over the line of the fenders such that would not require a Harbour Revision Order, although concerns were raised by Members generally over accessibility to the harbour.

The old Fish Quay would also be affected with an additional 1.75 meter strip of land which tapers down to zero being required to provide as access ramp solution between a higher walkway and the existing promenade level.

The Executive Head of Tor Bay Harbour Authority, the Chairman of the Harbour Committee and the Elected Mayor have been speaking with local fishermen and the Fisherman's Association to ensure that the strip of land does not infringe on access to the old Fish Quay and advised that meetings are ongoing.

Members noted that proposals did not show a detailed plan over revisions to the existing Dock masters Office.

Concern was raised by some Members that the height of the proposed development may block out sunlight into the harbour area, at certain times of the day and year. Members were advised that the architects had been asked to provide a Sun Path Projection as part of their application.

The Executive Head of Tor Bay Harbour Authority advised Members that the Principal Accountant had been working with him to ensure that the Tor Bay Harbour Authority was not disadvantaged financially by the proposed development, in line with agreed Council minutes.

#### **40. Tor Bay Harbour Authority Budget Setting and Harbour Charges 2014/15**

The Committee considered the report which provided Members with the opportunity to determine the level of harbour charges to be levied by Tor Bay Harbour Authority, on behalf of the Council as the Harbour Authority, in the next financial year and to consider the Tor Bay Harbour Authority budget for 2015/16. Harbour charges are considered in December to enable implementation and payment to be made in advance of the granting of facilities for the coming financial year.

A paper was circulated at the meeting which provided the correct figures for the 2015/2016 proposed Pilotage Charges.

Resolved;

- (i) That, having had regard to the opinions expressed by the Harbour Liaison Forums, Members consider the recommendation from the Harbour Committee's Budget Review Working Party, to increase the harbour charges for 2015/16, by a representative average increase of 2.0% and approve the schedule of harbour charges set out in Appendix 1; and
- (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 £310,000 for 2015/16; and
- (iii) that, any operating surplus from the Tor Bay Harbour Authority accounts for the year (2014/15) and the next year be passed to the Council's General Fund in support of the corporate budget saving measures, providing the harbour reserve levels are not below the minimum recommended level; and

- (iv) that the Tor Bay Harbour Authority budget for 2015/16, based on a 2.0% representative average increase in harbour charges (as set out in Appendix 2, of the submitted report) be approved; and
- (v) that during 2015/16 the Tor Bay Harbour Budget Review Working Part should continue to review the full range of harbour charges, monitor the revenue budget, and recommend a budget for 2016/17.

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

Members noted a report which provided details of the annual Port Marine Safety Code (PMSC) compliance audit. The audit had been undertaken by Nicholsons Risk Management Ltd who were appointed as the harbour authority's 'Designated Person' and the Harbour Committee, on behalf of the Council is the 'Duty Holder.'

The Committee also noted the contents of the PMSC Compliance Statement for 2014 and the PMSC Compliance Audit Report 2014.

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

Members noted the minutes of the Torquay/Paignton and Brixham Harbour Liaison Forum meetings held on 1 December 2014 and 4 December 2014.

**43. Tor Bay Harbour Authority Quarterly Budget Monitoring**

Members noted the report which provided them with projections of income and expenditure for the year 2014/15 with approved budgets and identified the overall budgetary position for Tor Bay Harbour Authority.

Members also noted the Executive Head of Tor Bay Harbour Authority's use of delegated powers to make decisions in relation to the budget allocated to Tor Bay Harbour and the delegated powers used to waive certain harbour charges.

**44. Old Fish Market - Brixham Harbour**

Members noted the report which provided them with an update on the current use and management of the Old Fish Market area, including the old market canopy on the harbour estate and the adjacent berthing facilities.

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

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

**46. Tor Bay Harbour Policy Statement for Local Port Services (biennial 2014)**

Members 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 of the submitted report, be approved.

**47. 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 the end of November 2014.

Members noted there had been 1 fatality which had been categorised as SU (suicide), 4 hospitalisations, 18 navigational incidents and 10 pollution incidents.

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Chairman