



## **Minutes of the Harbour Committee**

**21 March 2016**

**-: Present :-**

Councillor Bye (Chairman)

Councillors Amil, Carter, Ellery (Vice-Chair), Robson and Sykes

External Advisors:

David Buckpitt and Michael J Ellis

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### **40. Apologies**

Apologies for absence were received from Councillors Cunningham, O'Dwyer and Stringer and External Advisors Mike Stewart and Capt Lloyd.

### **41. Minutes**

The Minutes of the meeting of the Harbour Committee held on 21 December 2015 were confirmed as a correct record and signed by the Chairman.

### **42. Harbour Light Restaurant**

Further to the meeting of the Harbour Committee held on 21 December 2015 (Minute 32.12.15 refers), David White from the Torbay Development Agency outlined the submitted exempt report which set out details of the Initial Business Case for the Harbour Light Restaurant, Paignton in respect of potential development of the site. Members noted that the proposal was in line with the Port Masterplan to increase the use and vitality of Paignton Harbour, drawing people to the Harbour from the beach and town centre, which would also help make the Harbour more sustainable.

Resolved:

- (i) that the findings of the revised Initial Business Case for the Harbour Light Restaurant Building set out in Appendix 1 to the submitted exempt report be noted;
- (ii) that the Torbay Development Agency (TDA) be instructed to commission the site specific Flood Risk Assessment for the proposed development of the Harbour Light Restaurant building;

- (iii) that, subject to a satisfactory outcome from the Flood Risk Assessment identified in (ii) above, the Executive Head of Business Services in consultation with the Chairman of the Harbour Committee and the Torbay Development Agency, be asked to explore the option for the whole premises to be used by a single occupier, who would either own a long lease of the whole building or who could occupy the whole building on a shorter 25 year lease; and
- (iv) that the tenants of the Harbour Light Restaurant building continue to be consulted and kept informed as to the proposals that might affect the future use of the building.

(Note: prior to consideration of the item in Minute 42 Members confirmed that they would discuss the item on the Harbour Light Restaurant in public but that the report would remain exempt on the grounds that it contained exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).)

**43. Review the Delegated Powers of the Executive Head of Tor Bay Harbour Authority**

The Committee considered the submitted report on a review of the powers delegated to the Executive Head of Business Services – Tor Bay Harbour Master as contained within Torbay Council's Constitution to ensure that they were fit for purpose.

Resolved:

That, having reviewed the powers delegated to the Executive Head of Business Services, as set out in Appendix 1 and Appendix 2 to the submitted report, the Harbour Committee finds no reason to refer any proposed changes to the Council for determination.

**44. Tor Bay Harbour Authority Business Plan**

The Committee considered the submitted report which sought agreement of the Tor Bay Harbour Business Plan for 2016/17.

Resolved:

- (i) that the draft Tor Bay Harbour Business Plan 2016/17 as set out in Appendix 1 to the submitted report be approved; and
- (ii) that the Executive Head of Business Services and the Harbour Committee Chairman agree the final detail of the Tor Bay Harbour Business Plan 2016/17, and sign the Acceptance Statement in Section 9.

**45. Operational Moorings Policy**

The Executive Head of Business Services outlined the submitted report and highlighted the proposed amendments to the operational moorings facilities policy to ensure that a fair and equitable approach was applied to new, existing and potential facility customers that use Tor Bay Harbour and the harbour estate.

Resolved:

That the Tor Bay Harbour Operational Moorings and Facilities Policy – Version 11 set out in Appendix 1 to the submitted report be approved.

**46. Harbour Committee Work Programme**

The Committee considered the submitted report which set out the draft Work Programme for the Harbour Committee for the 2016/2017 Municipal Year. Members discussed the merit of reducing the number of meetings and issues considered by the Harbour Committee in light of reducing resources and the expansion of the role of the Executive Head of Business Services.

Resolved:

That the Executive Head of Business Services, in consultation with the Chairman of the Harbour Committee, be authorised to finalise the Harbour Committee Work Programme for 2016/2017 with a view to reducing the number of items and frequency of meetings.

**47. Tor Bay Harbour Authority quarterly Budget Monitoring Report**

The Committee received the Revenue Budget Monitoring Report which provided Members with projections of income and expenditure for the 2015/2016 financial year as at the end of February 2016 compared with approved budgets.

Members suggested that consideration should be given to using any future underspend in the Revenue Budget on providing night time security at Brixham Harbour as concerns have been raised by partner agencies over the security of the Port as the gates are being left open at night.

The Committee thanked the Executive Head of Business Services and his staff for their excellent performance and the high levels of income generated by the Harbour Authority.

The Committee noted:

- (i) the amended outturn position of the harbour account and adjustments to the Reserve Fund show in Appendix 1 to the submitted report;

- (ii) the Executive Head of Business Services' use of delegated powers to make decisions in relation to the budget allocated to the Tor Bay Harbour; and
- (iii) the Tor Bay Harbour Master's use of delegated powers to waive certain harbour charges, which so far this financial year has amounted to £10,726.45 (excl VAT) and that no additional charges have been levied.

**48. Tor Bay Harbour Asset Management Plan**

The Committee received the submitted report on a review of the Tor Bay Harbour Authority Asset Management Plan. The Executive Head of Business Services advised the Committee that the Asset Review Working Party had met on 23 February 2016 and reviewed the Asset Management Plan in accordance with their terms of reference.

Resolved:

That the Tor Bay Harbour Authority Asset Management Plan 2016/17 set out in Appendix 1 to the submitted report be approved.

**49. Tor Bay Harbour Economic Impact Report**

The Committee noted the submitted report which provided information regarding a recent study into the impacts of Tor Bay Harbour on the local economy. The report highlighted the key findings from the study and provided background reasons why an Economic Impact Assessment was commissioned.

The Committee noted the Tor Bay Harbour Economic Impact Assessment Study (2016) attached at Appendix 1 to the submitted report and the key findings set out in paragraph 2.5 of the submitted report.

Resolved:

That the Executive Head of Business Services be requested to issue a press release highlighting the positive impact of the Tor Bay Harbour on the local economy and use this document to help promote the benefits of the Tor Bay Harbour.

**50. Tor Bay Harbour Authority Business Unit Performance Report**

The Committee noted the submitted report which outlined the performance of the Tor Bay Harbour service area. The Executive Head of Business Services informed Members where performance was on target or below target.

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

Members noted the Minutes of the Torquay/Paignton and Brixham Harbour Liaison Forum meetings held on 8 March and 10 March 2016.

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

Members received the submitted report which provided a quarterly update on the current accident statistics for the Harbour Authority's operational area up to 9 March 2016.

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Chairman