

Harbour Committee Terms of Reference – June 2016

<p>Terms of Reference:</p> <p>To determine all matters relating to the strategic management of the Council’s function as a Harbour Authority, in line with the Tor Bay Harbour Port Masterplan Maritime Strategy and the Council’s Policy Framework. Specifically the Committee will:-</p> <ol style="list-style-type: none"> 1. Manage all of the Harbour’s financial matters in accordance with approved financial procedures and the Council’s aspirations for the harbour to be self financing as outlined in the Tor Bay Harbour Port Masterplan and maritime strategy and including (but not limited to): <ol style="list-style-type: none"> (a) the setting of harbour charges from time to time (including in-year changes to the schedule) normally following consultation with the relevant Harbour Liaison Forums; (b) approving the annual revenue budgets within the ring-fenced harbour accounts; (c) receiving quarterly budget monitoring reports and to approve variances as appropriate; and (d) monitoring the harbour reserve funds and to seek to ensure that the funds are kept above an appropriate minimum contingency level and ensure the harbour remains self-financing; <p>providing that no decision by the Harbour Committee shall impact adversely on the Council’s general fund or capital budget.</p>	<p>Membership:</p> <p>9 members of the Council in accordance with the political balance requirements, plus up to five external non-voting advisors appointed by the Committee on a four year term (maximum term as an advisor = 2 x 4 years) and one non-voting advisor who is a private sector representative of the Board of the Torbay Economic Development Company Limited.</p> <p>(Group Leaders will be asked to take account of the geographical spread of members in making appointments to the Committee)</p> <p>Conservative (6)</p> <p>Liberal Democrat (2)</p> <p>Independent Group (1)</p>
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2. To act as Duty Holder for the purposes of the Port Marine Safety Code;
3. Approve and monitor a business plan for Tor Bay Harbour, in line with the Council's policy framework, and address any issues relating to performance;
4. Review these terms of reference annually and request the Council to make any necessary amendments and/or additions;
5. Review annually the powers delegated to the Executive Head **of Business Services** ~~Tor Bay Harbour Authority~~ Tor Bay Harbour Master and refer any proposed changes to the Council for determination. The Committee itself shall not authorise any changes;
6. Consider any other matters referred to the Committee by the Executive Head **of Business Services** ~~Tor Bay Harbour Authority~~;
7. Establish any sub-committee or working parties as the Committee sees fit, in particular a Harbour Appointments Sub-Committee for the recruitment of advisors;
8. Recommend the format, composition and governance of the Harbour Liaison Forums and keep the arrangements under review;
9. To provide strategic direction to the Executive Head **of Business Services** ~~Tor Bay Harbour Authority~~ and the **elected** Mayor in relation to those assets within Tor Bay Harbour and the harbour estate that are managed by Tor Bay Harbour Authority; and
10. Appoint advisors following receipt of recommendations from the Harbour Appointments Sub-Committee and the Board of Torbay Economic Development Company Limited. Appointments will be merit based and be in accordance with the Local Protocol for members of the Harbour Committee.

The suggested amendments to the existing Terms of Reference (March 2015) are shown above in **bold** and ~~strikethrough~~ text.

Recommendation

That the Harbour Committee Terms of Reference be updated as set out in the submitted report and the Monitoring Officer be recommended to update the Constitution to reflect the minor changes.

Kevin Mowat, Executive Head of Business Services

27 June 2016