



## **Minutes of the Harbour Committee**

**27 June 2016**

**-: Present :-**

Councillors Bye, Amil, Carter, Ellery, O'Dwyer, Robson, Stringer, Manning and Tyerman

External Advisors: Mr Buckpitt, Mr Ellis and Mr Stewart

### **1. Election of Chairman/woman**

Councillor Bye was elected Chairman of the Harbour Committee for the 2016/2017 Municipal Year.

Councillor Bye in the Chair

### **2. Apologies**

It was reported that, in accordance with the wishes of the Conservative Group, the membership of the Committee had been amended for this meeting by including Councillor Tyerman instead of Councillor Sykes.

### **3. Minutes**

The Minutes of the meeting of the Harbour Committee held on 23 March 2016 were confirmed as a correct record and signed by the Chairman.

### **4. Appointment of Vice-Chairman/woman**

Councillor Ellery was appointed as Vice-Chairman of the Committee for the ensuing Municipal Year.

### **5. Harbour Committee Terms of Reference**

The Committee considered the current Terms of Reference for the Harbour Committee and the amendments suggested by the Executive Head of Business Services.

Resolved:

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.

## 6. Harbour Appointments Sub-Committee

The Committee considered the submitted report on the appointment of the Harbour Appointments Sub-Committee which considers applications for External Advisors to the Harbour Committees and makes recommendations to the Committee on suitable appointments to those positions. It was noted that the Committee had resolved in 2015 for the Sub-Committee to comprise of five members of the Harbour Committee.

Resolved:

That the Harbour Appointments Sub-Committee be appointed to comprise five Members of the Harbour Committee (The Chairman, Vice-Chairman and Councillors Amil, Carter and Stringer) with the following Terms of Reference:

To consider ad hoc applications for external advisor positions on the Harbour Committee and recommend to the Harbour Committee the persons who should be appointed to those posts as and when vacancies arise. And to determine the rolling programme for advisors tenure.

## 7. Harbour Asset Review Working Party

The Committee considered the submitted report on the appointment of the Harbour Asset Review Working Party which provides strategic direction in relation to assets within the Tor Bay Harbour and the harbour estate that are managed by the Tor Bay Harbour Authority.

Resolved:

That the Harbour Asset Review Working Party be appointed to comprise four members of the Harbour Committee (The Chairman and Councillors, Amil, Carter and Robson) and two of the External Advisors to the Committee (Mr Stewart and Capt. Lloyd) with the following Terms of Reference:

- a) to review all assets within Tor Bay Harbour and the Harbour Estate;
- b) to establish how each asset is performing; and
- c) to identify any assets that are surplus.

## 8. Harbour Budget Review Working Party

The Committee considered the submitted report on the appointment of the Harbour Budget Review Working Party which assists the Committee in the management of all the Harbour's financial matters in accordance with approved financial procedures.

Resolved:

That a Harbour Budget Review Working Party comprising four members of the Harbour Committee (the Chairman and Councillors Amil, O'Dwyer and Stringer) and two of the External Advisors to the Committee (Mr Stewart and Mr Ellis) be appointed to scrutinise the draft Tor Bay Harbour Authority budget prior to presentation to the Harbour Committee and to review the full range of harbour

charges. Also, to assist Officers to monitor and review the budget ahead of each quarterly Harbour Committee meeting.

**9. Pilotage Review Working Party**

The Committee received the submitted report on the appointment of a Pilotage Review Working Party which reviews the Pilotage arrangements for Tor Bay Harbour.

Resolved:

That a Pilotage Review Working Party, comprising two of the External Advisors (Capt. Lloyd and Mr Buckpitt), be appointed to work alongside Officers to review the Pilotage arrangements for Tor Bay Harbour and to recommend to the Harbour Committee any amendments to the Pilotage Directions as and when appropriate.

**10. Brixham Express Ferry Update**

Members noted the submitted report which provided an update on the Brixham Express Ferry Service. The Executive Head of Business Services advised Members that since the publication of the report the Brixham Express vessel had arrived and was undergoing checks with the Maritime and Coastguard Agency with an expectation that the vessel would be carrying passengers from the middle of July. The challenge was to encourage the use of the ferry in order to see a sustainable change in the mode of transport used by people travelling Brixham and Torquay.

**11. Revenue Budget Outturn 2015/2016**

Members noted the submitted report which set out details of the Tor Bay Harbour Authority's final expenditure and income figures against the budget targets for 2015/2016.

The Committee congratulated the Executive Head of Business Services and his team as the budget outturn reflects the effort every team member and stakeholder has made to ensure that every area of income generation had been exceeded.

**12. Revenue Budget Monitoring 2016/2017 Quarter 1**

The Committee received and noted the submitted report which provided Members with the projections of income and expenditure for the year 2016/2017 compared with the approved budgets.

Members noted the amended outturn projection of the harbour account and adjustments to the Reserve Fund as set out in Appendix 1 to the submitted report, which showed an anticipated deficit of £36,000. Members were advised this deficit was as a result of reinstating 24 hour security cover at Brixham Harbour, this will ensure all fish tolls are captured as well as providing improved security for the harbour estate.

**13. Annual Performance Report 2015/2016**

The Committee noted the submitted report which detailed the year end 2015/2016 performance position of Tor Bay Harbour Authority.

**14. Tor Bay Harbour Authority Enforcement and Prosecution Policy**

The Committee considered the submitted report on a review of the Tor Bay Harbour Authority Enforcement and Prosecution Policy which is reviewed every two years to ensure that customers benefit from a clear and concise policy.

Resolved:

That the Enforcement and Prosecution Policy set out at Appendix 1 to the submitted report be approved.

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

The Committee received and noted a report which provided a quarterly update of the current accident statistics for the Harbour Authority up to June 2016. Members noted there had been 24 recordable events, with reporting of events being actively encouraged.

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

The Committee received the Minutes of the latest Torquay and Paignton Harbour Liaison Forum and the Brixham Harbour Liaison Forum and noted the contents.

**17. Exclusion of the Press and Public**

Prior to consideration of the item in Minute 18 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

**18. Paignton Harbour Development Opportunity**

Further to Minute 42/3/16, Members received an exempt report which provided an update in respect of the business case for the potential redevelopment of the Harbour Light Restaurant building at Paignton Harbour.

Resolved:

- (i) that the Harbour Committee note the findings of the Business Case for the redevelopment of the Harbour Light building into a first floor family friendly restaurant and the ground floor for cafes and refreshments, as set out in Appendix 1 to the submitted report;
- (ii) that, the principal of a phased redevelopment in line with the Port Masterplan be agreed and the Executive Head of Business Services in consultation with

the Chairman of the Harbour Committee and the Torbay Development Agency, be asked to undertake a business case for a phased approach to the development and to carry out an internal inspection and structural survey; and

- (iii) 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.

Chairman

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