



Meeting: Harbour Committee

Date: 19th March 2018

Wards Affected: All wards in Torbay


Report Title: Review of Delegated Powers

Executive Lead Contact Details: Non-Executive Function

Supporting Officer Contact Details: Adam Parnell

Head of Tor Bay Harbour

Tor Bay Harbour Master

 **Telephone: 01803 292429**

 **Email: Adam.Parnell@torbay.gov.uk**

1. Purpose

- 1.1 To review the delegated powers pertaining to the Harbour which have been transferred from the Executive Head of Assets and Business Services to the Tor Bay Harbour Master following his recent appointment.

2. Proposed Decision

- 2.1 **That having reviewed the powers delegated to the Tor Bay Harbour Master, the Harbour Committee finds no reason to propose changes to the Council for determination.**

3. Action Needed

- 3.1 No further action required.

4. Summary

- 4.1 The Terms of Reference for the Harbour Committee which form part of Torbay Council's Constitution require it to review annually the powers delegated to the Tor Bay Harbour Master and refer any proposed changes to the Council for determination. The Committee itself shall not authorise any changes.
-

Supporting Information

5. Position

- 5.1 Appendix 1 contains the Officer Scheme of Delegation published by Torbay Council, which forms part of the Council's Constitution. The changes prompted by

the appointment of the Tor Bay Harbour Master have been identified using 'track changes'.

6. Possibilities and Options

- 6.1 Not to review the powers delegated to the Tor Bay Harbour Master.
- 6.2 To recommend further changes to the powers delegated to the Tor Bay Harbour Master.

7. Preferred Solution/Option

- 7.1 Not to refer any proposed changes to the Council regarding the powers delegated to the Tor Bay Harbour Master.

8. Consultation

- 8.1 There are a number of stakeholder groups which are used to consult on the quality and performance of the harbour service these are the Brixham Harbour Liaison Forum, the Torquay/Paignton Harbour Liaison Forum, various Community Partnerships, individual Harbour User Groups and the community wide Viewpoint Panel.
- 8.2 All of these stakeholder groups have helped to influence the management arrangements in place for Tor Bay Harbour.

9. Risks

- 9.1 If the harbour's governance arrangements did not contain an appropriate level of delegated powers there would be a significant risk that the Council would not have a fit for purpose form of governance which reflected national best practice.
- 9.2 Any changes to the delegated powers could delay or disrupt effective decision-making which would in turn affect the safe and efficient management of Tor Bay Harbour Authority.
- 9.4 There is a risk that the Council could be criticised for not adopting the appropriate level of delegated powers Tor Bay Harbour Master as recommended by the Municipal Ports Review.

Appendices

Appendix 1 Officer Scheme of Delegation (Torbay Council) - updated and published on 8th February 2018.

Additional Information

The following documents/files were used to compile this report: None