



## **Minutes of the Harbour Committee**

**11 June 2012**

**-: Present :-**

Councillors Amil, Baldrey, Ellery, Faulkner (J), Hytche, James and McPhail  
and Mayor Oliver

Also in attendance: Faulkner (A), Mr Buckpitt, Mr Butcher, Capt. Curtis and Mr Jennings

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

Councillor Ellery was elected Chairman for the 2012/13 Municipal Year.

Councillor Ellery in the Chair.

### **2. Apologies**

Apologies for absence were received from Councillor Richards and Elaine Hayes.

### **3. Election of Vice-Chairman/woman**

Mayor Oliver was elected Vice-Chairman for the 2012/13 Municipal Year.

### **4. Minutes**

The Minutes of the meeting of the Harbour Committee held on 8 March 2012 were confirmed as a correct record and signed by the Chairman.

### **5. Urgent items**

The Committee was advised of an additional Harbour Committee Meeting date of 23 July 2012, starting at 5.30pm in the Meadfoot Room, Town Hall, Torquay, to consider the Ferry Infrastructure arising from the successful bid for Sustainable Transport funding. Due to time constraints the item is required to be heard before the next scheduled Harbour Committee on the 17 September 2012.

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

The Committee noted the current terms of Reference for the Harbour Committee.

**7. Appointment of Harbour Appointments Sub Committee**

The Committee considered appointments to the Harbour Appointments Sub-Committee to consider applications for External Advisors to the Harbour Committee and to make recommendations to the Harbour Committee on suitable appointments to those positions. Members were advised that previous Sub-Committees consisted of three Councillors, including the Chair and vice-Chair.

**Resolved:**

That a Harbour Appointments Sub-Committee be re-appointed to comprise six members of the Harbour Committee (The Chair, Vice-Chair and Councillors Hytche, Richards, McPhail and Faulkner (J)).

**8. Harbour Asset Review Working Party**

The Committee considered appointments to the Harbour Asset Review Working Party to provide strategic direction in relation to those assets within Tor Bay Harbour and the harbour estate that are managed by the Tor Bay Harbour Authority.

**Resolved:**

That a Harbour Asset Review Working Party, comprising three members of the Harbour Committee (Councillors Faulkner (J), Richards and McPhail) and two of the External Advisors to the Committee (Captain Bob Curtis and Mr Gordon Jennings), be appointed 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.

**9. Harbour Budget Review Working Party**

The Committee considered appointments to the Harbour Budget Review Working Party to assist the Harbour Committee in the management of 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 and Maritime Strategy.

**Resolved:**

That a Harbour Budget Review Working Party, comprising two members of the Harbour Committee (Councillors Baldrey and Hytche), plus the Chairman and two External Advisors to the Committee (Ms Hayes and Mr Jennings), 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.

**10. Pilotage Review Working Party**

The Committee considered appointments to the Pilotage Review Working Party to review the Pilotage arrangements for Tor Bay Harbour and to recommend amendments to the Pilotage direction as and when appropriate.

**Resolved:**

That a Pilotage Review Working Party, comprising of three of the External Advisors (Captain Curtis, Mr Butcher 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.

**11. Presentation by Torquay Rowing Club**

The Treasurer from Torquay Rowing Club, situated at Unit 11 Beacon Quay, Torquay was invited to speak to the Committee for ten minutes regarding the Club's application for a grant in lieu of rent.

**12. Exemption of the Press and Public**

The Committee moved to exclude Press and Public under Section 2 for Item 13 by virtue of paragraph (s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

**13. Application for Grant**

The Committee considered the application for grant received from Torquay Rowing Club and invited the Club's Treasurer to remain so that questions could be answered.

**Resolved:**

That a grant of £1500 be allowed for a period of one year, subject to the Torquay Rowing Club striving to attain higher membership levels and exploring Charitable Status and Membership of the Sports Council. Also, for an Action Plan to be brought back in 12 months time to the Committee if the Club wanted to make a further grant application next year.

**Resolved:**

The Committee moved to re-admit the Press and Public to the Meeting.

**14. Funding for Extension to Torquay Harbour (Third Harbour)**

The Committee considered a report and verbal update from the Executive Head, Spatial Planning and the Director of Place, seeking approval to fund the procurement of outline feasibility studies, including a preliminary business plan, in support of plans to extend Torquay Harbour from the Harbour Reserve Fund.

Members had concern over the order of the feasibility work and the estimated cost of £150,000 to £250,000 with the upper range taking the Harbour Committee Reserve fund below the approved minimum level.

**Resolved:**

The Committee moved to support in principle the funding of the feasibility works, from the Harbour Reserve Fund, with a Project Board set up by the Chairman and Vice Chairman of the Harbour Committee. The Project Board to be delegated to evaluate the procurement tenders and then to determine the sequence of the feasibility stages.

**15. Tor Bay Harbour Authority Revenue Outturn 2011/12**

Members received and noted a report setting out details of Tor Bay Harbour Authority's final expenditure and income figures against the budget targets for 2011/12.

**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. Tor Bay Harbour Authority Budget Monitoring 2012/13**

The Committee received and noted a report which provided members with projections of income and expenditure for the year 2012/13 compared with the approved budgets.

**18. Harbour Authority Performance**

The Committee noted the report which detailed the year end 2012/13 performance position of Tor Bay Harbour Authority.

**19. Tor Bay Harbour Authority Audit Plan - 2012~2017**

The Committee received a report setting out a dedicated Audit Plan for the Harbour Authority for the next four years.

**Resolved:**

The Committee approved the amended Tor Bay Harbour Audit Plan for 2012/2013 as set out at Appendix 1.

**20. Tor Bay Harbour Enforcement and Prosecution Policy**

The Committee received a report setting out an Enforcement and Prosecution Policy which the Committee were requested to review and endorse.

**Resolved:**

That the Tor Bay Harbour Authority Enforcement and Prosecution Policy shown in Appendix 1 be approved.

**21. Marine Economy Action Plan**

The Committee received a report which identified the potential for development of the marine economy and outlined appropriate actions and the investment needed to deliver positive outcomes for Torbay.

**Resolved:**

That the Harbour Committee endorses the Marine Economy Action Plan.

**Brixham Coastguard Station**

The Committee received an update from the Chairman on the Coastguard Station and the sell-off of properties around the country. A National Agent has been appointed to dispose of the buildings and a valuation has been made of the Brixham property although he had been unable to find out the valuation amount.

The Committee noted this is a valued building and would be a good building for Community/harbour use and/or used for the training of fishermen and for the fishing industry.

**Resolved:**

That the Chairman draft a joint letter with the Vice-Chairman to be sent to Adrian Sanders MP and Dr Sarah Wollaston MP asking for them to support the Harbour Committee in trying to keep the Coastguard Property for local community/harbour use.

**22. Torquay Inner Harbour Pontoon Berthing Project**

The Committee received a report which proposes to replace the existing chain moorings with new pontoon moorings in Torquay's inner harbour.

The proposal had been brought to the Harbour Committee and approved in principle in 2009. The existing chains are now beginning to fail and works need to be undertaken.

**Resolved:**

That the proposal to replace the existing chain trot moorings in Torquay's inner harbour be approved.

That the Council is recommended to add the Torquay Inner Harbour Pontoon Berthing Project to the Capital Plan.

That the Council is recommended to approve the use of prudential borrowing of approximately £800,000 to enable Torquay Inner Harbour Pontoon Berthing Project to proceed.

That, subject to the Council's approval of the prudential borrowing, the Executive Head of Tor Bay Harbour Authority, in consultation with the Chairman of the Harbour Committee and the Mayor, be authorised to use his delegated powers to proceed with the Torquay Inner Harbour Pontoon Berthing Project and that the Torbay Development Agency be asked to assist with the project procurement, management and delivery.

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

The Committed noted the accounts for the Arts and Craft Market located on the Old Fish Market, Brixham.

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Chairman