

Minutes of the Harbour Committee

27 March 2023

-: Present :-

Councillor Amil (Chairman)

Councillors Barrand, Brooks, Carter, Dudley (Vice-Chair), Ellery and O'Dwyer

21. Apologies

An apology for absence was received from Councillor Mills, Mark Day and Barry Young.

22. Minutes

The Tor Bay Harbour Master provided an update on two actions discussed at the last meeting as follows -

1. 17.2/12/22 sets out *'that the Committee is not satisfied that agency security staff who are not qualified maritime professionals are left responsible for the Harbour Estate in the absence of the Harbour Master(s) and recommends that the Tor Bay Harbour Master reviews this and puts in place appropriate measures to address this by either arranging suitable training or replacing them with suitably qualified professionals as a matter of urgency;'* That the Tor Bay Harbour Master has chosen to refresh the requirements for the agency security staff and this is now being progressed through Procurement process. This action will ensure that Tor Bay Harbour Authority is compliant with the Port Marine Safety Code and;
2. 17.2/12/22 *'that the Tor Bay Harbour Master be recommended to ensure that the arrangements for auditing the Harbours is improved by the Tor Bay Harbour Master carrying out the internal audit with a qualified Harbour Master from another authority providing professional external audit challenge to ensure robust challenge of the operation of the Tor Bay Harbour Estate;'* That the Tor Bay Harbour Master will request expressions of interest from Harbour Masters at other Harbour Authorities to undertake this role and that the expression of interest that has been received, will not be progressed further.

The Minutes of the meeting of the Harbour Committee held on 14 December 2022 confirmed as a correct record and signed by the Chairman.

23. Port Marine Safety Code

The Tor Bay Harbour Master provided a verbal update on the latest safety initiatives that had been undertaken across the Harbour Authority's operational area.

The Tor Bay Harbour Master explained that there is new legislation being introduced from 31 March 2023 named 'The Merchant Shipping Watercraft Order 2023'. The new law grants the Maritime and Coastguard Agency more powers to crack down on the dangerous misuse of watercraft such as jet skis and to be able to prosecute perpetrators of accidents. Watercraft users will be prosecuted and bound by the same laws that apply to ships in order to help to prevent accidents.

The Tor Bay Harbour Master provided an update on the Oscar IV Patrol vessel that it has been condemned after a recent survey. Temporary repairs have been carried out to the vessel and the Maritime & Coastguard agency have agreed that the vessel can be used for this summer season whilst a new vessel is on order.

Members noted the report and welcomed the provided updates.

24. Review of HM Powers

The committee considered a report which provided details of the delegated powers to the Tor Bay Harbour Master.

Resolved:

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

25. Operational Moorings Policy 2023

The Committee considered a report which set out minor changes to the Tor Bay Harbour Operational Moorings and Facilities Policy for 2022/2023. The Harbour Master informed Members that the policy ensured a fair, consistent and equitable approach which applies to new, existing and any potential facility users.

Resolved:

That the Tor Bay Harbour Operational Moorings and Facilities Policy 2023 be approved.

26. Budget Monitoring 2022/2023

Members considered a report which set out the overall budgetary position for Tor Bay Harbour Authority as of February 2023 compared with the overall approved budgets. It was noted that the report gave an oversight and actions to contain expenditure to maintain the Harbour Reserve Fund at an appropriate level.

Members also noted:

1. the amended outturn projections and adjustments to the Reserve Fund as set out in Appendix 1 to the submitted report;
2. the current level of the Harbour Reserve Fund in 2023;
3. the Head of Tor Bay Harbour Authority & Services use of delegate powers to make decisions in relation to the Harbour budget.

Resolved:

That the Harbour Committee approve the purchase of a new Harbour Patrol vessel for approximately £65,000 funded from the Harbour reserve, and the Director of Finance is recommended to amend the Capital Plan accordingly.

27. Asset Management Plan

The Committee noted the draft Asset Management Plan (AMP) report that ensures that such 'lands, buildings and property' are effectively and efficiently employed to further the aims of both the harbour authority as an undertaking and the wider aims of the Council.

Resolved:

That the Asset Management Plan (AMP) to be reviewed and considered by the new harbour committee once appointed via the sub committees.

28. Committee Work Programme

The Tor Bay Harbour Master explained that the Committee Work Programme will be agreed at the next meeting once the new Harbour Committee Members have been appointed.

29. Thank you for service

The Chairwoman informed the Committee that this was the last meeting for Councillors Ellery, Mills and O'Dwyer as they have chosen not to stand in the upcoming Local Elections. The Chairwoman thanked them for their duty and dedication to the Harbour Committee.

The Chairwoman also informed the Committee that this was the last meeting for Kevin Mowat, Director of Strategic Projects and formerly long serving Harbour Master who retires from Torbay Council as of 31 March 2023. The Chairwoman thanked Mr Mowat for his service and support and wished him well for his retirement.

Chairman