



Friday, 20 January 2012

## **HARBOUR COMMITTEE**

A meeting of **Harbour Committee** will be held on

**Monday, 30 January 2012**

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

### **Members of the Committee**

Councillor Amil	Councillor McPhail
Councillor Ellery	Mayor Oliver
Councillor Faulkner (J)	Councillor Richards
Councillor Hytche	Councillor Stringer
Councillor James	

### **External Advisors**

Mr Buckpitt, Mr Butcher, Capt. Curtis, Ms Hayes and Mr Jennings

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**Our vision is for a cleaner, safer, prosperous Bay**

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For information relating to this meeting or to request a copy in another format or language please contact:

**Lisa Warrillow, Town Hall, Castle Circus, Torquay, TQ1 3DR**  
**01803 207026**

Email: [democratic.services@torbay.gov.uk](mailto:democratic.services@torbay.gov.uk)



# HARBOUR COMMITTEE AGENDA

1. **Apologies**  
To receive apologies for absence, including notifications of any changes to the membership of the Committee.
2. **Minutes** (Pages 1 - 4)  
To confirm as a correct record the Minutes of the meeting of the Committee held on 5 December 2011.
3. **Declarations of interest**
  - (a) To receive declarations of personal interests in respect of items on this agenda  
**For reference:** Having declared their personal interest members and officers may remain in the meeting and speak (and, in the case of Members, vote on the matter in question). If the Member's interest only arises because they have been appointed to an outside body by the Council (or if the interest is as a member of another public body) then the interest need only be declared if the Member wishes to speak and/or vote on the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
  - (b) To receive declarations of personal prejudicial interests in respect of items on this agenda  
**For reference:** A Member with a personal interest also has a prejudicial interest in that matter if a member of the public (with knowledge of the relevant facts) would reasonably regard the interest as so significant that it is likely to influence their judgement of the public interest. Where a Member has a personal prejudicial interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Democratic Services or Legal Services prior to the meeting.)
4. **Urgent items**  
To consider any other items that the Chairman decides are urgent.
5. **Torquay Waterside Regeneration - Marina Car Park, The Pavilion and Cary Green, Torquay** (To Follow)  
To consider a report on the above.



## Minutes of the Harbour Committee

5 December 2011

-: Present :-

Councillors Amil, Ellery (Chairman), Faulkner (J), Hytche, James, McPhail, Mayor Oliver, Richards and Stringer,

External Advisors William Butcher, Capt. Bob Curtis, Elaine Hayes and Gordon Jennings

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### 395. Apologies

The Chairman was notified that the Mayor and Cllr Hytche may be late.

### 396. Minutes

The Minutes of the meeting of the Harbour Committee held on 12 September 2011 were confirmed as a correct record and signed by the Chairman.

### 397. Torquay/Paignton and Brixham Harbour Liaison Forums

The Committee noted the minutes of the Torquay and Paignton Liaison Forum meeting on 22 November 2011 and the Brixham Harbour Liaison Forum meeting on 23 November 2011. Members noted that item 3(c) Ark Royal bid – update of the Torquay and Paignton Liaison Forum minutes should read 2012 not 2013.

The Committee received an update from the Executive Head Tor Bay Harbour Authority on the recently issued ministerial statement on Marine Conservation Zones. The Committee were informed that public consultation would not take place until the end of 2012 and Marine Conservation Zones would not be designated until 2013.

### 398. Tor Bay Harbour Authority Budget and Harbour Charges 2012/13

The Committee considered the report which provided Members with the opportunity to consider the level of harbour charges to be levied by Tor Bay Harbour Authority. The Committee noted that due to the economic climate a deficit budget had been set and were of the view that 'price sensitivity' was very important and a 'balancing act' had to be maintained between keeping customers and increasing income.

**Resolved:**

- 1) that the Committee, having considered the recommendation from the Harbour Committee's Budget Working Party, agreed to increase the harbour charges for 2012/13 by a representative average increase of 4.0% and approved the schedule of harbour charges as set out in Appendix 1 to the report;
- 2) that the Tor Bay Harbour Authority Budget for 2012/13, based on a 4.0% representative average increase in harbour charges (as set out in Appendix 2 to the report) be approved;
- 3) that during 2012/13 the Tor Bay Harbour Budget Working Party continue to review the full range of harbour charges, monitor the revenue budget and recommend a budget for 2013/14;
- 4) that, as recommended by the Harbour Committee's Budget Working Party, the Executive Head of Tor Bay Harbour Authority consider using harbour reserve funds to make additional payments against the financing charges of capital projects, provided that the minimum reserve fund level is maintained and such budget adjustments are approved by the Harbour Committee Chairman and reported to the Harbour Committee through the budget monitoring reports; and
- 5) that, as recommended by the Harbour Committee's Budget Working Party, each harbour reserve fund be split with 20% of budgeted turnover ring-fenced to meet any deficit in the revenue budget or winter storm damage and the balance ring-fenced to fund harbour related capital projects.

**399. Oxen Cove Boatyard Proposal - Brixham Harbour**

The Committee considered a report which proposed a part of the harbour estate at Oxen Cove, in Brixham, be leased for use as a boatyard. The Committee discussed the benefits this would provide such as a boat repairing facility in the Bay, supporting local businesses and employment, apprenticeships for young people and an extra tourist attraction. The Committee agreed that the proposal be approved providing that a clear waste management policy and Health & Safety risk assessment were in place.

**Resolved:**

- 1) that the Harbour Committee supported the proposal to lease part of the harbour estate at Oxen Cove, Brixham harbour for use as a boatyard;
- 2) That the Harbour Committee supported the continued use of part of Oxen Cove as an area for the winter storage of boats and the storage of fishing gear and equipment relating to the safe and efficient operation of the harbour; and

- 3) That, subject to approval from the Homes and Community Agency, the Executive Head of Tor Bay Harbour Authority, in consultation with the Chairman of the Harbour Committee, use his delegated authority to grant a lease, for a maximum of 7 years, for part of the harbour estate at Oxen Cove, for use as a boatyard.

#### **400. Brixham Harbour Electricity Re-charging System**

The Committee considered a report on the Brixham Harbour Electricity Re-charging System. The Committee was informed that historically electricity had been free to use and easy to source around the fishing vessel basin. The Committee discussed the advantages of recharging electricity to vessels and was informed that software was now available to enable the Harbour Authority to implement a card system that would ensure that energy costs were recharged in a fair and equitable manner.

##### **Resolved:**

- 1) that the Harbour Committee supported the procurement of an appropriate and cost effective recharging system to include the installation of equipment and software compatible with the Brixham Harbour Office Building Management System;
- 2) that the Executive Head of Tor Bay Harbour Authority, in consultation with the Chairman of the Harbour Committee, be asked to use his delegated authority to fund the electricity recharging system outlined in the report by using earmarked reserves; and
- 3) that the Executive Head of Tor Bay Harbour Authority be authorised to submit funding to the European Fisheries Fund (EFF) and/or the EU INTERREG Programme to help offset the cost of the new electricity charging system.

#### **401. Port Marine Safety Code - Annual Compliance Audit**

Members noted a report which provided details of the annual Port Marine Safety Code compliance audit. The audit had been undertaken by Nicholsons Risk Management Ltd who were the appointed 'Designated Person'.

Members referred to and noted the actions contained within Appendix 2 to the report and sought reassurance from the Executive Head Tor Bay Harbour Authority that these actions would be implemented or at least monitored. He agreed to update the Committee on these actions at forthcoming meetings.

**402. Tor Bay Harbour Authority Budget Monitoring 2011/12**

The Committee noted the report and were pleased to see that both Harbour accounts were expected to show an improved position compared to the current budget. Members congratulated officers on their hard work to ensure the Harbour accounts had improved on the target budget position.

**403. Appointment of external Harbour Advisors**

The Committee were advised that following an application and interview process, the Harbour Appointments Sub-Committee had met and were pleased to recommend the appointment of David Buckpitt.

The Chairman advised that due to the cost of placing an advert in local newspapers the position had been advertised through various user groups and on the Council website instead. He further explained that twelve applications had been received with four being selected for interview.

**Resolved:**

That David Buckpitt be appointed as an External Harbour Advisor for a period of four years from 5 December 2011.

**404. Performance Report - Marine Services**

Members noted the quarterly report on the performance of the Harbour Authority. Members also noted the support received from the Torquay Harbour users for the Inner Harbour chain moorings to be replaced with pontoons in the Inner Harbour.