

**NORTH DEVON COUNCIL**

Minutes of a meeting of the Harbour Board held in the Platinum Room - Larkstone Water Sports Hub on Tuesday, 6th February, 2024 at 2.00 pm

PRESENT: Members:

Councillor Wilkinson (Chair)

Councillors Williams and Wilson

Independent Members:

Martyn Cleary, Bert Gear and Tim Gibbs

Officers:

Ilfracombe Harbour Master and Director of Resources and Deputy Chief Executive and Lynton and Lynmouth Town Council Clerk

**30. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Independent member Nigel Thomas.

**31. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 7 NOVEMBER 2023 (ATTACHED)**

RESOLVED that the minutes of the meeting held on 7 November 2023 (circulated previously), be approved as a correct record subject to the following amendment:

Minute 21 should read “RESOLVED that the proposed Harbour Charges be consulted on with stakeholders”, and signed by the Chair.

**32. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR, SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY**

There were no items, which in the opinion of the Chair, to be considered by the meeting as a matter of urgency.

**33. DECLARATIONS OF INTEREST**

Councillor Williams declared an interest a non-registerable interest in item 8; Harbour Charges review 2024/25, as she was the President of the Ilfracombe Yacht Club.

**34. QUARTERLY DESIGNATED PERSON PORT MARINE SAFETY**

**CODE AUDIT REPORT - ILFRACOMBE AND LYNMOUTH  
HARBOURS**

The Board considered a report by the Health and Safety Advisor (circulated previously) regarding the Quarterly Designated Person Port Marine Safety Code Audit of Ilfracombe and Lynmouth Harbours.

The Designated Person highlighted the following:

- The quarterly audits were carried out for both harbours, virtually, on 25 January 2024.

Actions completed since last visit – Ilfracombe

- The work to repair the cracked stone facing on Old Quay Head was completed on 22 November 2023.
- At the Council Health, Safety and Welfare committee on 21 November 2023 discussion took place around the proposed sea basin at the Verity statue. It was agreed that external Health and Safety legal advice be sought to fully understand what the Council's liabilities were as the asset owner.
- Further to water bathing quality testing the Harbour Master advised that a meeting had been held with the Council's Environmental Health team who were addressing the issue of water testing and this would be carried out regularly for the Harbour. Users of the proposed sea basin would be advised when it was not safe to swim. The kits used for testing were very similar to the ones used by the Environment Agency.
- Councillor Wilson informed the Board that there was a Water Quality group set up in Ilfracombe, of which she was a member, and they were looking to expand their services to coastal water testing.
- Councillor Patrinos was leading the water testing in Lynmouth.
- Data results of the testing were not published but could be requested to be viewed.
- It was determined that the handrails along the RNLI steps were owned by North Devon Council. Those handrails along with ones at the old Slipway and the Watersports Centre slipway had now been replaced with composite rails.

Risk Management – Ilfracombe

- Internal audits were carried out on the following topics:
  - (i) Environmental Duty
  - (ii) Risk Assessment
  - (iii) Incident reporting and Investigation
  - (iv) Plans and Reporting/ Consensus and Monitoring
  - (v) Harbour owned /operated craft – not currently applicable
- Non-conformities were found in items (ii) and (iv) above. The Harbour Master was seeking to set up a Harbour Advisory Committee. The Harbour Master would be discussing the setup of an advisory committee with Yarmouth Harbour Authority who had recently done the same.
- Funding was still in place for works to be carried out, in April 2024, on the sinking joints between the concrete landings and the slabs on the steps on

East Face Quay and Old Quay Head. There was an ongoing trip hazard here until works were completed.

- The bulged wall at Stone Bench was continuing to be monitored with the catchment netting working to limit movement.
- At another area of Stone Bench, it had been noted that a section of concrete had sheered from the pier. The Senior Engineer had inspected the damage and noted a number of potentially significant defects in this area.
- A consultant, who was familiar with the location, had offered to carry out an initial inspection survey free of charge.
- This was due to happened during particularly low tides week commencing 10 March 2024.
- The Cove netting works project had been awarded to contractors who were in the process of removing trees.
- Edge protection areas for Old Quay Head were to be marked with a line of yellow paint along the row of stones with warnings to the public not to cross into the working area and no public access to the area permitted.
- Signs had been procured to install to the railings around the Verity statue advising climbing of the statue was not permitted.
- Trinity House would be visiting Ilfracombe Harbour on 26 February 2024.

#### Actions completed since last visit – Lynmouth

- The Lynmouth Marine Safety Management System was now available on the Council website.
- The Harbour Environmental Management Plan had now been documented and made available on the Council website.
- North Devon Council and Lynton and Lynmouth Town Council had both agreed to contribute towards the Sea Defence Boulder works but this could not be carried out due to a legal impasse whereby Devon County Council had not confirmed ownership.

In relation to the Sea Defence Boulder works the clerk of Lynton and Lynmouth Town Council requested the Chair discuss with the Leader of North Devon Council the possibility of him expediting a response from Devon County Council on this matter as the works desperately need to go ahead.

#### Risk Management – Lynmouth

- Some issues were still outstanding from the three yearly, external harbour audit which was carried out by ABPmer in June 2023. These were:
  - (i) The Lynmouth Harbour Safety Management System document did not contain any safety performance or Key Performance Indicators expectations. It was agreed that the Town Clerk would document some Standing Targets and Period Targets in alignment with those of Ilfracombe Harbour.
  - (ii) The Lynmouth Harbour Safety Management System document did not contain a policy on training, revalidation or maintenance of qualifications. It was agreed that the Town Clerk would document a training policy.

- An internal audit of the following topics was carried out this quarter:
  - (i) Environmental Duty
  - (ii) Risk Assessment
  - (iii) Incident reporting and Investigation
  - (iv) Plans and Reporting/ Consensus and Monitoring
  - (v) Harbour owned /operated craft – not currently applicable.
- The New Solar Aids to Navigation lights were flashing instead of being steady on. An internal switch had been incorrectly set by the supplier. The resetting of the switch would rectify this issue but the lights would need to be lowered to enable this.
- Trinity House were due to visit Lynmouth Harbour on 26 February 2024 after first having visited at Ilfracombe Harbour. They would be able to view the data logged from the operational activity of the Aids to Navigation ahead of inspecting them at the harbour.
- The public consultation for a Harbour Empowerment Order, which would confirm North Devon Council as the Statutory Harbour Authority for Lynmouth had now closed. 92 objections had been received and a meeting to discuss best next steps was set for 9 February 2024.
- The Senior Engineer had identified issues with damage to the stone surface and copings along the harbour arm and the slipway.
- The stone steps opposite the Rising Sun pub, required some remedial work along with some stone steps along the edge of the slipway.
- Arrangements were being made for the dredging of the slipway and entrance channels as well as debris on the harbour floor to be removed.

The Designated Person advised the Board that Ilfracombe Harbour continued to be proactively managed by the Harbour Master with many works now completed. Much work had been carried out in Lynmouth, although documentation and training remained audit issues outstanding to be completed.

### **35. HARBOUR CHARGES REVIEW 2024/25**

Councillor Williams declared an other non-registrable interest in this item, as she was the President of the Ilfracombe Yacht Club.

The Board considered a report by the Harbour Master (circulated previously) regarding Harbour Charges review 2024-25.

The Harbour Master highlighted the following:

- One objection had been received from the consultation with stakeholders on the proposed Harbour charges review 2024/25.
- As a result of the objection the Harbour Master was asking the Board the following question:
  - Should a discretionary discount be considered for one individual?

It was discussed and the Board agreed that the increase of 5% still left North Devon Council's charges lower than neighbouring authorities and it would not be

appropriate to award a discount to an individual when all other stakeholders had found the increase to be reasonable.

RECOMMENDED to Council that all mooring dues be increased by 5% and relevant miscellaneous charges be increased by 10% be approved.

**36. MARINE SAFETY PLAN**

The Board considered a report by the Harbour Master (circulated previously) regarding the Marine Safety Plan.

The Harbour Master highlighted the following:

- There was an overarching Long Term Harbour Strategy, due to expire in 2026, in place and the Marine Safety Plan was one of three documents that had been separated out from this.
- The Marine Safety Plan, if adopted, would cover the period 2024-2027.
- The Business plan would need to be discussed at a separate workshop.
- All the Marine Safety Plan's objectives had been met barring one – the formation of a dedicated Operating Procedure for the newly opened Watersports Hub.
- Since the opening in July 2023 it had become apparent that the procedures already in place covered the operations of the Watersports Hub and a stand-alone policy was not required.
- An Incident Management Exercise was due to be carried out no later than 9 March 2025.
- The Harbour Advisory Committee set up was in hand and due to be in place by the end of March 2024.
- The replacement of Harbour owned moorings had to be completed by March 2026 and was well underway.

RESOLVED that the revised Marine Safety Plan be adopted; and

RECOMMENDED to Council to approve the adoption as duty holders for the Harbour.

**37. AIDS TO NAVIGATION**

The Board received an update from the Harbour Master regarding Aids to Navigation.

The Harbour Master advised the following:

- The Harbour Master currently held the logins to access the Aids to Navigation performance and activity data for both Ilfracombe and Lynmouth Harbours.
- Trinity House would review this data at Ilfracombe on 26 February 2024 ahead of then visiting Lynmouth Harbour.

**38. INFRASTRUCTURE UPDATE**

The Board received an update from the Harbour Master in respect of Infrastructure.

The Harbour Master advised the following:

- The Marine Management Organisation were open to the potential uplifting of funding already awarded to cover the cost of completing the replacement of the swing davits used by the potters on the harbour.
- The fuel tank and fuel delivery pump needed to be replaced.
- There was Marine Management Organisation funding available which would cover 75 – 80% of the cost of replacement.
- The fuel tank held 40,000 litres of fuel. During an internal cleaning, it had been confirmed that the floor of the tank was bouncy.
- It was anticipated that a total of around £100,000 would be needed to complete the project; this would mean a £25,000 contribution from the Council.
- The Cove project was moving ahead, initial meetings had been held with partners and the available space considered.
- The Harbour Master would relocate her office to the Cove.
- The old office would be made available to rent.

**39. ENVIRONMENTAL CONSIDERATION**

No update was given.

**40. FUTURE PROJECTS**

The Board received an update from the Harbour Master in respect of Future Projects.

The Harbour Master advised the following:

- Works had started on the Kiln roof adjacent to the Watersports Hub. There would be a walkway link from the Kiln roof across to the balcony of the Lime Kiln Café. This would expand capacity for the cafe.
- Stand-up paddleboard yoga was to commence at the Watersports Hub with free sessions being offered to NHS workers.
- The Maritime Academy was progressing with a visit from Petroc College who were assessing linking their courses with classes on offer at the Sea School.
- An additional training/meeting room was to be included within the Cove project to be able to expand the Sea School.

**41. HARBOUR COMMUNITY FORUM**

The Harbour Master advised the Board that a Harbour Advisory Committee was being set up with best practice for doing so to be obtained and reported back to the Board.

**42. LYNTON AND LYNMOUTH TOWN COUNCIL HARBOUR SUB-COMMITTEE MINUTES**

The Board considered the minutes of the Lynton and Lynmouth Town Council Harbour Sub-Committee (circulated previously) held on 24 January 2024.

The Lynton and Lynmouth Town Clerk highlighted the following:

- The Senior Engineer had requested the contractors who had completed works on the stone wall opposite the Bath Hotel, Lynmouth, return to make good poor quality work. The solution itself had worked well but the quality of work was poor.
- The slipway had been sprayed and cleared of algae and a photo of the completed works had been sent to the Ilfracombe Harbour Master.
- The steps down to the harbour, opposite the Rising Sun had large cracks, which were getting bigger. A liquid coat as used by the Ilfracombe Harbour Master at Larkstone, Ilfracombe was to be used.
- The Sailing Club reported that the raft race would be at the end of July or early August 2024. Shanty singers wanted to hold more sessions and the sauna event went well.

Chair

The meeting ended at 3.23 pm

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.