



## Public Document Pack

North Devon Council  
Brynsworthy Environment Centre  
Barnstaple  
North Devon EX31 3NP

K. Miles  
Chief Executive.

### HARBOUR BOARD

A meeting of the Harbour Board will be held in the Platinum Room - Larkstone Water Sports Hub on **TUESDAY, 6TH FEBRUARY, 2024 at 2.00 pm.**

Members of the Harbour Board

Councillor Wilkinson (Chair)

Councillors Turton, Williams and Wilson

Co-opted Members:

Martin Cleary, Bert Gear, Tim Gibbs and Nigel Thomas

### AGENDA

1. Apologies for Absence
2. To approve as a correct record the minutes of the meeting held on 7 November 2023 (attached) (Pages 7 - 14)

Subject to the following correction to minute 21 Review of Harbour Charges 2024/25:

RESOLVED that the proposed Harbour increases be consulted on with Stakeholders.

3. Items brought forward which in the opinion of the Chair, should be considered by the meeting as a matter of urgency

4. Declarations of Interest

Please telephone the Corporate and Community Services team to prepare a form for your signature before the meeting. Interests must be re-declared when the item is called. A declaration of interest under the Code of Conduct will be a Disclosable Pecuniary Interest, an Other Registrable Interest or a Non-Registrable Interest. If the item directly relates to your interest you must declare the interest and leave the room for the item, save in the case of Other Registrable Interests or Non-Registrable Interests where you may first speak on the item as a member of the public if provision has been made for the public to speak. If the matter does not directly relate to your interest but still affects it then you must consider whether you are affected to a greater extent than most people and whether a reasonable person would consider your judgement to be clouded, if you are then you must leave the room for the item (although you may speak as a member of the

public if provision has been made for the public to speak) or, if you are not, then you can declare the interest but still take part).

5. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information)

## **PART 'A'**

6. **Quarterly Designated Person Port Marine Safety Code Audit Report - Ilfracombe and Lynmouth Harbours** (Pages 15 - 18)  
Report by Health and Safety Advisor (attached)
7. **Harbour Charges review 2024/25** (Pages 19 - 30)  
Report by Harbour Master (attached)
8. **Marine Safety Plan** (Pages 31 - 38)  
Report by Harbour Master (attached)
9. **Aids to Navigation**  
Harbour Master to report.
10. **Infrastructure Update**  
Harbour Master to report.  
  - (a) Environmental Consideration  
Harbour Master to report.
11. **Future Projects**  
Harbour Master to report.
12. **Harbour Community Forum**  
Harbour Master to report.
13. **Lynton and Lynmouth Town Council Harbour Sub-Committee minutes** (Pages 39 - 40)  
Report by Lynton and Lynmouth Town Clerk (attached)

## **PART 'B'**

Nil

**If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253**

29.01.24



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The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

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**NORTH DEVON COUNCIL**

Minutes of a meeting of Harbour Board held in the Platinum Room - Larkstone Water Sports Hub on Tuesday, 7th November, 2023 at 2.00 pm

PRESENT: Members:

Councillor Wilkinson (Chair)

Councillors Turton, Williams and Wilson

Co-opted Members Martyn Cleary, Tim Gibbs and Nigel Thomas

Officers:

Iffracombe Harbour Master and Director of Resources and Deputy Chief Executive

**14. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Independent Member Bert Gear.

**15. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 8 AUGUST 2023**

RESOLVED that the minutes of the meeting held on 8 August 2023 (circulated previously) be approved as a correct record and signed by the Chair.

**16. 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.

**17. DECLARATIONS OF INTEREST**

There no declarations of interest announced.

**18. ILFRACOMBE AND LYNMOUTH HARBOUR'S BUDGET TRADING ACCOUNTS**

The Board considered the Iffracombe and Lynmouth Harbour's Budget Trading Accounts (circulated previously).

The Director of Resources and Deputy Chief Executive highlighted the following:

- The Iffracombe accounts showed an additional £67,000 spend added to the 2023/24 projected cost. This was funded from Council harbour reserves to cover planned additional works being carried out by the Harbour Master.

- The cost and income received from providing fuel for the boats had also added to the analysis of harbour budget.
- Income from capital funding for projects was not shown.
- Expenditure for Lynmouth had been slightly higher due to additional expenses such as provision of new solar navigation lights.

RESOLVED that the budget accounts be noted.

**19. 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 Director of Resources and Designated Person highlighted the following:

- The quarterly audits were carried out at both harbours on 19 October 2023.

Actions completed since last visit – Ilfracombe

- A contractor was working at Old Quay Head replacing cracked stone facing. Some further pointing on the stonework would complete the works.
- The works along Quay Road had been completed with removal of top rails and waste bins. New mooring rings and new ladders had been fitted.
- An external Engineer's report in relation to the cracked concrete beam between the First Landing and the Pier had been received. Monitoring of the situation would continue. The Council's Senior Engineer had responded to the report's findings to clarify the long term situation.
- A drone survey had been carried out of the Pier Car park surface. This was carried out on 6 July 2023 and would provide a baseline assessment of the state of the surface. Once boats had returned to the water, March 2024, a further survey would be carried out.
- An incident regarding a member of the public falling into the water at the Cove area had been investigated but no further action was required.

Risk Management – Ilfracombe

- ABPmer carried out the three yearly external harbour audit in June 2023. The final report had been received with no non-compliances noted.
- An internal audit of the following topics was undertaken this quarter. There were no non-compliances or non-conformities:
  - Legislation, (Acts, Harbour Revision Orders, Byelaws) and Directions,
  - Conservancy (survey, dredging),
  - Duty Holder and Designated Person Function; and
  - Competency and Training.
- There had been a hold up on the fitting of new composite handrails along the RNLI steps, the old Slipway and the Water Sports Centre Slipway due to the Environment Agency querying ownership.



- The Harbour Master met with the Environment Agency on 20 October 2023, and the issue had been resolved. The Council would continue with the replacement works.
- A quote had been received for remedial works on the joints between the concrete landings and the slabs on the steps on East Face Quay and Old Head Quay.
- Edge protection risks for Old Quay Head were still being considered. It had been established there was no Public Right of Way along Old Quay Head. It was being proposed to install a code-accessed gate to enable access for those who required it for work purposes.
- The bulged wall at Stone Bench had not deteriorated any further and the catchment netting was working to limit movement. The wall would be kept under observation.
- Incidents of teenagers climbing on the Verity plinth and using one of the books on the plinth as a slide had been observed. The risk of falling in to the sea from the plinth has been considered and in the first instance larger signs advising that the plinth was not to be accessed due to safety reasons, would be installed on the railings and the current smaller sign removed. If this did not have the desired effect, consideration would be given to fixing anti-climb netting over the railings in this area.

### Actions completed since last visit – Lynmouth

- The new Solar Aids to Navigation lights had been installed and the unmetered electrical supply had been disconnected. The Harbour Master had informed the UK Hydrographic Office and Trinity House that the works had been completed.
- The new Aids to Navigation had been signed up to the Local Aids Navigation Reporting System (LARS), under the Harbour Master for Ilfracombe, to enable Lynmouth to fulfil the responsibility to maintain records of aids to navigation availability.
- The responsibility regarding the movement of the Sea Defence Boulders rested with Devon County Council, no further action was required by North Devon Council or Lynton and Lynmouth Town Council.

### Risk Management – Lynmouth

- The three yearly, external harbour audit was carried out by ABPmer in June 2023. The final report had been received with some non-compliances noted:
  - The Lynmouth Harbour Safety Management System document did not contain any safety performance of Key Performance Indicators expectations.
  - The Lynmouth Harbour Safety Management System document did not contain a policy on training revalidation or maintenance of qualifications.
  - The Organisation could not evaluate the objectives of the plan (as seen in section 2.2 of the Lynmouth Harbour Safety Management System) as none were set.

- There was no Harbour Environment Policy or guidance to port users on minimising damage to the marine environment for Lynmouth.
- These non-compliances could be addressed with revisions to policies and plans making them fit for purpose for Lynmouth Harbour and minor changes to the Safety Management System document.
- An internal audit of the following topics was undertaken this quarter, although some matters did not apply, given the current non-statutory status of the harbour there were some non-compliances with regards to training requirements and documentation, as were reported in the external audit report:
  - Legislation, (Acts, Harbour Revision Orders, Byelaws) and Directions,
  - Conservancy (survey, dredging),
  - Duty Holder and Designated Person Function; and
  - Competency and Training.
- The Lynmouth Marine Safety Management System (v.7 Feb 2023) was still required to be made available on the North Devon Council website.
- The public consultation for a Harbour Empowerment Order, which would confirm North Devon Council as the Statutory Harbour Authority for Lynmouth had now closed and the legal process was continuing.
- Health and Safety at Ilfracombe Harbour continued to be proactively managed by the Harbour Master, with many works now completed.
- The Status of Lynmouth Harbour as a Statutory Harbour Authority was still progressing and as such there were still some aspects of the Port Marine Safety Code that did not apply.

The Chair congratulated the Harbour Master and Team for their hard work.

RESOLVED that the findings of the Quarterly Designated Person Port Marine Safety Code Audit report be noted.

**20. DESIGNATED PERSONS ANNUAL REPORT 2023**

The Board considered a report by the Harbour Master (circulated previously) regarding the Designated Persons Annual Report 2023.

The Harbour Master highlighted the following:

- The report showed that a lot of work on projects had been carried out over the past year. The investment of funding had been used well.
- The majority of the works had been carried out at the Cove.
- Positive feedback had been received from users of the new facilities at the Water Sports Centre.

RESOLVED that the 2023 annual report was accepted and compliant with the code.

**21. HARBOUR CHARGES REVIEW 2024/25**

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

The Harbour Master advised that despite prices going up the charges were lower than a lot of other areas in Devon.

RECOMMENDED to Council that the mooring dues be increased by 5.0% and relevant miscellaneous charges be increased by 10%.

**22. PORT MARINE SAFETY CODE - AUDIT LYNMOUTH HARBOUR 2023**

The Board considered an ABP Mer report (circulated previously) regarding the Port Marine Safety Code Audit of Lynmouth Harbour 2023.

The Harbour Master advised the Board that the four non-compliances found at Lynmouth Harbour could be rectified.

RESOLVED that the findings in the ABPmer report external audit be noted.

**23. MARINE SAFETY PLAN**

The Board received an update from the Harbour Master regarding the Marine Safety Plan.

The Harbour Master advised that the Marine Safety Plan was renewed every three years and was due for its renewal next year, 2024.

**24. AIDS TO NAVIGATION**

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

The Harbour Master advised the following:

- Ilfracombe Harbour now had four solar lights.
- A mobile phone app linked to the solar lights updated the Harbour Master daily via a satellite update.
- Trinity House were fully informed of the new system and were happy.
- The Harbour Master was looking to have updates sent through to the rest of the team so in her absence updates could still be received and actioned if needed.

**25. INFRASTRUCTURE UPDATE**

The Board received an update from the Harbour Master regarding Infrastructure.

The Harbour Master provided the following updates:

- A claim had been made to install the remaining two sets of gates.
- The new line of Marine Management Organisation's funding would be available from January 2024.
- Buoys designating the swimming area in Larkstone Cove were to be deployed in the spring of 2024 and once their optimal positioning had been established they could be fixed to the seabed with helix screws.

In response to questions, the Harbour Master gave the following replies:

- The figure obtained from funding could be added to the budget accounts to be reported at future meetings.
- It might be possible to move the bin situated at Verity to Wildermouth Beach area next year.

**26. ENVIRONMENTAL CONSIDERATION**

There were no updates given.

**27. RED DIESEL**

In response to a question, from Councillor Wilson regarding a future strategy for alternatives to red diesel fuel.

The Harbour Master advised the Board of the following:

- The last review of the use of Red Diesel was carried out when the Government were planning to stop the use of red diesel for pleasure users.
- It was found that most of the older commercial vessels could not easily have their engines converted to take a different fuel type.
- Rebated fuel contained a mix of chemicals, including a red dye marker, to distinguish it from white diesel, to prevent people from using it to fuel road-going vehicles.
- Rebated diesel also included rebated biodiesel and hydro treated vegetable oil (HVO) – diesel-quality fuels derived from biomass, also including red dye.
- For the year 01/04/2022 to 31/03/2023 the following litres of fuel had been used from the two pumps at Ilfracombe Harbour:
  - Pump one 69,911 litres; and
  - Pump two 392,835 litres
- The majority of users of red diesel were commercial and day-tripper vessels.
- To reduce North Devon Council's carbon footprint the fuel supply would have to be out-sourced to an external supplier.
- If the fuel pumps were to be replaced consideration would be given to providing a new fuel system that was able to adapt to changes in fuel types.

**28. FUTURE PROJECTS**

The Board received an update from the Harbour Master regarding Future Projects.

The Harbour Master gave the following updates:

- There were no plans for projects in the following year.
- Consolidation of all the projects carried out over this past year was needed before looking forward.
- Once the Ilfracombe Sea Basin (Verity pool) was finished a study of demand and usage at Stone Bench would be carried out.
- Users of the Basin, located by the Verity statue, would need to be a signed up member of a club and could only use the Basin when that club was scheduled to be there. To sign up for a club was free and would permit use of the Basin.
- The Harbour Master would be investigating the requirement for water quality testing and whether an independent test could be used as a valid assessment of water quality. Locations not registered with the Environment Agency would not be tested by them.

**29.            HARBOUR COMMUNITY FORUM**

The Ilfracombe Harbour Community Forum had been dissolved and the Harbour Master was looking at the setting up of a Harbour Advisory Committee.

Chair

The meeting ended at 3.15 pm

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

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## HARBOUR BOARD MEETING: 6<sup>th</sup> February 2024

### Quarterly Designated Person Port Marine Safety Code Audit Report – Ilfracombe & Lynmouth Harbours

**Ilfracombe - 25<sup>th</sup> January 2024** Captain Georgina Carlo-Paat (Harbour Master)  
Jon Triggs (Director of Resources & Deputy Chief Executive)  
Pamela Charles (Contract/Temporary H&S Adviser)  
Tara Jenkins (Senior Engineer - unable to attend)

**Lynmouth - 25<sup>th</sup> January 2024** Captain Georgina Carlo-Paat (Harbour Master)  
Jon Triggs (Director of Resources & Deputy Chief Executive)  
Kevin Harris (Lynton & Lynmouth Town Council, Town Clerk)  
Pamela Charles (Contract/Temporary - H&S Adviser)  
Tara Jenkins (Senior Engineer- unable to attend)

### 1. PURPOSE OF REPORT

- 1.1 To advise Members of the Harbour Board of the outcome of the quarterly audits.
- 1.2 The quarterly audits are carried out to fulfil the responsibility placed upon the Designated Person (DP) to ensure the Marine Safety Management System is working correctly in compliance of the Port Marine Safety Code.

### 2. ACTIONS COMPLETED FROM PREVIOUS INSPECTIONS- ILFRACOMBE

- 2.1 The work to repair the cracked stone facing on Old Quay Head was completed on 22<sup>nd</sup> on November 2023.
- 2.2 The matter of the proposed sea pool was discussed at the Council Health, Safety and Welfare Committee on 21<sup>st</sup> November 2023. It was agreed that external legal advice should be sought as to the Council's liabilities as the asset owner. NDC legal department will seek the external advice and then a decision can be made depending on the advice received.
- 2.3 It was determined that the handrails along the RNLI steps were owned by North Devon Council. These hand rails along with those on the old Slipway and the Watersports Centre Slipway have now been replaced with composite handrails.

### 3. RISK MANAGEMENT- ILFRACOMBE

- 3.1 An internal audit of the following topics was carried out this quarter. There were non-compliances in audits (ii) and (iv) with regards to the lack of a Harbour Forum, The Harbour Master is aware of these non-compliances and is endeavouring to resolve the matter by trying to establish a new Harbour Advisory Committee.

- (i) Environmental Duty
- (ii) Risk Assessment - *best conducted by utilising user groups or representatives*

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*who use the harbour or facility regularly. This helps to ensure that practical and relevant experience can be captured, promotes good consultation and demonstrates the organisation's commitment to engaging with users*

- (iii) Incident Reporting and Investigation
  - (iv) Plans & Reporting/Consensus & Monitoring- *notwithstanding the duties and powers the organisation may have, it should seek to maintain a consensus about safe navigation in its harbour facility with users and service providers as far as is possible -*
  - (iv) Harbour owned/operated craft – *Not currently applicable*
- 3.3 The Senior Engineer is still waiting for a response from the external Engineer, to her query as to whether the works suggested to the concrete beam between the First Landing and the Pier above which is showing signs of cracks in the section above the steps, will resolve the problem long term or just prevent further deterioration. The Harbour Master will contact the external Engineer to expedite a response.
- 3.4 Work to remedy the sinking joints between the concrete landings and the slabs on the steps on East Face Quay and Old Head is still programmed to be carried out in April 2024. There is an ongoing trip hazard until the works are completed.
- 3.5 Some chunks of concrete have come out from the First Landing due to sea action, but this is not affecting the structural integrity.
- 3.6 The bulged wall at Stone Bench is continuing to be monitored and whilst it has not deteriorated any further and the catchment netting is working to limit movement, one of the stones has moved out through the netting. This is not thought to be affecting the structure of the wall. Funds are in place should work be required, but re-tendering would be required if works are needed.
- 3.7 In another area of Stone Bench, it has been noted that a section of concrete has sheered from the pier. The Senior Engineer has inspected the area and noted a number of potentially significant defects in this area. Costs have been sought for a full inspection and report, and are likely to be significant. The Senior Engineer has discussed the matter with a consultant who is familiar with the area, and they have offered to undertake an initial inspection for free. This will be carried out within the next few weeks. The result of this initial inspection will determine what action is to be taken next.
- 3.8 The Cove netting works project has now been re-tendered, and the tenders are in the process of being evaluated but are likely to have been awarded by the time the Harbour Board meets. Work is likely to begin on site by mid-February 2024.
- 3.9 Edge Protection risks for Old Quay Head have been considered and it has been decided to paint a yellow line along the row of stones that already marks the start of the working area, and install a sign by this line which states that beyond the line is a working area, and the line must not be crossed by members of the public.
- 3.10 Edge Protection risks on the Cove side have been considered and the working area will be marked with wording to indicate there is no public access to the working area. The pedestrian crossing, directing pedestrians to the marked footpath will be reinstated.
- 3.11 With regards to the Incidents of teenagers climbing on the Verity plinth and using one of the books on the plinth as a slide, signs have been procured to attach to the railings advising that climbing on the statue is not permitted. The signs have not yet



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been installed as no suitable clips have been provided. Once the signs are in place the situation will be kept under review to see if they have had the desired effect.

- 3.12 Trinity House will be visiting Ilfracombe Harbour on 26<sup>th</sup> February 2024 to check the Aids to Navigation are compliant.

## 4. ACTIONS COMPLETED FROM PREVIOUS INSPECTIONS- LYNMOUTH

- 4.1 The Lynmouth Marine Safety Management System (V.7 Feb 2023) is now available on the Council website.
- 4.2 Harbour Environmental Management Plan (V.1 Jan 2024) has now been documented and made available on the Council website.
- 4.3 The Lynmouth Bay Coastal Study has been tendered and awarded to Royal Haskoning DHV. The Senior Engineer has met with the company to discuss the requirements, and is awaiting their programme upon signing of the Contract.
- 4.4 With regards to the movement of the Sea Defence Boulders, there is a legal impasse whereby NDC and Lynton Town Council have agreed to contribute to funding the work, but Devon County Council has not agreed to until ownership is established.

## 4. RISK MANAGEMENT – LYNMOUTH

- 5.1 Some issues are still outstanding from the three yearly, external harbour audit which was carried out by ABPmer in June 2023.
- (i) The Lynmouth Harbour Safety Management System document does not contain any safety performance or Key Performance Indicators (KPI) expectations. This issue also came up in this quarter's internal audit (iv), see para 5.2 below. It has been agreed that the Town Clerk will document some Standing Targets and Period Targets in alignment with those documented for Ilfracombe Harbour.
  - (ii) The Lynmouth Harbour Safety Management System document does not contain a policy on training, revalidation or maintenance of qualifications. It has been agreed that the Town Clerk will document a training policy.
- 5.2 An internal audit of the following topics was carried out this quarter. There were some non-compliances with regards to audit (ii) with regards to lack of training of the Town Clerk in Marine Risk Assessment and audit (iv) with regards to the lack of assessment of the organisation's performance against the safety plan, see para 5.1 (i) above.
- (i) Environmental Duty
  - (ii) Risk Assessment
  - (iii) Incident Reporting and Investigation
  - (iv) Plans & Reporting/Consensus & Monitoring
  - (v) Harbour owned/operated craft- *Not currently applicable*
- 5.2 The new Solar Aids to Navigation (AtoN) lights are set to flashing rather than steady as is required, due to the internal switch being set incorrectly when installed. This can be rectified by resetting the switch but this will require the lights to be lowered. The Harbour Master has this task in hand.

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- 5.3 An issue has arisen with some of the Solar AtoN lights not getting enough sun during the winter months to enable them to operate fully through the hours of darkness. These AtoN will require to be slightly repositioned to ensure they get maximum sunlight. The AtoN will still be compliant.
- 5.5 Trinity House will be visiting Lynmouth Harbour on 26<sup>th</sup> February 2024 to check the Aids to Navigation are compliant.
- 5.6 The public consultation for a Harbour Empowerment Order, which will confirm North Devon Council as the Statutory Harbour Authority for Lynmouth has now closed but there were a number of objectors. The Harbour Master, Town Clerk and Designated Person will meet with Ashfords lawyer on 9<sup>th</sup> February to discuss the representations that have been made and determine the next steps in the process.
- 5.7 Issues with damage to the stone surface & copings along the harbour arm and the slipway have been identified by the Senior Engineer, which will need to be repaired in Spring 2024.
- 5.8 The stone steps (Rising Sun) require some remedial work.
- 5.9 Some stones on the edge of the slip way have been identified as requiring remedial work.
- 5.10 Arrangements are being made for the dredging of the slipway and entrance channels and for debris on the harbour floor to be removed

## **6. CONCLUSIONS**

- 6.1 Health and Safety at Ilfracombe Harbour continues to be proactively managed by the Harbour Master, with many works now completed although some are ongoing, due to their nature.
- 6.2 The status of Lynmouth Harbour as a Statutory Harbour Authority is still progressing and therefore there are still some aspects of the Port Marine Safety Code which do not apply. Much work has been carried out in Lynmouth, although documentation and training remain issues to be completed. Some new risks have arisen which are being attended to.

Pamela Charles  
Contract/Temporary H&S Adviser  
January 2024



## North Devon Council

Report Date: Tuesday, 6 February 2024

Topic: Harbour Charges Review 2024/25

Report by: Ilfracombe Harbour Master

### 1. INTRODUCTION

- 1.1. The Harbour Board have delegated authority to recommend changes to Harbour mooring and relevant miscellaneous charges to Full Council and it is considered that there are sufficient grounds to raise Harbour charges for the 2024-2025 season.
- 1.2. Rising maintenance costs and continuing pressure on the public purse require due consideration.

### 2. RECOMMENDATIONS

- 2.1. It is recommended that all mooring dues are increased by 5.0% and relevant miscellaneous charges are increased by 10%

### 3. REASONS FOR RECOMMENDATIONS

- 3.1. The continuing rises in the cost to repair, upgrade and to maintain the Harbour facilities for stakeholders and visitors have been mainly borne by NDC resources. It is felt that users of the Harbour and its facilities should continue to help bear part of these incurred costs

### 4. REPORT

- 4.1. Harbour charges are reviewed annually by the Harbour Board. The CPI for September 2023 was 6.3% and this is reflected in the recommendation of charges for the coming financial year.
- 4.2. The relevant miscellaneous charges to be increased are predominantly the visiting vessels dues and launch fees. The additional increase is to help bring the Harbour more in line with the majority of the other South West harbours, and also to cover the additional repair costs caused mainly by the visiting vessels unfamiliar with the unique characteristics of Ilfracombe Harbour.
- 4.3. It is recommended that some charges are rounded to enable easier on site collection.
- 4.4. Options Considered :
  - 4.4.1. Hold Charges at 2023-24 rates for all charges.
- 4.5. Reasons for rejecting options :
  - 4.5.1. Rejecting 4.3.1, holding charges at 2023-24 rates has been rejected as it fails to take into account the increasing financial burden of Harbour costs and improving services.



## 4.6. Consultation:

4.6.1. Consultation was held with the Harbour Users from 10<sup>th</sup> to the 20<sup>th</sup> November 2023.

4.6.2. Responses received were in overall acceptance of the proposals in this report, the responses received are included for consideration.

4.6.3.

Responses from Private boat owners,

*'Sounds fine to me',*

*'as facilities and other investments are gradually improving the harbour's offer, I don't have a problem with the Board's recommendations'*

*'Can't argue with that',*

*'that sounds very fair, all most 2% under inflation. I would of expected it to be higher',*

Reponses from the Waverley and Oldenburg Operators,

*' Thanks for letting me know. With Waverley any charitable rate is appreciated since we are not-for-profit and rely on public donations to keep sailing. ,*

*' 5% for Oldenburg seems reasonable'*

Response from S&P Trawlers Ltd,

*'Obviously I can understand the need to increase the overall charges as nothing ever seems to come down only ever go up nowadays, but if I can ask you to voice my concerns on behalf of S&P Trawlers Ltd at your next meeting. Before considering a 5% rise I thought it only right to let you know that we have just faced the most challenging times in nearly 40 years of fishing, with the highest interest rate since the late 80's, fuel at a record high, the burden of more regulations from MCA, and also heavy restrictions already put upon us from the MMO, have made it almost impossible for our companies to make any money whatsoever.*

*A good result for us at the minute is just to stay in credit let alone make any profit and I really am telling you the truth, the challenges have been unbelievable. I can't say I have ever gone through anything like this before, it is almost like the perfect financial storm.*

*I know these are not your problems and you also have got ever increasing costs. I anticipate that we have got a difficult and challenging 2024 ahead*



*of us and my intentions as always is to do my best to make sure S&P Trawlers can continue trading but would appreciate that any decrease on the 5% proposal can only help.'*

#### 4.7. Conclusion :

4.7.1. The income generated by the Harbour needs to increase to keep pace with inflation and increasing maintenance and service provision costs.

4.7.2. This is not considered to be a key decision

#### 5. RESOURCE IMPLICATIONS

5.1. The recommendation will increase revenue in line with the rate of inflation and will help Ilfracombe Harbour to keep in touch with its competitors.

#### 6. EQUALITIES ASSESSMENT

6.1. There are no equalities implications anticipated as a result of this report

#### 7. ENVIRONMENTAL ASSESSMENT

7.1. Having undertaken the Environmental Assessment Checklist. There are no environmental implications arising from these policy proposals

#### 8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: Positive

8.1.2. Improving customer focus and/or : Positive

8.1.3. Regeneration or economic development Positive

#### 9. CONSTITUTIONAL CONTEXT

9.1. Article of Part 3 Annexe 1 paragraph: 1

9.2. Delegated power

#### 10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

#### 11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

11.1 2023-24 Harbour Charges



## 12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers

Capt. Georgina Carlo-Paat MBE, Ilfracombe Harbour Master

# ILFRACOMBE HARBOUR

## Charges 2023 – 2024

### MOORING LICENCE HOLDERS

	<u>Per ft.(loa)</u>	<u>Per metre(loa)</u>
<b><u>Ground Moorings</u></b>		
Under 14ft Beam per annum	£20.16	£66.14
14ft or Over Beam per annum	£25.17	£82.57
<b><u>Commercial Vessels with Ground Moorings</u></b>		
Under 14ft Beam per annum	£23.87	£78.27
14ft or Over Beam per annum	£29.89	£98.03
<b><u>Fishing Vessels with Harbour Wall Moorings</u></b>		
Under 14ft Beam per annum	£31.53	£103.41
14ft or Over Beam per annum	£39.40	£129.31
<b><u>Commercial Vessels Carrying More than 12 Passengers with Wall Moorings</u></b>		
Under 14ft Beam per annum	£32.60	£106.95
14ft or Over Beam per annum	£41.63	£136.51
<b><u>Rowing Boats (with no other means of propulsion)</u></b>		
	£10.08	£33.06

### VISITING VESSELS

<u>Visiting Boats</u>	<u>Per ft.(loa)</u>	<u>Per metre(loa)</u>
Per day	£ 0.60	£ 1.97
Per week	£ 3.65	£ 11.95
Per fortnight	£ 6.40	£ 21.00
Per 21 days	£ 9.00	£ 29.40
Per month	£ 12.30	£ 40.30
Per summer (3 months)	£ 31.15	£ 102.10

# ILFRACOMBE HARBOUR

Appendix a

## Charges 2023 – 2024

### PASSENGER VESSELS

#### Mooring Fees for Passenger Vessels (overnight stop only)

Per day	£0.55
---------	-------

#### Harbour Dues for Passenger Vessels (per visit)

Per GRT	£0.09
---------	-------

Per PAX	£0.39
---------	-------

(The GRT element of Harbour Dues is not paid if remaining alongside overnight when mooring fees become payable)

### MISCELLANEOUS CHARGES

#### Stop and Shop

< 4 Hours	£8.00
-----------	-------

#### Cargo

Per Tonne Loaded/disembarked	£0.94
------------------------------	-------

#### Launch Charge (no trailer)

Per day	£9.50
---------	-------

Per week	£28.50
----------	--------

Six Monthly	£92.00
-------------	--------

#### Launch + Trailer Park

Per day	£14.50
---------	--------

Per week (Day Use)	£63.50
--------------------	--------

Six Monthly (Day Use)	£140.00
-----------------------	---------

Annual Permanent Storage	£243.45
--------------------------	---------



# ILFRACOMBE HARBOUR

## Charges 2023 – 2024

Dinghy for Mooring Licence Holder	Per annum	£70.00
Kayaks or Non Licence Holder Dinghy	Per annum	£80.00

### Electricity

Cables (with marine connections) Available on request

### Water

Hoses (with Harbour connector) Available on request

### Winter Storage for Boats (Non mooring licence holders)

Contact Harbour Office for availability

### **Note:**

Harbour Charges are payable within the Harbour Authority area in accordance with and under the provisions of The Harbours Act 1964 ss. 26-31.

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# ILFRACOMBE HARBOUR

## Charges 2024 – 2025

### MOORING LICENCE HOLDERS

	<u>Per ft.(loa)</u>	<u>Per metre(loa)</u>
<b><u>Ground Moorings</u></b>		
Under 14ft Beam per annum	£21.17	£69.45
14ft or Over Beam per annum	£26.43	£86.70
<b><u>Commercial Vessels with Ground Moorings</u></b>		
Under 14ft Beam per annum	£25.07	£82.19
14ft or Over Beam per annum	£31.39	£102.93
<b><u>Fishing Vessels with Harbour Wall Moorings</u></b>		
Under 14ft Beam per annum	£33.11	£108.58
14ft or Over Beam per annum	£41.37	£135.78
<b><u>Commercial Vessels Carrying More than 12 Passengers with Wall Moorings</u></b>		
Under 14ft Beam per annum	£34.23	£112.30
14ft or Over Beam per annum	£43.71	£139.93
<b><u>Rowing Boats (with no other means of propulsion)</u></b>		
	£10.58	£34.71

### VISITING VESSELS

<u>Visiting Boats</u>	<u>Per ft.(loa)</u>	<u>Per metre(loa)</u>
Per day	£ 0.66	£ 2.17
Per week	£ 4.02	£13.15
Per fortnight	£ 7.04	£ 23.10
Per 21 days	£ 9.90	£ 32.34
Per month	£ 13.53	£ 44.33
Per summer (3 months)	£ 34.27	£ 112.31

# ILFRACOMBE HARBOUR

## Charges 2024 – 2025

### PASSENGER VESSELS

#### Mooring Fees for Passenger Vessels (overnight stop only)

Per day Per Foot	£0.57
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#### Harbour Dues for Passenger Vessels (per visit)

Per GRT	£0.09
---------	-------

Per PAX	£0.41
---------	-------

(The GRT element of Harbour Dues is not paid if remaining alongside overnight when mooring fees become payable)

### MISCELLANEOUS CHARGES

#### Stop and Shop

< 4 Hours	£8.80
-----------	-------

#### Cargo

Per Tonne Loaded/disembarked	£0.99
------------------------------	-------

#### Launch Charge (no trailer)

Per day	£10.00
---------	--------

Per week	£70.00
----------	--------

Six Monthly	£92.00
-------------	--------

#### Launch + Trailer Park

Per day	£14.50
---------	--------

Per week (Day Use)	£63.50
--------------------	--------

Annual (Day Use)	£154.00
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# ILFRACOMBE HARBOUR

## Charges 2024 – 2025

Dinghy for Mooring Licence Holder	Per annum	£70.00
Kayaks or Non Licence Holder Dinghy	Per annum	£80.00

### Electricity

Cables (with marine connections) Available on request

### Water

Hoses (with Harbour connector) Available on request

### Winter Storage for Boats (Non mooring licence holders)

Contact Harbour Office for availability

### **Note:**

Harbour Charges are payable within the Harbour Authority area in accordance with and under the provisions of The Harbours Act 1964 ss. 26-31.

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## **North Devon Council**

Report Date: Tuesday, 6 February 2024

Topic: Marine Safety Plan

Report by: Harbour Master

### **1. INTRODUCTION**

1.1. Under the Port Marine Safety Code (PMSC) it is a requirement for the compliance that the Harbours produce and publish a Marine Safety Plan laying out an overview of safety management and objectives for a 3-year period.

1.2. The current plan that is in place has now reached its 3 year lifespan and a new plan covering the time frame 2024- 2027 is required to replace this.

### **2. RECOMMENDATIONS**

2.1. That the board and duty holder adopts the Marine Safety Plan as proposed

### **3. REASONS FOR RECOMMENDATIONS**

3.1. To ensure the continued compliance with the PMSC and to show that Ilfracombe Harbour is following industry best practice.

### **4. REPORT**

4.1. The Marine Safety Plan in place covers the time period 2021-2024 and there is now the requirement to replace this plan with a new plan for the time period 2024-2027.

### **5. RESOURCE IMPLICATIONS**

5.1. There are no financial or manpower implications contained within the documents.

### **6. EQUALITIES ASSESSMENT**

6.1. There are not any equalities implications anticipated as a result of this report.

### **7. ENVIRONMENTAL ASSESSMENT**

7.1. Having undertaken the Environmental Assessment Checklist, there are no environmental implications arising from this proposal

### **8. CORPORATE PRIORITIES**

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: Neutral

8.1.2. Improving customer focus and/or Positive

8.1.3. Regeneration or economic development Neutral



## 9. CONSTITUTIONAL CONTEXT

9.1. Article of Part 3 Annexe 1 paragraph:1

9.2. Delegated power

## 10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

11.1 Port Marine Safety Code and accompanying Guide to Good Practice

11.2 Marine Safety Plan 2021-2024

## 12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers:

Capt. Georgina Carlo-Paat MBE Ilfracombe Harbour Master





# ILFRACOMBE HARBOUR MARINE SAFETY PLAN

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## 1.0 DOCUMENT CONTROL

This plan is subject to an annual review and periodic amendment as required

Major changes will be issued as a new version with all minor amendments to that version annotated by a decimal point e.g. V2 will become V2.1, V2.2 etc.

Amendment proposals should be sent to the Harbour Master using the following means:

Email: [harbourmaster@northdevon.gov.uk](mailto:harbourmaster@northdevon.gov.uk)

Phone: 01271 862108

Post: Harbour Masters Office, The Quay, The Pier, Ilfracombe EX34 9EQ

## 1.1 RECORD OF REVIEWS & AMENDMENTS

<b>Review (R) Amendment (A)</b>	<b>Date</b>	<b>Description of changes</b>

## 2.0 LEGAL REQUIREMENT

Under the Health and Safety at Work etc. Act 1974 (HSW Act), employers, people in control of premises, the self-employed and employees must ensure the health and safety of others and themselves so far as is reasonably practicable.

## 3.0 INTRODUCTION

In compliance with the requirements of the Port Marine Safety Code (PMSC), The Harbour Board as a committee of North Devon District Council (NDDC) who are the Statutory Harbour Authority and Duty Holders for Ilfracombe harbour, publishes the following Marine Safety Plan for Marine Operations.

This plan is for the period 2024 -2027

In order to conduct marine operations in a safe and effective manner the Harbour Board has in place a more comprehensive overview of the structure and management of Ilfracombe Harbour contained within the Marine Safety Management System (MSMS) through the application of a range of Marine Policies and Procedures.

## 4.0 MARINE POLICIES & PROCEDURES

The Harbour Board have adopted several Policies and Procedures in support of the MSMS and to ensure compliance with the PMSC. These documents are then submitted to NDDC for approval as Duty Holders. All such documents are reviewed regularly, following any changes to operations or following post incident investigation.

A full list of these Policies and Procedures can be obtained on request for the Harbour Office.

## 5.0 MANAGEMENT OF MARINE OPERATIONS

This Marine Safety Plan in conjunction with the Safety Policy commits NDDC and therefore the Harbour Board to undertaking the management and regulation of marine operations within the scope of its powers and authority in a way that safeguards the harbours infrastructure, users of the Harbour, the public and the environment.

Safety is paramount and in managing marine navigation and operations the Harbour Board will undertake its role and responsibilities to ensure that, whenever possible, they provide efficient and effective services to both commercial and leisure vessel movements in the Harbour.

## 6.0 MARINE SAFETY PLAN OBJECTIVES

The following objectives have been set for the three year period ending February 2027.

- To keep under review the powers and duties in order to ensure the harbour can best regulate and conserve safe navigation within its area of jurisdiction.
- The MSMS will be maintained on the basis of a comprehensive risk analysis process following the ALARP (As Low As Reasonably Practicable) principle and a framework for continuous improvement of safety performance.
- Detailed risk assessments both proactive and reactive of new and existing marine operations and services as required and kept under the review schedule.
- The audit schedule as contained within the MSMS by the Designated Person is maintained.
- All audit findings will, in a timely manner, correct any deficiencies and implement any safety enhancements identified.
- All Aids to Navigation are maintained to meet the standards required as set by International Association Lighthouse Authority (IALA) and administered by Trinity House.
- Maintain training and continuing professional development for marine staff.
- Maintain and exercise the Marine Emergency plan and procedures including the Oil Spill Contingency Plan and Business Continuity Plan
- The investigation of all reported marine incidents
- Maintain liaison and consultation with the Harbour Forum and other Harbour users.

## 7.0 MANAGEMENT TARGETS

### 7.1 STANDING TARGETS

No.	Service Provision/Activity	Target
1	Navigational and Marine Incidents	Through reporting, investigation and analysis ensure all risk assessments, procedures and guidelines are appropriate to prevent any major navigation or pollution incident. All Marine Incident Report investigations to be completed within one month.
2	Conservancy & Hydrographic Surveys	<u>Aids to Navigation</u> Meet the availability targets of IALA <u>Hydrographic Surveys</u> Complete monthly NAABSA (Not Always Afloat but Safely Aground) Berth surveys within 10% of due date.
3	Audit MSMS	Ensure Audit schedule is maintained and any deficiencies are rectified in a timely manner or reasons for delay to be reported to the Board on a quarterly basis.
4	Liaison & Consultation with stakeholders	Ensure good communications on Marine safety matters with Harbour user groups  Minimum 75% attendance at Harbour Forum meetings to be achieved.

### 7.2 PERIOD TARGETS

No.	Project /Activity	Target	Completion Date
1	Prepare and implement Incident Management Exercise for Oil Spill Response	No later than 9 <sup>th</sup> March 2025	
2	Set up of new Harbour Advisory Committee	March 2024	
3	Replace for new Harbour owned moorings	March 2026	

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## LYNTON AND LYNMOUTH TOWN COUNCIL

### MINUTES OF A MEETING OF THE HARBOUR SUB-COMMITTEE HELD AT LYNTON TOWN HALL ON WEDNESDAY 24 JANUARY 2024 AT 5.00PM

<b>Present</b>	<b>Councillors</b>
	C Sleep (Chairman)
	A Rodway
<b>Officers</b>	Harbour Master – G Carlo-Paat Town Clerk, Town Council Secretary
<b>Also in attendance:</b>	N Davey M Shute W Bowden T Piper J Kelway R Cluett P Minoli J Gubb Fradgley P Perriam

**1. APOLOGIES for absence**

Apologies were received from Councillor Logan, along with Harbour Users; R Perry, W Bartlett, A Mold, S Pugsley, P Wakeham, M Wakeham, C & S Berry.

**2. PUBLIC QUESTION TIME**

9 Harbour users were present.

N Davey talked about the stranded boat in the harbour.

J Gubb-Fradgley asked whether mooring fees would change this year in light of the Harbour Empowerment order. He also talked about the stonework on the harbour arm, and was told the contractors would be asked to come back and put right.

Town Clerk reported flood defence survey report would be available in June.

Harbour Master reported the Harbour and Esplanade will be valued in March for insurance purposes.

**3. MINUTES**

The minutes of the meeting 1 November 2023 were confirmed as an accurate record and signed as such by the Chair

**4. NDC HARBOUR BOARD**

Harbour board minutes of 7 November are attached to the signed minutes. Next meeting of the Harbour Board will be on 6 February 2024.

**5. MOORINGS ALLOCATION**

Mooring 2 (at the front) is now available as is mooring 62 (at the back of the harbour for a small boat).

## LYNTON AND LYNMOUTH TOWN COUNCIL

### 6. HARBOUR SAFETY & COMPLIANCE

#### a. Slipway

The slipway has been sprayed and cleared of algae (Harbour Master has requested a photo for her records).

### 7. HARBOUR MAINTENANCE

The steps down to the harbour, opposite the Rising Sun have large cracks which are getting bigger. Harbour Master has a solution in the form of a liquid coat which has worked well at Larkstone.

### 8. USERS WORKING GROUP

There were no updates.

### 9. SAILING CLUB

It was reported Raft race will be at end of July or early August. Shanty singers want more shanties and the sauna event went very well. Sailing club have requested they have better access to a key for the electrical cupboard in Rhenish Tower. This would be placed on the next Estates agenda. They also talked about the navigation lights, and were told the power to these (solar) runs out around 1-2am, due to the lack of daylight hours.

### 10. NEXT MEETING

Will be held on Wednesday 24 April 2024, 5pm in Lynton Town Hall

The meeting closed at 5.30pm

Chairman