



HARBOUR BOARD

Annual Report 2020/21

August 2021



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1.0 CHAIRMAN'S' INTRODUCTION

Welcome to our Annual Report for 2020/21, outlining the activities and context of the operations of Ilfracombe and Lynmouth Harbours managed by the North Devon District Council Harbour Board.

As a municipal harbour authority, I believe we are an effective board made all the stronger by the inclusion of non- elected independent members from a range of backgrounds in marine, business and environment, bringing a strong set of skills and broad professional experience, who as an elected member, I consider it very worthwhile to be able to serve alongside.

I would like to thank all of the staff in our Harbours, for their hard work and commitment this past year during these unprecedented times for the dedication shown in the interests of our Harbours, in order to best serve our stakeholders, customers, and the wider North Devon community.

I hope this Annual Report will reflect our Boards' determination to provide viability, accountability, and transparency for the maritime assets we manage.



THE HARBOUR BOARD

The Board consists of eight members, with four being North Devon Councillors and four Independent Board members who are appointed following a skills audit.

The Harbour Board has been set up following best practice which was identified in the Municipal Ports Review and it operates as a committee of the Council. The Harbour Board is a non- executive function and reports to the Full Council.

Its role and function is described in the Memorandum of Understanding (MoU) between the Council and the Board. It is a requirement under the MoU that the Harbour Board will provide an annual report to North Devon District Council on how it is managing the Harbours in a manner that is consistent with relevant policies, plans and legislation.

Over the last twelve months the Harbour Board has considered a number of issues.



PORT MARINE SAFETY CODE

The Port Marine Safety Code (The Code) is primarily aimed at the 'Duty Holder' (i.e. Full Council) who is directly accountable for marine safety in harbour waters.

The Code was updated in November 2016 and sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses or works in the UK port marine environment. It is endorsed by the UK Government, the devolved administrations and representatives from across the maritime sector and whilst a failure to comply is not an offence in itself, a link may be drawn between a failure to implement the principles of the Code and prosecution under the Health and Safety legislation, therefore these bodies have a strong expectation that all harbour authorities will comply.

The Code is intended to be flexible enough so that any size of harbour or marine facility will be able to supply its principles in a way that is appropriate and proportionate to local requirements.

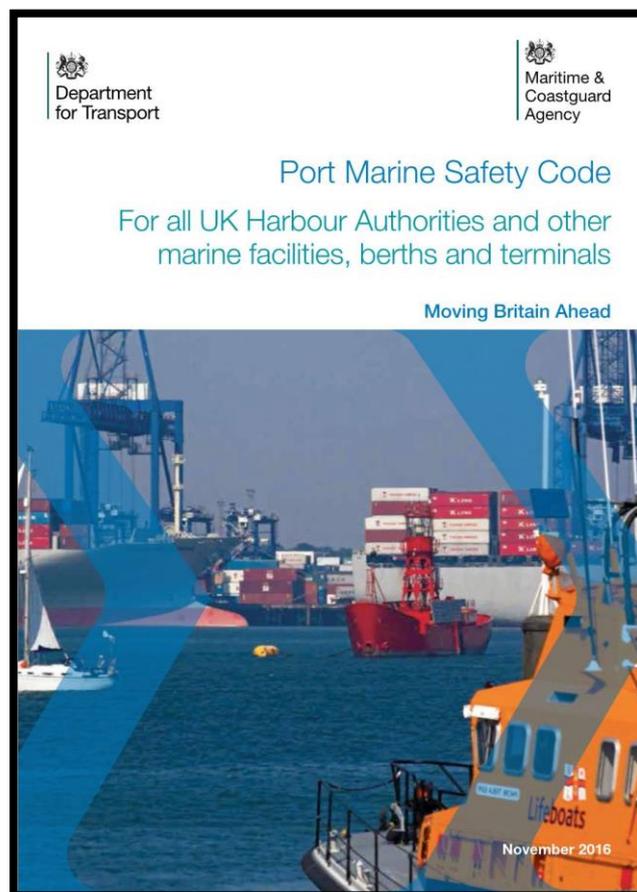
The new Code considers ten key areas which are, Duty Holder, Designated Person, Legislation, Duties and Powers, Risk Assessment, Marine Safety Management System, Review and Audit, Competence, Plan and Aids to Navigation.

The accompanying Guide to Good Practice on Port Marine Operations was updated in April 2018. This guide is intended to support and supplement the Port Marine Safety Code and contains useful information and more detailed guidance on a number of issues relevant to the management of port facilities.

A letter of compliance with the code, which is required every three years, has been sent by the Leader of North Devon District Council to the Maritime Coastguard Agency dated 3rd of February 2021 which is valid until February 2024.

The letter states that under the Code Ilfracombe Harbour meets the standards required and that Lynmouth Harbour does not at this time meet all of the standards required and that we as an authority are actively working towards bringing Lynmouth into full compliance.

Both Harbours underwent the three yearly external audit in 2020 and the findings are being progressively worked through to that end.



PORT FACILITY SECURITY PLAN

Regulation (EC) No. 725/2004 of the European Parliament, together with the Ship and Port Facility (Security) Regulations 2004 and the Ship and Port Facility (Security) (Amendment)

Regulations 2005 are the principle pieces of legislation that have relevance to the International Ship and Port Security (ISPS) Code in the UK.

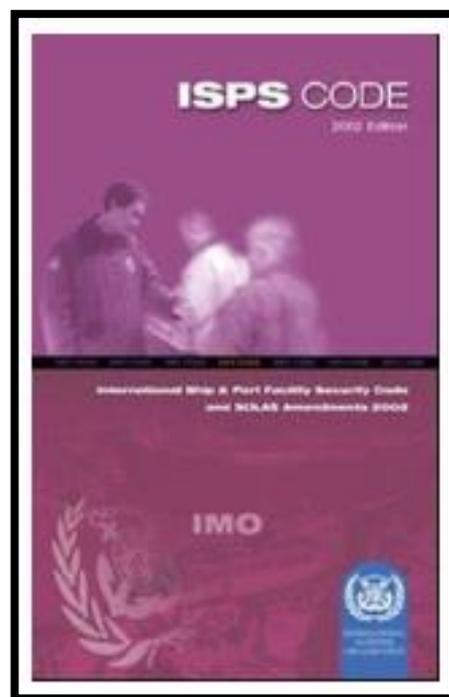
Compliance with this legislation is required for Ilfracombe Harbour by virtue of Ilfracombe being a Cruise Ship Port of Call. The Port Facility Security Plan for Ilfracombe was approved in 2020 and is valid for 5 years. In addition, there is a requirement to have a Port Facility Security Officer (PFSO) which is currently held by the Harbour Master. Under the new regulations published in April 2021 the Deputy PFSO is now required to complete the same training course and to this end the Deputy Harbour Master will be attending the required course this coming December.

To hold compliance the Harbour must hold 4 security drills per 12 months and attend 1 full exercise every 12 months.

As Ilfracombe is classed as a small port by ISPS standards the PFSO complies with this requirement by attending the exercises conducted by Plymouths Port Security Authority.

Ilfracombe is also required to have a Port Security Committee (PSC) with committee meetings held every 6 months. The PSC members consists of Harbour Board members, Border Force, Police, Harbour Users and the Harbour Team.

To date Ilfracombe is in full compliance with the ISPS Code.



OIL SPILL CONTINGENCY PLAN

These five year plans are a requirement under the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 which requires contingency plans for any harbour or oil handling facility offering berths alongside, on buoys or at anchor, to ships of over 400 GT or tankers (oil or chemical) of over 150 GT. Due to Ilfracombe's geographical position, Historical structures and surrounding areas of AONB and SSSI, Ilfracombe Harbour is required to hold an Oil Spill Contingency Plan (OSCP)

There is a need to be capable of responding to a Tier 1 oil spill, together with holding the appropriate stock of equipment, have a formal agreement in place for a Tier 2 response together with adequate training of the required Commanders and 1st Responders and exercising of the plan including a three yearly multi agency exercise.

Ilfracombe's OSCP is due for renewal in May 2022.

The next three yearly exercise is due in March 2022.

Our Tier 2 contractors are Ambipar Response Limited.

Both the Harbour Master and their Deputy are trained 4P Commanders and we have 5 trained 2P 1st Responders.

To date Ilfracombe Harbour is in full compliance with the OSCP requirements.



PORT WASTE MANAGEMENT PLAN

The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 are applicable to any harbour or terminal within the UK. Every harbour authority operator has to provide waste reception facilities adequate to meet the needs of vessels normally using the harbour without undue delay to those vessels.

In addition to the provision of facilities, there is also a requirement to produce Port Waste Management Plans, valid for three years, for the harbours managed by the Council.

Ilfracombe Harbour revalidated their waste management plan in August 2019.

MARINE EMERGENCY PLAN

The Plan is prepared in accordance with the legal obligations placed on authorities that are contained within:

- The Dangerous Substances in Harbour Areas regulations 1987 (Regulations 26,27 and 28)
- Control of Industrial Major Accident Hazard Regulations 1984
- Public Health (Ships) Regulations 1979

Ilfracombe Harbours Emergency Plan is up to date and a multi-agency exercise to test the plan has been organised for September 1st 2021.

DEVELOPMENT STRATEGY 2012-2026

Ilfracombe Harbour Board are committed to keeping its Development Strategy under review and updating it as necessary to provide a current document which informs potential developers and planners. Changing circumstances and recent business successes at the Harbour have identified a need to issue an Addendum to the 2012-2026 Strategy.

The Ilfracombe Harbour Board's Development Strategy is underpinned by 4 main economic drivers, namely;

- To increase the potential for the Harbour to support and take advantage of technological and economic development in the renewable energy sector.
- To provide accommodation for new Harbour related activities and support the flexibility and interchangeability of existing and future Harbour related uses and operations.
- To support tourism and leisure activities in Ilfracombe and the wider North Devon area.
- To ensure that Ilfracombe Harbour retains its ability to function as a viable port and fulfils its role as a Lifeboat base and the only harbour on the North Devon coast with direct access to the open sea.

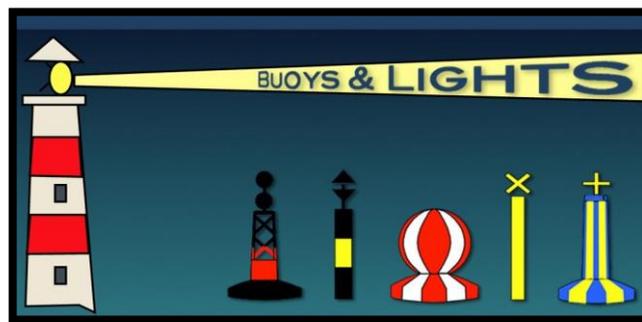
LOCAL AIDS TO NAVIGATION (ATONS)

It is a requirement under the Merchant Shipping Act 1995 (Section 198(1)) that an inspection of the Local Aids to Navigation is carried out annually by an officer from Trinity House Lighthouse Service with any deficiencies corrected and reported back to them.

Both Ilfracombe and Lynmouth Harbour have received clear reports with no deficiencies reported.

Ilfracombe reported one failure in the 2020/21 year that being the Pier Inner light. The Failure was due to the transponder being damaged by an angler casting his line.

Ilfracombe Harbour has a 24hr electrician on call for such a situation and this was repaired in good time to ensure the AtoN did fall below the target as determined by Trinity House and maintained 99.38% availability.



HARBOUR BYELAWS

Harbour Byelaws for the Harbours are an integral part of the Port Marine Safety Code and are required to be reviewed to ensure they are still fit for purpose.

NDC commissioned a powers review in early 2020 using the services of Ashford's LLP, unfortunately with the onset of the Pandemic and the Parliamentary archives closing, and to date they are still closed, this review has yet to be finalised.

ACTIVITIES UNDERTAKEN WITHIN THE HARBOURS

COMMERCIAL

Ilfracombe Harbour has a number of commercial businesses they are divided into commercial fishermen and commercial day trip operators.

There are 8 registered fishing vessels with permanent moorings ranging from 15 to 7 metres in length.

There are 13 day trip vessels with permanent moorings ranging from Scenic Cruises to fast Rib adventures to Diving to day fishing.

All of these businesses have premises and/or storage facilities on the Harbour.

On a seasonal basis the Lundy Ferry and supply vessel The Oldenburg operates out of Ilfracombe and the Lundy Company have offices and storage on the Harbour.

Additionally, the Harbour has a number of marine related businesses catering to the Public, the Sea Aquarium / Café, S&P Fish Shop who sell locally caught produce from their own vessels and Walrus Fisheries who specialise in supplying North Devon Lobsters wholesale.

There are a number of commercial Water sports and Diving companies that use Ilfracombe harbour to operate out of and have storage space allocated.

Over the winter of 2020/21 investment has been made to provide better landing facilities for all commercial operators by installing a new fendering system on the South Pier and opening up new landings.

LEISURE

Ilfracombe Harbour has 63 permanent moorings for leisure vessels which are all allocated with an ever-growing waiting list.

The Harbour is home to a number of clubs they are the Gig Club, Y Sail, Canoe Club and the Sea Cadets. St Georges House have storage space allocated to them on the Harbour and are regular harbour users.

The Harbour has storage facilities for Kayaks and Dinghies which are at full capacity with 43 Kayaks and 18 dinghies currently within the 2 compounds.

Ilfracombe is an attractive destination for visiting yachts and the Harbour averages 845 overnight stays per annum. Due to the Pandemic this was greatly reduced to 492 overnight stays this financial year.

Ilfracombe Harbours Slipway is one of the most accessible slipways on this coast line due to the fact it is also the RNLI slipway and so it is a favourite launch site for Jet Skis and all manner of privately owned watercraft.

As a drying Harbour the inner top end of the Harbour bed regularly becomes a 'beach' and is again a favourite destination, as it dries to soft sand, for families to come for the duration. To this end and to enable order to be kept a local business has been licenced by NDC to rent out deckchairs and this has kept the area clean and tidy when the deckchairs are out.

NDC maintains and manages visiting Yacht shower and toilet facilities situated in the Yacht Club, the usage charge is inclusive of the mooring dues.

In early 2021 NDC applied for and was granted a fund by the Maritime Management Organisation (MMO) for the installation of a new CCTV and Tannoy system which has added a much needed security facility for all within the Harbour demise.

ENVIRONMENT

Ilfracombe Harbour is set within a Voluntary Marine Conservation Area and partly within an Area of Outstanding Natural Beauty and adjacent to a Marine Conservation Zone. Within its boundaries it has Grade 1 and Grade 2 Star listed buildings. It is adjacent to Sites of Special Scientific Interest and County Wildlife Sites and immediately adjacent to the Harbour is a site designated as a Scheduled Ancient Monument. Part of the Harbour footprint includes a section of the North Devon Heritage Coast and a Local Nature Reserve. All of these factors reflect the unique nature of the harbour, its long history and its place in the community.

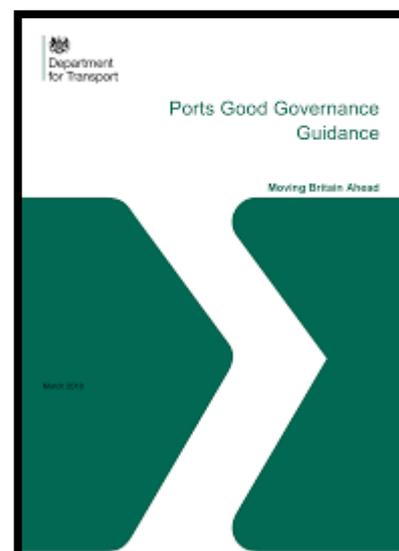
As a Harbour and Public Authority there are certain legal duties that must be upheld contained within the Harbour Act 1964 the Environmental Protection act 1990 and the Natural Environment & Rural Communities Act 2006 amongst others.

To this end Ilfracombe has developed an Environmental Management Plan which is regularly reviewed and is up to date.



PORTS GOOD GOVERNANCE GUIDANCE (MUNICIPAL PORTS REVIEW)

The Department for Transport (DfT) has published the new Ports Good Governance Guidance which is focused on corporate governance for all statutory harbour authorities in England. It includes sections relevant to all types of ports with specific detailed guidance on trust and local authority owned ports. This guidance is for all ports and harbours irrespective of whether they are managed as a trust, municipal or private port.



HARBOUR BOARD REPORTS

During the last twelve months the Harbour Board has considered a number of reports.

- Extension of the Ilfracombe Birdman event from 1 day to 2 days
- The Quarterly Designated Person reports
- Annual Charges review
- Quarterly updates on Aids to Navigation
- Quarterly updates on Harbour Security
- Quarterly updates on Infrastructure
- Quarterly reports from the Ilfracombe Harbour community forum
- Updates on Future Projects
- Ilfracombe Harbour Environmental Management Plan
- Ilfracombe Harbour Marine Emergency Plan
- Ilfracombe Harbour Edge Protection Policy
- Three-month waiver of Harbour Fees
- Report on the External Port Marine Safety Code Audit
- Ilfracombe Harbour Enforcement and Prosecution Policy
- Ilfracombe Harbour Marine Safety Management System
- Ilfracombe Harbour Dangerous Goods Standard Operating Procedures
- Ilfracombe Harbour Training Policy
- Appointment of an independent member to the Harbour Board
- Ilfracombe Harbour Bunkering Standard Operating Procedures
- Ilfracombe Harbour Diving Standard Operating Procedures
- Ilfracombe Harbour Marine Safety Plan
- Lynmouth Harbour Marine Safety Management System
- Traffic Management on Quay Road

3.0 FINANCIAL INFORMATION

SUMMARY PROFIT AND LOSS ACCOUNT AS AT 31 MARCH 2021

ILFRACOMBE HARBOUR

	2020/21	2019/20
Operating Income	(86,824)	(113,535)
Expenditure		
Operating and Maintenance	190,466	247,182
Overheads	46,409	43,737
Total Expenditure	236,875	290,919
Net Deficit/(Surplus)	150,051	177,384

LYNMOUTH HARBOUR

	2020/21	2019/20
Operating Income	(3,807)	(3,416)
Expenditure		
Operating and Maintenance	3,620	5,321
Overheads	20,165	21,555
Total Expenditure	23,785	26,876
Operating Deficit/(Surplus)	19,978	23,460

APPOINTED MEMBERS

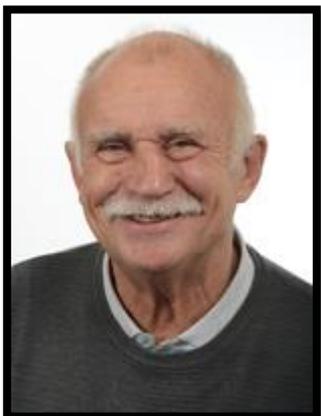


COUNCILLOR GEOFFREY FOWLER

Board Chairman

Party: Liberal Democrats

Ward: Ilfracombe West



COUNCILLOR MALCOLM WILKINSON

Board Vice Chairman

Party: Liberal Democrats

Ward: Morthoe



COUNCILLOR DANIEL TURTON

Party: Conservative

Ward: Ilfracombe East



COUNCILLOR JIM CAMPBELL

Party: Independent

Ward: Ilfracombe East

INDEPENDENT MEMBERS



ILFRACOMBE TOWN COUNCILLOR BERT GEAR

Bert was born in Ilfracombe and is now retired after running his own business in the town for over 20 years.

He has been a town councillor for over 6 years.

Bert is a Trustee for the Ilfracombe Museum, and an Ex-Launch Authority for our RNLI Lifeboat.



MR TIM GIBBS

After a career in the Merchant Navy ending as Chief Engineer, he spent many years working around the world in management with shipowners and shipyards. For the last 15 years he has undertaken a number of voluntary jobs and worked freelance on several large marine projects. He is a Chartered Engineer and a Fellow of the Institute of Marine Engineering, Science & Technology



MR MARTIN J CLEARY MSC

Graduating as a mine surveyor in 1975 was the precursor to his appointment as statutory surveyor at collieries within the Staffordshire and Warwickshire coalfields. Following the closures of deep mines during the 1990's, He then qualified in Civil Engineering and Environmental Management. In the course of which he joined Robert Wynn and Sons, a specialist heavy lift company primarily serving the electricity supply industry and renewable energy sector throughout the UK. In 2001 Martin was appointed Director responsible for many ground breaking projects. Martin retired to Ilfracombe in 2015 where Martin and his wife and carried out a restoration of their Victorian home. Martin is a keen gardener and allotmenteer.



MR NIGEL THOMAS

Nigel was born in Barnstaple and lived 40 plus years in Woolacombe. He trained as a Marine Engineer and went to sea with Shell Tankers. Then working for Appledore Shipyards he worked in Plymouth on Naval contracts. He then moved over to the operation of large jack up rigs, building the Second Severn Crossing and the Antirion bridge in Greece. Transferring back to the oil industry Nigel operated oil rigs in various world-wide locations, finally becoming a Rig Mover, Barge Engineer trainer and commissioner for new builds worldwide. Nigel finally came ashore 4 years ago. Nigel is an avid sailor with a yacht and a small RIB.