

NORTH DEVON COUNCIL

Minutes of a meeting of Harbour Board held at the Ilfracombe Centre - Ilfracombe on Tuesday, 7th February 2023 at 2.00 pm

PRESENT: Members:

Councillor Fowler (Chair)

Councillor Turton

Independent Members:

Martin Cleary, Bert Gear, Tim Gibbs and Nigel Thomas

Officers:

Director of Resources and Deputy Chief Executive and Deputy Ilfracombe Harbour Master

43. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Campbell and Wilkinson.

44. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 15 NOVEMBER 2022

RESOLVED that the minutes of the meeting held on 15 November 2022 (circulated previously) be approved as a correct record and signed by the Chair.

45. DECLARATIONS OF INTEREST

Councillor Fowler declared a personal interest in all items as he was a Trustee of Ilfracombe Yacht Club and he was a boat owner.

46. QUARTERLY DESIGNATED PERSON PORT MARINE SAFETY CODE AUDIT REPORT - ILFRACOMBE AND LYNMOUTH HARBOURS

The Board considered the Quarterly Designated Person Port Marine Safety Code Audit report (circulated previously), by the Health and Safety Advisor.

The Designated person gave the Board the following highlights:

- The quarterly audits were carried out at Ilfracombe and Lynmouth Harbours on 17 January 2023.

- The quarterly audit was carried out to fulfil the responsibility placed upon the Designated Person to ensure the Marine Safety Management System was working correctly in compliance of the Port Marine Safety Code.

Ilfracombe – Actions Completed

- The Senior Engineer had now received a quote for the remedial works to be carried out to the building stonework on Stone Bench.
- A contractor was yet to be appointed to carry out the repair works to the vertical crack in the end wall of Old Quay Head.
- A consultation exercise run by the Harbour Master with local residents regarding the Water Sports Centre had taken place and the Harbour Master had been able to address all concerns that had been raised.

Ilfracombe - Risk Management

- An internal audit of the following topics had been carried out, with one non-conformity of applicable aspects as follows:
 - Environmental Duty.
 - Plans and Reporting, Consensus and Monitoring compliance – Harbour Forum meetings had lapsed since the Covid-19 pandemic. The Harbour Master would address this issue.
 - Incident Reporting and Investigation.
 - Risk Assessment.
 - Harbour owned/operated craft.
- New composite handrails were due to be fitted along the RNLI steps after April 2023.
- New electrical conduit on the Cove works were still outstanding awaiting completion.
- Work to the top rails along the wall on Quay Road and the installation of new Mooring rings for visiting boats was still outstanding. Funding from the Marine Management Organisation (MMO) had been awarded for these works and the items had been ordered. A permit had been issued by the Environment Agency allowing the works to be carried out.
- On 31 March 2023 the Merchant Shipping (Watercraft) Order 2023 will come into effect. This follows a consultation on Strengthening Enforcement of the Dangerous Use of Recreational Personal Watercraft. The Merchant Shipping (Watercraft) Order 2023 was laid before Parliament on 18 January 2023. This Order provided for certain provisions of the Merchant Shipping Act 1995 and of the Harbours Act 1964. As they apply in relation to ships, to apply, in some cases with modifications, in relation to all watercraft, the Harbour Master had applied for a new Harbour Revision Order, which would give the Harbour Authority powers of General Directions, and included Jet Skies under the definition of “vessels”.
- The Warp Shed on Stone Bench required maintenance by the Council. Owing to vandalism, the cladding and doors were to be replaced. Repositioning the doors would enable better access to the shed.

- Duty Holder training would be provided, virtually, to all newly elected Members after 4 May 2023. The training would be run by ABPmer and was a mandatory half-day session.
- The three yearly external harbour audit was due in 2023 and would be carried out by ABPmer.

Lynmouth – Actions Completed

- Remedial work to the quoins along the top edge of the slipway had been completed and signed off by the Senior Engineer.
- The Harbour Master had reviewed the Lynmouth Marine Safety Management System in line with the Ilfracombe Marine Facility.
- The new composite rail for the steps had now been fitted.
- Western Power had reviewed the electrics within the Rhenish Tower and would be renewing them. Western Power had given authorisation to fit a safe socket externally for harbour users to be able to access power without the need for internal access to the Rhenish Tower.

Lynmouth – Risk Management

- An internal audit of the following topics had been carried out, although many do not apply, given the current non-statutory status of Lynmouth harbour:
 - Environmental Duty – no Environmental Management Plan.
 - Plans and Reporting, Consensus and monitoring compliance – Safety Plan with measurable objectives required.
 - Incident Reporting and Investigation.
 - Risk Assessment.
 - Harbour owned/operated craft.
- Two mooring balls on the Harbour Arm still required painting white to highlight their positions.
- Batteries for the new Aid to Navigation lights and the lights were on order. The refit of the lights would require a 12 week run in time as the National Grid were the only ones able to work on the sealed units.
- There was an issue regarding moving the Sea Defence boulders, Devon County Council had determined that the works had little priority so would not be looking to carry out the works imminently. The repositioning of the boulders was important as they protected the Rhenish Tower.
- The three yearly external harbour audit was due in 2023 to be carried out by ABPmer.
- Devon County Council had accepted responsibility for the May bridge in Lynmouth along with Oakley Bridge and two at Barbrook.

The Designated person assured the Board that Health and Safety at Ilfracombe and Lynmouth Harbours continued to be proactively managed by the Harbour Master.

The Board noted the findings of the Quarterly Designated Person Port Marine Safety Code Audit Report – Ilfracombe and Lynmouth Harbours.

47. ILFRACOMBE AND LYNMOUTH HARBOUR'S BUDGET TRADING ACCOUNTS

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

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

- Ilfracombe harbour
- The income was up on budget by £18,000.
- Monies had been returned for the cost of the Police Community Special Officer, who had left post early.
- There had been a small reduction in operating costs.
- If a harbour reserve account was created any surplus could be placed in this reserve for future projects.
- Lynmouth harbour
- Lynmouth harbour hoped to be self-funding within two years.

The Board noted the financial situation of both harbours.

48. LYNMOUTH HARBOUR MARINE SAFETY MANAGEMENT SYSTEM (MSMS) REVIEW

The Board considered a report by the Lynton and Lynmouth Town Clerk and Harbour Manager (circulated previously) regarding the Lynmouth Harbour Marine Safety Management System (MSMS) Review.

The Lynton and Lynmouth Town Clerk and Lynmouth Harbour Manager highlighted the following:

- Although currently classed, as a Haven the harbour at Lynmouth still required a Safety Management Plan, as there was a duty of care to the users of the harbour.
- It had been highlighted in a previous external audit of the Harbour as a necessary document to have in place. The next three yearly external audit was due during 2023.
- Very grateful to the Ilfracombe Harbour Master for her help with setting up the document.
- The Harbour functions were listed within the Appendix starting on page 36 of the agenda.

RESOLVED that the internal annual review findings of the Lynmouth Harbour Marine Safety Management System be adopted.

49. LYNMOUTH HARBOUR MARINE SAFETY PLAN

The Board considered a report by the Lynton and Lynmouth Town Clerk and Harbour Manager (circulated previously) regarding the Lynmouth Harbour Marine Safety Plan.

The Lynton and Lynmouth Town Clerk and Lynmouth Harbour Manager highlighted the following:

- The Key Performance Indicators had been updated and were included within Appendix A and could be seen starting on page 54 of the agenda.

RESOLVED that the Lynmouth Harbour Safety Plan be adopted.

50. MARINE SAFETY PLAN

The Deputy Harbour Master provided the following Marine Safety Plan updates:

- ABPmer would be carrying out its three yearly external audit in April 2023.
- A Half day training would be given as a mandatory course to all Duty Holders after the May 2023 district elections.
- There was one target left to meet for the Standard Operating Procedure due in April 2023, which was on target to be met.

51. AIDS TO NAVIGATION

The Board received an update regarding Aids to Navigation.

The Deputy Harbour Master highlighted the following:

- Trinity House's Providers Aids to Navigation Availability Reporting database had shown no down time.
- The new solar lights were on order and would be fitted as soon as received.

52. INFRASTRUCTURE UPDATE

The Board received an update regarding Infrastructure.

The Deputy Harbour Master highlighted the following:

- The crane had been ordered and the Marine Management Organisation had uplifted their funding to meet the revised quote for the larger crane.
- The works for tarmacking on the Cove were due to be carried out 17 April 2023.
- In light of the new Merchant Shipping (Watercraft) Order 2023 and Jet Skies now being classified as vessels a special direction would be issued in the interim to become a General Direction when the Harbour Revision Order came into force.

In response to a question, the Deputy Harbour Master advised the Board that the issue of water pooling on Marine Drive would be addressed when the resurfacing was carried out.

53. ENVIRONMENTAL CONSIDERATION

There was no update on Environmental consideration.

54. FUTURE PROJECTS

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

The Deputy Harbour Master highlighted the following:

- A recognition request had been submitted to the Royal Yachting Association (RYA) which, once granted would allow the training courses to proceed. The Harbour Master's waiting room would be used as the hub.
- All the building materials required for the building of the sea wall and slipway at the Water Sports Centre were on site. Digging for the slipway foundations would take 6-8 weeks. A soft opening of the Water Sports Centre was still being planned for the end of March beginning of April 2023.
- Plans to renovate the old Lime Kiln next to the Water Sports Centre creating a viewing platform linked to the Centre with storage space on the ground floor were progressing with a funding bid submitted.
- The Verity Pool project had been placed on the North Devon Council portal seeking contractors interested in creating this tidal pool.
- A planning application had been submitted for the 'Mushroom' at Marine Drive carpark to create space for storage containers and two changing room pods. Dedicated parking space for vans with trailers to be created would complement commercial operators running courses at the Water Sports Centre. The 'Mushroom' itself would be clad in display info-screens. There would be CCTV coverage at the carpark.

55. HARBOUR COMMUNITY FORUM

There was no update on the Harbour Community Forum.

The Director of Resources and Deputy Chief Executive informed the Board that the Harbour Forum in its current form needed to come to a close to allow a new Community Forum to be formed. A new Community Forum would incorporate users of the Water Sports Centre.

Chair

The meeting ended at 2.55 pm

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