

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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