



## North Devon Council

Report Date: Tuesday, 6 August 2024

Topic: Formation of the Ilfracombe Harbour Advisory Committee

Report by:

### 1. INTRODUCTION

1.1 Within the Port Marine Safety Code (PMSC) and the Ports Good Governance Guide (PGGG) there is strong emphasis on consultation with the Harbour users and those with vested interests in the Harbour.

Extract from the Ports Good Governance Guide “*LA owned ports should engage fully and effectively with a range of relevant stakeholders*”

Extract from the Port Marine Safety Code” **2. Key measures to secure marine safety: This part describes actions that the duty holder should ensure are in place to the extent appropriate for their operations: **Consensus:** The organisation should strive to maintain a consensus about safe navigation. This can be achieved through formal programmes of stakeholder engagement a review of relevant risk assessments with users of the facility or harbour”**

1.2 The Harbour Authority is also in the process of obtaining a Harbour Revision Order (HRO) to bring its powers up to date and within the draft HRO under;

Part 6 MISCELLANEOUS AND GENERAL there is the following provision;

Advisory bodies 31.—

(1) The Council must establish one or more advisory bodies which the Council must (except in an emergency) consult on all matters substantially affecting the management, maintenance, improvement, conservation, protection or regulation of the harbour and their navigation.

(2) The Council must make arrangements for every such advisory body to meet not less than twice a year.

(3) The Council must take into consideration within a reasonable period any matter, recommendation or representation which may from time to time be referred or made to it by such an advisory body whether or not that advisory body has been consulted by the Council on the matter, recommendation or representation so referred or made.

(4) Any advisory body established under this article must consist of such number or numbers of persons appointed by the Council as the Council from time to time considers appropriate.

(5) Appointments to any such advisory body must be made by the Council in accordance with a scheme prepared by it for that purpose and the scheme must provide for the appointment of persons who, in the opinion of the Council, are representative of persons having an interest in the functioning of the harbour.



1.3 This report sets out the proposed constitution of the Ilfracombe Harbour Advisory Committee (IHAC) as recommended by the PGGG and the PMSC and which will be required under the new HRO when it comes into force.

## 2. RECOMMENDATIONS

2.1. That the constitution for the IHAC is accepted by the Council and the Harbour Boa can begin the process of forming the advisory committee

## 3. REASONS FOR RECOMMENDATIONS

3.1. To comply with the legal responsibility under the new HRO as the Harbour Authority and to fulfil the recommended best practice requirements under the PMSC and the PGGG

## 4. REPORT

4.1. Please refer to the attached annex.

## 5. RESOURCE IMPLICATIONS

5.1. Office time only

## 6. EQUALITIES ASSESSMENT

6.1. Please detail if there are/are not any equalities implications anticipated as a result of this report. If so, please complete the Equality Impact Assessment (EIA) Summary form available on Insite and email to the Corporate and Community Services Team at [equality@northdevon.gov.uk](mailto:equality@northdevon.gov.uk).

6.2. There are no equality implications contained within this report

## 7. ENVIRONMENTAL ASSESSMENT

7.1. Please undertake an Environmental Assessment and complete the checklist (EAC) form available on Insite. If there are no environmental implications arising from your proposals please state that there are none. If after completion of the assessment there are environmental implications please provide a brief summary. If you require any further information please contact the Sustainability and Climate Change Officer. Email completed EACs to [donna.sibley@torridge.gov.uk](mailto:donna.sibley@torridge.gov.uk)

7.2. There are no environmental implications contained within this report

## 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

#### 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).

Port Marine Safety Code

Ports Good Governance Guide

Draft Harbour Revision Order

#### 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.