

NORTH DEVON COUNCIL

Minutes of a meeting of Harbour Board held in the Platinum Room - Larkstone Water Sports Hub on Tuesday 5th November 2024 at 2.00 pm

PRESENT: Members:

Councillor Wilkinson (Chair)

Councillor(s) Williams

Co-opted Members:

Martin Cleary, Tim Gibbs and Nigel Thomas

Officers:

Ilfracombe Harbour Master and Director of Resources and Deputy Chief Executive

Also Present in person:

Councillor Norman

28. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Wilson, Bert Gear and Kevin Harris.

Apologies were also received from Councillor Turton after the meeting.

29. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 6 AUGUST 2024

RESOLVED that the minutes of the meeting held on 6 August 2024 (circulated previously) be approved as a correct record and signed by the Chair.

30. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR, SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY

The Chair had attended the Strategy and Resources Committee the day before (Monday 4 November 2024), where the item of the Pier Car Park resurfacing was considered. In particular, the feedback received from the responses to the consultation seeking car park layout improvements was considered. The Strategy and Resources Committee agreed to proceed with the resurfacing of the car park works but requested that the Ilfracombe Regeneration Board or similar group were to discuss at a meeting what they would like to happen along Quay Road and the use of the Pier Carpark.

The Harbour Master added that it needed to be understood that there were limitations on what could not be changed; Quay road could not be fully pedestrianised due to the Open Port Duty legislation and no building could take place on Pier car park, as this space was required for the boats over winter months. Clear communication was required so the limitations were understood.

In response to a question, the Director of Resources and Deputy Chief Executive advised that an initial discussion would need to take place with the Ilfracombe Regeneration Board to obtain a steer from them.

The Harbour Master added that works to the resurfacing of the car park would not be started before March 2026.

31. DECLARATIONS OF INTEREST

No declarations of interest were announced.

32. 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:

- A correction to the title of the second column on page 18 of the agenda was needed, so it read Quarter 4 Forecast not Full Year Forecast.
- The net expenditure was forecast to be lower than the last two years.
- All on track and no material variances. The accounts did include income from the Water Sports Hub and the Sea School which reduced the net cost of the service.
- The net expenditure total forecast figure for Lynmouth Harbour was slightly higher than the last couple of years but overall was within budget and no variance reported.

The Board noted the accounts.

33. HARBOUR CHARGES REVIEW 2025/26

The Board considered a report by the Harbour Master (circulated previously) regarding Harbour Charges Review 2025/26.

The Harbour Master highlighted the following:

- The increase to charges for the next financial year, 2025/26, was to go up in line with CPI (Consumer Price Index) at 2.2%.
- Due to the current economic environment that the launch and storage charges be held at current rates.
- Some charges to be rounded to enable easier on site collection.
- The charges were still lower than those of other areas along the coast.
- Ilfracombe was one of the few places that allowed jet skis to launch and this attracted more visitors as a result.

RESOLVED:

- (a) That all mooring dues be increased by 2.2% and relevant miscellaneous charges are increased by 2.2% or held at current rates; and
- (b) Consultation be carried out with Harbour users.

34. DESIGNATED PERSONS ANNUAL REPORT 2024

The Board considered a report by the Harbour Master (circulated previously) regards the Designated Persons Annual Report 2024.

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

- On page 32 of the agenda, the year referred to under 3.0 of the contents should be 2024 not 2023.
- On page 44 of the agenda, the year should be 2024 to make the title: Summary Profit and Loss Account as at 31 March 2024.
- Oil Spill Contingency Plan, as detailed on page 36 of the agenda, was compliant and had been approved by the Maritime and Coastguard Agency.
- Any contractors working on the Harbour had to have their own Oil Spill Contingency Plan.
- Ambipar Response Limited were contracted to respond to all pollution events under the authority of North Devon Council and so this would include Lynmouth Harbour.
- There was a valid Port Waste Management Plan in place, approved by the Maritime and Coastguard Agency in February 2023.
- The Marine Emergency Plan was tested when a drill exercise was carried out on 23 October 2024.
- The exercise would be carried out at Bideford harbour next year and it was hoped 256 passengers would be on board a ship to help manage a full evacuation.
- The next Oil Spill drill was planned to be carried out as a multi-agency exercise in March 2025.
- As agreed at the last Harbour Board meeting the Ilfracombe Harbour Business plan was a rolling five year plan and super ceded the Development Strategy 2012-2026.
- The formation of a new Advisory Board had been approved and this was nearing completion.
- The high number of Out of Hours (OOS) recorded for the Aids to Navigation lights at Old Quay were due to the old wiring needing replacement that took longer than expected.
- Activities Undertaken for Commercial and Leisure as detailed on pages 39 and 40 of the agenda received positive comments.
- Sea school lessons had been held with 42 courses run across a range of ages, the youngest student being 12 and the oldest being 75.
- A good number of people had been recorded as using the Watersports Hub, with 5537 people actively getting out on the water to date this year. This did not include the wild swimmers (as cannot be recorded) which could add 500 to the total.

- No complaints received when the buoys were put in to demarcate where wild swimmers could safely swim.
- Lynmouth Harbour was mentioned on page 42 of the agenda and it was confirmed that we were still waiting for the Secretary of State for final sign off on the Harbour Empowerment Order.
- Page 43 of the agenda listed all the reports that came through the Harbour Board for consideration.
- Page 44 of the agenda detailed the budget accounts for both Ilfracombe and Lynmouth.

RESOLVED that the Board accept that the 2024 annual report is in compliance with the Port Marine Safety Code.

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

The Board considered a report by the Emergency Planning Officer (circulated previously) regarding the Quarterly Designated Person Port Marine Safety Code Audit report – Ilfracombe and Lynmouth Harbours.

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

- The audit of both harbours was carried out on 11 October 2024.

Actions completed since previous inspection – Ilfracombe

- At its meeting of 23 September 2024 the Governance Committee approved the establishment of a formalised Advisory Committee (the Ilfracombe Harbour Advisory Committee).
- The Advisory Board would be made up of harbour users and its formation ensured compliance with the Harbour Revision Order and the Port Marine Safety Code.
- The Harbour Board now had delegated power to formally approve appointments to the advisory committee.
- Grating on Stone Bench had been replaced with a reinforced base and grating of a composite material, other gratings would be replaced to match.
- Additional signage had now been added in prominent positions, prohibiting fishing and crabbing due to these activities interfering with vessel movements in the Outer Harbour.
- Mooring bollards had been tested to a 10 ton capacity and certified.

Risk Management – Ilfracombe

- An internal audit of the following topics carried out this quarter; no non-conformities or non-compliances were identified:
 - i. Legislation, (Acts, Harbour Revision Orders, Byelaws) and Directions;
 - ii. Conservancy (survey, dredging);
 - iii. Duty Holder and DP (Designated Person) Function; and
 - iv. Competency and Training.

- The bulged wall at Stone Bench was continuing to be monitored by the Harbour Master. There had been further movement and works would be required to address the issue. The Senior Engineer would obtain quotes for the work, which would likely take place in February/March 2025 (weather dependent).
- Additional wording was still required to be painted along the edge protection line on the Cove side of the Harbour. Two new cranes were to be installed on the Cove side requiring the repainting of the white line, additional wording would be added at this time. Works due to be completed March 2025.
- A loose fender had been noted on Pier Head, investigation had revealed there were only two brackets on this fender and the washers were perished. Works to replace was hopefully to be carried out by Teignmouth Maritime Services.
- An update from the Harbour Master was given at the meeting:
 - A local diver had investigated all the fenders. It was discovered that many different methods had been used to install the fenders and most would require attention. This was not an imminent failure of the fenders but 18 in total needed works, which would be carried out within the course of next year, 2025.
- New handrails were being sourced for the steps down to First Landing, along with some non-corrosive railings. During the audit visit on 11 October 2024, it was decided two rails would be sufficient for safety.
- Works to Cove Cliff face had been signed off. As part of a rolling programme of inspections, the vegetation was to be removed to allow the inspection of bolts and nets. This was an annual programme starting across Council assets in the spring of 2025.
- Boats out on the Pier side of the harbour had been carried out as planned on 22 October 2024. The boats out on the Cove side of the Harbour scheduled for 28 October 2024 had to be rearranged to Friday 8 November 2024 (this was due to the school halt-term).

Actions completed since previous inspection – Lynmouth

- White line painting had been carried out across the edge of the step onto the slipway as well as across the top of the slipway.
- The Foreman vacancy had been filled with a “Leading Hand” i.e. a local worker who had worked on the Harbour previously.

Risk Management – Lynmouth

- An internal audit of the following topics was carried out this quarter. One non-conformity was identified in relation to the training required by the Town Clerk and outside workforce:
 - i. Legislation, (Acts, Harbour Revision Orders, Byelaws) and Directions;
 - ii. Conservancy (survey, dredging);
 - iii. Duty Holder and DP (Designated Person) Function; and
 - v. Competency and Training.
- The Lynmouth coastal study had been carried out with additional assessment of wave impact and overtopping analysis along the Causeway. The stage 2 draft report was due to be received by the Senior Engineer shortly.

- The issue of seawater pouring through the joints between stones along a stretch of sea wall had been raised with Devon County Council, Highways Department. The Town Clerk for Lynton and Lynmouth had submitted a Freedom of Information request to determine ownership of the wall.
- There was still evidence of algal growth on the Rising Sun steps and the edge of the slipway. Seaweed was observed on the lower steps of the Harbour Arm which would be removed and treated as part of a rolling process every four to six weeks, or as necessary.
- An application to the Exmoor National Park Authority had been made in relation to planning permission for the placing of CCTV cameras on the Rhenish Tower. Still awaiting a decision on the application.
- The purpose of CCTV installation was to provide visibility on the harbour and could be accessed for flood monitoring. The cameras would be placed up under the castellation so as not to be visible on the listed structure.
- The Rising Sun steps required remedial works to prevent further deterioration. Quotes for the works had been obtained by the Harbour Master and were expected to be carried out before the year-end.
- Damaged stonework on the overflow holes at the top end of the Harbour would be repaired as part of an Environmental Agency project.

In conclusion, the Director of Resources and Deputy Chief Executive confirmed that Health and Safety at Ilfracombe Harbour continued to be proactively managed by the Harbour Master. The status of Lynmouth Harbour as a Statutory Harbour Authority was still progressing and, therefore, there were still some aspects of the Port Marine Safety Code that do not apply. Health and Safety at Lynmouth Harbour was currently managed by the Town Council Clerk.

The Board noted the report and its updates.

36. RECRUITMENT OF INDEPENDENT MEMBER TO HARBOUR BOARD

The Board considered a report by the Harbour Master (circulated previously) regarding the Recruitment of an Independent Member to the Harbour Board.

The Board noted the recruitment process to be undertaken to recruit a fifth Independent Member, with ties to Lynmouth.

37. MARINE SAFETY PLAN

No update was given as included in the Annual report.

38. AIDS TO NAVIGATION

No update was given as included in the annual report.

39. INFRASTRUCTURE UPDATE

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

The Harbour Master advised of the following:

- Cracks on the stones at Old Quay Head needed works carried out to repair as they were sinking. This would require 3 to 4 days of work to be carried out by the company who originally installed the stones.
- One MMO funding application was still open which was for the replacement of landing davits. The two swing davits at Old Quay Head would remain in place and the boat owners would become responsible for their upkeep and maintenance.
- Three davits on the Cove would be removed. The final funding would be used to replace with two cranes capable of lifting 500 kg each. The cost to the Council would be an additional £6,000, which was within the original business case costs.
- The davits would be leased to the fishermen encouraging an element of responsibility.
- Safety connectors had been disengaged on the broken crane. The Council would meet the cost of repair, £1,500, on this occasion but not in the future.
- The fuel pump had not been changed since 2013 and it had reached the point where the electrics were not working efficiently. Although the pump was up and working it was starting to fail and would need replacing.
- The cost of repainting the Harbour railings would be in the region of £10,000 to £15,000 and only last three to four years before needed doing again.
- The Harbour Master was looking into the cost of replacing all the railings with a black steel, which would not need replacing or painting again.

40. ENVIRONMENTAL CONSIDERATION

No update was given.

41. FUTURE PROJECTS

The Board received an update on Future Projects.

The Harbour Master advised of the following:

- A period of consolidation to grow what had been put into place would be required. The next steps on from the Sea School would be to set up a Marine Academy.
- The firefighting training was most likely to be undertaken at Petroc, they had the grounds to enable these facilities to be put in place.
- Quotes to follow for the cost of the unit.
- Potentially Brynsworthy Environment Centre could be used for fire extinguisher training for the Sea Fish training course.
- The Harbour Master would continue to run the Sea School in the interim but it would be passed onto another member of staff once it became too time consuming for the Harbour Master to manage.

42. ILFRACOMBE HARBOUR ADVISORY COMMITTEE

The Board received an update in relation to the Ilfracombe Harbour Advisory Committee.

The Harbour Master advised that now it had been agreed to form an Advisory Committee an invite was to go out to interested parties. A list of names wishing to sit

on the Advisory Committee would be brought to the February 2025 Harbour Board meeting for consideration. It was anticipated the first Advisory Committee meeting would take place in April 2025.

43. LYNTON AND LYNMOUTH TOWN COUNCIL HARBOUR SUB-COMMITTEE MINUTES

The Board considered the minutes of the Lynton and Lynmouth Town Council Harbour Sub-Committee meeting held on 23 October 2024.

The Board noted the minutes of the Harbour Sub-Committee.

44. TO CONSIDER FUTURE DATES OF THE HARBOUR BOARD

The Board considered the proposed future dates of meetings.

In light of a request from Councillor Patrinos, who would struggle to attend due to a clash of meetings, the Board agreed to consider moving future meetings to the second Tuesday of the month at 2 pm, not 2.30 pm as stated in the agenda.

RESOLVED that the clerk investigate whether moving meetings to the second Tuesday of the month would cause clashes with any other meetings and report back in February with a revised timetable of dates.

Chair

The meeting ended at 3.35 pm

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