

NEWLYN PIER AND HARBOUR COMMISSIONERS (NPHC)

MEETING OF THE COMMISSIONERS HELD AT 9.00 A.M. ON WEDNESDAY 1 NOVEMBER 2017 IN NEWLYN CENTRE.

In attendance: Rob Wing (Chairman) (RW)
Mike Collier (Vice-Chairman) (MC) – Left meeting at 10.00 a.m.

Kevin Bennetts (KB)
Anthony Hosking (AH)
Jim McKenna (JMCK) – Left meeting at 10.30 a.m.
Lucy Parsons (LP)
Rob Parsons (RP)
John Thomas (JT)
Sam Winters (SW)

Also in attendance: Elaine Baker, Commission Administrator (EB)

Other Attendees: Kathy Hill, Local resident

	<u>PART A PUBLIC PARTICIPATION</u>	<u>ACTION</u>
	<p>Kathy Hill attended the meeting to raise the issue of public access to Sandy Cove and sought an explanation from the Board as to the reasons for the closure.</p> <p>The Harbour Master explained that in previous years complaints had been received about campervans using the cove and human waste problems although the harbour had not taken any action. However, this year following editorial in The Cornishman, social media and contact from the Mayor of Penzance Town Council, reluctantly the decision had been taken to remove vehicular access to the site, but that there was no restriction on pedestrian access. The decision had also been taken to avoid any future problems with Travellers on the site.</p> <p>The Harbour Master acknowledged that the actions of a few individuals had led to the action being taken, but action had been required to address the bad publicity.</p> <p>In response Kathy Hill commented that unfortunately people could no longer use the area for leisure activities, particularly during the summer months. She also commented on the state of the access road to the cove (in front of the gates) which had become inundated with mud due the number of vehicles parking on the slip road to the cove.</p> <p>The Harbour Master noted the comments and welcomed KP's attendance at the meeting. However, at this stage he was reluctant to re-open the site to vehicles as there were continuing problems in the</p>	

	<p>vicinity of the Harvey’s unit, and discussions had commenced on longer term uses for the site. The Harbour Master also stated that local residents, who had previously used Sandy Cove to park their vehicles, as by way of a “gesture of goodwill” been issued with a key so that they could continue to access the site. KH stated that residents were not using the keys due to the potential risk of being “blocked in” from the on-street parking problems, lack of lighting and the weight of the gates.</p> <p>The Chairman thanked Ms Hill for her comments and stated that NPHC was keen to be seen as a good neighbour and part of the local community. A Sandy Cove was not currently part of the business operation of the harbour; there might be some potential for a compromise solution to the current situation. KB suggested a height restriction on the gates to stop over height vehicles from entering the site.</p> <p>The Harbour Master AGREED to revisit the issue to see if a solution could be found to suit all parties.</p>	<p>RP</p>
	<p><u>PART B – MEETING OF THE COMMISSIONERS</u></p>	
<p>NPHC 43</p>	<p><u>Apologies for Absence</u></p> <p>There was an apology for absence from Paul Corin.</p>	
<p>NPHC 44</p>	<p><u>Declarations of Interest</u></p> <p>KB declared a personal interest in any items on the agenda in connection with the harbour as an owner of a business operating on the harbour.</p> <p>MC declared a personal interest in any items on the agenda as a pontoon user and trainer for Seafood Cornwall Training.</p> <p>AH declared a personal interest in any items on the agenda in connection with the harbour as a commercial boat owner and as a businessman on the harbour.</p> <p>LP declared a pecuniary interest in her capacity as the consultant working on a new breakwater at Penzance, and as a potential investor in Fishing Filaments, and on major projects within Newlyn Harbour.</p> <p>RP declared a personal interest in any items on the agenda relating to staffing matters as an employee of NPHC.</p> <p>RW declared a personal interest in any items on the agenda in connection with the harbour as a fish merchant operating on the market, and a Trustee of the National Lobster Hatchery which was a tenant on the harbour.</p>	<p>EB</p>

<p>NPHC 45</p>	<p><u>Minutes</u></p> <p>RESOLVED: That the public (Part 1) minutes of the meeting held on 6 September 2017, including the summary of matters considered in Part 2, be approved and signed by the Chairman.</p>	<p>EB</p>
<p>NPHC 46</p>	<p><u>Matters Arising</u></p> <p>There were no matters arising from the minutes.</p>	
<p>NPHC 47</p>	<p><u>Timetable of Board Meetings in 2018</u></p> <p>RESOLVED: That the following dates of meetings of the Board of Commissioners in 2018 be approved and published on the website:-</p> <p>3 January 7 March 2 May 4 July 5 September 7 November</p>	<p>EB</p>
<p>NPHC 48</p>	<p><u>Harbour Master's (Part 1) Report</u></p> <p>The Harbour Master gave his monthly report on operational matters which included the following matters:-</p> <p>Port Marine Safety Code (PMSC) – The Harbour Master reminded Commissioners of their individual and collective responsibilities as “Duty Holder” under the PMSC. The external audit had been completed and an audit of the Safety Management System (SMS) by the MMO was to be held on 2 & 3 November 2017. He advised Commissioners to familiarise themselves with the files which had been tabled at the meeting for information.</p> <p>Following the previous audit in 2014, the harbour had received non-compliance due to insufficient records. Significant progress had been made since then and the Harbour Master was confident that all risks had been captured and assessed.</p> <p>On-going maintenance was an essential element of the SMS and the Board was advised that puddle ladders were being installed across the harbour.</p> <p>The Chairman had completed training on the code by the harbour's Designated Person, MC and LP were attending a PMSC training course in London, with the aim of all Commissioner training being completed in the next six months.</p>	

<p>NPHC 48 cont.</p>	<p>The Board was advised that under the code Competent Harbour Authority status remained, and that all risks had been captured. Maintenance was on-going and there were no navigation issues to report. Under the code the harbour could charge for pilotage and this was an area that was being considered. The lighthouse needed some work to the building but navigation lights were operational. The Board was also advised that at present the harbour could not provide a towing service and that the purchase of a tug would be a future consideration.</p> <p>Dredging – The Board was advised that the licence to dispose had finally been granted and that dredging of the harbour approaches, Mary Williams Pier and adjacent to the North Quays had been completed. Dredging of the pontoon areas would be a priority in 2018. The majority of the spoil that had been dredged consisted of kelp and a large proportion of litter including old tyres.</p> <p>Slipway – This was by far the greatest asset to the industry and in view of this a part-time shipwright had been engaged to carry out refurbishment of the slip. The Harbour Master was pleased to report that since his engagement no maintenance issues had been reported.</p> <p>Vessels – The Board was advised that the William Stevenson would be leaving the harbour as a loadline exemption had been granted. Other vessels of concern would now be addressed.</p> <p>Property – The demotion of the green sheds had been delayed due to issues with Western Power but it was hoped that work would commence in the New Year. Mounts Bay Engineering had now vacated the unit and consideration was being given to future tenant and / or use for the unit. Expressions of interest had been received from Newline Chandlery and for the building to be used as a restaurant. The Board expressed some concern as a potential use as a restaurant because of the public access at the approach to the harbour entrance. Although supportive of diversification, the Board felt that there were better locations on the harbour for such uses, and outlined concerns at the potential gentrification of the harbour. The Board also felt that it was important to support existing businesses. The Chairman welcomed the comments and suggested that alternative business uses should form part of the discussions on the longer term proposals / strategy for the harbour. JMck commented on the “<i>Green from Growth</i>” funding stream for maintenance projects; although Penzance centric he felt that there could be a potential opportunity for Newlyn and AGREED to pass on details of any potential harbour sites at its next meeting.</p> <p>Fish Market – The Board was advised that due to increasing costs there had been some modifications to the original scheme such as a reduction in the use of granite facing, changes to the roofing, and the loss of one door abutting the highway. An amendment had been made to the lorry area which had resulted in a reduction of the overall floor area of the market; to preserve the chill chain throughout the building</p>	<p>RP / JMck</p>
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<p>NPHC 48 cont.</p>	<p>and extra partition would be erected. The external facing would now be white rendered with murals on the highway side, and granite quoins to frame openings. There had also been a reduction in the number of lorry entrances from two to one. The Chairman suggested that in view of the number of merchant's vehicles this might need to be reviewed. The Harbour Master also commented on the possibility of extending to a second storey above the hardstanding area.</p> <p>Weekly project meetings were being held which were being attended by merchant representatives.</p> <p>Harbour Developments – HIAB was awaited / forklift was ordered / work on refuelling was in progress. Potential extension to the South Pier was being led by the Environment Agency as part of revised flood defences for the whole of the Tolcarne area.</p> <p>Finances – Situation was stable despite an increase in the number of debtors which was being addressed. As part of the fish market refurbishment there was an additional cost for a new server for the Marel grader. In view of the need to fund unexpected costs in relation to the fish market to ensure that delivery of the project the Harbour Master sought the Board's approval to the allocation of a £100,000 contingency.</p> <p>RESOLVED : That</p>		
	<p>1.</p>	<p>the allocation of a £100,000 contingency fund to support the fish market refurbishment to be met from within existing finances be approved;</p>	<p>RP</p>
	<p>2.</p>	<p>the Harbour Master, following consultation with the Chairman and Vice-Chairman be authorised to approve expenditure from the contingency fund in support of the fish market refurbishment; and</p>	<p>RP / RW / MC</p>
	<p>3.</p>	<p>any action be reported to the next meeting of the Board in accordance with good governance practice and due diligence.</p>	<p>RP</p>
	<p><i>At this point in the proceedings the Vice-Chairman left the meeting.</i></p>		
<p>NPHC 49</p>	<p><u>Exclusion of the Press and Public</u></p> <p>The meeting RESOLVED to exclude the press and public at this point in the proceedings as matters of a confidential and personal nature were to be discussed</p>		

SUMMARY OF MATTERS CONSIDERED IN THE CONFIDENTIAL PART OF THE AGENDA OF THE MEETING OF THE NEWLYN PIER & HARBOUR COMMISSIONERS HELD ON 1 NOVEMBER 2017

1. Minutes (Part 2) of the meeting held on 6 September 2017

The minutes were approved by the Board.

2. Matters Arising

The Board was advised that a PR consultant had been engaged in accordance with the decision of the Board at its last meeting.

3. Harbour Master's (Part 2) Report

The Board received the Harbour Master's bi-monthly report of confidential matters regarding property, financial and staffing matters, particularly a report back from the Advisory Board meeting held on 11 October. The Board also received an update on the progress of a second auctioneer on the fish market, and potential development opportunities and the engagement of a consultant to develop funding applications.

4. Website Redevelopment

The Board received an update on the redevelopment of the harbour and the process for appointing a company to undertake the work. It was envisaged that the new website would be operational by end of January 2018.

5. Chairman's Business

There were no matters raised.

6. Any Other Business

There were no matters raised.

The meeting closed at 11.55 a.m.

Chairman