

NEWLYN PIER AND HARBOUR COMMISSIONERS

MEETING OF THE COMMISSIONERS HELD AT 9.00 A.M. WEDNESDAY 4 MAY 2011 AT THE NEWLYN CENTRE

In attendance: Gilbert McCabe (Chairman) (GMcC)
Kevin Bennetts (KB)
Mike Collier MBE (MC)
Nick Howell (NH)
John Lambourn (JL)
Dave Munday (DM)
Andrew Munson (AM)
David Stevens (DS)
Elizabeth Stevenson (ES)
Juliet Taylor (JT)

Also in attendance Nick Maffey, Miller Commercial (NM)
Elaine Baker, Commission Administrator (EB)

	<u>PART A PUBLIC PARTICIPATION</u>	<u>ACTION</u>
	<p>The Chairman welcomed the audience to the meeting and asked for questions.</p> <p>Helen Burnham, Environment Group asked if NPHC was planning to refurbish the existing fish market building and whether this was a viable long term solution. In her view, stakeholders and traders would benefit from an improved building as the external appearance of the present building detracted from the physical appearance of the harbour.</p> <p>A number of Commissioners commented that the most important factor was to have a vibrant fleet, the Board felt that the financial cost of a new building, which may not have a significantly improved outward appearance to the existing building could not be justified in view of its current financial position, although the poor external appearance of the existing building was acknowledged.</p> <p>GMcC commented that the Board would be discussing the establishment of the working party to consider the short and long term options for the fish market and the issue of a replacement or refurbished building, together with grant funding opportunities.</p> <p>Tom McClure, Skipper reported on the theft of fish from the fridges on the fish market.</p> <p>AM responded by saying that the allegation was that 80kg of fish had been stolen which had subsequently been found. On a general point allegations were periodically made that fish had been stolen but was rarely the case. The main problem lay with fishermen moving tallies on boxes. ES commented that</p>	

	<p>discrepancies were reported on a weekly basis, with stolen fish reported on average once a month. AM confirmed that if the individuals responsible were caught then action was taken against them.</p> <p>AM also reported that he had met with Cornwall CCTV with a view to upgrading the cameras on the harbour to improve security but that it was not possible to position a camera within the fridges due to problems with condensation. It was AGREED that a report on CCTV options would be brought to the next meeting of the Board.</p> <p>Fiona Thomas-Lambourn commented that the lack of attendance of members of the Advisory Body at Board meetings meant that its members were not aware of the issues being faced by the Board which could hinder the effectiveness of the new body when it came to taking decisions.</p> <p>The Chairman responded by saying that he was due to meet with the newly appointed Chairman and Vice-Chairman of the Advisory Body and that he was willing to meet regularly with them on an informal basis to discuss issues, as well as the Board and the Advisory Body meeting formally on joint basis. The Chairman encouraged the attendance of members of the new body at Board meetings and stated that close working between the two was beneficial as it generated a sense of openness and improved communication.</p> <p>JL commented that it might be helpful to provide training on the work of the Commission to assist the new body as part of a familiarisation process. The Chairman reported that David Whitehead, British Ports Authority was due to visit NPHC in June, part of which would include a discussion on training for Commissioners which could be extended to include Advisory Body members.</p> <p>Tom McClure also commented that it had been reported that Trelawney Fish was not paying the 0.5% Merchants' charge. AM stated that it would not be appropriate to comment on the issue due to business confidentiality. However, the Board had endorsed the introduction of the charging policy and if there were any issues they would be addressed.</p> <p>JL commented that it had been brought to his attention that yachts which were not able to berth at Penzance because of the continuing works to the lock gates were being charged to berth at Newlyn which he felt reflected badly on the Board of Commissioners. He commented that Newlyn was a "port of refuge" and this action appeared to be contradictory to that status.</p> <p>AM reported that he was not aware of the problems and confirmed that the harbour had a close working relationship with the Harbour Master at Penzance. AM confirmed that discretion in connection with charging had been used in view of the circumstances and that no vessel had been refused entry to the harbour or not offered a berth. JL commented that the concern</p>	<p>AM</p>
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	<p>was that yachts that had been offered a berth but on the same rate as visiting yachts at £18.00 per day which he felt was unfair.</p> <p>ES commented that, yet again, this was an issue of individuals not taking the correct procedure. If a problem arose it should be raised with AM in the first instance. It was <u>AGREED</u> that the issue would be discussed with the Harbour Master at Penzance.</p>	AM
	<u>PART B MEETING OF THE COMMISSIONERS</u>	
NPHC 214	<p><u>Apologies for Absence</u></p> <p>Apologies for absence were received from Glenn Caplin and Ray Tovey.</p>	
NPHC 215	<p><u>Declarations of Personal and Prejudicial Interests</u></p> <p>KB declared a personal interest in any items on the agenda in connection with the harbour as the owner of a boat using the harbour and a businessman on the harbour.</p> <p>AM declared a personal interest in any staff issues on the agenda as an employee of the harbour and member of the HR Committee.</p> <p>ES declared a personal interest in any items on the agenda which referred to W Stevenson & Sons in connection with the harbour.</p> <p>DS declared a personal interest in any items on the agenda in connection with the harbour as a fisherman currently operating from the harbour.</p>	AM
NPHC 216	<p><u>Minutes of the public part of the meeting held on 6 April 2011</u></p> <p><u>RESOLVED:</u> That the public part of the minutes of the meeting held on 6 April 2011, including the summary of matters considered in Part 2 of the meeting, be approved as an accurate record and that they be signed by the Chairman.</p>	EB
NPHC 217	<p><u>Matters Arising from the Minutes</u></p> <p>On minute no. NPHC 198/11 (Matters Arising) AM reported that the meeting with James Pascoe had not been held and that he was awaiting information on his list of outstanding harbour dues.</p> <p>On minute no. NPHC200/11 (Executive Report), the Chairman thanked the Cornishman for the recent article on fly tipping at Sandy Cove. AM reported that the situation had improved.</p> <p>With regard to the White Board, AM advised that he was still investigating where the Board could be sited. The suggestion box had been repainted and would be installed in the next few weeks.</p>	

<p>NPHC 217 cont.</p>	<p>ES asked if details on the reported defects had been passed to AM. AM confirmed that no specific issues had been brought to his attention.</p> <p>A number of Commissioners commented that in all cases complaints, reported defects and suggestions should be made to the Harbour Master and a record would be maintained.</p>	
<p>NPHC 218</p>	<p><u>Executive Report</u></p> <p>AM gave his monthly report on executive matters which had arisen since the last meeting (copy appended to the signed minutes)</p>	
<p>NPHC 219</p>	<p><u>Update from Committee</u></p> <p><u>Asset Committee</u></p> <p>JT commented that the Property Review had been completed and that Nick Maffey, Miller Commercial would be attending the meeting to present the results to the Board in Part II of the agenda. JT commented that she hoped that the completion of the survey would bring future prosperity to Newlyn.</p> <p>JT also commented that the Sandy Cove project was progressing well and that MDL was now taking the lead on the project.</p> <p><u>Finance Committee</u></p> <p>No report was made.</p> <p><u>Harbour Management & Operations Committee</u></p> <p>KB reported that the timber for the fenders had been delivered and that it was hoped that work on the replacement fenders would begin as soon as practicable.</p> <p>In respect of the Fish Market, KS commented that the Board was still considering options but that it was working to tight timescales with regard to funding application deadlines.</p>	
<p>NPHC 220</p>	<p><u>Succession Planning</u></p> <p>The Chairman reported that the new Board would have been office for a year at the end of May and that a number of Commissioners terms of office were due to expire on 30 May 2011. He went on to explain that some Commissioners had been appointed for terms of one and two years, with others appointed for the full three year term of office.</p> <p>In respect of those Commissioners whose term of office was due to expire a number had confirmed that they would be willing to serve a further term.</p>	

<p>NPHC 220 cont.</p>	<p>However, the current Board did not meet the requirements of the Harbour Revision Order as it did not have amongst its membership a Commissioner who was a licensed fishing boat owner and active sea-going fisherman.</p> <p>The Chairman asked those present, that if they knew of any person who met this criteria, and who would be willing to serve, to submit their name to the Harbour Master.</p> <p>The Chairman also reported that posters would be putting up around the harbour asking for expressions of interest.</p> <p>JT suggested that prospective candidates should be made aware of the level of commitment required as a Commissioner.</p>	<p>AM</p> <p>AM</p>
<p>NPHC 221</p>	<p><u>Advisory Body</u></p> <p>The Board received the minutes of the meeting of the Advisory Body held on 13 April 2011.</p>	
<p>NPHC 222</p>	<p><u>British Ports Authority</u></p> <p>The Chairman advised the Board that David Whitehead, Director of the British Ports Authority had agreed to visit the harbour and to meet members of the Board. It was <u>AGREED</u> that 11.00 a.m. on Tuesday 24 May 2011 be confirmed as the date for the visit and that the Chairman and Vice-Chairman of the Advisory Body be invited to attend.</p>	<p>AM / All to note</p>
<p>NPHC 223</p>	<p><u>Local Enterprise Partnership</u></p> <p>The Board noted that Chris Pomfrett had been appointed Chairman of the new Local Enterprise Partnership and that he would be visiting the harbour on Wednesday 15 June 2011.</p>	<p>All to note</p>
<p>NPHC 224</p>	<p><u>Exclusion of the Press and Public</u></p> <p>The meeting <u>RESOLVED</u> 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 4 MAY 2011

1. Minutes (Part 2) of the Meeting held on 6 April 2011

The minutes, as amended were approved by the Board as an accurate record and signed by the Chairman.

2. Matters Arising

The Board considered matters arising in respect of a number of Asset Committee related issues, HR, succession planning and the renewal of insurances.

3. Executive Report

The Harbour Master gave his monthly report on Executive matters.

4. Fish Market Working Party

The Board considered an objection from one of the Commissioners.

5. To receive Minutes from Committees & W Harvey & Sons Lease Renewal

Asset Committee

The Board received a presentation on the completion of the property survey.

Harbour Management & Operations Committee

The Board received an update on progress of the fender replacement.

6. HR Update

The Board received an update on a number of HR matters.

7. Fish Market Working Party

This agenda item was deferred until the meeting on 12 May 2011.

8. Any other Business

This agenda item was deferred until the meeting on 12 May 2011.

9. Date of Next Meeting

Next meeting of the Board to be held at 12.00 p.m. on Thursday 12 May 2011 in the Harbour Board Room.

The meeting closed at 12.50 p.m.

Chairman

1 June 2011