

NEWLYN PIER AND HARBOUR COMMISSIONERS (NPHC)

MEETING OF THE COMMISSIONERS HELD AT 9.00 A.M. ON WEDNESDAY 6 SEPTEMBER 2017 IN NEWLYN CENTRE.

In attendance: Rob Wing (Chairman) (RW)
Mike Collier (Vice-Chairman) (MC)

Anthony Hosking (AH)
Lucy Parsons (LP)
Rob Parsons (RP)
Sam Winters (SW)

Also in attendance: Elaine Baker, Commission Administrator (EB)
Bernard Pooley, Kelsall Steele Ltd. (BP)

Other Attendees: None.

| | <u>PART A PUBLIC PARTICIPATION</u> | <u>ACTION</u> |
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| | There was no public participation. | |
| | <u>PART B – MEETING OF THE COMMISSIONERS</u> | |
| NPHC 29 | <u>Apologies for Absence</u> There were apologies for absence from Kevin Bennetts, Paul Corin, Jim McKenna and John Thomas. | |
| NPHC 30 | <u>Declarations of Interest</u> MC declared a personal interest in any items on the agenda as a pontoon user and trainer for Seafood Cornwall Training. 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. LP declared a pecuniary interest in her capacity as the consultant working on a new breakwater at Penzance and on major projects within Newlyn Harbour. RP declared a personal interest in any items on the agenda relating to staffing matters as an employee of NPHC. 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. | EB |

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| <p>NPHC 31</p> | <p><u>Minutes</u></p> <p>RESOLVED: That the public (Part 1) minutes of the Extraordinary Meeting held on 30 June 2017, including the summary of matters considered in Part 2, be approved and signed by the Chairman.</p> | <p>EB</p> |
| <p>NPHC 32</p> | <p><u>Matters Arising</u></p> <p>On minute no. NPHC 19/17, (Matters Arising), the Harbour Master reported that, together with the Chairman, a positive meeting had been held with George Eustice MP and Derek Thomas MP. Both remained supportive of the fishing industry and had confirmed that both the EFF and ERDF funding stream remained undersubscribed.</p> | |
| <p>NPHC 33</p> | <p><u>Harbour Master's (Part 1) Report & Project Update</u></p> <p>The Harbour Master gave a presentation to the Board on developments within the harbour since the last meeting.</p> <p>Port Marine Safety Code (PMSC) – The latest edition of the code had been published in November 2016, and set out the national standard for marine safety. Although, not mandatory, the DfT expected all harbour authorities to comply with the code. The Harbour Master reminded Commissioners of their individual and collective responsibilities as “Duty Holder” to ensure compliance and confirmed that the next audit would take place in November 2017.</p> <p>The Harbour Master commented on the ten pillars of the code: Designated Person (Peter Haddock); legislation (HRO 2010 and the harbour enabling Act 1906) which ensured the harbour operated effectively and allowed enforcement action when required; risk assessments were carried out annually to highlight potential risks on the harbour; Marine Safety Management System ensured that controls were in place (although not mandatory, expectation of compliance); review & audit; competence (responsibility of the “Duty Holder” to be familiar with code); plan and aids to navigation.</p> <p>The Harbour Master stated that a plan had yet to be developed but when produced would be placed on the website. A “statement of Compliance” would be produced as an interim measure, and placed on the website. Areas for improvement were training, communication, manpower, maintenance and focus. The Harbour Master confirmed that all areas would be addressed, which would be assisted by the development of an improved website and increased use of social media.</p> <p>Dredging – The Harbour Master confirmed that dredging would commence in October 2017 and would be ongoing over a five-year period. Dredging to a maximum depth of 2m would be undertaken to avoid any damage to the harbour walls. However, this would restrict access to the port for larger vessels requiring a depth of 4m.</p> | <p>RP</p> |

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| <p>NPHC 33 cont.</p> | <p>Essential Maintenance – Pilchard Sheds North Pier – The Board was advised of the poor condition of the sheds and the need to remove asbestos, and it was proposed that the buildings be removed. Concern was expressed as the units acted as an additional protection from overtopping in SE storm conditions, and that removal could lead to additional damage to the harbour in such conditions. It was AGREED that the asbestos be removed from the sheds but that further consideration be given to the cost of replacement and / or removal and that this be brought back to a future meeting of the Board.</p> <p>Lamps Mary Williams Pier – The Board was advised of further damage to the lamps by harbour users which would be replaced.</p> <p>Ladders – The Board was advised of problems with the ladders and lack of handrails, and that some were not health & safety compliant these issues would be addressed as part of the maintenance programme.</p> <p>North Pier Wooden Supports – The Board was advised of deterioration of the wooden supports, and potential problems of vessels catching the lip of the supports. Wooden trunks had been purchased to address the problem. The trunks would also be resilient to the effects of Gribble Worm. AH commented that the inadequate timber did pose a risk to vessels which tended to list onto the quay. AH also stated that a return to the river flowing into the harbour would reduce the effect of the Gribble Worm and help with dredging.</p> <p>Lighthouse – The Board was advised of damage to the internal skin and floor of the lighthouse and that as NPHC was the lighthouse authority it was essential that repairs were carried out.</p> <p>The Harbour Master reported that all the essential repairs were within budget, however, it was likely that there would be no underspend in this year’s financial provision for maintenance.</p> <p>Harbour Developments – The Board received a progress report on the major harbour projects, such as the Fish Market refurbishment, engineering units, fisherman workspace, clock auction, HIAB, forklift, fuelling and South Pier Extension which were subject to EMFF funding, or partnership projects with other agencies.</p> <p>Fish Market – Due to increased costs the installation of the solar panels had been removed from the scheme. LP confirmed that other funding streams were being investigated to cover the additional cost of the panels including local community investment. LP had also made initial contact with Cornwall Energy Trust. There was general agreement that as this was the first major harbour investment project it was important that as the centrepiece it looked right, was delivered on time and within budget.</p> | <p>RP</p> |
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| <p>NPHC 33 cont.</p> | <p>Sandy Cove – LP commented that the initial design drawings for the engineering units had been completed, costed and interested companies had been contacted. Work would now commence on funding applications. The intermediate plan was to secure tenants for the site prior to work on the sea wall or development of larger units.</p> <p>The Board was advised that the HIAB was an operational requirement and that a new forklift had been purchased, following consultation with the Chairman and Vice-Chairman for visiting vessels to rent out. The purchase being cost neutral within two years.</p> <p>Harbour Fuel – to reduce potential pollution risk on the quays. A swipe card system with the harbour providing the infrastructure was being proposed, and which, if delivered, would require some form of port control in the future.</p> <p>South Pier Extension – At a recent meeting with the Environment Agency (EA) it had been confirmed that the EA had potentially up to £750,000 to reinforce the rock armour of the South Pier. However, if NPHC was also prepared to invest this could potentially raise £3m which could be used to fund a new pier. The Harbour Master commented that the first phase was the rock armour, following which a drone survey would be undertaken for vessels requiring approach directions to Newlyn. This was a future potential partnership project with the EA; 75% funding was available for which NPHC would be required to fund the remaining 25%.</p> <p>Fish Market – This was NPHC’s priority project, and the Board received visualisations of the new building. A local artwork competition would be incorporated into the project; the roadside panels would be decorated with the winning artwork to soften the effect the external render, reflecting Newlyn’s artistic and cultural heritage.</p> <p>Research & Development – The Chairman, in his capacity as a trustee of the National Lobster Hatchery, outlined the detail of the lobster hatchery project which was a research and development project in Lobster husbandry which was receiving international recognition. The Chairman outlined the specific modules for which EU funding had been received and commented that the Lobster Grower 2 module was a prelude to a commercial operation. The project had so far funded development of a caged controlled growing environment in St Austell Bay and additional hatchery space had been provided within Newlyn Harbour which had increased capacity by 200%. The Chairman welcomed the involvement of NPHC in the project.</p> <p>Operations Matrix – The Board received an update on operational harbour matters such as property, finance, governance issues etc. Regarding the harbour’s property portfolio, the challenge was to continue with a programme of refurbishment / maintenance to improve the condition of the units and set commercial rents with new tenancy agreement. Manpower levels were also being reviewed,</p> | |
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| <p>NPHC33 cont.</p> | <p>particularly the engagement of a new position of Assistant Harbour Master to meet the new challenges and for succession planning purposes. Governance issues related to a potential revision of the Newlyn Pier & Harbour Revision 2010 Order but this was unlikely to be commenced until after the completion of the new fish market.</p> <p>In conclusion, the Chairman referred to his role in the context of the PMSC and stated that he was working with Peter Haddock on the detail of the code. However, he stressed the need for due diligence from all Commissioners.</p> | |
| <p>NPHC 34</p> | <p><u>Project Update – Fish Market Refurbishment</u></p> <p>This item was taken as part of the Harbour Master’s Part 1 report.</p> | |
| <p>NPHC 35</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 6 SEPTEMBER 2017

1. Minutes (Part 2) of the Extraordinary Meeting held on 30 June 2017

The minutes were approved by the Board.

2. Matters Arising

The Board received an update on a personal injury claim and vessels William Stevenson and Sara Shaun.

3. Draft Financial Statement Year Ended 31 March 2017

The draft financial statements for year ended 31 March 2017 were approved by the Board, and signed by the Chairman and Harbour Master.

4. Website Redevelopment

The Board received an update on the redevelopment of the harbour website and potential engagement of web design companies to carry out the work. It was anticipated that the new website would go live at the end of October 2017.

5. 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 the redevelopment of the former Baron's Newsagents site and revised start date for the commencement of the refurbishment of the fish market to end of September 2017.

6. Chairman's Business

The Board agreed to delegate authority to the Harbour Master, in consultation with the Chairman and Vice-Chairman to engage a PR consultant to work with harbour regarding its external communications over the next 1 -2 years.

7. Any Other Business

The Board discussed Sandy Cove and the decision to restrict public access to the site, lighting on the Mary Williams Pier, vessel access to the harbour, European vessels using the harbour and Sea Cadet Passenger trips.

The meeting closed at 11.35 a.m.

Chairman