

NEWLYN PIER AND HARBOUR COMMISSIONERS

**MEETING OF THE COMMISSIONERS HELD AT 9.00 A.M. WEDNESDAY 9 MARCH 2011
AT THE NEWLYN CENTRE**

In attendance: Ray Tovey – Vice Chairman in the Chair (RT)
 Kevin Bennetts (KB)
 Glenn Caplin (GC)
 Nick Howell (NH)
 John Lambourn (JL)
 Dave Munday (DM)
 Andrew Munson (AM)
 David Stevens (DS)
 Elizabeth Stevenson (ES)
 Juliet Taylor (JT)

Also in attendance Elaine Baker, Commission Administrator (EB)

	<u>PART A PUBLIC PARTICIPATION</u>	<u>ACTION</u>
	<p>The Vice-Chairman welcomed the audience to the meeting and asked for questions.</p>	
	<p>Ruth Simpson asked the Board if the development proposals in respect of Unit 12 on The Strand would still be proceeding. Mrs Simpson was advised that the proposals for Unit 12 formed part of the overall planning application in respect of the new fish market on which NPHC had decided not to proceed. The Asset Committee was currently looking at a strategy in respect of the harbour property assets, but there were no specific proposals for that site at the present time.</p>	
	<p>In response to a question from Fiona Thomas-Lambourn it was <u>AGREED</u> that copies of the Part 1 agenda would be sent via email in advance of the meeting.</p>	EB
	<p>James Pascoe, Fisherman raised the issue of pontoon charges, and in particular inconsistencies with regard to the issuing of invoices as he stated that some users had so far not been invoiced.</p>	
	<p>The Board requested Mr Pascoe to provide the Harbour Office with specific details so that the issue could be addressed.</p>	
	<p>AM reported that the Board was looking at issuing stickers to boat owners indicating those vessels for which dues had been paid (either 6 or 12 months). It was hoped that this would help to overcome the current problems.</p>	

	<p>Mr Pascoe was also advised that a requirement of the new harbour byelaws was that all vessels using the harbour must provide evidence they were covered by third party insurance otherwise they would not be allowed to use the harbour.</p> <p>Acknowledging the additional workload that the monitoring of the payment of dues placed on harbour staff, NL suggested that consideration be given to the introduction of an electronic reader to monitor vessels using the pontoons which could be linked to the harbour accounts software and provide up to date information on payment information etc. It was AGREED that this suggestion be referred to the Harbour Management & Operations Committee for further investigation.</p>	HMO Ctte
	<u>PART B MEETING OF THE COMMISSIONERS</u>	
NPHC 176	<p><u>Apologies for Absence</u></p> <p>Apologies for absence were received from Gilbert McCabe and Mike Collier, MBE.</p>	
NPHC 177	<p><u>Declarations of Personal and Prejudicial Interests</u></p> <p>AM declared a personal interest in any staff issues on the agenda as an employee of the harbour and member of the Human Resources 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 178	<p><u>Minutes of the public part of the meeting held on 12 February 2011</u></p> <p>RESOLVED: That the public part of the minutes of the meeting held on 2 February 2011, including the summary of matters considered in Part 2 of the meeting, be approved, subject to the addition of the word "<i>party</i>" after the word "<i>Painting</i>" in the title of the Quay Day event in minute no. NPHC163/11, as an accurate record and that they be signed by the Chairman.</p>	EB
NPHC 179	<p><u>Matters Arising from the Minutes</u></p> <p>AM reported that no incident of an Oil Spill in the harbour had been reported.</p> <p>In respect of minute no.158/11 (Executive Report), AM confirmed that a letter of objection to the proposed Marine Conservation Zone had been sent.</p>	

<p>NPHC 179 cont.</p>	<p>Minute no.159/11 (Update from Committee), Harbour Management & Operations Committee, NH confirmed that he had forwarded details on the use of second hand dredging pipes to KB and AM.</p>	
<p>NPHC 180</p>	<p><u>Executive Report</u></p> <p>AM gave his report on Executive matters which had arisen since the last meeting of the Board.</p> <p>Am reported that the total value of fish landed at the harbour for February was in excess of £1.5m, due largely to the continued landings of Cuttlefish. Cuttlefish were a non-quota species which were rapidly growing and therefore the heavy landings during the winter months had not affected the sustainability of the stock.</p> <p>Brixham and Plymouth trawlers continued to land with fish transported back to their home ports for sale.</p> <p>Due to continued good fish landing some Newlyn based vessels had landed directly in France, but due to the high volume of fish landed some vessels had had their fish withdrawn from sale and the fish dumped.</p> <p>Rising fuel prices continued to be a major concern to the fishing industry.</p> <p>AM also reported that the port record, in terms of the value of fish landed for a single trip had been broken a number of times during the preceding month and currently stood at just under £57,000.</p> <p>AM advised the Board that skippers and owners of visiting vessels landing at Newlyn remained pleased with services and facilities they received. However, difficulties continued with local boats a number of which had been moved with a subsequent charge made.</p> <p>AM reported that the fish market had passed its annual hygiene inspection by Cornwall Council with only two minor issues relating to rust on the door tracks and bottom sections of the doors and some mastic filling on the floor joint.</p> <p>Another vessel had sunk in the harbour due to too much fishing gear being stored on the vessel. Although the boat was not insured the boat was recovered at the owner's expense. The new byelaws would make it compulsory that all vessels mooring the harbour were insured.</p> <p>Insurance inspections had been carried out throughout the month on harbour machinery and AM was pleased to report that all were in a satisfactory condition and complied with regulations.</p> <p>The Marine Management Organisation (MMO) had carried out post payment checks, following payment of money in accordance with the Financial Instrument for Fisheries Guidance funding</p>	

<p>NPHC 180 cont.</p>	<p>programme. The Oil Spill Contingency Plan had also been reviewed by the MMO and was being amended in the light of recommendations.</p> <p>Due to problems with the personal behaviour of some anglers on the North Pier the situation was being monitored. The local angling club and local anglers had reported their disgust at the behaviour of a small number of individuals which could potentially lead to fishing on the pier being withdrawn.</p>	
<p>NPHC 181</p>	<p><u>Update from Committee</u></p> <p><u>Asset Committee</u></p> <p>JT reported that the Committee had met on 22 February. Confirmation was still required that NPHC's current solicitors had enough "in house" expertise to support the property management contract and therefore a tendering exercise was to be undertaken to ensure adequate legal support. Various lease issues had been discussed, as well as possible future options for the fish market, including joint working with the Harbour Management & Operations Committee.</p> <p>JT reported that she had visited Brixham's new Fish Market which was part new build, as well as partial refurbishment of the existing building, and circulated photographs of the facility to the Board.</p> <p>Progress was being made in respect of the Sandy Cove project, and a visit had been made to MDL's Dartside Boat Maintenance Facility with the Head of Cornwall Development Company and MDL.</p> <p>JT also reported that discussions were continuing on the possible options for the future use of the Mission building.</p> <p><u>Finance Committee</u></p> <p>NH reported that the committee had met on 21 February 2011 and discussed the grant offer from Cornwall Council, the need to formulate a new Inward Investment Policy, further amendments to the committee's draft terms of reference and the draft Operational Plan 2011 / 2012 which included discussion on devolving limited budgets to committees.</p> <p><u>Harbour Management & Operations Committee</u></p> <p>KB reported that the committee had met on 25 February 2011 and he confirmed that production of the new fenders had commenced and he was hopeful that the work would be completed during the summer.</p> <p>Discussions on the future of the fish market had been held including options for either a new building or refurbishment of the existing market.</p>	

<p>NPHC 181 cont.</p>	<p>In view of the impact of increasing fuel charges on the fishing industry, the committee had agreed to hold harbour charges at their present level for the forthcoming financial year. Car parking charges had also been reviewed and he was pleased to announce that the price of the minimum stay period had been reduced, with slight increases in the longer stay periods and the removal of the 16 hour stay period.</p> <p>KB was also pleased to report that an order had been placed to purchase four new pallet trucks and one rough terrain pallet truck.</p> <p><u>Human Resources</u></p> <p>The committee had met on 11 February 2011 and would be considered in detail in Part 2 of the agenda.</p>	
<p>NPHC 182</p>	<p><u>Communications Policy</u></p> <p>The Board received a new draft Communications Policy for NPHC which had been approved, as amended, by the HR Committee at its meeting on 11 February and submitted to the Board for adoption.</p> <p>AM reported that harbour staff had received a copy of the draft document and had raised the issue of abusive behaviour from harbour users on staff. RT commented that he was concerned about this issue and that a separate policy document needed to be produced to address this issue.</p> <p><u>RESOLVED</u></p>	
	<p>1. That the Communications Policy be adopted with immediate effect; and</p>	<p>AM</p>
	<p>2. That a Bullying & Harassment Policy be produced for consideration by the HR Committee, prior to submission to the Board for adoption.</p>	<p>GB</p>
<p>NPHC 183</p>	<p><u>Inaugural Meeting between the Board and the Advisory Body</u></p> <p>RT reported that the inaugural meeting between the Board and the new Advisory Body would take place at 6.00 p.m. on Thursday 17 March 2011 in The Mission, Newlyn. He urged Commissioners to attend the meeting and confirmed that an agenda would be circulated in the next few days.</p>	<p>EB</p>
<p>NPHC 184</p>	<p><u>Succession Planning</u></p> <p>RT commented that the current terms of office KB, DM, ES and JT were due to expire on 30 May 2011. RT and GC had been appointed by Cornwall Council for one and two years respectively and that a discussion would be held with the Leader of Cornwall Council concerning RT's position after 30 May. However, in terms of succession planning, it was necessary for the remainder of the</p>	

<p>NPHC 184 cont.</p>	<p>Board members whose current terms of office expired at the same time to indicate whether or not they wished to continue, as new appointments may need to be made.</p> <p>The Board also needed to consider whether it was content with the present composition and balance of the current Board and the issue that at least one member of the Board had to be an active sea-going fisherman to comply with the Harbour Revision Order (HRO).</p> <p>KB reported that the Harbour Users' Advisory Group was in the process of being re-established and that it might be possible to find a candidate from amongst its membership to meet the HRO condition.</p> <p>It was <u>AGREED</u> that the item would be place on the Part 2 agenda for the next meeting on 6 April, and that in the interim, those Commissioners whose terms of office were due to expire would advise the Chairman of their decision regarding re-appointment.</p> <p>It was also <u>AGREED</u> that information on the categories under which each Commissioner had been appointed to serve on the Board would be brought to the meeting for discussion.</p>	<p>GMcC / RT / KB / DM / ES / JT / EB</p> <p>AM / EB</p>
<p>NPHC 185</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 9 MARCH 2011

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

The minutes were approved by the Board as an accurate record and signed by the Vice-Chairman.

2. Matters Arising

Matters arising related to the production of an inventory of harbour assets (excluding property), and Cornwall Council's current grant offer of £500,000.

3. Accounts for the Year Ended 31 March 2010

The Board approved the accounts for the year ended 31 March 2010.

4. Executive Report

The Harbour Master gave his monthly report on Executive matters.

5. To receive Minutes from Committees

Advisory Body Convening Committee

The Board received the minutes of the meeting held on 7 February 2011.

Finance Committee

The Board received the minutes of the meeting held on 21 February 2011 and approved recommendations regarding future income reporting.

Harbour Management & Operations Committee

The Board received the minutes of the committee held on 25 February 2011 approved a recommendation relating to the development of a community led arts project to improve the exterior of the fish market building.

Human Resources Committee

The Board received the minutes of the meeting held on 11 February 2011 and approved a recommendation contained therein.

6. Fish Market

The Board approved the establishment of a working party to consider and formulate recommendations to the Board on either a new fish market or refurbishment of the existing building.

7. Any Other Business

The Board discussed the lease of the ice plant.

8. Date of Next Meeting

It was noted that the next meeting of the Board would be held at 9.00 a.m. on Wednesday 6 April 2011.

The meeting closed at 12.15 p.m.

Chairman