

NEWLYN PIER AND HARBOUR COMMISSIONERS (NPHC)

**MEETING OF THE COMMISSIONERS HELD AT 1.00P.M. ON WEDNESDAY 16 JANUARY 2019
IN THE HARBOUR BOARD ROOM**

In attendance: Rob Wing (Chairman) (RW)
Kevin Bennetts (Vice-Chairman) (KB)

Robert George (RG)
Jim McKenna (JMCK) – left at 14.45hrs
Rob Parsons (RP)
James Roberts (JR)
John Thomas (JT) – left at 15.30hrs
Sam Winters (SW)

Also in attendance: Elaine Baker, Commission Administrator (EB)
Jilly Easterby, PR Consultant

Peter Buckland
Nick Howell
Mark Payne
Tanya Old
Hannah Ladd
Jason Ward
Mike Collier
Carol Trickey
A Corin
N Taylor
Andrew Pascoe
Tom McClure
Elizabeth Lambourn
James Pascoe
Peter Aylott
William Carter
Nigel Blazeby

	<p><u>PART A – PUBLIC PARTICIPATION</u></p> <p>The Part A of the meeting was held after Part B at the request of the Chairman as a number of issues to be raised by members of the public attending would form part of the Harbour Master’s Part 1 report.</p>	
--	---	--

	<p>Nick Howell requested that the Board gave consideration to the issue of confidential matters and that in the spirit of openness as much information as possible should be put into the public domain. He acknowledged that the establishment of the Newlyn Steering Group was a significant step forward in improving communications but noted that there was a potential for a lack of openness and asked how it would operate. He commented that confidential matters should be restricted to business sensitivity and personnel matters. Regarding funding he stated that each project should be considered against the harbour's strategic plan, potential "knock ons" and impact on other projects.</p> <p>Nigel Blazeby – Waterdance Ltd. requested an update on the second auctioneer's licence. RP said that it had been a lengthy process due to the legal implications associated with reviewing the licence against the harbour byelaws and the creation of a new concession. The matter was due to be considered by the Board in its Part 2 agenda in order to move ahead. The Chairman explained that the Board had been as open as possible during the discussions, but that due to business complexity it had been limited in what could be put in the public domain. He confirmed that as soon as there was clarity it would be shared with stakeholders.</p> <p>Andrew Pascoe stated that the floor area of the Fish Market had been reduced as a consequence of refurbishment and was not sufficient for two auctioneers as they would not be able to sell at the same time. He acknowledged the need for service provider improvements but did not see the benefit of two auctioneers, which he said would adversely affect supply and demand and lower fish prices. He said that proper consultation should have been held with boat owners in Newlyn to gain a better understanding of the situation.</p> <p>Andrew Pascoe also raised the issue of nominated substitutes for AB meetings in relation to the HRO 2010, why the Board did not hold an Annual General Meeting, and lack of complaints procedure. RP noted the comments and confirmed that they would be looked at by the Board.</p> <p>Hannah Ladd – referred to the practice of using Twitter to advise fishermen of operational issues relating to the Fish Market as some fishermen did not use social media which caused difficulties. RP confirmed that in addition harbour staff were made aware of issues and that RP had himself advised fishermen of the operational difficulties.</p> <p>Nick Howell referred to the Guide of Good Governance document which set the Department of Transport's expectations regarding trust port operations. He went on to say that if a trust port did not comply with the guide it should be made clear in its Annual Report, and he requested that the Board confirmed those areas to which it would not comply.</p>	<p>RP</p>
--	---	------------------

	<u>PART B – MEETING OF THE COMMISSIONERS</u>	
NPHC 59	<p><u>Apologies for Absence</u></p> <p>There were apologies for absence from Paul Corin and Anthony Hosking.</p>	
NPHC 60	<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 a business man operating on the harbour and as Chairman of the Newlyn Fish Festival.</p> <p>RP declared a personal interest in any items on the agenda relating to staffing matters as an employee of NPHC.</p> <p>JR declared a personal interest in any items on the agenda as a pontoon user and boat owner operating on the harbour.</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>	EB
NPHC 61	<p><u>Minutes</u></p> <p><u>RESOLVED:-</u> That the minutes (Part 1 and Part 2 summary) of the meeting held on 7 November 2018, together with the minutes (Part 1 and Part 2 summary) of the Extraordinary Meeting held on 9 November 2018 be approved and signed by the Chairman.</p>	
NPHC 62	<p><u>Matters Arising</u></p> <p>On page 3 of the minutes of 7 November 2018, RP referred to his agreement to send details of the architects working on The Strand project to Ms Ladd, however he commented that an announcement to be made later on the agenda would confirm that it was no longer necessary to forward the details.</p> <p>There were no further matters arising from the minutes.</p>	
NPHC 63	<p><u>Harbour Master’s (Part 1) Report</u></p> <p>The Harbour Master gave his bi-monthly report on matters, together with an update on major harbour projects, including The Strand ERDF funding application:-</p> <p>Port Marine Safety Code (PMSC) – the Board received the regular update on the PMSC outlining the Board’s main areas of responsibility and requirements of the code. Harbour byelaws were in the process of being redrafted and reviewed, annual audits had been successfully</p>	

<p>NPHC 63 cont.</p>	<p>completed with appropriate safety management systems in place. MMO and MCA had confirmed compliance with the code. It was envisaged that the formal consultation on the revision of the HRO 2010 and byelaws would begin in July 2019.</p> <p>Port Guide to Good Governance – the Board was advised that this was not a legally binding document but set out guidelines for the effective operation of trust ports. RP acknowledged that a number of lessons had been learnt over the previous few months in respect of the delivery of major projects which would be taken on board for future projects. He acknowledged that communications with stakeholders could have been better and improvements were currently being considered. The guide set out clear definitions for stakeholder groups which were either primary, secondary or tertiary. As the fishing industry was the harbour’s primary stakeholder it needed to be the Board’s primary focus for future consultations.</p> <p>To address communication issues, RP recommended to the Board the establishment of a new stakeholder focus group to improve the flow of communication which would look at “grass root” operational requirements, with the Advisory Board focussing on strategic issues facing the port. The new group would be chaired by the Harbour Master with representatives from fleet owners, U10m vessels, local businesses, local residents and charities plus any other persons / organisations wishing to participate.</p> <p>JMcK referred to his previous comments regarding inefficient communication by the harbour and stated that he felt that this proposal was a positive step forward which he hoped those with an interest in the harbour would support. KB commented on the need for communication to be two-way with a free and frank interchange of views and opinions. The Chairman welcomed the approach which he felt met the need for the harbour to improve its communications on operational matters.</p> <p>RESOLVED: That the establishment of a new Newlyn Stakeholder Group (NSG) be established with immediate effect, to include representatives as stated above.</p> <p>Andrew Pascoe commented that he hoped that the new group would be effective and that communication would be approved.</p> <p>Advisory Board (AB) – the Board was advised that following discussion with the AB the frequency of meetings was to be improved with future AB meetings to be held within two weeks of scheduled Board meetings to improve the flow of information between the two groups.</p> <p>Port Safety – RP advised that repair works were to be undertaken to improve port safety: repointing Admiralty Boathouse chimney, Newlyn Archive ceiling, bollards, ladders, fenders and handrails.</p>	<p>RP / EB</p>
-----------------------------	--	-----------------------

<p>NPHC 63 cont.</p>	<p>Property – Admiralty Boathouse as previously stated.</p> <p>Infrastructure – RP commented on the need to proceed with urgent repairs and improvement works to the North Pier units and to include improvements to the former MTS building, into a new chandlery unit into the project, with the view to submitting an application for EMFF funding for the project. RP was seeking the Board’s approval to obtaining indicative drawings for costing purposes to progress the project. RESOLVED: That authority is delegated to the Harbour Master to obtain quotations for indicative drawings and costing to the North Pier Units as part of a potential EMFF funding application. It was also AGREED that the new Newlyn Stakeholder Group would be consulted on the project.</p> <p>Fisherman’s Rest – The Board was advised that RP, Jason Ward (Hope Church) and Andrew Munson had been appointed as Trustees of the building. Rebuild South West, a construction charity, had been engaged to undertake the repair works which included new windows, door, floor and stove to bring the building back to its original condition, and were due to begin within two weeks for completion by the end of February. Total cost of the project £5k. The works were part of an overall scheme to improve the Old Quay area supported by volunteers. The Chairman on behalf of the Board thanked Jason Ward, Hope Church for his contribution to the project.</p> <p>A member of the public attending commented on how the building had been left to fall into such disrepair and the failure of the former trustees in maintaining the building. He also expressed concern that one former trustee was continuing in the position, and the loss of artefacts such as a barometer, painting by Stanhope Forbes and piano from the building. RP commented that the Trustees had been refreshed and that he would need to consult the other Trustees before a response could be provided. RP AGREED to look into the matter and provide a response.</p> <p>Pilchard Sheds – to be refurbished as previously detailed.</p> <p>Projects – RP updated the Board on major projects: HIAB installation completed, Fish Market (Zone 3) replacement floor completed, WiFi installation was ongoing (free to fishermen and businesses; with small charge levied for leisure craft). Sandy Cove containers in situ, works to potholes to be undertaken. AB and NSG to be consulted on phase 2 of the project. Additional project that had been added to the list was the North Pier refurbishment which was a potential EMFF funding project.</p> <p>RP commented on the ERDF Strand regeneration project, Phase 1 of which was subject to an ERDF funding application. However, in view of the current political climate, reduction in income from fish landings, public reticence to the proposed project and the influence of BREXIT, RP felt that, at this point in time, it was not prudent for the Board to proceed with a large infrastructure project, and therefore he was</p>	<p>RP</p> <p>RP / EB</p> <p>RP</p> <p>RP / EB</p>
-----------------------------	---	---

<p>NPHC 63 cont.</p>	<p>seeking the Board’s approval to withdraw the application, and to move ahead with other smaller projects such as fuelling. JMCK asked if this would be a temporary withdrawal due to the current climate. In response RP explained that a number of issues to the application had been raised by the ERDF such as due diligence, public comments, reduction in income and political climate and that withdrawal would enable the Board to address the issues, refresh the application with a view to resubmitting a revised application. In the meantime the focus would be on EMFF funding applications with the resubmission of an application to the ERDF at some stage in the future. Given the above, the Board RESOLVED that the withdrawal of the ERDF funding application in respect of The Strand (Phase 1) project be approved.</p> <p>A number of Commissioners expressed their dissatisfaction with the withdrawal of the application but excepted that given the current climate it was not appropriate to proceed at the current time. Commissioners commented on the need for all parties to work together to ensure the delivery of projects and to mobilise views to ensure that the right strategies were in place to access funds. The Chairman confirmed that all funding streams would be considered, and what could realistically be achieved. RP said that it was important to improve harbour communications and set clear priorities.</p> <p>Harbour Fuel Project EMFF 2372 – RP explained the although the Environment Agency (EA) was supportive of the project there were a number of logistical difficulties which needed to be addressed regarding the fuelling berth(s). Multiple fuelling berths increased costs and reduced the number of berths for vessels within the harbour. It was essential that there was enhanced control of the fuelling tanks for larger vessels. As a consequence RP advised that, at present, the proposal was not at an acceptable stage to proceed with an EMFF application for a large-scale fuelling project but sought the Board’s approval to proceeding with an inshore fisheries fuelling project on a swipe card basis. Delaying the larger project would provide an excellent opportunity to consult stakeholders to ensure that the proposal worked effectively for the fishing industry. RP confirmed that the next meeting of the Newlyn Fisherman’s Forum (NFF) was on 18 January 2019 and that he intended to raise the issue at that meeting. The Board RESOLVED to approve in principle the delivery of an inshore fisheries fuelling project, subject to the NFF being supportive of the proposal.</p> <p>Andrew Pascoe commented on the £32m of additional EMFF funding to support fisheries and fishing infrastructure which had recently been confirmed post 2020.</p> <p>RNLI Boathouse – completion of the project was August 2019.</p> <p>RP set out indicative proposals for additional storage facilities on the harbour, including creation of a new fish box enclosed compound at the rear of the Fish Market for which there would be small levy, site of</p>	<p>RP</p> <p>RP</p>
-----------------------------	---	-----------------------------------

<p>NPHC 63 cont.</p>	<p>former ice plant creation of a new two storey building for Dolav storage which would bring in additional revenue, downsizing of fisherman's stores as the additional space would be required for the pontoon fuelling (additional storage created on Sandy Cove), creation of an enclosed waste recycling facility to reduce costs and fly tipping. Discussions to be held with tenants of the Chain Shed to create additional space for additional car parking, with the introduction of dedicated car parking for the fishing industry. Further details on all the proposals to be brought to the next Board meeting on 20 March 2019.</p> <p>Fish Market – The Board was provided with an update on the works – new doors had been fitted and the extension had been cladded.</p> <p>Second Auctioneer's Licence – Details had not been finalised and discussions were continuing.</p> <p>The Chairman commented that at the joint informal meeting with the AB on 17 December 2018 communication improvements had been discussed and that it had been agreed that following each Board meeting an executive summary setting out the salient points of the Commissioner's meeting would be produced for the AB for discussion.</p> <p><i>At this point in the proceeding JMCK left the meeting.</i></p>	<p>RP / EB</p>
<p>NPHC 64</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 16 JANUARY 2019

1. Minutes

The minutes (Part 2) of the meeting held on 7 November 2018 and the Extraordinary Meeting (Part 2) held on 9 November 2018 were approved as an accurate record and signed by the Chairman.

2. Matters Arising

There were no matters arising from the minutes

3. Harbour Masters (Part 2) Report

The Board received the Harbour Master's (Part 2) report of confidential matters including a personnel matter and update on second auctioneer's licence.

4. Chairman's Business

None.

5. AOB

Issues raised included berthing issues on the pontoons, waiting list for stores and slipway. The Board also agreed that the next meeting be held on 20 March 2019 and not 13 March as previously timetabled.

The meeting closed at 15.40hrs

Chairman