

NEWLYN PIER AND HARBOUR COMMISSIONERS (NPHC)

ORDINARY MEETING OF THE COMMISSIONERS HELD AT 1.00 P.M. ON WEDNESDAY 8 JANUARY 2020 IN THE HARBOUR BOARD ROOM

In attendance: Rob Wing (Chairman) (RW)

Kevin Bennetts (KB)
 Robert George (RG)
 Anthony Hosking (AH)
 Jim McKenna (JMCK)
 Rob Parsons (HM)
 John Thomas (JT)
 Sam Winters (SW)

Also in attendance: Elaine Baker (EB), Commission Administrator
 Matt Webb, Baldwins Audit Services

Local Residents: Mike Collier MBE

NPHC 75	<p><u>Apologies for Absence</u></p> <p>There were apologies for absence from Paul Corin and James Roberts.</p>	
NPHC 76	<p><u>Declarations of Interest</u></p> <p>AH declared a personal interest in any items on the agenda relating to the harbour as the owner of active fishing vessels operating in the harbour.</p> <p>RP declared a personal interest in any items on the agenda relating to staffing matters as an employee of NPHC, and as the owner of the vessel "Little User" moored in 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 77	<p><u>Minutes</u></p> <p><u>Resolved:</u> That the minutes (Part 1 and Part 2 summary) of the Extraordinary Meeting held on 18 October 2019 and the minutes (Part 1 and Part 2 summary) of the Ordinary Meeting held on 6 November 2019 be approved as a correct record and signed by the Chairman.</p>	EB

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<p>NPHC 78</p>	<p><u>Matters Arising</u></p> <p>Under the public questions raised at the meeting on 6 November 2020 the HM reported that the proposal to facilitate a mobile food outlet on the quays had proved unsuccessful due to insufficient footfall.</p>	
<p>NPHC 79</p>	<p><u>Port Marine Safety Code (PMSC) Duty Holder Update</u></p> <p>In his capacity as Duty Holder the HM gave his regular update on the requirements of the PMSC.</p> <p>A positive informal joint meeting had been held between the Board and the Advisory Board (AB) on 11 December 2019.</p> <p>The HM also gave an update on the situation regarding the recent tragic events on the harbour. The Health & Safety Executive (HSE) had completed its investigations on the harbour; one of its recommendations was the immediate installation of barriers on the quays to restrict public access which was nearing completion. In addition, the HSE was satisfied with the training arrangements for Commissioners & AB members regarding liabilities which was to be undertaken by the British Ports Authority (BPA). This training would ensure that everyone had a better understanding of their individual and collective roles and responsibilities in respect of the harbour operation. Provisional dates for the training were being considered for June 2020 following the commencement of the new Commissioners terms of office. Duties and Powers - work on the new harbour directions etc was continuing. Risk Assessments – the Board was advised that a new Assistant Harbour Master had been appointed (as of 2 January 2020) and that one of his main roles would be to provide direct assistance to the HM, in particular risk assessments. The Safety Management System (SMS) was under review which would include ensuring that all relevant policies were in place in support of a competent harbour. The HM also reported that following WS&S Ltd. taking on the lease for the Fish Market office accommodation future Board meetings would be held in WS Stevenson & Sons Ltd. (WS&S Ltd.) former offices. Incidents – the HM advised the Board of an incident relating to the potential sinking of a vessel within the harbour on 27 December 2019. The HM had attended the incident and had successfully averted a major incident. However, the incident had highlighted a number of concerns regarding the harbour’s ability to respond to such incidents in view of the level of training and equipment required to satisfactorily deal with such events. A request for additional emergency assistance had been declined which had clearly demonstrated that the harbour did not have all the necessary equipment “in house”. The HM drew the Board’s attention to this deficit and the need for the Commission to consider the acquisition of a fully coded vessel which would have the capability to provide an “in house” response to future emergencies. In the light of the above, the Commission RESOLVED to delegate authority to the HM to investigate equipment requirements and to bring back a fully costed proposal for a potential one-off capital purchase to a future meeting.</p>	<p>RP</p>

<p>NPHC 79 cont.</p>	<p>Operations – Installation of the barriers was 80% completed, an induction video was also being created. Fuel Tank installation was 90% completed. The scheme had been signed off by the MMO but full licensing approval by the MCA was still awaited on completion of the build. New waste oil tank to be installed at the end of January 2020. Following completion of the new oil filter drainage and disposal works capacity would be increased by 100%. A new waste disposal area was also under construction and was due for completion by end February 2020. Governance – The HM proposed the appointment of Nick Howell, as a community representative to the AB as it was felt that he had some constructive ideas which would be helpful to the AB. Following discussion the Board RESOLVED to appoint Nick Howell, as a community representative to the AB with immediate effect. In addition, the HM commented that in line with DfT and BPA guidelines the AB public focus role should be strengthened and therefore he proposed that as from May 2020 direct public access to Commissioner Board meetings should cease thereby enhancing the AB’s role. The Board AGREED. WS&S Ltd. – the HM advised that the new tenancy agreement for the Fish Market office accommodation had been signed. Finance – Bank balance was currently £200K, current debtors £300K which were being actively pursued but it was likely that a debt recovery company would need to be engaged to provide a more robust approach in chasing debtors.</p>	<p>RP / EB</p>
<p>NPHC 80</p>	<p>Projects</p> <p>Oil Tank Installation – completed and the final grant repayment was awaited. Regarding further grant funding opportunities the HM commented that current projects did not qualify for EMFF grant funds and that it remained unclear as to what replacement funding there would be post 31 January 2020 when the UK left the EU, however the EMFF would continue until 2021. In the meantime, the HM was focussing on the Town Fund as an avenue for further funding opportunities. JMCK reported that the fund was being administered by Cornwall Council and that £25m was potentially available to support projects in Penzance. The Government had announced the fund prior to the General Election but the eligibility criteria was awaited. The current funding area was restricted to Penzance but representation was being made to have Newlyn included in the area which was supported by both Cornwall Council and the local MP. Grant awards would be determined by a new Town Board which would comprise of three non-Cornwall Councillors, together with private sector and community representatives. JMCK commented that he had attended a briefing session before Christmas and that it was imperative that Newlyn was included in the funding area and that the harbour could be a key partner in the scheme. The fund was not restrictive and had been set up to provide economic and community benefit. Match funding would also be a requirement of the scheme. JMCK stated that there was a lot to play for and he agreed to keep the Board advised on progress.</p>	

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NPHC 80 cont.	<p>The HM commented that this was an excellent opportunity for the Board to rethink its strategy in relation to its Programme Plan.</p> <p>The HM advised the Board that he had received an email from Cornwall Council and Port Health confirming that, post Brexit, Newlyn would be designated as an inspection post for non-UK registered vessels and that a Border Inspection Post within the harbour was to be established. The HM stated that he would be working closely with both authorities on this matter, and that accordingly he would keep the Board advised on progress and any implications for the harbour operation.</p>	
NPHC 81	<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 8 JANUARY 2020

1. Minutes

The minutes (Part 2), as amended, of the Extraordinary Meeting held on 18 October 2019, and the minutes (Part 2) of the Ordinary Meeting held on 6 November 2019 be approved as a correct record and signed by the Chairman.

2. Matters Arising

The Board was provided with an update on the transition following Ocean Fish purchase of a controlling share of WS&S Ltd as part of the three month review.

3. NPHC Auditor's Financial Report

The Board approved the draft audited financial statements for the Year Ended 31 March 2019.

4. WS&S Ltd. Update and Fuel Operation

The Board was advised of issues relating to the WS&S Ltd. operation of the Fish Market which had been reported to Ocean Fish, a decision on the new fuel operation was deferred until the next meeting.

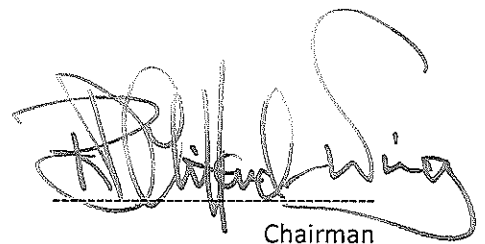
5. Chairman's Business

The Chairman raised issues regarding the appointment of accountants and the future role of the AB in harbour strategy development.

6. Any Other Business

The Board was advised of progress in the development of a business plan in respect of Sandy Cove.

The meeting closed at 14.50hrs



Chairman

