

NEWLYN PIER AND HARBOUR COMMISSIONERS (NPHC)

ORDINARY MEETING OF THE COMMISSIONERS HELD AT 1.00 P.M. ON WEDNESDAY 4 MARCH 2020 IN THE HARBOUR BOARD ROOM

In attendance: Rob Wing (Chairman) (RW)

Kevin Bennetts (Vice-Chairman)(KB)

Robert George (RG)

Anthony Hosking (AH)

Jim McKenna (JMCK)

Rob Parsons (HM)

James Roberts (JR)

John Thomas (JT)

Sam Winters (SW)

Also in attendance: Elaine Baker (EB), Commission Administrator
Nick Howell (NH), Vice-Chairman, Advisory Board

NPHC 87	<p><u>Apologies for Absence</u></p> <p>There was an apology for absence from Paul Corin.</p>	
NPHC 88	<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>JR declared a personal interest in any items on the agenda as a pontoon user in the harbour, and in any matters relating to W Stevenson & Sons Ltd. in his capacity as an employee of Ocean Fish.</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 89	<p><u>Minutes</u></p> <p>Resolved: That the minutes (Part 1 and Part 2 summary) of the Ordinary Meeting held on 8 January 2020 be approved as a correct record and signed by the Chairman.</p>	EB
NPHC 90	<p><u>Matters Arising</u></p> <p>There were no matters arising from the minutes.</p>	
NPHC 91	<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 specific requirements of the PMSC.</p> <p>In particular, the HM commented on the following issues:-</p> <p>The Board was advised that Peter Haddock, the PMSC's Designated Person would be reducing his monthly audits to one external audit per annum. Monthly internal audits would now be carried out "in-house" following training to ensure continuity of compliance with the code. Legislation the HM reported on the introduction of legislative changes to the process for revising HRO's which would result in additional costs. In addition, the harbour's current duties and powers were deemed "fit for purpose" and only required some refreshing. Risk Assessments were ongoing and constantly changing. Commissioner training was to be undertaken to ensure that Board members were aware of their individual and collective responsibilities. Training was still scheduled for June / July 2020. However, the Health & Safety Executive (HSE) was satisfied with current procedures. The Marine Safety Management System was continually being reviewed to ensure compliance, together with harbour operational plans.</p> <p>Operations – the recent adverse weather conditions had proved challenging, with further harbour dredging was scheduled for April 2020, particularly in the area of the pontoons to improve access to the landward pontoons. Significant repairs were required to pylons and fenders. Deterioration of the pylons within the harbour had been a long-standing issue which had now become critical. The HM reported that a company had been engaged to undertake a survey of the situation and to suggest repair / replacement options, it was AGREED that a copy of the report would be emailed to all Commissioners when available. In addition, further cracking to the South Pier had also occurred which would require re-rendering. Issues had also been raised by VOSA regarding the Lorry Park relating to merchants' operators licences which needed to be addressed. Finally, there had been a further visit by the HSE following the recent death and the Board was advised that the inquest was still ongoing.</p> <p>As a consequence of the bad weather a small vessel had suffered significant damage and had been broken up.</p>	RP

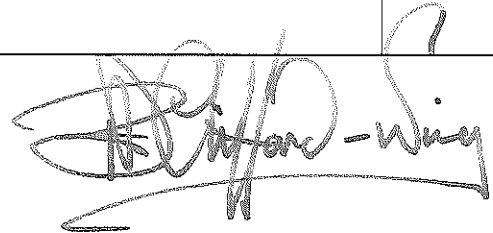
<p>NPHC 91 cont.</p>	<p>Pylons – The HM gave a detailed report on the situation regarding the condition of the pylons which were now in a particularly poor condition, particularly in the area to the front of the Harbour Office and the Mary Williams Pier. It was anticipated that in the region of 250 pylons were in need of repair / replacement. Various options were being considered including the use of plastic sleeves to reinforce the existing timber pylons. It was hoped that following the receipt of the commissioned report the repair work would be able to be undertaken “in-house” with the MMO advised accordingly. The Chairman commented that a schedule of maintenance repair works would be developed with the costs for the works funded from harbour dues. The Board acknowledged the situation and the potential risks to vessels using the harbour and gave its collective support in addressing the problem as a matter of urgency. AH commented on the effect of fresh water within the harbour on the Gribble Worm which had caused the damage to the wooden pylons and suggested that this could be looked at to address further deterioration in the future. The use of plastic rubbing posts was also suggested. The HM confirmed that all options would be considered before a decision was finally taken.</p> <p>The HM also reported on damage to the facing of the coping edges along the quays which would be refaced. The Board was also advised that subsidence had occurred in the area adjacent to the Ice Plant. However, responsibility for repair lay with Western Power as it contained the power supply to the ice plant. Western Power had been advised and repair works were due to commence imminently.</p> <p>Governance – Consultation on Freeport status had commenced with further information awaited. The Board was would kept advised on this issue. Further information was also awaited on the new Boarder Inspection Post which had been raised at the last meeting, which could potentially lead to the relocation of the MMO from Hayle to Newlyn.</p> <p>Advisory Board (AB) - Nick Howell provided the Board with an update on the progress which was being made by the AB on its work in relation to the development of the new harbour 2050 strategy document, and circulated a number of documents for Commissioners to digest. A number of single issue sub-groups had been established to come forward with specific proposals for inclusion on which the AB would consult the local community for its views. This work was due for completion by April 2020 when the AB would meet to formalise its recommendations to the Board. The Chairman, on behalf of the Board welcomed the positive approach and work being undertaken by the AB and looked forward to the receipt of its recommendations for consideration by the Board in due course. It was also AGREED that the HM would attend the AB’s meeting in April when it would discuss the findings of its sub-groups. In addition, it was also AGREED that Commissioners were welcome to attend sub-group meetings if the so wished. JMck confirmed that he would like to be advised of the details of the Public Sector Sub-Group.</p>	<p>RP</p> <p>All to note</p>
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<p>NPHC 91 cont.</p>	<p>NH commented that one of the consensus views being expressed by the AB was a need for an independent auctioneer on the fish market. The Board noted the comments but confirmed the continuation of the status quo at the present time.</p> <p>JMcK also informed the Board that Cornwall Council had been successful in its bid to have Newlyn included in the Penzance Town Deal and that the HM had been appointed as one of the its Board members.</p> <p>In summing up, the Chairman confirmed that the Board would await the conclusion of the current piece of work by the AB and commented that the Board welcomed further discussions. It was AGREED that the final AB document would be forwarded to the HM for circulation to Board members when available.</p>	<p>RP</p>
<p>NPHC 92</p>	<p><u>Schedule of Fees and Charges</u></p> <p>The HM presented the proposed schedule of harbour fees and charges with effect from 1 April 2020 (copy appended to the signed minutes).</p> <p>The HM commented that modest increases were being proposed across the board and outlined the main points as follows:-</p> <ul style="list-style-type: none"> • Landing dues to remain at 2.5% to support the continued conservancy of the harbour operation; • Increase in slipway charges – (increase not supported by the Newlyn Fishermen’s Forum) the proposed change would still be significantly less than other local competitors. The Chairman commented that the harbour was a provider only of the Newlyn Slip which was not operated on a business basis unlike other local competitors. Ancillary charges to be split between the fishing fleet and commercial; • Contributory Keelage charge to be increased: for smaller boats this reflected the introduction of dedicated berths on the pontoons. However, it was proposed and AGREED that the 15% threshold reduction for 8m berths would be reduced £10k; • No change for laid-up vessels. In addition, the HM reported that the Sara Shaun, together with other W Stevenson & Sons Ltd. (WS&S Ltd.) laid up vessels had secured load-line exemptions and would be removed from the harbour; • Non-contributory charge to remain on the schedule but only applied at the HM’s discretion; • Leisure craft – single charge to be introduced to include ancillary service costs, with a view to the charge being stepped up annually to bring it into line with other local harbour charges; • The Board discussed the introduction of seasonal mooring bouys in Gwavas Lake to increase potential income. The HM AGREED to give further consideration to the proposal; • It was likely that the Box Wash would be the first service to be transferred to WS&S Ltd. with consequential TUPE of harbour 	<p>RP</p> <p>RP</p>



<p>NPHC 92 cont.</p>	<p>staff. Therefore, this charge would be removed from the schedule of charges at the appropriate time;</p> <ul style="list-style-type: none">• Dry Mooring charge to be applied at HM's discretion; and• Skip charges to be increased in line with the new disposal facilities. <p>JMcK suggested that leisure craft charges should be targeted to keep fishing charges down. Following a discussion on the proposed charges it was AGREED to defer the decision on the fees and charges until the proposed Operational Budget 2020/21 was discussed in the Part 2 agenda.</p>	
<p>NPHC 93</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>	

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SUMMARY OF MATTERS CONSIDERED IN THE CONFIDENTIAL PART OF THE AGENDA OF THE MEETING OF THE NEWLYN PIER & HARBOUR COMMISSIONERS HELD ON 4 MARCH 2020

1. Minutes

The minutes (Part 2) of the Ordinary Meeting held on 8 January 2020 be approved as a correct record and signed by the Chairman.

2. Matters Arising

There were no matters arising from the minutes.

3. Budget 2020/21

The Board approved the proposed operational budget 2020/21, subject to the incremental increase approved by the Board in respect of leisure craft dues. The Board also approved, subject to an amendment in respect of leisure craft fees, the schedule of harbour fees and charges with effect from 1 April 2020.

4. Projects

The Board received an update on the business proposal for boat storage at Sandy Cove and the new pontoon fuelling berth. The Board also approved a small budget to kick-start a small event to replace the former Newlyn Fish Festival. This additional figure would be added to the harbour's operational budget 2020/21.


5. Chairman's Business

None.

6. Any Other Business

The Board received an update on the Town Plan and confirmation that Newlyn had been added to the designated area which meant that the harbour could now make bids for a share of the £25m fund.

The meeting closed at 15.40hrs



Chairman

