

MEETING OF THE PADSTOW HARBOUR COMMISSIONERS 03/16

HELD AT THE PADSTOW HARBOUR OFFICE

ON THURSDAY 17th MARCH 2016 AT 7.00PM

Present: Mr D Martin, Capt R Atkinson, Mr S Summers, Mr W Jago, Mr M England, Mr G Saunders, Mr W Chown, Mr B Murt, Mr M Hewitt.

Apologies: None

In Attendance: Mrs N Dyer (Assistant Administrator), Mr N Billing (DHM), Mrs P Hicks (secretary), Mr D Lockwood, Mr P O'Neill, Mr A Hoskin, Mr I Kitto, Mr M Spence (Bennett Jones, Accountants), Mr J Hewitt

To Take Information and Comments from Any Members of the Public Present:

Before the meeting went ahead Mr M Hewitt (Commissioner for Rock) advised that he would be resigning his position as a Commissioner due to personal reasons which he felt would preclude him from attending future meetings.

DM commented that MH had been a Commissioner for 30 years and his knowledge of the estuary would be a great loss - he was sorry to see him go but understood his reasons. HM and other Commissioners also thanked him for all his help over the years and agreed that his knowledge has been extremely valuable to PHC over the years.

Mr J Hewitt had already submitted a letter of resignation as Commissioner for Rock, and had attended the meeting to give his reasons in person. JH was not happy with the upcoming speed limit proposals and the potential outcome for some of the stakeholders he felt that he represented. JH had business interests which could be affected by the proposal and he thought that his interests as a businessman might conflict with his position as a Harbour Commissioner. He went on to say that in his opinion there was plenty of alternative options such as training and education of water users which could be explored before changing the regulations to the extent that the Commissioners had in mind. He also thought that the proposed changes could be an economic disaster, not just for the stakeholders and PHC but the area as a whole.

DM said that he was saddened by this decision and the loss of

another Commissioner with invaluable knowledge of the river.

JH was also not happy with the way PHC had come over in the press with the issues of the de-designation of Rock as a bathing water. Why had PHC invested in media training if HM couldn't get the story out to the media correctly?

DM said that PHC had asked DEFRA to de-designate the beach as PHC had not been consulted about it being designated as safe for bathing in the first place – it appeared that some of the media had changed the story just for headlines. DM felt that the article in the Western Morning News and Plymouth Echo were factual. HM said that in his opinion the BBC spotlight article had put the story across fairly and factually but had not included all of the background information which 'softened' the headlines a little. HM was aggrieved that Radio Cornwall had interviewed him live at lunchtime and got the story correct, but in the evening news....they appeared to have deliberately sensationalised the headlines to misrepresent PHC and mislead the public. ME suggested that HM should permanently withdraw from consenting to interviews with Radio Cornwall in the future.

There was further discussion about the special meeting that was held at the Lobster Hatchery and that JH didn't think that the solicitor should have been brought in to a PHC meeting to paint 'the worse case scenario' to the Commissioners. DM said that Nick Hall had been asked to attend just for the legal opinion because once a proposal went forward it would almost certainly be scrutinised by a lot more solicitors and barristers. GS said that after Nick Hall had spoken to the Commissioners they all believed that the first proposal wasn't going to be feasible and in light of this perhaps there is more to iron out before it goes public. WJ said that PHC's current proposal was not set in stone and that the process could take years. WC asked if GS should declare an interest as he owns a speedboat - DM said that the interest was not a financial or family involvement.

DM said that the Commissioners are a democracy and no one person makes the decisions and that a majority was needed on this – it now appeared that some of the Commissioners were having doubts. ME said that he had submitted a letter concerning this subject to be read "in committee".

WJ wanted to know about individual Commissioner's liability in the situations where either PHC did nothing and an accident occurred or PHC changed the rules and adversely affected peoples businesses. HM tasked to talk to solicitor and insurers to try and find an opinion.

Mr M Spence from Bennett Jones, Accountants had come to speak to the Commissioners regarding the annual accounts ending December 2015. A copy of the accounts, a report and a memo had been sent to the Commissioners before the meeting to highlight the new accounting procedures being brought in by the EU. MS said that even though the accounts had generally been prepared in a similar fashion to previous years a lot of additional work had been included to make next year's accounts ready for the new rules.

Two noticeable areas of change:

- 1 - Accrued holiday pay carried over is now a liability
- 2 - Valuation of properties - under the old rules property had to be revalued every five years, this now no longer applies and we now freeze the value.

MS brought the Commissioners attention to the income and expenditure basic figures; one of the main changes on this page is that repairs/replacements now show on the balance sheet. DM/HM asked MS about tax relief when money is spent on repairs/replacements, he replied that improvements (including replacement engines for ferries, RHIB, etc) would now be classed as capital expenditure rather than repairs which would previously have been on the profit / loss account. DM noted that while capital allowances for machinery were high (£200 K for 2015 / 2016) this did not adversely affect PHC, however if the government scrapped or reduced capital allowances, this new method of accounting would adversely affect PHC's financial position.

The Commissioners asked about the new "crane pad" they were looking to install on the South Quay, MS said that this could be seen as protecting assets. DM said that this project would cost quite a lot of money and would need guidance from MS. NB informed the Commissioners that a 200 tonne crane would be needed to lift the Mowgli, WJ commented that this crane pad was a necessity.

MS went through the breakdown of the accounts with the Commissioners and to close asked if there were any questions. None were forthcoming so MS said he was happy to answer questions at a later date once the Commissioners had time to digest the Annual Accounts.

DM thanked MS for attending the meeting. MH would like to thank the staff for another healthy year.

**Invoices and Payments
for the period ending**

From 16th February to 9th March 2016 invoices totaling £148,563.12 had been paid.

9th March 2016

DM commented on the amount to Duchy Cash Systems and would the amount increase if there was Wi-Fi at Rock. HM said that this amount was for maintenance of the Wi-Fi around the harbour and if PHC wanted Wi-Fi at Rock we would probably need to install a land line into one of the Beachmasters sheds at Ferry Point.

DM asked if the new Ford truck had arrived and BM asked if any one person was in charge of the new truck, NB said that the Foreman was in charge of keeping it clean and tidy.

DM asked if PHC had superfast broadband from BT - ND replied that we did not as we did not have fibre from the exchange and had been told that we could not presently get 'superfast'. DM suggested checking this again as he had just been able to install it at his house and this was quite remote.

DM asked how the store extension was coming along as we had paid another instalment to West Cornwall Construction. NB commented that it was looking good and that the stone mason had done a good job, hoped that we would be in the building by the end of April.

Approval of Minutes
02/16

The minutes were approved by WJ and seconded by SS

Matters Arising
from Meeting
02/16

Mrs T Evans, PATA - TE had been to see HM regarding the letter with terms and conditions. HM said that this would be done next month

Meter Manager - New sim cards had been sent and they just needed to be installed to see if this would alleviate the recent connection problems.

Commissioners Elections - Mr M England had been re-elected to represent the parish of Padstow. HM said that an election would be required at Rock to fill the two casual vacancies.

Waterfront Building at Rock - HM had sent a sample of the proposed new cladding to the Duchy but as yet had no reply. He was also waiting for prices on the aluminum doors.

Drying Out Grid - JGP were putting an estimate together for the concrete slab which PHC hoped to replace the drying out grid with.

South Quay Toilets - in correspondence

Vanstones - The car park resurfacing had been completed and new car park spaces marked - PHC had lost eight car park spaces as a result of the widening. Resurfacing work in the Fisherman's store car park would start once the builders had finished.

CCTV on Skip - Another mattress and chairs had appeared in the skip and this prompted HM to check with Nick Hall regarding fly tipping.

Financial Briefing

Mrs N Dyer had prepared a financial report for the Commissioners.

Harbour income - this was down quite a lot and was due to quite a few Rock moorings being relinquished and awaiting re-allocation.

Dredger contracts - this was favorable as the dredger was on hire to Teignmouth during Jan/Feb.

Ferry Income - down by 11% for the same period last year, thought to be due to the poor weather in Jan/Feb 2016.

Car Park income - 4% down on last year due to the closure of the car park during resurfacing works.

Car Park maintenance – again, the adverse variance is due to the maintenance and resurfacing being carried out.

Correspondence

Mr J Hewitt - Letter of resignation as a Harbour Commissioner for reasons presented in person at the start of the meeting.

Mr C Benny, Cornwall Council - writes regarding the surrender of the lease on the toilet block in the South Quay Car Park – would the Harbour Commissioners agree to Cornwall Council keeping the lease but removing the clause stating that it could be used only as a public convenience or shelter. PHC did not agree to removing this clause as they could foresee Cornwall Council using the building to generate additional revenue. In the Commissioners opinion, this was not in the spirit of why the lease had been originally granted and they would like to see the building remain as a benefit to the general public in some way shape or form. HM to write to Mr Benny and advise.

Port Administrators Business

Cornwall Council, South Quay Toilet block - already covered

Drying out grid - already covered

Rock Quarry Car Park - the latest deadline for a planning decision is next week but HM commented that these deadlines

did not seem to mean much anyway. He had been minded to instruct John Grimes Partnership not to agree to any requests for further extensions but had been advised that this would almost certainly result in the planning permission being refused on the grounds of 'insufficient information' or similar. Presently, JGP / PHC had complied with all the requests for further information and Cornwall Council Planning were waiting on a report back from the Countryside and Access Team before making a decision.

New Pontoon System for South Dock - HM had contacted Solent Marine and Walcon regarding the proposed new pontoon system for the South Dock – both had indicated that small fishing boats with a draft of appx 1.5 metres could be dried out next to their pontoon systems. HM to consult with local fishermen and come up with a workable scheme to put out for quotes. It was hoped that PHC could get grant funding for such a system if it improved Health and Safety and Quality of catch.

BT 1 Ferry – Running trials with the MCA next week and the RHIB is back in the water ready for the 2016 season. Both ferries will be due for a light ship check in April.

Moorings - most of the mooring maintenance at Rock has been completed but there are a few Port Arthur moorings causing a problem due to being inaccessible with a digger because of soft mud.

Mannin – Dredging in Padstow temporarily stopped as the crane had needed some repair/welding. This has now been inspected and tested by Survitec and she will complete some more dredging in the South Dock before heading off for contracts at Teignmouth, Ramsgate and Whitstable. She will need to be in dry dock around about June for her 5 yearly MCA out of water inspection.

PMSC

Water Ski Permits.

HM reminded Commissioners that they had agreed that to improve safety standards; owners of ski boats should have an SBDA or equivalent qualification if they wanted to obtain a ski permit from 2016 onwards.

Many owners wanted to know what the equivalent should be for not having the SBDA and Rock Marine / Camel Ski had highlighted that many customers had mistakenly done their RYA powerboat courses thinking that this would be a suitable equivalent. The RYA qualification currently contained no training specific to safety regarding water skiing and HM did not accept that this was a suitable equivalent. It was felt that this

could be an issue if lots of customers turned up to ski and realised that they needed to complete the training course first – the ski school may not be able to cope with the demand at short notice and this could become an issue in the busy months.

HM said that he was disappointed that owners had not read the correspondence that had been sent out in the 18 months or so that had led up to this requirement, however he agreed that it could be a problem.

It had been suggested to HM that he should be able to give exemptions to people who have signed up to Camel Ski School's course and have a letter of intent to show this. This would at least allow them to continue skiing with the knowledge that they would be completing the course this season. HM was content to do this but felt that this should positively be the last year that such an exemption should be made – otherwise it did not seem fair to all those who had gone and obtained the qualification in good time.

MH said that most people who come down regularly on holiday should know about the requirement but that the day trippers are the ones who may not have any qualifications or knowledge. HM said that the Ski / RHIB Patrol would hopefully pick up people without numbers.

HM said that there may be other courses out there which could be used as an equivalent. DM said that we cannot cover every situation and Commissioners agreed that some discretion by the HM would have to be used.

GS suggested posting a notice on our website – HM to action.

Items for Discussion

SS - he had been asked about private moorings in the estuary and the procedure for applying for one. HM said that the rules were laid down in the 1987 HRO and that there were private moorings but they needed permission from PHC before being laid. They would also need permission from the land owner and PHC issued a licence which detailed this on it.

Date of Next Meeting

The next meeting will be held on Thursday 21st April 2016 at 7.00 pm in the Padstow Harbour Office.

There being no further business, the meeting went "In Committee"