

**Minutes of a meeting of the Barmouth Harbour Consultative Committee
held on 25 February 2009 at the Area Office, Barmouth**

PRESENT

Councillors Trevor Roberts, Eryl Jones-Williams, (Gwynedd Council), Councillors R. Aeron Williams, Bill Pritchard (Barmouth Town Council), Julian Kirkham (Arthog Community Council), Mr K. J. Probert (RNLI), Mr Denis Howell (Meirioneth Yacht Club), Mrs. Wendy Ponsford (Barmouth Harbour and Estuary Users Association)

Officers

Mr Barry Davies	-	Maritime and Country Parks Officer
Mr Glyn Jones	-	Harbour Master
Mrs Glynda O'Brien	-	Committee Officer

Apologies: Councillors Tom Ellis and Gethin Williams (Gwynedd Council), Mr Huw Davies (Group Engineer).

1. **WORD OF WELCOME**

Mr Denis Howell, a member of the Meirioneth Yacht Club, was welcomed to his first meeting of this Consultative Committee as a successor to Mr Meic Ellis.

2. **URGENT ITEM**

(Item 7 had not been included on the Agenda, however, the Chairman agreed to consider it under Section 100 (4)(b), of the Local Government Act 1972).

3. **DECLARATION OF PERSONAL CONNECTION**

Councillor Eryl Jones-Williams declared a personal interest in relation to Item 7 – Draft Shipping Regulations as he served on the Council's Licensing Sub-Committees.

He was of the view that it was a prejudicial interest and took no part in the discussion and did not vote on the issue.

4. **MINUTES**

Submitted: Minutes of a meeting of the Barmouth Harbour Consultative Committee that was held on 7 October 2008.

Resolved: To receive and approve the minutes as a correct record subject to the following amendments:

Item 6 – The Maritime Officer’s Report

Clause (i) - in the context of the reference to the “two boats coming ashore and one was totally lost “ it was explained and further stressed that the meaning was that the boat in question was lost in navigation. A member felt that this should not have been minuted.

Clause (iii) – add the words “Royal Yachting Association” following “Level 2 Certificate ”.

5. MATTERS ARISING FROM THE MINUTES

(a) Clause (viii) – Harbour Act

Reference was made to the Harbour Act and a representative from the Yacht Club stated that the Club’s interpretation of the contents of the Act was as follows and that this had been noted clearly in the Shoreline Management Plan:

The member declared that “the act does place a duty on the Council to repair, deepen, extend and preserve the Harbour,” The member proceeded to say that the Shoreline Management Plan stated that “Gwynedd Council are the Harbour Authority and are empowered to repair, deepen, and enlarging and preserving the Harbour”. The Barmouth Urban District Council Act transferred the duties, rights and liabilities of the Trustees together with properties invested in them”.

In response, the Maritime Officer explained that the Council’s Legal Unit had looked in detail at the contents of the Harbour Act and had concluded that the Council did have powers to repair, deepen, extend and preserve the Harbour but had no duty to undertake the work. The Shoreline Management Plan did not exist when the Harbour Act came into force and therefore it was not relevant and the interpretation of the Scheme could not be considered. It was explained that the Act was very clear and gave the Council the power to undertake the work but there was no **duty** to undertake it. The Maritime Officer went on to say that there was no intention for the Council to have further legal counsel but any individual was free to challenge the Council’s view if they so wished, at their own costs.

Resolved: That the above explanation was received.

(b) Clause (b) (i) on Page 5

Reported: (i) By the Maritime Officer, that there was no purpose for a deputation of this Consultative Committee to meet with relevant officers in Caernarfon to discuss the possibility of the Highways and Municipal Unit transferring a percentage of the car park receipts in Barmouth to the Maritime Service. It would not be possible for any service/department to transfer finance in the current financial climate since every Council Service had to seek savings. If any service transferred money to another service then it would be necessary for that service to find the deficit under another

heading and/or have to reduce the service's annual budget. The Chairman added that he would raise the matter again when appropriate in an effort to get a percentage of the parking payments budget to the Maritime Service.

Resolved - **To note the above.**

6. THE MARITIME OFFICER'S REPORT

Submitted: The report of the Maritime Officer, Mr Barry Davies, on activities in Barmouth harbour with specific reference to the following:

- (i) Fees and charges
- (ii) Budgets
- (iii) Navigation
- (iv) Beach Awards
- (v) Reorganisation of Services
- (vi) Analysis of Customer Questionnaire

Reported: (a) By the Maritime and Country Parks Officer:

(i) that it was necessary to increase the fees and payments to ensure the maintenance of the Harbour. Reference was made to the appropriate appendices that showed the fees and attention was drawn to the fact that these had increased by 3% for the residents of Gwynedd with an increase of 5% for those residing outside Gwynedd. The Maritime Unit's general income target for 2009/10 was £2,121,900 and this would be a significant challenge to the Service because of the economy's fragile situation.

(ii) in the context of the harbour's budgets, attention was drawn to the harbour's income target namely £53,530 and thus far it had reached £37,166. Members were guided through the budgets and the various elements on the lists were explained. In the same manner members were guided through the beach budgets that were attached to the report.

(iii) that red diesel had been purchased when the price was high and as the price had reduced it would be necessary to shoulder the burden of selling it at a loss. The government had recently announced new regulations regarding the sale of red diesel for pleasure boat users. No tax is added for using red diesel to heat pleasure boats however, 40 pence per litre of additional tax is to be charged for travelling. It would be necessary for individuals to declare what percentage of red diesel they use. It was noted that this was not relevant to traders or fishermen.

(iv) regarding **navigation** the aids to navigation had remained on station during the initial part of the winter months. It was noted that the 'perch beacon' had been maintained at a cost of £600 for cutting rusted bolts and replacing and welding flanges onto the base. Concern was expressed regarding a navigation aid in the ownership of Welsh Water and the Maritime Officer gave an undertaking that he would write to them to request that they act regarding this immediately.

Concern was expressed by a member regarding instructions to mariners on the tide tables because he felt that they were rather confusing especially the awareness of hazards. The Maritime Officer accepted the comments and added that professional courses for mariners were held locally.

(v) it was disappointing to note that the **bathing water quality result** for Barmouth had failed to reach the required standards by the Environment Agency for the Blue Flag Award this year. It was noted that the bathing water quality in Barmouth had been excellent every year since 1997 and members' attention was drawn to those days when the water had failed to reach the appropriate standard and that was on one occasion only. However, the Urban Beach Award had been received. .

Members declared their disappointment regarding the loss of the Blue Flag and they were anxious for the Maritime Officer to ascertain when the tests are taken in order perhaps to find out if e.g. harsh weather has an impact. A member felt that it was a disappointment for Barmouth to lose the Blue Flag and it showed that the tests worked and he expressed concern that the results were high and caused a hazard to public health. Members were of the view that there was a historical problem with the Welsh Water outfall pipe near the pumping station and that this could contribute to poor results. It was added that historical problems arose from the outfall pipe in the Harbour that serves Aberamffra Terrace and the Toll House. It was also noted that there was an increase in sewage waste lorries seen in the area. The Maritime Officer promised that he would make further enquiries regarding the test results on behalf of the Consultative Committee and he would meet the member at the Aberamffra site following the meeting in order to look at the issue in the area.

(vi) because of the poor settlement that the Council received from the Assembly that it was inevitable that the Council would have to make efficiency savings across all the Council's services. As part of the cuts the Lifelong Learning Unit lead by Mr Rhys Wyn Parri, would cease after the 31 March 2009. Therefore, this meant that Mr Rhys Wyn Parri's post of Head of Lifelong Learning would be removed from the current structure and the Maritime Officer hastened to add that Mr Parri had been very enthusiastic and had taken a keen interest and was very supportive of the work of the Maritime Unit over the years he had been in post. Consequently, the Maritime and Country Parks Unit would be transferred to the Economic Development Service from the 1 April 2009 under the leadership of Mrs Sioned E. Williams, Head of Economy and Regeneration. This would give the Maritime Unit an opportunity to work closely with experts in the field of economic development especially in the context of finding sources for relevant grants for any harbour developments.

It was added that elected members would face very difficult decisions in the future. Next year the Maritime Unit would lose half the post of the Pwllheli Harbour Master and it was stressed that Pwllheli Harbour was one of the busiest. It was envisaged that it would be necessary to look at other harbours in the same way and it was stressed that there was a need for all staff to work jointly in order to improve the efficiency of the service.

(vii) that the response from the customers to the Customer Questionnaire was 45% having said that, they had been given an opportunity to express their views. On the

whole the responses were positive but things can always improve and the Maritime Unit would continue to improve the facilities.

Resolved:- To receive and note the contents of the Maritime and Country Parks Officer's report.

7. **DRAFT SHIPPING REGULATIONS**

Submitted: To members during the meeting, the relevant sections of the regulations for consultation by the Department of Transport to exempt mariners in specific categories of ships from the offence of exceeding the prescribed alcohol limits stemming from Section 80 (2) Railways and Transport Act.

Reported: By the Maritime Officer on the Act that was proposed to be presented before Parliament. The Government had noted that they tended to exempt rowing and paddling boats and sailing dinghies from the breath restrictions and associated tests. There was some support in the consultation to the figures based on the suggested parameters regarding an exception based on boats with a maximum speed of 7 knots and less than 7 metres long.

It was noted that the Government was working on separate measures to deal with Personal Watercraft to ensure that Personal Watercraft were included in the Act and this was not part of this consultation.

Members were asked for their comments on the consultation.

The members welcomed the regulations within the Act however concern was expressed regarding users of Personal Watercraft. The Harbour Master gave an assurance that if individuals were under the effect of alcohol that he contacted the police at all times.

Resolved: To request that the Maritime and Country Parks Officer conveys the approval of this Consultative Committee to the regulations referred to above.

8. **MATTERS TO BE CONSIDERED AT THE REQUEST OF MEMBERS OF THE CONSULTATIVE COMMITTEE**

The following matters had been referred for consideration to the Maritime and Country Parks Officer beforehand for discussion at this meeting and the officer's response to these was received:-

(1) Was it possible to reach the moorings target of 140?

In response, the Maritime Officer explained that there was potential to have 140 moorings based on scientific information and the Harbour's income was not based on the number of moorings. The income had been set historically by the former Meirionnydd District Council and it was increased annually in accordance with inflation.

(2) Renovation and improvement in the Bathhouse area including sand disposal from the surrounding area. The Harbour User's Association were eager to dispose of sand from this area and suggested that it should be placed on the other side of the sea-

wall and as a result it would be possible to get more than 140 moorings. Another suggestion was to carry the sand under the bridge near the "Last Inn".

The Maritime Officer accepted the comment, however, this would have to be discussed with the Group Engineer, Coastal Protection, and it was not anticipated that there would be any development during this financial year due to the lack of finance.

In response, the member of the Yacht Club suggested that interested organisations might look at applications from other various funding sources as contributions to this work.

(3) Pontoons were still required to improve access to boats especially for the disabled and the elderly.

In response, the Maritime Officer explained that there was no objection to any organisation to apply for a grant from other sources to purchase a pontoon to improve access to boats. The Council worked jointly with other voluntary groups in areas of the county and any scheme from the Yacht Club would be welcomed if they desired to go down this route. An assurance was given in the meantime that the Harbour Master would continue with the task of seeking pontoons.

(4) Fendering on the ladders – no work would be required if a pontoon was available..

In response, the Maritime Officer accepted that work was required to the ladders and he would seek finance to do this in due course. He stressed that the Harbour Master would examine the ladders without delay and could commence any essential maintenance work.

(5) Cleaning Harbour area to the same standard as the remainder of the town. Pigeons under the railway bridge caused a real problem with their droppings. .

In response, it was explained that Harbour staff had recently cleaned under the railway bridge and it was noted that the Town Council had requested the appropriate service for a time-table and work schedule. .

(6) Condition of public toilets were still appalling.

It was suggested that the Chairman, the Maritime Officer and Mrs Wendy Ponsford and Mr Denis Howell, should visit the toilets following this meeting. .

(7) Double yellow lines needed to be extended to improve safety outside the yacht compound and around the Harbour.

The problem was outlined that vehicles were parking either side of the boat enclosure and that it was difficult for the contractor to come out with his vehicle due to its size and inability to turn conveniently

The Chairman was of the view that it would be difficult to get yellow lines and this could be looked at when dealing with the Parking Order in due course. However, in the

meantime, as a way forward it was suggested that the police should be informed when the contractor needs access from the enclosure in order that they may place traffic cones to prevent cars from parking either side to the access. It was further suggested that the Harbour Master could put out the cones.

Resolved To receive and note the comments made together with the Maritime and Country Parks Officer's response to these.

(The Chair noted that he did not give permission for Items (viii) to (xii) on the agenda to be discussed).

9. **ANY OTHER BUSINESS – SAFETY ISSUES**

Reported: By a member his concern regarding the location of some of the aids to navigation in the middle of the channel. .

In response to the above concern, it was suggested in order to understand the exact sites of the aids to navigation in question, that it would be good if the member met with the Harbour Master following this meeting. The Maritime Officer added that a plan and leaflet had been produced and submitted to the Consultative Committee approximately two years ago which gave details and instructions on how to navigate in and out of the Harbour. .

10. **DATE OF NEXT MEETING**

Reported that the next meeting of this Committee would take place on Tuesday, 6 October 2009.

Resolved To receive and note the above.

CHAIRMAN