

Minutes of a meeting of the Barmouth Harbour Consultative Committee that took place on 21 October 2013 at the Dragon Theatre, Barmouth

PRESENT

Councillors Louise Hughes, Eryl Jones-Williams, Gethin Glyn Williams, (Gwynedd Council), Cllr. Lark Davies, R A Williams (Barmouth Town Council), Mr John Johnson (Barmouth and Cardigan Bay Sea Fisheries), Mr Llew Griffin (Merioneth Yacht Club), Mr Mark James (RNLI), Mrs Wendy Ponsford (Barmouth Harbour and Estuary Users Association).

Observer: Cllr. David Richardson (Aberdyfi Harbour Consultative Committee).

Officers

Mr Llŷr B. Jones	-	Senior Manager Economy and Community
Mr Barry Davies	-	Maritime and Country Parks Officer
Mr Glyn Jones	-	Harbour Master
Mr Huw Davies	-	Chief Engineer
Mrs Glynda O'Brien	-	Members' Support and Scrutiny Officer
Mrs Mererid Watt	-	Translator

Apologies:

Cllr. John Wynn Jones (Cabinet Member), Eric Wilding (Arthog Community Council), Mr David Baily (RNLI).

1. **ELECTION OF CHAIR**

Resolved: To re-elect Councillor Gethin Glyn Williams as Chair of this Committee for 2013-14.

2. **ELECTION OF VICE-CHAIR**

Resolved: Councillor Eryl Jones-Williams was elected as Vice-chairman of this Committee for 2013-14.

3. **DECLARATION OF PERSONAL INTEREST**

Councillor Gethin Williams and Mrs Wendy Ponsford declared a personal interest in relation to matters dealing with the Yacht Club as they were Members.

4. **MINUTES**

Submitted: Minutes of a meeting of the Barmouth Harbour Consultative Committee held on 19 March 2013.

Resolved: To accept and approve the minutes as a true record.

4.1 **MATTERS ARISING FROM THE MINUTES**

- (a) **Penrhyn Point, Fairbourne** – It was reported that concerns regarding the management of this area where vans camp overnight at Penrhyn Point had been referred for the attention of the Communities Scrutiny Committee.

Resolved: To accept and note the above.

5. **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:-

(A) Harbour Consultative Committees

(i) Reference was made to the Cabinet Member's report submitted to the Cabinet on 17 September 2013, to update operational arrangements and accountability for the management duties of the County's Harbours in accordance with the Marine Safety Code.

(ii) The Senior Manager Economy and Community, set the context by noting that the Marine Safety Code was relevant to every Harbour Authority and set a national standard for port marine safety to promote the safety of those who use or work in ports, ships, passengers and the environment. The Code referred to specific duties and as a result of changing the governance arrangements within the Council from a Board to a Cabinet last year, it was necessary to ensure that the Council's arrangements were in accordance with the requirements of the Code. Attention was drawn to the three relevant elements of the Code namely accountability for marine safety, documents and Harbour Committees. In terms of accountability for marine safety, the guidelines noted that the Duty Holder on behalf of the Harbour Authority was accountable for managing operations within the harbour and it was recommended that the Cabinet would undertake this responsibility. The role of the Duty Holder included:

- Strategic oversight and direction for the harbour's activities, including marine safety
- Responsibility for developing policies, plans, systems and procedures
- Ensuring that assessments and reviews are undertaken Ensuring that the harbour authority enforces regulations, and establishes appropriate financial arrangements.

It was fundamental for an effective safety management system that a 'Designated Person' was appointed to provide independent quality assurance of the marine safety systems and to ensure that the authority was in compliance with the Code. It was anticipated that the 'Duty Holder' would submit an annual report to the Cabinet on the performance and activities of the service. In accordance with the functions of the code, the 'Chief Officer' would be the Maritime Service Manager and the 'Harbour Master' would be the Harbour Masters of Barmouth, Aberdyfi, Porthmadog and Pwllheli that had been appointed within the Maritime Service.

(iii) The Code noted the need for harbour authorities to consult with appropriate parties regarding harbour activities and it was considered that this was an opportunity to update the arrangements of the Harbour Committees by adopting a standard constitution and areas of work in accordance with the Code's guidelines.

(iv) Members were guided and referred to the specific terms of reference for existing Harbour Committees that addressed Membership, Chairman and Vice-chairman, Quorum and

Voting, Frequency of Meetings and the Committee's functions. The membership of the consultative Committee will be:

- Up to four local members from Gwynedd Council
- Cabinet Member
- One member of a Town Council
- Up to seven other members to represent the various interests of the harbour users.

The Chair of the Consultative Committee will be elected from amongst its members who are county councillors. In terms of the Chairman's role it was noted that:

- this would ensure consistency in the Chairmanship of Harbour Committees
- was an opportunity to have a local knowledge input
- an opportunity for the Chair to steer further discussions with the Cabinet Member and the Maritime Service.

(v) It was stressed that it would take time for the above arrangements to come into effect, however, it was a means to ensure consistency across all Harbour Committees in the County.

(vi) During the ensuing discussion the following points were highlighted by individual Members:

- (a) that it would be more sensible to elect a vice-chair from amongst the harbour users who had expertise and were knowledgeable about water activities and the harbour.
- (c) whilst accepting that the Chief Executive and the Monitoring Officer approved the proposed arrangements, it was felt that the membership would be limited bearing in mind that only three County Members would serve on the Consultative Committee
- (e) that valuable expertise would be lost
- (g) it was asked what the responsibilities would be and how accountable would the Consultative Committee be if any tragic incident occurred
- (i) that Cabinet Members had a significant workload and they could not be expected to be everywhere and it was suggested that it would be useful to establish a Working Group of the Consultative Committee to undertake specific research work, if the need arose, for the Cabinet Member
- (k) It was understood that the Aberdyfi Harbour Consultative Committee had suggested, when the terms of reference were discussed at a meeting recently, that the bodies/organisations should be fully constitutionalised bodies and it was further suggested that this Consultative Committee should take the same stance
- (m) it would be useful to hold an annual joint meeting of the four Harbour Consultative Committees (Barmouth, Aberdyfi, Porthmadog and Pwllheli) to share experiences and have an overview of activities in other harbours

(vii) In response to the above concerns, the Senior Manager Economy and Community and the Maritime and Country Parks Officer noted:

- That there was an advantage in having a County member in the Chair as they were familiar with the arrangements, constitution and the Council's procedures and it was easy for them to refer and have further discussions with the Cabinet Member and the Maritime Service if concerns arose regarding any element of the Harbour's activities
- Whilst accepting that members from the Town Council would be lost, at the same time they would benefit from having three additional members amongst harbour users as the number had increased up to seven and only four bodies currently served and therefore expertise would be increased

- It was stressed that the Council Cabinet would be responsible for events in the Harbour and that this Committee had a consultative role and therefore any responsibility would fall on the Cabinet. It was further stressed that members of the Consultative Committee should raise any matters of concern regarding Harbour activities with the Maritime Service who would in turn consult further with the relevant Cabinet Member if need be, and that the constitution had been adopted by the Cabinet, however, there would be further consultation regarding membership etc.
- In terms of holding a joint meeting of the four Harbour Consultative Committees, it was stressed that there was so much variety in the activities of each Committee and members were reminded that observers had been elected with the right to attend and to share information with the committees they represent. In addition, it had to be borne in mind that the administration cost of the Committees fell on the four Consultative Committees. However, it was thought that it would be beneficial for the Chairs of the four Consultative Committees to meet to share information. Of course, it would be possible to suggest this proposal to the Cabinet Member for further consideration. Matters for discussion at the Consultative Committee would be limited to matters concerning the harbour only with other issues such as concessions, beach cleanliness etc. referred to another appropriate committee.

Resolved: To request that the Cabinet Member- Economy:

- (i) Considers the possibility for the four Harbour Consultative Committees (Barmouth, Aberdyfi, Porthmadog and Pwllheli) to hold an annual joint meeting in order to have an overview of their activities**
- (ii) Ensure that the different Harbour organisations/user bodies invited to the Consultative Committee have a constitution and request them to submit appropriate minutes of their Annual Meeting and their constitution as criteria**

(B) Port Marine Safety Code

(i) The Maritime and Country Parks Officer referred to the Port Marine Safety Code together with an Action Plan for Gwynedd that had been sent to Members of the Consultative Committee with the agenda. He noted that the plan was generic for the whole of Gwynedd and it would be reviewed annually by an expert. He noted further that the Safety Code was not statutory, however, it was a very good exercise and the same guidelines existed in any Harbour throughout the land and it was therefore a robust framework for duties. Members of the Consultative Committee were requested to have a look at the contents of the Code and the Action Plan and to send their observations to the Maritime and Country Parks Officer to be aired further at the Consultative Committee meeting in March 2014.

(ii) An amendment was noted on page 23 of the Action Plan to delete 'Briwet Bridge' and insert 'Penmaenpool Bridge'.

Resolved: To request that Members send in their observations on the contents of the Port Marine Safety Code and the Action Plan for further consideration at the next meeting of the Consultative Committee in March 2014.

(C) Navigation and Moorings

The Maritime and Country Parks Officer referred to Gwynedd Council regulations to ensure safety and order on the water which had also been adopted by the Councils of Anglesey and Conwy as well as an authority in south Wales and one authority in England. Reference was

made to two serious accidents in Gwynedd this year one at Warren beach where a young lad of 13 was driving a Personal Watercraft and hit a kayak with four children in it and an incident where two Personal Watercraft had collided in the area of Porthmadog Harbour. However, having considered the vast number who navigate the coast only a few serious accidents had occurred. Members were reminded that Personal Watercraft were not considered under the Commercial Ships Act because of a decision made in the High Court in 2005. Any observations on the regulations would be appreciated.

(ii) In response to a query by a Member regarding qualifications and age limit for driving a Personal Watercraft, the Maritime and Country Parks Officer noted that there was no requirement for an individual to gain a qualification to drive any boat for pleasure in the waters of Britain, and there was no age restriction. However, there was a need to tighten the Council's regulations as best they could to reduce such incidents. In the context of Warren beach, it was explained that the Council had supervised activities on the beach in the past, however, for around two years the private company who owned the leisure site had undertaken these duties. However, following the above incident discussions took place between the Maritime Service and the private company and further discussions would be organised to discuss the possibility of supervising activities on Warren beach once more in 2014. It was further explained that a regulation prohibited boats to speed more than 4 knots per hour within a 100 metres from the coast and there was a registration number on the boat which could be noted and reported to the Harbour Master if there was any breach of the rules.

(iii) In response to an inquiry from a Member regarding placing beach buoys in the Caerddaniel area, the Maritime and Country Parks Officer explained that the service had to review the situation along the coastline in terms of maintenance costs which was mainly as it appeared that a great number of these buoys were stolen in the Barmouth area. A significant number of buoys were lost to shore every year in the Barmouth area. He hastened to add that the Caerddaniel site complied and cooperated well with the Maritime Service and consideration would be given again to stationing buoys for next year as they were to everyone's benefit.

(iii) The Maritime and Country Parks Officer reported that the aids to navigation had remained on station and had received formal approval from Trinity House following their inspection.

(iv) In response to the above, a Member noted that the aids to navigation were very good and easy to see and the Service should be congratulated for this.

Resolved: To accept and note the above.

(CH) Maritime Statistics

(i) Submitted for information to Members, the statistics for harbour moorings, other harbour statistics together with general statistics. There had been a reduction in the number of boats this year, however, it was hastened to note that this was the trend in every harbour throughout the country. It was noted that there were 75 empty spaces in Hafan Pwllheli and this was a reflection of the economic situation rather than the quality of the Harbours. The situation in Barmouth was consistent in comparison with the figures for last year with an increase in the number of power boats and personal watercraft.

(ii) It was pleasing to note that there were many local persons with moorings.

(iii) In response to a query regarding the use of the pontoon, the Harbour Master noted that many were anxious to use the pontoon, however, a discussion was needed regarding who was responsible for it. The tendency was for local boats to stay there and not move and consequently created an obstruction for visiting boats to come into the harbour. There was

nothing in writing to prohibit boats to remain on the pontoon and this caused difficulty for the Harbour Master when boats remained there for many days. The Maritime and Country Parks Officer stressed that the ownership of the pontoon would have to be discussed further and that its main purpose was for visitors only and not for general harbour users to stay there for several days. It was unfair for them to take advantage of its use and from the 1st April 2014 a fee would be charged in order to try and control the use made of the pontoon. Because there was a difference of opinion amongst the Members it was suggested that in order to try and find a way forward it would be useful to establish a Sub-committee of this Consultative Committee to discuss the matter further with the Harbour Master, with representatives of the Town Council and local businesses located near the quay, to offer ideas.

(iv) In response to a query regarding insuring the pontoon, the Maritime and Country Parks Officer explained that it was currently the Council who insured it. Further attention was drawn to the substantial cost of maintenance and having to take off the fingers over winter. A specific discussion would be required with the Yacht Club and the Maritime Service regarding the ownership of the pontoon as soon as possible.

(v) In response to a query from a member regarding a request to undertake maintenance to his boat at the side of the quay, it was confirmed that the Harbour Master could give permission for him to retain his boat on the quay wall for a short period for maintenance work without any additional cost to the individual.

Resolved: (a) To request that the Maritime and Country Parks Officer organises an urgent meeting with the Yacht Club to discuss the ownership of the pontoon and then

(b) To establish a Sub-committee of this Consultative Committee to discuss and determine the use and responsibility for the pontoon as soon as possible.

(D) Harbour Budgets

(i) The Maritime and Country Parks Officer made a correction to the budget appendices and stated that the budgetary report for Barmouth Harbour was DG54. The Maritime and Country Parks Officer guided Members through the Harbour budget appendices for 2012-13 and noted that there was a saving of £8,545.81 under the heading employee costs and £11,881.93 overspend under the heading building costs. The total expenditure for running the Harbour was £63,003 with the actual expenditure £68,585.76 that meant an overspend of £5,582.76 more than the income made in Barmouth Harbour last year. In terms of income, it was noted that the target was £48,360 and £36,326.38 had been collected in income which meant a reduction of £12,033.62 this was an overspend of £17,616.38 for next year. It was stressed that the Maritime Service therefore had to find the overspend from within the budget of other Harbours.

(ii) In response to a query from a Member, it was explained that the heading building costs included the maintenance of land around the Harbour such as SS Dora buildings, any walls and fencing in the ownership of the Service.

(iii) Reference was made to the position at the end of August 2013 with the income position indicating that the service was approximately £10,000 short of achieving the target and an increase of an additional £2000/£3000 was not anticipated.

(iv) In terms of the 'trot' moorings the Maritime and Country Parks Officer explained that they would have to calculate in detail how much income they would have created in the Service had placed individual moorings in the harbour, but from the attached table it could be seen that the 'trot' moorings had created a little over £3,000 for the Harbour. The Harbour Master added that

the costs of producing the trot moorings had to be considered namely £1,000, compared with creating 5 individual moorings at a cost of approximately £3,000.

(v) In response to the above, a Member noted that while he accepted that trot moorings were profitable and was a good means of having many boats in a small area, traditionally they did not work successfully in Barmouth as the number of boats that had sunk from trot moorings were higher in comparison than the number that had sunk on buoys. Concern was expressed regarding the location of the trot moorings as they restricted access for yachts especially to the area called the 'cemetery'. An appeal was made for this to be taken into consideration if it was proposed to have more trot moorings in the future.

(v) It was anticipated that fees and charges would be increased by approximately 2% -2.5%.

(vi) A Member noted that in the past local users had received a reduction in the fees. In response, the Maritime and Country Parks Officer noted that they had to be careful how they defined 'local' and that it was easy to control one fee. It had also to be borne in mind that there were significant challenges ahead in terms of savings facing the Council in the future. It was added that the economic benefit from the Harbour for villages along the coast should be looked at.

(vii) In response to a query by a Member regarding why commercial operators benefited from a grant from the Council, the Maritime and Country Parks Officer explained that a detailed review would be undertaken of the fees and charges taking into consideration the possibility of not offering a reduction to harbour users in 2014. Of course, additional costs would have to be considered and fishermen were trying to make a living.

Resolved: To accept and note the above.

(DD) Events

The Maritime and Country Parks Officer reported that:

- (i) Although the Service had not received the bathing water quality results he was confident that they would have the Blue Flag for Barmouth in 2014.
- (ii) In terms of the Dog Control Order, that he was not aware that a fine had been given to a dog owner in Barmouth. Once the Harbour Master was qualified he would then have the right to fine to a dog owner taking his/her dog on the prohibited area for dogs. It was added that Barmouth was very difficult to control as far as dogs were concerned.

Resolved: To accept and note the above.

(E) Concessions and Improvements

- (i) The Maritime and Country Parks Officer reported that an article on facilities and resources in the harbours of Aberdyfi and Barmouth had appeared in the Cruising Anglesey Guide and this was available on the Web.
- (ii) In terms of marketing, it was noted that an advert had appeared in the PBO at a significant cost and the strategy for next year would be re-considered.
- (iii) It was noted that the majority of the Harbour ladders had been renewed.

Resolved: To accept and note the above.

F) Security of Marine Equipment

The Assistant Maritime Officer – Harbours reported that PCSO Paul Duggan was responsible for marine issues and it was stressed that Members should encourage every mariner to register their property with the Police.

Resolved: To accept and note the above.

(FF) Harbour Staff

(i) The Harbour Master's work Programme was presented to members during the meeting and attention was drawn to the fact the Aberdyfi Harbour Master would retire at the end of October. A temporary person would be employed in his place from 1 November with the intention of appointing a permanent successor in February 2014. Bearing this in mind, it was not expected for the Barmouth Harbour Master to assist in Aberdyfi and it was proposed that two members of staff from the north of the County would assist for a day and a half in Barmouth which would increase capacity and assist to complete the duties on the work programme over the winter.

Resolved: To accept and note the above.

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

- (a) Works on bridge – it was noted that no response had been received from Network Rail regarding the work to the bridge.
- (b) A member asked if it would be possible to ensure that the Harbour Users Association were kept in the picture regarding any work especially bathymetric changes due to concern regarding the condition of the gabions.

In response, the Chief Engineer gave an assurance that the gabions would not be extended.

Resolved: To accept and note the above.

(b) Harbour Development Plan, Dredging and Moorings

(i) A Member noted that the Harbour Users Association had discussed this with the Harbour Master and had been promised that no more trot moorings would be located on the northern side. The Harbour Users Association were of the view that they would restrict navigation if more were located there.

(ii) That the Users Association had made a comment regarding dredging and were concerned about the mud at the bottom of the main slipway and it was asked if it would be possible to maintain this by dredging.

(iii) In response, the Maritime and Country Parks Officer explained that he did not anticipate that any dredging work would be undertaken in the future and another means of control would have to be considered. The Service had invested approximately £50,000 in the past on dredging along the quay wall without much success.

(iv) During the ensuing discussion the following points were highlighted

- Whilst accepting that the Council was under financial pressure, it was felt that sometimes it was necessary to take a risk in order to create more income and if the Bathhouse area was dredged then more places could be created for moorings and therefore more income could be collected for the Harbour. By doing this it would then be possible to create a development plan for the Harbour.
 - It was suggested that a Sub-committee could be established for the development plan in order to discuss other ways of raising money.
 - It was asked if it was possible to sell the sand for a nominal sum for landfill at the Ffridd Rasmus site, Harlech when it would close.
- (v) In response, the Senior Manager Economy and Community and the Maritime and Country Parks Officer stated that the Council was facing financial challenges over the next five years. Whilst accepting the need for a Harbour development plan it was necessary to be practical regarding what could be achieved in the current financial climate. Although it was accepted that they had to be ambitious, it was doubtful if they would be in a situation to undertake any future dredging work. It was further noted that this system placed so much emphasis on the collection of environmental data and that any application would have significant costs.
- (vi) The Chairman added that perhaps in about two or three years it would be possible to collaborate with the third sector in such schemes.
- (vii) In terms of the Ffridd Rasmus site, it was confirmed that the Council was considering moving sand for landfill use if required.

Resolved: To accept and note the above.

(c) New Slipway

A Member of the Harbour Users Association reported that it was noted in the previous minutes of this meeting that the Chief Engineer would be asked to look at the situation in the Bathhouse area.

Resolved: To ask the Member to have a word with the Chief Engineer at the end of this meeting.

(ch) Pontoon and CCTV

- (i) Although it was accepted that a CCTV system already existed, the request of the Harbour Users Association was to have better coverage of the pontoon in order to assist the Harbour Master to keep it under control.
- (ii) In response, the Maritime and Country Parks Officer noted that a human presence on the pontoon was much more effective than cameras.

Resolved: To accept and note the above.

(d) Beach Markers

The Maritime and Country Parks Officer added that the Unit would discuss the above further to see what were the requirements as well as the locations, and he was aware of the need to ensure that there would be some in the Caerddaniel area for next year.

Resolved: To accept and note the above.

7. DATE OF NEXT MEETING

(a) It was reported that the next meeting of the Barmouth Harbour Consultative Committee would take place on Thursday, 20 March 2014.

Resolved To accept and note the above.

CHAIRMAN