



Falmouth Harbour  
Commissioners

## CONSULTATIVE COMMITTEE MEETING

14:00 hrs on Tuesday 10<sup>th</sup> June 2014 at the  
Cornwall Port Health Authority Building

### Attendees:

Martin Bidmead

David Carne

Carrie Gilmore Falmouth Harbour Board Member

Sophie Mitchell Falmouth Harbour Commissioners (Minutes)

David Muirhead

Ian Munday (Chair)

Mark Sansom Falmouth Harbour Commissioners

### Apologies:

David Hitchcock

Chris Smith

### 1. Apologies

See table above.

### 2. Approval of Minutes of the Last Meeting – 18<sup>th</sup> March 2014

The minutes of the last meeting were agreed as accurate.

### 3. Matters Arising

#### a) Board Skills and Appraisals Update

Carrie and Dave Ellis were due to meet last month but unfortunately the meeting had to be cancelled; it has been rescheduled for the 17<sup>th</sup> June. It is hoped that at this meeting a draft can be written then taken to the Remuneration Sub Committee for discussion/approval. The skills audit/analysis will include what the Board will need to support the new structure at Falmouth Harbour Commissioners (FHC). The results will be used in the recruitment process for a new Commissioner at the end of the year and circulated to the Consultative Committee for their thoughts and feedback. Mark has received some initial guidance from the DfT regarding skills audits and agreed to circulate this to Carrie.

**ACTION:** Mark to circulate the DfT's initial guidance on skills audits to Carrie.

#### b) Letter from Shipping Minister

Sarah Newton MP has been very helpful in the problems FHC have faced trying to find a definition of a 'ship'. Mark met with Stephen Hammond to explain the case and the Minister has written a letter back (circulated to committee members). The letter promises to review the definition in 2016 and asks for data and



## Falmouth Harbour Commissioners

evidence to be submitted for this review. This issue will be discussed at the Harbour Board meeting on 13<sup>th</sup> June.

Ian asked the group what should be done now. Should FHC submit new byelaws as per the letter from Stephen Hammond? Carrie suggested getting together with other Harbours and submitting the same thing, however Mark wasn't keen on doing this as byelaws are quite individual to each Harbour.

The group agreed that FHC should gather evidence for the review in 2016. Mark suggested contact within the Ports Liaison Officer of the MCA and asking for the number of incidents that have involved jet-skis. The group asked Mark to be very specific when requesting information so results aren't 'cherry picked'. If the contact is unable to get the information required the group suggested submitting a Freedom of Information request.

**ACTION:** Mark to liaise with the MCA to get evidence reference jet-ski incidents to submit to Stephen Hammond.

Ian suggested also submitting a new byelaw to see how long it would take to get it approved. The group asked Mark to submit a byelaw regarding a mandatory 4 knot speed limit off of the beaches.

**ACTION:** Mark to submit a new byelaw regarding the mandatory 4 knot speed limit.

### c) Application for Powers of General Direction

Mark stated that he will be requesting a letter from Ian, as Chair of this group, to go with the application for the new powers. The Port User Group was discussed in respect of whether they should remain a separate group or add the membership to this group. It was agreed to have advisory members of this group in a similar way to the Marine Safety Committee; Mark agreed to draft something for Ian to sign-off.

**ACTION:** Mark to draft something regarding the Port User Group for Ian to sign-off.

As an additional matter arising Ian informed the group that he had spoken with David Hitchcock about his membership of this group. David is very keen to be a member and asked if members could bear with him. David will engage with the group electronically now and try to attend the next meeting in September. David has been unable to attend the meetings due to business issues. The committee were comfortable with this and look forward to welcoming David to the meeting in September.

In Any Other Business at the last meeting it was discussed that the Fal Estuary Marine Safety Committee (FEMSC) have an action to meet with IFCA to harmonise byelaws regarding the marking of fishing gear. David Muirhead was keen to hear feedback on this. Mark agreed to remind the next FEMSC meeting that this is still outstanding. David Muirhead also agreed to remind Simon that this is ongoing work.

**ACTION:** Mark to remind the next FEMSC meeting that their action to meet with IFCA to harmonise byelaws regarding the marking of fishing gear is still outstanding.

**ACTION:** David Muirhead to remind Simon that FEMSC have yet to meet with IFCA to



## Falmouth Harbour Commissioners

harmonise byelaws regarding the marking of fishing gear.

Ian met with Mark prior to the formal meeting starting and discussed the possibility of a standing agenda for Consultative Committee meetings. As FHC have now separated into clearly defined business areas there may be an opportunity for the committee to refresh the agenda and have standing agenda items aligned to the different business areas. Ian was keen for the committee to support the new structure and the constitution as well as possible. The committee supported this.

**ACTION:** Ian and Mark to meet to discuss the Consultative Committee agenda and put together standing agenda items to cover the different business areas of FHC.

#### **4. Marine Navigation Act Powers of General Direction**

See discussions above.

#### **5. FHC Re-organisation**

Mark gave the committee a brief overview of the new FHC structure, the following were the main points of the brief:

- Falmouth Haven has been launched and had local media coverage
- The Falmouth Pilotage Services will be launched soon, its website is nearly ready to go 'live'; FHC's website will be re-launched afterwards
- The reorganisation of the financial accounts is complete, internal costings have been agreed, the formal management accounts have been split into business areas
- All business areas have been given information to be able to improve their financial standing (working as business centres).

The committee discussed where they felt they fitted into the new structure of FHC. It was agreed that only one Consultative Committee was required to cover all business areas and to have separate reports covering each of the business areas at each of the meetings. Also, part of the committee's role is to look at how the work of the Harbour Board is affecting customers/stakeholders.

Ian has sent an email to The Falmouth Harbour Users Association, fronted by Mr Bickle (who used to be a member of this committee). There was a small exchange of emails and Mr Bickle has agreed to meet with Ian. David Muirhead and Ian asked for it to be noted that they were happy to move from their private moorings to a Falmouth Haven serviced mooring because after calculating how much they spent on servicing their mooring each year they were financially better off on a Falmouth Haven serviced mooring.

Carrie also briefed the committee on the role of the Falmouth Haven Management Panel. This panel is responsible for putting together a Business Plan for Falmouth Haven to increase revenue and to be able to viably operate within the port. Carrie suggested that it would be useful for the Consultative Committee to look at the Business Plan and consider how the expertise within the committee can be used to promulgate the information to all customers and stakeholders.



Falmouth Harbour  
Commissioners

Moving forward Ian would like to encourage what Carrie suggested; using the Consultative Committee to float ideas and take a view forward.

Carrie explained to the committee about the Falmouth Haven e-newsletters and suggested that they all went on the distribution list. Carrie encouraged the committee to also provide feedback on the newsletters. Falmouth Haven are also about to start using questionnaires to gather information from customers and stakeholders, Carrie suggested that the draft questionnaire is given to the Consultative Committee for comment before it is distributed. All members confirmed to Carrie that they are happy to receive information between meetings if a quick turnaround is required. Carrie explained about the new Premium Moorings to the group; Premium Moorings have all the benefits of the standard deep water moorings, but in addition come with the new Falmouth Haven card, which gives customers access to:

- Inclusive use of Falmouth Water Taxi to and from their mooring
- Full and free access to the showers and shore side amenities.
- Fuel sales discount of 5p per litre
- Use of free WiFi
- Access and use of a tender pontoon on the Visitor's Marina
- Service partner discounts with local suppliers

**ACTION:** Sophie to arrange for all Consultative Committee members to receive a copy of the last Falmouth Haven e-newsletter and then for their details to be added to the distribution list for all future e-newsletters.

Ian was encouraged by Carrie's ideas and felt that this is exactly how the Consultative Committee should be used.

Martin commented that the existence of the Consultative Committee isn't very well known in the local area and certainly isn't seen as a viable way of voicing concerns. He would like FHC to somehow publicise that this committee exists and one of the main purposes is to get comments/views raised. Carrie confirmed that the Annual Report and Annual General Meeting have been ways that the Consultative Committee has been advertised in the past. Ian will also advertise the influence the committee can have (as critical friends) when he next attends a Harbour Board meeting.

Although David Carne liked the idea of the Premium Moorings he expressed his disappointment that the idea wasn't raised through the Consultative Committee before it was done. Carrie understood David's point and apologised. The Falmouth Haven Management Panel is an enthusiastic group and Carrie (as Chair of the Panel) agreed that when there is an action for an item to be promulgated to the public it will also sent to the Consultative Committee so everyone is aware of what messages are being publicised.

David Carne asked Mark about the moorings that have appeared off of Trefusis. Mark confirmed to David that FHC have no intention of having any extra moorings off of Trefusis; Mark will find out where these have come from.

*Post Meeting Note: Mark confirmed that these moorings were new moorings that*



## Falmouth Harbour Commissioners

*were bought specifically for the booming exercise. They will be removed and brought back to FHC's workshop shortly.*

David Carne questioned the timing of the installation of the northern arm of the marina. Mark agreed that it wasn't ideal timing but the work had to be done. The job turned out to be much bigger than first thought.

David Carne expressed concern that no-one knew about the oil booming exercise. He also asked whether it was a good idea doing it in good weather because an oil spill is never going to happen in good weather? Mark confirmed that the booming set-up would hold in bad weather; a successful exercise was held a few years ago in the Helford with a severe easterly wind. The recent boom held well for 10 days and funnelled effectively. It was deemed a successful test and a well-attended conference was also held. Taking part in the European project has enabled FHC to purchase its own boom and mooring equipment to re-create the set-up if required. David felt that these messages should have been communicated to the general public; Mark was disappointed that the press release issued didn't communicate this adequately enough.

Martin commented that the conference could have been held in a better venue; unfortunately the screen couldn't be seen or speakers heard from the back. Having said that, Martin did feel that the conference was very good and enjoyable. Mark thanked Martin for his comments which have been expressed before by other attendees; FHC may consider using the lecture theatre at the Maritime Museum in the future.

### **Port Accident Statistics**

Ian found the paper circulated interesting if a little statistically flawed. Mark told the group that it was a first attempt at producing the statistics and there is an under-reporting of leisure incidents, with a slight skew to commercial incidents. It is hoped that the work will lead to a common framework of reporting incidents as well as a tighter definition of an 'incident'. The idea is for a benchmarking exercise so ports can record their safety compared to other similar ports. Mark welcomed the port statistics with a standard form of reporting so ports can start to accurately show trends to manage and improve safety in particular areas.

Ian thought it interesting that the paper didn't offer any comparison to any other industry areas and also that it showed the most common causes of incident is human error rather than equipment error.

Martin commented that there is also an issue about harbour authorities being notified of incidents that happen within their area. Getting information to harbour authorities outside of normal working hours that an incident has happened is sometimes difficult.

Mark confirmed that the next stage is for a reporting structure to be reinforced then this structure will be circulated to all ports for them to populate with their data.

## **6. Port of Falmouth Development Initiative**



Falmouth Harbour  
Commissioners

**7. Waterfront Development**

**8. FabTest Update**

The dredging has now become a high profile topic again; turning away the recent cruise ship due to the bad weather and the fact that the ship was too big to come alongside at Falmouth Docks has made the media interested again. Mark will be interviewed on Radio Cornwall tomorrow (11<sup>th</sup> June) morning at 7.20am. Mark has recently met with the Marine Management Organisation regarding the appropriate assessment. The trial dredge has provided credible results which can be taken into account for the decision process. There has also been a lot of political interest.

David Muirhead commented that there is dredging going on at the Northern Arm. Mark confirmed that Falmouth Docks went through the licensing process and were granted the licence because the works are on a much smaller scale.

There is no real progress on the Waterfront Development. Results are still awaited from the Penryn River Study; Mark is unaware of another meeting about this being held in the short term.

Fred. Olsen have removed their device from FabTest and talks are ongoing about another device going onto FabTest in November; this is yet to be confirmed.

**9. Minutes of Board Meetings: March 2014 – May 2014**

David Muirhead asked what the outcome was with the Lindy Lou case. Mark confirmed that it is ongoing; the case has been to court but no judgement has been given yet. The judgement will have implications in terms of how the Harbour Authority is deemed to have responsibility for vessels while berthed alongside.

David Muirhead also noticed that within the Board Minutes the MAIB report was discussed and should be made available to the Consultative Committee – the committee have yet to see this report.

**ACTION:** Mark to make sure that the MAIB report is circulated to the Consultative Committee.

David Muirhead asked what was happening with the un-let moorings? Mark confirmed that these will be used as Premium Moorings for the rest of this season.

David Carne asked about the items on the Tres Hombres and the replacement of pilot boats. Mark reported that after the ceremony on North Quay for the arrival of the Tres Hombres it had a slight brush with another vessel on the marina. FHC are reviewing whether, with the current level of commercial movements, two Pilot Boats with the capabilities of the Arrow and LK Mitchell are still required.

Martin asked whether Falmouth Haven will be contacting residents to see if they will be using their moorings during Falmouth Week and sub-let them if they are available (as this is a very busy period). Carrie said that this is something Falmouth Haven are looking at but probably won't be in a position to manage this season. Barry is in the process of installing a new computer software



## Falmouth Harbour Commissioners

package which will make the sub-letting of moorings a lot easier to manage; the aim is to get the software installed for the beginning of next season (2015).

### 10. FHC Award – the way forward

Mark asked the group to consider how the FHC award could be refreshed. Martin felt that although the award doesn't have any public kudos it is always well received by the recipients; it is a good way of FHC to recognise someone outside of the organisation who has contributed to the wider maritime world. Martin also suggested maybe re-titling the award.

The committee were keen for the award to remain and made the following nominations:

- Toby Allies – organiser of the Pendennis Cup
- Falmouth Gig Rowing Club for what they've achieved at the World Gig Championships
- Rob Medlyn as he will be retiring this year

The committee also made a suggestion for a new name for the award:

The Maritime Community Award – Sponsored by Falmouth Harbour Commissioners

Ian summed up by saying that as a group it is felt the award has merit and value. It may benefit from being renamed and there is potential for two awards to be given in 2014 as no award was given last year.

Carrie asked whether other groups are approached for nominations? Mark agreed to write an article about the award and circulate it to associated groups for nominations. The Consultative Committee can consider all nominations at their next meeting in September.

**ACTION:** Mark to write an article about 'The Maritime Community Award – Sponsored by Falmouth Harbour Commissioners' and circulate it to associated groups (Falmouth Sailing Association and Town Centre Forum for example) for nominations.

### 11. AOB

David Muirhead was asked to raise that during the very bad weather no-one was around on the quays at night in case of an emergency; there also wasn't an emergency number advertised for people to call outside of normal working hours. Mark responded that in an emergency people dial 999 and speak with the Coastguard.

David Carne asked what happened to the unexploded bomb that was found during the final day of the Pendennis Cup. Mark confirmed that there was removed with a controlled explosion after the Red Arrows display; it was found to be a practice mine.

### 12. Confirmation of next meeting – 16<sup>th</sup> September 2014

The meeting closed at 16:10hrs.