

**MINUTES of MEETING of ARGYLL AND BUTE HARBOUR BOARD held in the COMMITTEE
ROOM 1, KILMORY, LOCHGILPHEAD
on THURSDAY, 11 AUGUST 2016**

Present: Councillor Ellen Morton (Chair)

Councillor Robert G MacIntyre	Councillor Elaine Robertson
Councillor Alistair MacDougall	Councillor Len Scoullar
Councillor John McAlpine	Councillor Isobel Strong
Councillor Alex McNaughton	

Also Present: Councillor Dick Walsh

Attending: Pippa Milne, Executive Director – Development and Infrastructure Services
Jim Smith, Head of Roads and Amenity Services
Patricia O'Neill, Central Governance Manager
Stewart Clark, Marine Operations Manager

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillor Julie McKenzie and Councillor John Armour.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTES

The Minutes of the Argyll and Bute Harbour Board as held on Thursday 7 April 2016 were approved as a correct record.

4. PORT MARINE SAFETY CODE UPDATE

A report providing further updates on ongoing initiatives to ensure compliance with the Port Marine Safety Code (PMSC), was presented to the Board following on from the last report presented to the Harbour Board in April of this year.

It was explained in previous reports that the Council has appointed 'Marico Marine' to provide an independent Designated Person (DP) service, as described in the Port Marine Safety Code on a three year contract which expires in December 2017.

In addition to the report the Board was reminded that the Duty Holder is the Executive Director of Development and Infrastructure Services and the lead officer is the Head of Roads and Amenity Services. The Board was also advised that due to a staff change the Designated Person is now Paul Phillips.

Discussion took place around liability and Members of the Board were assured that whilst they have a duty with regards to health and safety it is the officers that are accountable for delivery in the way they manage services. Action plans will be amended to reflect these circumstances.

Decision

Subject to Appendix 1 being updated to remove references to Harbour Board Members being the Duty Holder, the Board noted the report including the planned next steps;

- a) following the first few User Group Meetings, follow-up meetings will be arranged and further meetings at lesser ports will also be arranged as appropriate;
- b) work on compilation of appendices to the Safety Management System (SMS) document for main piers and harbours continues; and
- c) once documentation has been produced for the main piers and harbours, a similar exercise will be carried out for the less strategic ports.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 11 August 2016, submitted)

5. REVIEW OF FEES AND CHARGES - CONSULTATION PLAN

A report was presented to the Harbour Board providing details of the forthcoming Piers and Harbours Fees and Charges review due to be reported to November's meeting of the Harbour Board with process tasks to be as follows:

- Benchmarking exercise;
- Survey of marine assets;
- Review of services provided;
- Consultation with key stakeholders;
- Member workshops; and
- Report with recommendations to Harbour Board.

Discussion focused on the need to agree principles to inform the consultation that whilst outlining a clear plan with regard to Gourock – Dunoon ferry service were still adaptable enough to apply to the varying needs of other piers and harbours within Argyll and Bute.

Decision

The Argyll and Bute Harbour Board considered a motion that was put forward by the Chair and seconded by the Vice Chair and unanimously agreed;

- 1) to note the report.
- 2) that in future pier/harbour dues should be set as a minimum at a level which will cover operating and staffing costs; inspection, maintenance and whole life asset management costs; any prudential borrowing costs required to fund shoreside infrastructure associated with the future ferry services;
- 3) to consider the possibility of developing a case to secure Grant Aided Expenditure (GAE) on the basis of the expenditure required to retain/maintain categories of harbours where income is insufficient to cover expenditure;

- 4) when developing proposals for harbour fees and charges, the Board will have regard to the individual business model/financial position of harbours where there is significant ferry transport activity;
- 5) the cost recovery approach referred to above at point 2 and 4 should be promoted by Officers as part of their early discussions with bidders as part of the current Transport Scotland tender for the Gourock-Dunoon ferry service and that the same principles apply to the carryings for either a passenger/vehicle service or for a passenger-only service;
- 6) that further consideration is also given as part of this current tendering exercise to the following, should any potential ferry operator approach the council:
 - a) The leasing of the transport harbour at Dunoon to interested ferry operators.
 - b) Entering into some form of user agreement for a specified period.
 - c) Consideration for sale of the transport harbour at Dunoon to an interested operator;
- 7) that Argyll & Bute Harbour Board represents to Transport Scotland and to Scottish Ministers to intervene with CMAL to ensure that the principles for harbour charges being promoted for Dunoon should also be progressed for the harbour facility at Gourock;
- 8) to note that consultation workshops due to take place in September will consider options based on the principles set out above; and
- 9) to note that the outcome of the review will be reported to the Board and to the Policy and Resources Committee/Council as appropriate.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 11 August 2016, submitted)

6. HARBOUR BOARD WORKPLAN

The Harbour Board considered the outline Work Plan to facilitate forward planning of reports to the Harbour Board Argyll and Bute.

Decision

The Harbour Board noted the Work Plan.

(Reference: Argyll and Bute Harbour Board Work Plan by Executive Director – Customer Services dated 11 August 2016, submitted)

7. DEVELOPMENT DAY

Discussion took place around the proposed development day to include observing a large cruise ship which will be in port in Campbeltown on Thursday 15 September 2016. The Board also discussed how Member attendance and participation in meetings via videoconference would be of benefit for those who would otherwise be required to travel a long distance.

Decision

The Harbour Board;

- 1) agreed that the next development day will be held on Thursday 15 September 2016 and
- 2) agreed that Officers are to follow the necessary procedures to enable the Argyll & Bute Harbour Board to permit its Members' to participate in future meetings via videoconferencing, subject to a change to the terms of the Standing Orders in the Constitution.