

**CONSULTATIVE COMMITTEE MEETING
MINUTES
Tuesday 27th June 2023
14:00 National Maritime Museum Cornwall**



**FALMOUTH
HARBOUR**

UK's Atlantic gateway.

Attendees:

Neil Andrew, Chair	NA
Chris Freer	CF
Don Garman	DG
Richard Jeffery	RJ
Dave Nicoll	DN
David Owens	DO

Falmouth Harbour Staff

Miles Carden, CEO	CEO
Holly Manvell, Head of Commercial Operations	HYM
Vicki Spooner, EQSM	VS
Miles Featherstone	MF

Guests

Lara Moore, Ashfords	LM
----------------------	----

Governance

1. Apologies

Adrian Davis	AD
Tristan Rowe	TR
Steve Taylor	ST
Victoria Hobson	VH

- CEO confirmed that Duncan Paul has decided to take early retirement so Miles Featherstone will take on the position of Harbour Master from 1st July. Ifor Pedley will continue to support MF. NA and CEO welcomed MF and thanked Duncan Paul for his service.
- MF introduced himself and provided a background of his experience and qualifications.
- NA asked all to introduce themselves for the benefit of MF.

2. Declarations of Interest

- No declarations of interest.

3. HRO Presentation from Ashfords via Teams

- Lara provided a presentation on the HRO process, including information on what is in the harbour order and the rationale behind it
- HRO is still waiting to go out to public consultation. When it does go out this will be a 42 day public consultation period advertised in local and London papers.
- Validation process was explained and some clarifications and changes made to the statement of support.

- Slow process due to lack of staff at the Marine Management Organisation (MMO).
- Cornwall Harbours HRO has now been laid in front of parliament. Planned to be in place by 14th July.
- Hard to guarantee the timings due to delay in government departments.
- Any questions from the consultation go to Ashfords for response in collaboration with the Commissioners
- LM explained what is in the Harbour Order, general directions position was defined and explained, key provisions of the HRO were explained
- DO asked why environmental considerations were not included in the HRO provisions. LM explained that there is a significant amount of environmental legislation and responsibilities. There is provision to make general directions for the protection of flora and fauna within the Harbour.
- RJ asked how the Cornwall HRO interacts with Falmouth HRO. LM clarified that it does not impact on Falmouth Harbour's order as it only applies to the Cornwall Council harbours. Their HRO only impacts in a positive way in that the wording has all been agreed. Some areas of overlapping jurisdiction has been recognised and working with Chris Jones from Cornwall Council to ensure this is rectified where necessary.
- CF descriptions of vessels – how generic has that been made? LM provided a definition of a vessel. This includes jet skis using the definition from the new watercraft regulations.
- CEO asked LM to explain the General Direction power. LM explained that the process of getting a new byelaw made was so uncertain that this has become an invalid way for Harbour Authorities to maintain safe harbour operations. General Directions are exactly like byelaws in the way they operate the only difference is the way they are made. LM explained the process which includes an open public consultation lasting 6 weeks. Certain groups have designated consultee provision. Have to be based on a risk assessment.
- LM explained how a general direction would interact with byelaws. Can't have one conflict with the other i.e. it is impossible to comply with both. It is rare that there is a byelaw that conflicts with a general direction.
- The Committee thanked LM for her time.
- CEO clarified a question around the direction in place for Armed Forces Day. FH hasn't made any general directions prior to COVID. MF to look at this and the setting up of a Harbour User Group (HUG). What we did on the day was to put in a special direction and notify via a port notice.
- NA asked whether there would be any chance of the HUG being set up by September as there are vacancies on the Consultative Committee. CEO replied that this is likely to be possible. We have completed some work so will share this.

4. Approval of Minutes of the Meetings held on 28th March 2023

- The minutes from the previous meetings were tabled and approved.

5. Matters Arising

- The Matters Arising were discussed and updated with progress and actions.
- There were no matters arising from Board meeting minutes.
- DG asked whether there is any progress on La Peniche. CEO commented that the vessel is privately owned and the owners are attempting to sell it.

6. **Report of Stakeholder Engagements since 28th Mar 2023 (Standing Agenda Item)**
 - Minutes of the board include stakeholder engagement activities so this will be by exception only. HYM advised that the minutes of the board will be available next week.

7. **FH Activity Schedule in 2023 (involving Consultative Committee)**
 - a) **Overview of Recent Activities**
 - HRO - update provided by LM within this meeting

 - b) **Marine Plan**
 - Waiting on feasibility study from consultants. HYM provided an overview which will include marine infrastructure aspects. Dependant on shared prosperity fund. We will know this in September / October. 5-7 year plan. The plan will address how to better use our current infrastructure.
 - NA asked whether electric propulsion needs are being assessed as part of this.
 - HYM flagged that RNLI have moved into our shop. This is going really well so far.
 - CEO commented that this has been a challenging time at a corporate level with changes in the HM team. Also finance manager retirement replacement was more complicated than anticipated. We are now getting towards a more stable position.
 - Fendering works completed on marina, CCTV installed, Boat park developments and slipway repairs are underway.

8. **Good Governance Audit**
 - NA recapped on the progress of the audit. Total of 9 meetings, 2 with the board. Submitted the report in May. Feedback received from DG.
 - DG commented that the report is very thorough and constructive.
 - NA explained that the audit is the first item on the Board agenda for their meeting on Friday 30th June. The expectation is for the Board to feedback to the Consultative Committee on the findings. This is an opportunity for the Consultative Committee to feedback.
 - RJ thanked NA for his work on the report.
 - DO commented on the level of report writing required of the Executive Team by the various FH committees which may hinder other areas of the business such as innovation.
 - CEO commented that we are a small harbour with big port problems. We need to reflect on what's really required on our operations. We need to find a way forward to reduce the issue.
 - HYM agreed that we need to devote time to innovation and strategy.
 - CEO is confident that with the new Executive Team in place this will change, we are moving to a more dashboard style of reporting.

9. **Business Development (Standing Agenda Item)**
 - Largely covered by discussion on the Marine Plan (Item 7b).
 - Boat park units will soon be available to support harbour operations with new accommodation for staff - Maintenance Team and Haven. Also opportunities to rent some of the accommodation to relevant local marine businesses. CEO's ultimate goal is to offer a marine hub to serve customers' needs better.
 - Also providing showers and toilets for customers.

10. Hazman Incident List (Standing Agenda Item)

- NA asked about the unauthorised tampering with strops. HYM provided an overview of progress with the transition to strops.
- There have been no reports of mooring failures so far this year.
- CEO provided clarification on questions around moorings and byelaws.

11. Questions for the Board (Standing Agenda Item)

- No questions received for the board.

12. Any Other Business

- MorVoRen project is not going to proceed due to post project commerciality issues.
- Presence on the water – Portsmouth have an auxiliary service using already trained operators to increase on the water presence.
- DG commented that Falmouth Classics was considered a great success. Volunteers worked very well with the harbour staff.
- NA advised that the Richard Mille cup went very well.
- AZAB is just drawing to a close. One vessel travelled the distance in 4.5 days. All appreciated the support offered by FH. CEO commented that it would be great to get them back in the harbour. This is really important for the town.
- Although RJ's term has now been completed and this should be his last meeting, NA asked RJ to attend the meeting in September.
- DG's term also finishes next month, highlighting the requirement to recruit more members.

ACTION: MF, CEO and NA to have a meeting to discuss the way forward with Consultative Committee recruitment.

Meeting closed at 16:00

Dates of 2023 Meetings

Wed 27th Sep 2023

All at 2pm

Fri 15th Dec 2023 – Joint meeting with Board starting at 1pm.