

# FHC BOARD MEETING

## PART 1 MINUTES

Friday 25<sup>th</sup> October 2024 09:30

Online via Teams



FALMOUTH  
HARBOUR

UK's Atlantic gateway.

### Attendees:

Mark Chanter, Chair	MC
Miles Carden, CEO	CEO
Natasha Collings-Costello, Commissioner	NCC
Adrian Davis, Commissioner	AD
John Elliott, Deputy Chair	JE
Carrie Gilmore, Commissioner	CG
Elizabeth Gooch, Finance Manager	EG
Ifor Pedley, Harbour Master	IP
Gerald Pitts, Commissioner	GP
Tristan Rowe, Head of Commercial Operations	TRW
Andrew Williams, Commissioner	AW
Dave Owens, Chair of Harbour User Group (HUG)	DO

### Attended for Item 10

Vicki Spooner, EQSM	VS
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### Presentation

#### Port Marine Safety Code (PMSC) Audit – Andy Langford (AL), Designated Person

- AL introduced himself and the purpose of the audit. AL examined the Information Management System (IMS), Safety Management System (SMS) using sampling and personnel interviews.
- The primary components of the SMS are present and operable. Some areas, such as document control, need improvement. A detailed report will follow.
- AL ran through his findings and recommended a thorough review of documents over a 3 year period. AL commented that provided the work is started and continues there will be no major issues. Document control should be sorted within the year ready for the next year's audit. The longer term view is to move the SMS into its own folder so it complements but remains distinct from the IMS.
- IP and CEO agreed with the findings and IP will initiate the review.
- Previous reviews of FH's PMSC compliance include IP's aide memoir which was previously presented to the Board. This time last year we had Gary Hartland's PMSC audit. Work on all areas for improvement from these reviews has been done and all have been added to the improvement plan.
- MC thanked AL for his report.

### Governance

#### 1. Chair's Opening Remarks

- None.

#### 2. Apologies

- None.

3. **Declarations (Includes Declarations of Interest and Statutory Declarations)**
  - NCC is MD of Cornwall Environmental Consultants (CEC) which has done some paid work for Falmouth Harbour (standing declaration).
  - AD will shortly be taking up the role of vice chair on the Board of Royal Cornwall Hospitals Trust (RCHT).
  - AW has been appointed Deputy Lieutenant of Cornwall by Lord Lieutenant Bolitho.
4. **Approval of Minutes of the Meeting held on 20<sup>th</sup> September 2024**
  - The minutes from the previous meeting were tabled and approved.
5. **Matters Arising**
  - Previously distributed for information.
  - CEO went through and updated the Matters Arising. The Board agreed that all Matters Arising were captured.

## Reports

6. **Finance Reports**
  - a) **Commercial Shipping**
    - Previously distributed for information.
    - CEO ran through the commercial shipping revenues and movements data.
  - b) **Finance Reports**
    - Previously distributed for information.
    - CEO, EG and TRW have been working on outturn position.
    - The Board discussed the reports with EG and CEO answering any questions.
7. **CEO Report**
  - No updates in Part 1.
  - a) **Project Updates**
    - No updates in Part 1.
  - b) **Assets**
    - No updates in Part 1.
  - c) **Falmouth Harbour Commercial**
    - No updates in Part 1.
8. **HM and Falmouth Pilot Services**
  - HM report previously distributed for information.
  - Unfortunately Abi's electronic Nav Course was cancelled.
  - Church Street Car Park pollution is a daily occurrence and a long standing item. IP had a call from the MMO after a member of the public contacted them. IP explained our position, who is responsible for it (Environment Agency EA) and how we report it. IP recommended that the MCA, MMO and EA meet to discuss.
  - Working boats and Classics – there was a Port of Falmouth Sailing Association (POFSA) meeting at Flushing Sailing Club which Tim Jones attended. The various committees have taken on board the recommendations advised.
  - DO advised that we are waiting for the report from Fowey following an issue with working boats there.

- a) **PMSC Performance**
    - CEO and IP confirmed that we are compliant and there are no issues that the Board should be aware.
  - b) **Incident Reports**
    - Included in HM report previously distributed for information.
  - c) **Enforcement Decisions/Updates**
    - No updates in Part 1.
  - d) **PMSC Audit & Designated Person Report**
    - No updates in Part 1.
9. **Statutory Harbour Authority (SHA)/Competent Harbour Authority (CHA)/Duty Holder & Port Marine Safety Code (PMSC) Compliance**
- a) **SHA**
    - No update.
  - b) **Pilotage CHA Matters**
    - Pilot Exemption Certificate (PEC) issued to Vemahonesty for Bay only.
    - IP confirmed that the pilotage review is almost ready to be consulted on.
10. **Environmental Duties Reports, Projects & Sustainability Plan - VS Joined for this agenda item**
- a) **Sustainability Board Update**
    - Previously distributed for information.
    - Intertidal reef blocks have won an award. We will put together a press release for this once we have the results of the 2<sup>nd</sup> survey.
    - JE asked if there are any partners we can work with which will help to spread the word on FH's sustainability initiatives. VS has been asked to contribute to the free Falmouth Life quarterly magazine. VS is also working with younger people as part of Incredible Oceans. VS agreed this is something to develop more.
    - The Board discussed FLOW opportunities in Cornwall. CEO is working on a joint project with A&P, Cornwall Council and Plymouth University.
- ACTION:** CEO will brief the Board on the joint FLOW project in November.
- b) **HVO and ZENOW Project Update**
    - Previously distributed for information.
    - Ad Blue project is complete.
    - HVO will be in place by the end of the year.
    - Zenow - slight issues with project which should be completed by end of November.
    - E-rib will arrive on 9<sup>th</sup> December 2024.
  - c) **Redevelopment of Falmouth Docks – Environment Impact Assessment (EIA) Scoping Report – Update and agree next steps**
    - CEO is working with A&P to establish a strategic meeting group to discuss both A&P and FH projects.

## 11. Commissioner Reports and Sub Committee Reports

### a) Falmouth Pilot Services (FPS)

- No update.

### b) Remuneration Sub-Committee

- MC thanked CG and AD for their hard work and support as chairs of Remuneration and Audit and Risk (A&R) Committees respectively.
- CG updated the Board following the Remuneration Committee's recent meeting held on 1<sup>st</sup> October.
- The Remuneration Committee renewed Shelley Tookey's contract for another 12 months.
- Review and approval of the disciplinary policy was deferred until new legislation becomes known.
- Following an action passed on by A&R, the Remuneration Committee discussed smoking outside on deck on our vessels. CEO assured the Board that we are meeting H&S requirements with No Smoking signs in place and no passive smoking.
- The Board discussed relevant risk assessments and insurance provision that may apply.
- CEO and ST are reviewing the Smoking policy and as part of this they have investigated the insurance position which confirms that what we allow is acceptable as long relevant risk assessments are in place. H&S and wellbeing will be looked at as part of this review.
- If the rules on smoking outside change then we will review further.
- The Board asked A&R and the Remuneration Committee to further review the smoking issue and this has been added to their agendas for their first meetings in 2025.

### c) Audit and Risk (A&R)

- AD updated the Board following A&R's recent meeting held on 2<sup>nd</sup> October.
- The Hazman incident report was reviewed.
- The Marine Asset Management and Maintenance Policy was approved.
- The committee did a deep dive into the risk register.

### d) Harbour Users Group (HUG)

- DO reported that there has been a lot of work to ensure we have the right representatives on the HUG.
- It has been suggested that DO, as chair of Falmouth Harbour's HUG, attends the FDEC HUG and vice versa. The board approved this proposal.

### e) Commissioner Appraisals

- To be completed before the end of December 2024.
- MC asked Commissioners to contact him directly to arrange a mutually convenient time.
- AD and CG do not need to complete appraisal forms but MC will have a closing meeting with them.

## Key Decisions and Resolutions

12. • None

## Stakeholder Engagement

### 13. Customer Feedback

- The Team often get offered tips which are not taken. However, the Team at the Boatpark raised over £170 by customers putting money in the RNLI charity box. David Chaundy took the initiative on this.
- The Board thanked and congratulated David and the Team for this achievement.

### 14. Media Report

- Previously distributed for information.

### 15. Record of Commissioners Stakeholder Activity

- MC attended Battle of Britain Service on 6<sup>th</sup> October and the Mayor's Civic Service on 13th October.

### 16. Future Events requiring Commissioners Attendance

- JE will represent FH at the Remembrance Day Service on 10<sup>th</sup> November.

### 17. Annual Review

- Previously distributed for information.
- In order to 'issue' this document we are looking to hold an open day event similar to previous years. This has been booked for January 2025.
- AD commented that he is missing from the list of Commissioners.
- With the addition of AD in the list of Commissioners the Board approved the review.

### 18. Year End Accounts 2023

- Previously distributed for information.
- The Board approved the accounts.

## Standing Items

### 19. Policies

- None

### 20. New Legislation Guidance / Consultations

- IP informed the Board of the new stability regulations for commercial vessels which will apply next year. Historically, older ferries will have grandfathering rights but under the new regulations they will not. So they have to apply for exemption. This will apply to local ferry companies who will need to consult with FH then apply to the MCA. However, this will be raised at the UK Harbour Masters Association (UKHMA) meeting later in November as FH and other harbours feel they are not stability experts.

### 21. MCA's Consultation on Draft Marine Guidance Note on Towing Offshore Floating Structures

- i. BPA Circular 227 - Draft MCA MGN
  - ii. Draft MGN Floating Installations Towage
  - iii. Scottish Ports Group 2409 Wet Storage Inshore Anchorage
- Previously distributed for information.
  - CEO commented that the sensible approach is to support BPA's response.

## 22. Risks

### a) Review of Red Risks

- Previously distributed for information.
- These were reviewed at discussed at the Audit and Risk meeting on 2<sup>nd</sup> October.
- Resilience Risk 03 re loss of personnel - the Board discussed whether the residual risk could be reduced from red to amber. It was agreed to leave at red and review further in January 2025.

### b) Review and Discussion on New Risks

- Previously distributed for information.

## Correspondence

### 23. National Wealth Fund and Public Funding Mechanisms for Ports

#### a) Circular 232 - BPA policy briefing on the National Wealth Fund

- Previously distributed for information.
- CEO has worked with the BPA on this and it was good to have some influence in policy development.

#### b) NWF Working Paper 1.11

- Previously distributed for information.

### 24. Other Non-Urgent Business

- None.

## Any Other Urgent Matters

### 25. None.

## Action Items and Next Steps

### 26. • None.

## Board Workplan Review

- ### 27.
- Previously distributed for information
  - Next year we have a number of contracts to renew such as the Pilots contract in Dec 2025 and Cornwall Council's CHA agreement.
  - CEO will refine the workplan further with executive team.

Part One ended at 11:04.

## Dates of 2024 Meetings

Friday 29<sup>th</sup> November 2024

Budget

Friday 13<sup>th</sup> December 2024

Lite & Joint Meeting with HUG

## Dates of 2025 Meetings

Friday 31<sup>st</sup> January 2025

Friday 28<sup>th</sup> February 2025 (Lite)

Friday 28<sup>th</sup> March 2025 (AGM)

Friday 25<sup>th</sup> April 2025 (Lite)

Friday 23<sup>rd</sup> May 2025

Friday 27<sup>th</sup> June 2025 (Finance)

Friday 26<sup>th</sup> September 2025 (Strategy Day)

Friday 24<sup>th</sup> October 2025

Friday 28<sup>th</sup> November 2025 (Budget)

Friday 19<sup>th</sup> December 2025 (Joint Meeting with HUG)