



North Sunderland Harbour Commissioner
General Meeting

Friday 26th January 2024 @ 14.00, The Olde Ship
Minutes

Present: James Boulton (JB) Chair
Toby Douglas (TD)
Michael Evans (ME)
Colin Hardy (CH)
William Lawrence (WL)
Kerren Rodgers (KR)
Matthew Stephenson (MS)
Les Weller (LW)

Ron Bailey (RB) Designated Person (DP)
Paul Brown (PB) Harbour Master (HM)
Kay Barkess (KB) Clerk

Apologies for absence: Guy Renner-Thompson

- 1. Apologies Received.**
Guy Renner-Thompson
- 2. Declarations of Interest**
None
- 3. Approval of Minutes from 17th November 2023.**
Unanimously approved.

4. Actions from Meeting 17th November 2023:

- a. 6 – HM Cottage; EPC, building survey and electrics survey are being completed and reports awaited.
- b. 7 – HRO; see para 10 below.
- c. 7 – Harbour Users Group; see para 14 below.
- d. 8 – New PMSC; MCA have still yet to confirm issue date for new PMSC
- e. 8 – SMS External Audit; NSH DP (RB) will conduct PMSC Audit in March 2024.
- f. 10 – Training Requirements; HM is assessing current training levels & staff training requirements.
- g. 11 – Bunkering Facility Assessment; ongoing.
- h. 12 - The Berthing Policy / Agreements; see para 8 below.
- i. 13 – Harbour Users Group (HUG); see para 14 below.
- j. 14 – Port Budget / Cashflow; see para 12 below.
- k. 14 – Freezers and Pontoon Grant; see para 13 below.
- l. 15 – RNLI slipway mats; Nothing further heard from RNLI re matting.

5. Update on Recruitment

6a - Four applicants were interviewed for HM role and the post was offered to the only one suitable. Based on his experience a salary of £53k pa has been proposed. It was agreed that as the applicant is seeking to purchase his own property asking the current tenant of the HM Cottage to vacate was not necessary for such a potentially short period. New HM would be offered 6 months financial assistance re housing allowance from the start date.

KR asked if financial assistance would be provided re removal costs? LW said he believed as assistance was already offered for accommodation this would not be necessary. This was agreed by all.

Post meeting update – regrettably the applicant subsequent withdrew requiring a rethink. The other 3 applicants looked good on paper but would not have filled NSH needs. Update at the March Commissioners meeting.

6b - See above. Reports are expected after the EPC, building survey and electric surveys at the Harbour Master Cottage. JB said that work on the property would certainly be required. The rent for the property would need to be brought in line with the market value.

6. Scrutiny and Compliance

7a - PB informed the meeting that after his meeting with the head of MCA, with four DfT personnel also in attendance, they are reasonably happy with the progress made by NSHC. RB said in his opinion if DfT wanted further information at this stage they would have been in touch.

7b - MCA appear happy with the progress made by NSHC but we remain under intense scrutiny.

7c - The new Port Marine Safety Code (PMSC) is being considered by the industry. Main change is believed to be in the reporting requirements by each Port. PB asked RB if he believes the March 2024 letter of compliance will be required and RB didn't think so. Calvin Haugh, MCA, has advised RB that future reporting will be via a Government on line portal.

7d - RB will visit NSHC on 28 March 2024 to complete the Q1 2024 PMSC audit.

7e - PB has submitted Section 2, Marine Safety Plan, of the Safety Management System (SMS) to the MCA and will update it after this Commissioners meeting.

8 – Updated Berthing Agreement

PB believes the current Berthing Agreement (BA) is fit for purpose. NSH should now enforce it. Three current Berth holders did not sign the 2023 BA.

The draft is to incorporate use of electricity and that landing dues are to be submitted to the Clerk monthly, even when a nil return (please note landing dues were discussed between PB and KB after the meeting – incorporated for your info).

2024 BA is to be signed and returned by stakeholders by 1 April 2024. ME asked consequence of non-return? PB said that after discussion with the Stakeholder, if there is still non-compliance, then NSH has the authority and power to enforce removal of vessels from the harbour. PB will ask Ashfords LLP to check both the covering letter and the BA prior to issue.

TD said that all Licences/Agreements should be on the same platform, whether for booking offices, kiln rental, catering units etc and all Stakeholders must be treated equally. JB said that all the Licences should be in place by 1 April 2024. They will all be issued at the same time.

9 – IT / E-mail & CCTV

PB advised that current provider of IT support, James Davison at JD Vision, is providing a patchy service. Invoice requested four months ago, CCTV plan requested by PB four months ago are still outstanding. PB had made clear to Mr Davison that these issues were required to be closed out prior to today's meeting. PB asked the meeting for their thoughts as to how to proceed?

LW suggested using the company Urban River and is concerned NSHC website is unsecure. All aware hence it is not being used for Commissioners communications. PB raised the question do we leave a local company to go to a larger provider? JB suggested that a discussion is held with Mr Davison re timescales, and it is made clear that if he cannot fulfil the obligations NSHC will have to move to another provider. KR suggested we formalise a contract with Mr Davison and make it clear that we are considering having to move – would he like to provide a bid for the work? It was thought that Mr Davison could improve service, but it may drop off again in future. Mr Davison is currently migrating NSHC to Outlook from Freeola and JB said he would like to see this completed before discussions with him are held.

10 – HRO update

Lara Moore, Ashfords, with respect to the Harbour Revision Order, (HRO) we are in the queue and will have to wait. LW said he believes it may be 2025 before it is passed.

11 – Judicial Review Update

12 – Finance

ME explained that the projected figures are based solely on previous years outgoings as cashflow is effectively starting as a 2024 blank sheet. Some costs have been taken annually and split over 12 months and others have had to be best assumption.

ME will feed the figures to Greaves West & Ayre Accountants (GWA) monthly who will send a monthly report showing actual against the projected figures. This will allow future cashflow to be more substantially based on real data. Legal costs should be significantly lower once current Judicial Review is closed off. Capital project costs will be updated once final decisions about proceeding made.

LW said that NSHC has to hold 10% as a Reserve Fund re the HRO and queried if this is reflected in figures? ME said this was as 'operational cashflow'. JB said that there does not have to be set balance in the Reserve Account. PB said the Commissioners can decide that amount once the cashflow has been active and updated for a few

months with real data. TD advised that there was always a minimum of £50k. PB asked TB to e-mail him directly with how it was structured previously.

JB thought that the Berthing/Landing Fees were light. ME will confirm with GWA that the P&L is based on invoices raised not just on those paid. TD offered assistance if some items have been misallocated on the P&L.

LW asked if all NSHC funds were in one account – no. Are all with one bank – yes.

Fuel sales were queried, and TD advised that we currently place 3p above cost to NSHC. CH said that his previous Company used to supply NSHC and it was 4p above cost.

JB advised that the Debtors report was not correct.

Post meeting note - GWA ran the report on 18 Jan 2024 re 31 December 2023 so all payments made since 31 December were not recorded.

TD queried a Debtors Register. JB will get the updated report and then consider. Some amounts outstanding are above the Small Claims Court. A plan will be agreed for Debtors. ME asked if this would be part of the Berthing Agreement? PB believes a separate document would be more effective. ME said everyone needs to be aware of future ramifications of payments overdue to NSHC.

It was agreed that NSHC needs to insure against debt. KR asked if NSHC could instruct a Debt Management Company? CH, TD and LW believed this would send the wrong message to the Stakeholders. TD said that it was not that the stakeholders could not pay and all that was needed was a Debt Recovery Plan. JB said that a Policy was needed. PB will present same at next meeting.

13 – Freezer and Passenger Pontoon Project

PB advised that Defra contacted him to advise that 80% funding for the current freezers and pontoon projects may be available to NSHC. We currently have FaSS funding for 50% on both projects. PB had asked Defra for an indicator of our success if we applied and was told that we would have to withdraw from the FaSS funding and start a new application with Defra. Defra would be interested as to why the projects have not yet been started and this may not support an application. KR proposed that we continue with the FaSS funding. Carried unanimously.

PB asked TD to provide an update on the projects. A site meeting has been held with KDM re the freezers. We can proceed with 'off the shelf' units rather than bespoke. This would also cost less than the original figures submitted.

Staged installation plan. February 2024 – groundworks, March – removal and replacement of large freezer and April – removal and replacement of small freezer. This timeline is dependent on Contract being signed.

JB asked WL and MS if they believed this plan would work for the fishermen and both agreed it would. WL raised the question of whether we could proceed with a smaller replacement for the current large freezer? MS has spoken to Jonathan Dawson, fisherman stakeholder, and he advised all fishermen are aware of the plans and are happy. This conversation took place whilst KDM, installers, were on site. MS asked about using an off the shelf unit and not the bespoke planned. It would be two days maximum for the fishermen to be without the large freezer.

Replacing current bollards once new freezers are in-situ was believed to be necessary to avoid damage to the new units with the forklift. PB believes funding for the bollards and CCTV coverage is money well spent to protect a very large investment. TD believes the current bollards may be able to be recycled and placed at such a distance that the forklift cannot damage the freezer.

All agreed to proceed with non-bespoke units.

KR queried if funding would be affected as terms of the offer have been changed.

LW said no as the money has been allocated and it is the same company as per application. TD will raise the question in that if we save funds so do FaSS.

PB asked if NSHC can afford to proceed? Payments are staggered as project progresses so ME said we can.

Pontoons

TD explained that in 2019/20 the pier was re-concreted. There will be a 'pull test' carried out to ensure the project can proceed. Indemnity Insurance will be put in place. Largest problem may be vessels lying moored on the pontoon producing extra drag. Date for a pull test is being agreed.

TD will speak to FaSS as the installation contractor has changed albeit they bought out company named on the funding application.

LW asked if the fishermen can use the pontoon. TD confirmed it is for the benefit of all stakeholders. It can also be used by visiting ribs.

RB asked if the pontoon would have to be removed. TD explained it can be manufactured sectionally so could be removed to hardstanding on the main pier if required.

PB asked if pontoon could be in-situ for Summer season and TD believes it could be May 2024.

TD asked if finance is a concern, then the freezers should take priority if only one project proceeds.

WL believes all forklift users should hold a current Certificate. KCB advised that all should. Any doubt about a driver she should be informed.

14 – Harbour Users Group (HUG)

PB has circulated the terms of reference re HUG. The group should be small enough to be useful and large enough to be inclusive. Ideally 12 members.

Suggested groups to be considered for invite include:

- 2 – North Sunderland commercial fishermen (non-Commissioners).
- 2 – North Sunderland pleasure boat owners (non-Commissioners).
- 1 - Fluke Hole marina member.
- 1 – RNLI.
- 1 – National Trust.
- 1 – Hotelier / B&B owner / caravan park owner.
- 1 – Shop Owner.
- 1 – Parish Councillor.

PB believes new HM should chair first HUG meeting. Commissioners can attend the meetings if they wish but can have no input.

15 – Top 3 Risks

Risk profiles have not changed since last meeting:

- a. Tripping Boat - Boarding and Landing.
- b. Diving Incident - brought ashore.
- c. Cargo lifting on dockside.

WL believes that recovery of the recovered yellow “special marker” has been agreed. Meeting agreed and Jonathan Dawson to be given two weeks to arrange removal. (Post meeting – marker removed 2 February)

16 – Any other business

LW is in talks with Amble Development Trust about a lobster hatchery and suggested NSH consider installing a small hatchery. There is some equipment at Amble that could be utilised by NSH.

JB said it could be considered in future but there are other more important matters to be addressed at the current time.

WL asked about dredging/hydro survey plans for 2024. He said that twice a year a visual check can be made next will be Spring low tide. PB said there will be a structure in place for the new HM. Neither WL, TD or MS believed that a dredge was necessary. A survey will be organised in due course.

Meeting adjourned at 4.25pm

17 – Date of next two Meetings

- a. 14.00 – 22nd March 2024, Ward Room at Olde Ship, Seahouses.
- b. 14.00 – 17th May 2024, Ward Room at Olde Ship, Seahouses.