

**MINUTES OF THE BOARD MEETING HELD ON
12 MARCH 2010 AT 1000 HOURS**

Present:

Mr D Ellis	Chairman
Capt M Sansom	Chief Executive and Harbour Master
Mr P Fish	
Mr J Langan	
Mr P Morgan	
Dr K Sumser-Lupson	
Mr R Yates	
Mr R Reed	
Ms L Allan	Finance and Administration Manager

Apologies: None

The minutes of the February Board Meeting were approved and signed.

Matters Arising Not On This Agenda:

CEO reported that the Merchant Navy Officers Pension Fund (MNOFF) is to be discussed under a separate agenda item.

CEO had contacted WFSEL to arrange a meeting with the Board to discuss the future, which is provisionally set for 1 April 2010. An e-mail is to be sent to Board Members to confirm.

The contract with Marico has been agreed.

Possible presentation opportunities for the UKHMA & BPA are being followed up.

The Chair reported that there had been a meeting with Cornwall Council in respect of Falmouth Week and the road closure costs and that there had been a positive response.

Dates were to be confirmed by DHM in respect of the initial meeting to review the Fleet.

All other outstanding items were reported to be complete.

Reports from Sub-Committees:

Pilotage Standards Committee

It was reported that there was no update, in this respect, from the previous Board Meeting.

Audit and Risk Sub-Committee

It was reported that there was no update, in this respect, from the previous Board Meeting.

Remuneration Sub-Committee

It was reported that there was no update, in this respect, from the previous Board Meeting

Marine Operations Report:

It was reported that in respect of the Collision in Penryn River that Mr Roger Gates' case was on-going and had been adjourned until 18 March 2010.

It was reported that in respect of the collision between HAYLEY MARIE and CAMELOT that Mr Williams had pleaded to guilty to the Bye-Law and collision regulations offences and sentencing would be 1 April 2010.

It was reported that the Emergency Response and Oil Pollution Exercises had been postponed to enable the Tremough Students to attend.

(Post Meeting Note - Proposed date is 23rd April pm).

KILLIGREW – JL declared an interest and updated the Board on the progress with the welding.

PENDENNIS – the CEO reported that it was now back in service and that mooring maintenance had been commenced.

Enforcement decisions:

There were no decisions required.

Finance and Admin Report:

LA ran through the major items of the report for the period ended 31 January 2010 and briefed the board on the results.

Leisure Services Report:

The Board expressed their appreciation in respect of the conclusion of the debt in respect of Shane Carr which has now been paid in full. It was agreed that in future, if there had been a court recovery of a debt, that only cash in advance from the persons concerned would be acceptable for use of the facilities.

CEO reported that there had been a meeting at which both English Heritage and the Planners had been present to discuss the North Quay House Plans. FHC received an apology for the receipt on inconsistent advice and that EH & Planners would now work together to decide on mutually acceptable advice.

The revised ferry operators arrangements are progressing and proper contracts are to be put in place. The Board expressed their appreciation for the work undertaken.

The SWW requirement of a header tank is now in the hands of a new contractor.

JL raised the issue of the subsidence at Pendennis Marina, and it was reported that FHC's pilings had been surveyed quite recently and a programme was ongoing.

KTP Associate's Report:

CEO reported that Harriet Knowles had assisted with a presentation to a cruise conference relating to the impact of anchoring.

She had attended the Greenports conference in Stockholm.

In respect of the Sany buoy data there were now two student projects underway, and negotiations were ongoing regarding a second buoy.

It was suggested that the Potonova project could harness the publicity opportunities and that Deborah Clark had been briefed and were releasing something shortly.

The Board expressed their continued appreciation of the work being carried out.

Public Relations Report:

The proposal put forward by Deborah Clark for the annual PR programme which was approved unanimously.

Falmouth Port Development Initiative:

CEO reported on the further developments and that work was being carried out on the matters raised by the meeting with the Marine & Fisheries Agency.

Paul Thompson had drafted a road map for the undertaking of the appropriate assessments required for the project. Royal Haskoning would be required to undertake further work in support of this. CEO requested that the Board approve the quote of £8,700 for this additional work which will provide appropriate assessment for FHC and consultations with NE. The additional costs were approved by the Board.

Discussions were held in respect of the contribution share with A&P and it was noted that the proportions have yet to be calculated.

It was stated that the first report to the steering group would be given in a couple of weeks.

Annual Meeting Procedure:

CEO reported that the current Annual Meeting Procedure was at variance with Modernising Trust Ports 2 guidance. The following actions were resolved to remedy this.

- Chairman to serve a 3 year term – the Board adopted this procedure with the proviso that the Chair be approved annually.
- Resulting voting mechanism used – the Board agreed that any objections to automatic approval of the chair appointment needed to be submitted to CEO at least 10 days before AM.
- Parameters in respect of the Deputy Chairman – as this is not an obligatory post the Board agreed that there should be no change to current procedures, being an annual election.
- Alteration of the timing of the AM to allow approval of the final accounts – it was agreed that the draft accounts be submitted in April for discussion at the May Board meeting. Auditors would then present the final accounts in July for signing off at the AM.

The Board agreed unanimously to have the AM in the afternoon of 16 July 2010. MS was tasked to advise of any problems this might cause. The detail of the proposed procedural amendments are to be developed by the Remuneration Sub Committee meeting.

Red Arrows Display:

It was agreed that the Board wished to use the opportunity to invite guests. It was stressed that the opportunity would require considerable organisation to provide the maximum benefit.

It was agreed that the cost of a marquee be investigated, for corporate entertainment, which would enable the subtle display of relevant information.

CEO was tasked with selecting someone to lead the project and advising the Board.

FHC Apprenticeship Scheme:

CEO reported that Mark Killingback had been liaising with the Marine School to select an apprentice in the Marine Engineering field and, through the apprenticeship, introduce them to other aspects required by FHC, so acquiring a level of potential qualification.

LA presented the financial aspects of the scheme and the Board approved that FHC employs an apprentice for 35 hours per week at the minimum pay rate for the appropriate age.

It was agreed to move this project forward with the aim of recruiting an apprentice during 2010 and providing updates to the Board.

Annual Report and Strategy Document:

CEO briefed the Board that the information provided was of sample content and layout. The performance targets, recommended by Trust

Port Guidance 2 were discussed and it was agreed to include the relevant performance targets.

The overall layout was approved and it was agreed that the Compliance Sub Committee be tasked with refining the content and proposing relevant indicators.

Pilots National Pension Fund:

It was reported that the court case is now completed and that the judge is considering the judgement, which is likely to take three or more months.

Merchant Navy Officers Pension Fund:

It was reported that FHC had received clear advice that the cost of withdrawal would be prohibitive, it was noted that the trustee would have to approve any request for withdrawal.

Report from South West Regional Committee:

CEO reported that the report mentioned FHC evidence, but that there was no obvious consideration of it. It was agreed that after the General Election it would be useful to contact the relevant MP in this respect. CEO was tasked with liaising with Cornwall Council re future input into the county port strategy.

Draft Ship to Ship Transfer Regulations:

CEO reported that Paul Thompson had checked the interpretation of the draft legislation and provided his legal opinion in respect of the necessity of licences etc.

The outcome was that no licences were required for any of our activities. PT had, however, raised various anomalies which needed to be investigated and answered.

The Board tasked MS with following the advice from PT and take forward the issues raised in his consultation response.

EU Sulphur Content of Liquid Fuel Directive:

CEO reported that there was concerns in respect of this proposed legislation and provided a copy of his letter to MCA.

CEO reported that the BPA had written to the MCA supporting FHC's letter.

It was agreed to ask Paul Thompson for his legal advice on how to try to get the legislation changed.

Letter from Paul Clark:

CEO presented the letter from Paul Clark in respect of the released Port Marine Safety Code, to ensure that the Board was aware of its conditions. It states that the Duty Holder is the Board and that the Designated Person should ideally be independent from the Organisation.

The Board agreed that all options be looked into and that MS present a future proposal to the Board. It was also agreed that the mention of individual liability in the letter be queried.

Correspondence:

CEO reported that Destination South West had requested a donation of £5k, which the Board agreed to pay.

CEO reported that FHC had been approached by as to the harbour dues likely to be incurred if the service came to Falmouth. The Board agreed that a monthly charge would be appropriate.

Urgent Business:

J Class Regatta

It was reported that there had been a press launch for 2012 and a request for moorings and accommodation had been made. A meeting had been held with Peter Visick of RCYC who was happy with the facilities offered.

Mooring equipment

CEO reported that there was an opportunity to acquire mooring equipment for between £15 - £20k which would be added to stock, so reducing costs in future. The equipment was reported to be ex MOD and the Board approved the purchase up to £20k.

Resignation of Mark Killingback

CEO reported that MK had stated that he would be accepting the offer of Truro Harbour Master job. Discussions were held as to the future requirements of FHC in this respect. CEO was tasked with working up an options paper for the Board to consider at a meeting on 26 March 2010. It was agreed that the Board should do something to demonstrate their appreciation of Mark's service.

Portonova

KSL reported that there was an offer of a further €50k match funding available and that she would discuss the options with MS.

Attendance of Various Seminars

KSL reported on her attendance at the Womens Maritime Professional Organisation for Africa and Europe seminar.

RR reported on his attendance of the Renewal UK Wave and Tidal conference.

JL reported on his attendance of the Maritime Renewable Industries Seminar.

The Board stated their appreciation of the Commissioners raising the visibility of FHC.

Meeting Ended: 1255 hours

Date of Next Meeting: Friday 26 March at 1000 hours