

**MINUTES OF THE BOARD MEETING HELD ON  
19 FEBRUARY 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	Via Conference Call
Mr R Yates	
Mr R Reed	
Ms L Allan	Finance and Administration Manager

**Apologies:** None

**The minutes of the January Board Meeting and November Budget were approved and signed.**

**Matters Arising Not On This Agenda:**

CEO reported that the BPA response to the Ports Policy covered the issues of concern to FHC.

The original paperwork in respect of the assigned liability of the Merchant Navy Officers Pension Fund (MNOFF) is being reviewed this item is ongoing.

It was reported that WFSEL had contacted FHC to discuss possible discounts, in response CEO will contact Jonathon Cole and arrange a meeting with the Board to discuss the future.

Navigation risk assessment is on this agenda for discussion.

The letter commending staff efforts in the snow has been sent.

The outcome of the UKHMA meeting is to be reported at the April Board Meeting.

Possible presentation on the CCPF is on this agenda.

All other outstanding items were reported to be complete.

**Reports from Sub-Committees:**

**Pilotage Standards Committee**

It was reported that there had been a meeting arranged with all the pilots on Monday 15th February for Ian Munday to discuss his training proposal. Unfortunately the meeting was cancelled as Ian was unwell. It was suggested that the Port Marines Safety Code (PMSC) be presented to all

the pilots to ensure an understanding of the training requirements for future contract renewal.

It was agreed that Ian Munday should hold a meeting with all the pilots to present his ideas and that the Board needs to ensure compliance with the PMSC. Risk of non-compliance would be reviewed by the Audit and Risk Sub-Committee.

### **Audit and Risk Sub-Committee**

An audit of the safety management system had been undertaken by Heath Lambert. It was reported that the Heath Lambert report had been circulated to RY & KSL and indicated that the safety management system was compliant with the Port Marine Safety Code. It was recommended that the Board adopt the report and this was done unanimously.

### **Remuneration Sub-Committee**

PM reported that:-

- John Brown had announced his retirement, therefore a vacancy for an HR expert and that Jane Sevrier had been recommended. JS had submitted a quote for consultancy services, which it was agreed that she would be asked to withdraw and MS would contact with an invitation to attend as a paid member.
- The External Member post filled by Cliff Brown would be reviewed annually each February when a decision would be made to re-elect or replace, this would ensure continuity for Commissioner selection.
- The Appraisal format was discussed and agreed to be fit for purpose, a timetable is to be formalised, with the initial appraisal for a commissioner being 13 months from appointment, then annually between February and April.
- CEO appraisal is to be brought in line with the staff.
- A schedule detailing potential training and CPD for commissioners is being drawn up, which will be available to the Chair at appraisal.
- The Commissioner recruitment process was fit for purpose and would be reviewed at May's RS-C meeting prior to presenting to the Board.
- Statutory Maternity & Paternity Pay be paid at full rate for the first week then at statutory rates for the rest of the time off. The Board gave unanimous agreement and also to back dating the SPP for the two recent fathers of FHC.

### **Marine Operations Report:**

It was reported that in respect of the collision between HAYLEY MARIE and CAMELOT that Mr Williams has changed his plea to guilty to the Bye-Law offence.

Mark Killingback had been liaising with the Red Arrows in respect of a display in Falmouth week, as yet not confirmed. However, Cornwall Council have announced that they have not budgeted for the £700 road closure charges and were seeking a funder. It was suggested that DE speak to the Council to see if this could be left as an internal charge. If unsuccessful it would be the responsibility of the Shoreside Committee to resolve the funding.

KILLIGREW – JL declared an interest and gave an update of the issues in this respect, having removed ballast, corrosion of the aluminium was uncovered which needs to be repaired prior to getting coding for 5 years. JL stated that once the necessary additional work was completed, at a total cost of around £20k, £5.5k of which was in 2009 accounts, the boat would have about 10 years life. If sold in its present condition it would raise about £5k, on completion of the work it would be worth around £40k. The Board agreed, with JL abstaining, to go ahead with the work, and that a long term programme for maintaining all craft would be re-visited by the new sub-committee.

PENDENNIS has had significant maintenance work including plate renewal as part of this year's refit.

It was reported that an Oil Pollution training day was being held on 19 March 2010 to which all Board members were invited. The Board was also advised that Deborah Clarke would perform media training and that the Tremough students would be invited to be involved again.

#### **Enforcement decisions:**

There were no decisions required.

#### **Finance and Admin Report:**

LA ran through the major items of the report for the year ended 31 December 2009 and discussions were held, Rob Yates congratulated LA on her report and the layout was approved for future reports.

#### **Leisure Services Report:**

It was reported that the contractor engaged to implement the water backflow system has now gone out of business. An alternative contractor has been recommended.

It was requested that comparison figures for the previous year were provided for visitor nights.

#### **KTP Associate's Report:**

The Board agreed that excellent work had been carried out regarding the Stakeholder Management Strategy.

It was reported that HK had presented to the KTP panel yesterday and that she is bringing the Environmental Management System in line with the Safety Management System.

There are also two student projects underway re tidal data.

The Board felt that the Port of Falmouth Anchoring Study was excellent showing scientific studies to support the report and it was agreed that

Sarah Leverton should contact Business Cornwall Publication to see if they would like an article on KTP.

The Board commended HK on the progress that she was making with the project.

#### **Public Relations Report:**

The Board noted that there was a file containing recent press cuttings.

#### **Falmouth Port Development Initiative:**

CEO reported that he had attended a meeting with the MFA in Newcastle re the Consents and was of the opinion that it was positive despite the legal complexities. Further work was required including the undertaking of an appropriate assessment for the proposed dredging operations.

It was noted that Julian Brazier had written to Natural England in this respect following his visit to Falmouth.

Miles Hoskin had presented a lengthy objection and there were concerns from the Environment Agency and Cornwall Sea Fisheries about some aspects of the proposals.

It was stated that the work on the masterplan had commenced.

#### **Sub-Committee Membership:**

It was agreed to set up a Business Planning Sub-Committee to look at the Asset plan for the next 10-15 years. JL & RR volunteered and MS proposed MK to assist. The BPSC would be active for 6 months and would report to the Board at September Board meeting.

#### **Pilots National Pension Fund:**

CEO briefed the Board on the fact that the court case was now complete and that due to the complexity the judgement was not expected to be published for 3 months.

#### **Cornwall Council Pension Fund:**

The Board agreed that they were content to accept the proposed training session by Hewitt's. Dates are to be emailed to Board members for agreement.

#### **Merchant Navy Officers Pension Fund:**

CEO briefed the Board on the Burgess Salmon advise that FHC would not be liable for a cessation event but appeared to have an indefinite liability for deficits.

**Outcomes from Strategy Day:**

The Board agreed that the Strategy Day actions be included in Matters Arising going forward.

**Navigation Risk Assessment Proposal:**

CEO presented the proposal and quote in this respect. It was agreed that the Board be consulted during the work and that the document be circulated to the pilots.

The Board agreed that the tender was acceptable and authorised that the work be carried out, the quoted costs had already been included in the Budget for 2010.

**Response to Ports Policy:**

The Board noted the comprehensive response from BPA.

**Draft Ship to Ship Transfer Regulations:**

CEO reported that this was a positive outcome and the FHC should take some credit as it would appear that all the concerns raised during the consultation exercise had been taken into account.

It was agreed to get Paul Thompson to check the interpretation of the draft legislation and provide his legal opinion in respect of the necessity of licences etc.

The Board commended the CEO for recognising the problems with the original draft and advising the Board appropriately.

**European Harbour Master's Council Meeting:**

CEO reported that the meeting that was supposed to be hosted in Falmouth had been cancelled in favour of one coinciding with a meeting of the International Harbour Masters in Perth which he would be unable to attend. However he had been approached to represent EHMA at a meeting for project Horizon in Gothenburg to which the Board gave their approval.

**BPA AGM and Luncheon:**

CEO It was agreed that 3 places be booked for 2 Board members and a guest.

**Correspondence:**

CEO reported that a petition had been received from a local resident criticising FHC commitment to Falmouth Classics. The Board agreed that they should initially be invited to a meeting with CEO to discuss the petition.

**Urgent Business:**

Port Nova Project

KSL requested that the Board consider a date in September for a meeting in Falmouth.

CEO stated that it was necessary to understand the funding arrangements and the costs likely to be incurred by the Project.

The Board instructed CEO to write to the Department for Transport in respect of the recommendation relating to the Napoli.

**Meeting Ended: 1255 hours**

**Date of Next Meeting: Friday 12 March at 1000 hours**