

**MINUTES OF THE BOARD MEETING HELD ON
18 JUNE 2010 AT 1000 HOURS**

Present:

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

Apologies: Peter Morgan and Richard Reed tendered their apologies.

The minutes of the May Board Meeting were approved and signed,

Matters Arising Not On This Agenda:

CEO reported that:-

- Harriet Knowles and he were attending the November UKHM/BPA conferences to present the KTP findings at.
- An advert in respect of the recruitment of an Apprentice was being drafted together with a training program, and that the Board would continue to be updated with the progress.
- CEO met with the secretariat to the Strategic Leaders Board in Taunton and it was indicated that strategies and plans were now being dealt with at a local level rather than regional. JL agreed to arrange a lunch between the representatives of the Board of FHC and Cornwall Marine Network to discuss the implications of this.
- The Board thanked RY for his input in respect of the pensions brief.

All other outstanding items were reported to be complete or to be dealt with later on in the Board Meeting.

Reports from Sub-Committees:

Audit & Risk Sub-Committee

DE's apology was noted and agreed that the minutes should be amended.

PF reported that:-

- it had been agreed that actions from the last Health & Safety Audit Report were complete.
- Barry Buist had presented a number of ways to facilitate the Commissioners access to the FHC website and had been tasked with implementing the simplest at a cost of around £200.
- In response to Lang Bennetts Audit report LA was tasked with presenting an investment proposal to the Board as part of the Budget process.

- The Port Marine Safety Code Audit was to go out to tender to obtain prices for the audit and separately for the designated person function. MS was tasked with contacting SW Ports to draw up a list of potential tenderers.
- Peter Nicholson was appointed to undertake the Health & Safety Audit for 2010. After some discussion as to the length of his appointment over the years it was agreed that the A&R minutes needed to be updated to show that the correct processes had been undertaken in approving this appointment.

PF reported that the new risks that had been scrutinised were:-

- **Portonovo project** - it was felt that the Board were satisfied with the outputs required and it did not need listing as a separate risk.
- **Legislation affecting port operations** – the risk is significant, as there may be a substantial charge for a licence to lighten ships within port limits.

PF also reported that the report being compiled by Marico was expected shortly and would be reviewed by the A & R sub-committee and presented to the Board.

Email usage had been discussed and it was agreed that the staff handbook be updated where necessary, to ensure that staff were aware that emails are available as disclosable documents and they needed to ensure that no unguarded language be used. All emails to be treated as letters.

Marine Operations Report:

The Board approved the template which is to be used by Will Davies and Duncan Paul and were pleased with the information provided.

It was noted that lightening operations may suffer an adverse effect as a result of the amendment in legislation. There were also concerns about the low sulphur fuels regulations but, as a result of FHC involvement the MCA were looking at amending the definition of Port Limits.

The Board requested that the Regulation report format be revisited to ensure an easier understanding.

It was reported that the Hydrographic survey had been commenced and that the sample data would be looked at next week.

Enforcement decisions:

There were no decisions required.

Finance and Admin Report:

LA ran through the major items of the report for the period ended 30 April 2010 and briefed the board on the results.

It was noted that while shipping movements were up on budget the element in respect of non bunker ships was in fact down. It was agreed that this trend be investigated.

The Board expressed their satisfaction with the improved debtor days and results for the first 4 months.

Leisure Services Report:

It was reported that the Yacht Haven income was slightly down but other facilities were up.

The South West Water project providing an air gap for the Yacht Haven water supply has been completed and the CCTV project was almost complete. It was suggested that the Board have 10 minutes with Lloyd Pond to view the CCTV possibilities.

CEO informed the Board on the accident on North Quay. It was reported that the bin compound gate which had been removed from its hinges for the SWW project had been propped up and subsequently fell on a customer while the staff were investigating getting it re-hung. The staff administered first-aid and initiated the ambulance and subsequent hospital visit.

The Board agreed that it was necessary to improve the contractual arrangements with contractors to ensure FHC staff sign off on a project prior to the contractor leaving the site.

It was reported that in respect of debts outstanding:-

- a valuation in respect of FREE SPIRIT was proceeding.
- Attempts to recover another debt by gaining a court order against a bank account had been unsuccessful as there was no money in the account.

KTP Associate's Report:

CEO reported that Harriet Knowles was involved in the supervision of Marine School students on various projects which was going very well.

She represented FHC at the Marine Measurement Forum, in London, where she delivered a presentation about FHC's Environmental Monitoring Buoys to a diverse audience.

The dive investigation looking at the impact of anchoring had taken place.

Public Relations Report:

Zoe Bourdeaux had given feedback on the Board's media training prior to the meeting. She felt that the publicity was good and the links to the local Colleges / Universities was very positive. A list of actions from the feedback were noted.

Falmouth Port Development Initiative:

CEO reported that the Stakeholders Exhibition of the port masterplan held on 18 May was very well received and constructive.

The meeting with the Falmouth and Penryn Regeneration Committee which took place on 25 May regarding support and SIF funding had also proved very positive.

CEO also reported on the dates for various upcoming meetings.

A meeting with the Environment Agency on 26 May, was held to respond to their concerns re surface driven plumes. The outcome had been that a small addition to the information given in the EIA was required.

A meeting was held on 16 June with the MMO and Natural England to discuss appropriate assessments, unfortunately the two senior members of MMO were not present for various reasons.

CEFAS were represented as the MMO's scientific advisor and the MMO had indicated that they delegated appropriate assessments to CEFAS where necessary. It was agreed that the MMO should carry out an appropriate assessment within the next 6 weeks. FHC are also required under the Habitats Directive to undertake their own appropriate assessment. Nicola Solly would be attending the next meeting to advise the Board on their deliberations.

A later meeting was held with Sarah Newton to update her on the situation.

CEO reported that there was to be a Steering Group meeting to discuss finance and it was likely to be asked what FHC could contribute. After some discussion it was agreed that a calculation should be made into the commercial return from this investment.

MS was tasked with providing a calculation for discussion at a later Board meeting.

North Quay Building:

CEO reported that a meeting with the County's Head of Planning Phil Mason had been very helpful in understanding the position but not encouraging as far as progressing the project was concerned. Due to the sensitive nature of the Site, and lack of consensus among those dealing with the application, continuing with the project was an unavoidable risk.

Six options were put forward and after some discussion the Board unanimously approved option 6. The CEO was tasked with removing NQ building from the Port masterplan and to explore other options based on Grove Place.

Pilots National Pension Fund:

It was reported that the draft judgement was out and had been circulated to the lawyers. The final report would be due next week. Burgess Salmon is tasked with providing the Board with a brief.

Cornwall Council Pension Fund:

Accountant's advice was circulated about the deficit in the CCPF. CEO reported that a quote of £4.5k had been received from Hewitts to produce a report to enable the Board to make an informed decision in respect of any change in approach to pension arrangements.

Merchant Navy Officers' Pension Fund:

CEO reported that FHC had already paid up to £20k in this respect and was now required to pay an additional £19,865. The Board unanimously approved that this amount be paid in full by 30 September, rather than a larger amount in instalments.

The Board tasked LA with including a provision in the Budget.

PORTONOVO Update:

K SL declared an interest.

The Board accepted that the PORTONOVA project that KSL had identified and assisted FHC becoming a partner would provide substantial benefits. Discussion took place about the governance safeguards that would be required for K SL to remain actively involved and remunerated for working on the project as well as being a Commissioner. The Board instructed the CEO to investigate further using independent consultants and to produce written advice for the next meeting.

LA reported that Lang Bennetts had been approved as First Level Controllers.

Red Arrows Arrangements:

It was reported that having looked into various options it was proposed to close off North Quay to the public and provide a bar for guests and families of the staff and commissioners. Official invitations are to be sent out on receipt. Commissioners were asked to suggest guests.

Correspondence:

The Board noted the letter received from Capt Barnicoat, together with attachment, in response to the letter from Capt Kent.

DE is to represent the Board at The Royal Naval Association Sea Sunday parade and church service on 18 July.

The Board considered the request from the Sea Scouts for a £100 donation and decided that unfortunately they were unable to support them on this occasion.

Urgent Business:

JL reported that he was now a member of the Marine School Council and advised the Board that there is now a new 2-year course that would support an apprentice.

In response to G McCabe's request, as new Chair of Newlyn Harbour Board, it was decided that CEO and DE contact him to provide help and support in his role.

PF queried the date of the Commercial Operators meeting, which is to be agreed.

LA reported the date and whereabouts of the 2010 Christmas party.

Meeting Ended: 1250 hours

Date of Next Meeting: Friday 16 July at 0930 hours

Signed, Chairman 16 July 2010