

Meeting: Harbour Committee

Date: 24 March 2025

Wards affected: All wards

Report Title: Review of Delegated Powers of the Tor Bay Harbour Master

When does the decision need to be implemented?

Director Contact Details: Matt Reeks, Interim Director of Tor Bay Harbour Authority
matt.reeks@swisco.co.uk

1. Purpose of Report

1.1. To review the delegated powers pertaining to the Torbay Harbour Master.

2. Reason for Proposal and its benefits

2.1 As required by the Port Marine Safety Code all duties and powers are to be reviewed and this requirement is as detailed within the Harbour Committee Work Programme.

2.2 The Terms of Reference for the Harbour Committee which form part of Torbay Council's Constitution require to review annually the powers delegated to the Tor Bay Harbour Master and refer any proposed changes to the Council for determination. The Committee itself shall not authorise any changes.

3. Recommendation(s) / Proposed Decision

3.1 That having reviewed the powers delegated to the Tor Bay Harbour Master, the Harbour Committee finds **no reason to propose changes to the Council** for determination. **The Committee have been briefed on the proposed changes to the Port Marine Safety Code and any changes required will be brought to this committee next March.**

4. Appendices

4.1 None.

5. Background Documents

- [Port marine safety code - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- [Ports Good Governance Guidance - Department for Transport \(March 2018\)](#)
- [Good governance guidance for ports - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- [Torbay Council Constitution - Schedule 6 - Officer Scheme of Delegation](#)

Supporting Information

6. Introduction

6.1. As above.

7. Options under consideration

7.1. None

8. Financial Opportunities and Implications

8.1 None

9. Legal Implications

9.1. Not applicable.

10. Engagement and Consultation

10.1 The service continues to listen to feedback from:

- Harbour users and liaison forums
- Committee members
- Fishing industry leaders

11. Procurement Implications

11.1. Not applicable.

12. Protecting our naturally inspiring Bay and tackling Climate Change

12.1. Not applicable.

13. Associated Risks

13.1 None

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14. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	There is no differential impact.		
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	There is no differential impact.		
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by	There is no differential impact.		

	a physical or mental health condition or illness.			
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	There is no differential impact.		
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	There is no differential impact.		
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	There is no differential impact.		

Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	There is no differential impact.		
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact.		
Sex	51.3% of Torbay's population are female and 48.7% are male	There is no differential impact.		
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	There is no differential impact.		
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay,	There is no differential impact.		

	5.9 per cent of the population have previously served in the UK armed forces.			
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		There is no differential impact.		
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact.		
Human Rights impacts		There is no differential impact.		
Child Friendly	Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	There is no differential impact.		

15. Cumulative Council Impact

15.1. None.

16. Cumulative Community Impacts

16.1. None.