

Meeting: Harbour Committee

Date: 24 March 2025

Wards affected: All wards

Report Title: Harbour Masters Safety and Management Report

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 provide Members of the Harbour Committee with an update on the current safety and management considerations of the Harbour

2. Reason for Proposal and its benefits

- 2.1 As required by the Port Marine Safety Code, Members of the Harbour Committee as duty holders are required to be aware of safety and management issues.

3. Recommendation(s) / Proposed Decision

- 3.1 That Members of the Harbour committee note the contents of the Harbour Masters report.

4. Appendices

- 4.1 None.

5. Background Documents

- 5.1 None.

Supporting Information

6. Safety.

- 6.1 Storm Darragh caused some major problems in Brixham Harbour with the damage to the "cuttle Market" roof; yachts in the outer mooring going adrift and sinking; and quay bollard

ripped out. The market roof has been repaired, and the yachts have all been recovered and disposed of. Storm Darragh highlighted the need to make an amendment to the Harbours Moorings Policy with the addition in the terms and conditions of compulsory wreck recovery for all vessels except jet skis and dinghies. Ongoing discussions with relevant insurance companies are taking place regarding recovery costs.

- 6.2 A significant pollution incident in Brixham Inner Harbour required implementation of our OPRC plan and the attendance of our Tier 2 responder. The MCA counter pollution officer visited the port several days later for a briefing on the incident and especially our response. The Officer was very satisfied with all aspects of the actions taken and agreed to allow this incident to be counted as the tri annual OPRC exercise which was due in May 2025. All costs for the clean-up were recovered from the polluter.
- 6.3 A fishing vessel caused damage to the Ferry pontoon in Brixham causing damage to the pontoon decking and navigation light. All fishing vessels have now been banned from berthing on this pontoon unless authorised by the Harbour Authority and only for critical need.
- 6.4 A motor vessel launch sunk in MDL's Torquay Marina which the Harbour Authority team were required to assist with for refloat and eventual disposal. All costs were recovered from the vessel's insurance.
- 6.5 A large-scale clean-up of all the Brixham fish quays were completed over two weekends at the end of January with the much-appreciated help of "Swisco". Torquay and Paignton Harbours have been maintained to a satisfactory condition throughout.
- 6.6 Temporary concrete repairs have been made and are ongoing to the Brixham Breakwater slipway.
- 6.7 Refurbishment to Storeroom number 10, in Torquay to permit storage of flammable materials and allow the extraction of fumes from paint and fuel etc, and to contain spills.
- 6.8 New concrete permanent steps constructed to allow waste oil to be decanted into bund on Haldon Pier, these replace ageing wooden steps in poor condition.
- 6.9 Pot hole/trip hazard repaired on Paignton South Quay entrance
- 6.10 'Toolbox talk' refresher training for forklift operations
- 6.11 Improvements to security fencing on derelict fuel jetty
- 6.12 2 x minor staff injuries. Bumps and scrapes, no time lost.
- 6.13 'Prince William Walkway' vehicle restrictions implemented to improve pedestrian safety
- 6.14 Contractor onboard fishing vessel injured when lifting wire parted removing generator. Attended by air and road ambulances, and Maritime and Coastguard Agency (MCA).

7. Regulatory

- 7.1 An independent and suitably qualified Designated Person (DP) has been contracted from ABP Mer. The DP will visit the site in April 2025 to undertake an initial review and audit.
- 7.2 Recruitment for a new Tor Bay Harbour Master was underway
- 7.3 The Department for Transport (DfT) visited Torquay Harbour in January 2025 to complete a spot check on the Harbour's Port facility security arrangements and to discuss the proposal for a Cruise Vessel Temporary Restricted Area (TRA) in Brixham. The check was completed with no issues other than one Port Facility security officers' certificate had expired. The security plan is due for re-validation and a formal inspection by the DfT will be required.
- 7.4 The proposal for a TRA in Brixham was rejected due to lack of space on the ferry pontoon to permit the Cruise Vessel tenders and the regular Harbour ferries to operate with the required segregation.
- 7.5 The Tor Bay Emergency Plan was reviewed and amended as necessary.
- 7.6 Two Harbour Authority approvals have been granted this year. The first one was for the re-location of the mussel farm seed collection area located 1 NM northeast of Watcombe Head to a position approximately 0.5 NM to the southeast. The second was for the "Torbay Coast and Countryside Trust" to place buoys along the boundary line of the Guillemot area of special protection south of Berry Head from March to July.

8. Engagement and Consultation

- 8.1 A fishermen's forum was held in Brixham that was well attended mainly by vessel owners and Brixham Trawler Agents (BTA). This was an opportunity to advise the fish quay users of the ports intentions with regard to the quay clean up; fish market parking and new barrier system; accident and near miss reporting (PMSC) requirement; and the reporting of pollution and/or port infrastructure damage. It also allowed feedback for potential areas of improvement in the port and any problems areas. It was agreed that the meeting was very positive and should be held at regular six monthly intervals.
- 8.2 A Sea Safety Forum was held in Torquay which was extremely well attended and will continue as a regular six-monthly gathering at the beginning and end of seasons.
- 8.3 The quarterly Brixham and Torquay/Paignton Liaison Forums were held in February 2025. The meetings were held in the Brixham Yacht Club and Torquay Harbour Office meeting room. There was very good attendance at both meetings mainly because at the last meeting held via Teams it was agreed that face to face meetings were the preferred option. The salient points from these meetings were:
 - Breakwater slipway pontoon;

- Misuse and trespass on the dis-used Brixham fuel jetty;
- Port Master Plan Northern Arm;
- Injurious/abandoned boats and their disposal; and
- The scheduled events for 2025.

9. Asset and Plant

- 9.1 The bridge and cill in Torquay harbour was inoperable during the Christmas break in December 2024 due to a technical fault. The inability of our contracted maintenance provider to attend and rectify the problem has meant a new provider has been appointed to conduct servicing and repairs.
- 9.2 Signal 2 (Brixham work boat) was also out of action for a period in December 2024 due to mechanical failure. This highlighted the need for a more robust servicing schedule which has now been implemented for all craft.
- 9.3 Romeo 4 (old Oscar 4) is planned for reintroduction into the fleet late April, ready for the summer season and will be based in Brixham.
- 9.4 Reports on all three Harbours have now been compiled highlighting areas of quays, facilities, vehicles and plant that require works and/or further in-depth examination. These reports will be reviewed and costed and are intended to allow for a planned maintenance and budgeting system to be introduced that will reduce the need for emergency repairs and prevent down time on port operations.

10. Forthcoming Actions

- 10.1 Subsequent to Storm Darragh, it has highlighted the number of injurious, neglected or abandoned vessels that were moored in the three Harbours, which are of a serious liability. Stickers have been printed to place on these vessels to request that the owners contact the relevant Harbour office. In all cases the relevant Harbour office has already attempted to contact the owner without success due to no response or unknown address.
- 10.2 Brixham Inner Harbour is particularly congested with injurious, neglected or abandoned vessels and a more robust policy will be implemented to deal with these vessels, which will allow for less upheaval for the installation of the new mooring chains.
- 10.3 A floating pontoon is being planned for the Brixham Breakwater slipway. As the slipway is a grade 2 listed structure, the plans are not permitted to install fixing to the slip, therefore the pontoon will be positioned alongside the quay wall and steps to allow ease of access/egress.
- 10.4 Notices will be issued to any vehicles parked in breach of Byelaws in any Harbour advising the owner of the offence.

10.5 Work will commence to install a new barrier and gate system at the entrance to Brixham Harbour to secure the port area and increase pedestrian safety through the provision of robust traffic control.

11. 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.		

12. Cumulative Council Impact

12.1. None.

13. Cumulative Community Impacts

13.1. None.