

***Pwyllgor Ymgynghorol Harbwr
Pwllheli
Harbour Consultative Committee***

24 Mawrth / March 2009

Adroddiad yr Uned Morwrol – Maritime Unit Report

1 – Ffioedd a Thaliadau / Fees and Charges

- 1.1** The fees and charges relating to the financial year of 2009/10, have been approved by the Statutory Officers and the Portfolio Leader of the Life Long Learning Service. In order to ensure that our clients are aware of the forthcoming charges, the Maritime Unit has forwarded a copy of the fees and charges to all clients and the closing date for the return of Mooring Application forms in respect of the Outer Harbour was the 27th February 2009. To date, a total of **112** Mooring Confirmation Forms have been returned and the Harbourmaster will be required to offer available moorings to those on the waiting list. The number of Mooring Clients in the Outer Harbour this current financial year is **148**. The total number of available moorings in the Outer Harbour is **181**. At Hafan Pwllheli, 287 clients have returned the confirmation form whilst a total of 29 have withdrawn their agreement. A total of 122 remain outstanding. The number on the waiting list is 341.
- 1.2** A copy of the fees relating to Hafan Pwllheli and the fees relating to moorings situated within the Outer Harbour is appended. Members will note that it is recommended that the fees and charges for pontoon berths in Hafan Pwllheli are increased by 4% for pontoons without electricity, and increased by 6% for pontoons which are serviced with electricity. Other fees at Hafan Pwllheli are being increased by 3%. For moorings situated within the Outer Harbour, Members will note that the Statutory Officers and the Portfolio Leader of the Life Long Learning Service have approved the recommended 2% increase in mooring charges for clients residing permanently within Gwynedd whilst the fees for clients residing outside of Gwynedd is increased by 4%.
- 1.3** The rate of inflation for the harbours of Gwynedd for 2009/10 is forecast to be 2.67%. This equates to a required increase of £7,540 in the accumulative income target for the harbours of Gwynedd in 2009/10. The inflation index for Hafan Pwllheli for 2009/10 is 2.40%, and this equates to a required increase of £35,900 in the accumulative income target for 2009/10. The reduction in VAT from 17.5% to 15% as of the 1st December 2008 will have ensured that the net cost to the client will be reduced.
- 1.4** Members will be aware that in previous years the income target for Hafan Pwllheli and the Outer Harbour has reached and surpassed its target. Appropriate measures will continue to be taken in order to ensure that the overall expenditure, and income requirements achieve their targets in 2009/10. The overall increase in the income target for the Maritime Unit for 2009/10 is £51,020 increasing the overall income target of the Maritime Unit to £2,121,900.
- 1.5** The fees and charges relating to the Launching and Registration of Powerboats and Personal Watercraft have not been increased for the next financial year. A copy of the fees and charges for Launching and Powerboat Registration is appended.

2 - Cyllidebau / Budgets

- 2.1** The financial position at Hafan Pwllheli and the Outer Harbour as of the 31st January 2009 is appended. Members will note that the income target relating to the harbour of Pwllheli for 2008/09 is £118,250, and that the total income generated to the end of January 2009 has reached £104,513, a deficit of £13,737. It is not anticipated that a significant amount of income will be generated during March, and it is therefore anticipated that the income target will not reach it's target for this financial year.
- 2.2** Members will note that the income target relating to Hafan Pwllheli for 2008/9 is £1,497.850, and that the total income generated to the end of January 2009 has reached £1,480.616 (£1,391.00 same period last year), a deficit of £17,234. It is anticipated that the income target will have reached and surpassed the required target at Hafan Pwllheli by the end of March.
- 2.3** As members will note, the expenditure to date has exceeded the budget on a number of headings in the Outer Harbour and at Hafan Pwllheli and this is causing slight concern as additional expenditure is anticipated during March. As in previous years, the additional income generated will be allocated to certain headings in order to ensure that the overall budget meets the required target. Members will note the significant increase in the cost of electricity in comparison with electricity costs in 2007/08. The overall expenditure on the electricity budget heading will be reduced due to the income target on the electricity income budget having reached it's target.
- 2.4** Given the current economic climate, 2009/10 will be a challenging year for the Maritime Unit and especially for the harbours within Gwynedd. It is emphasised that any over expenditure and any deficit in income will need to be overcome, especially given the current financial climate facing the Authority.

3 Mordwyo / Navigation Angorfeydd / Moorings

- 3.3** All Aids to Navigation leading to the harbour of Pwllheli have remained on station during the initial part of the winter months. Whilst most of the Aids to navigation are fixed points, two remain afloat, the Fairway Buoy and the Port mark in the approach channel. A temporary Starboard buoy remains in position in the area adjacent to the Harbourmaster's office in order to direct traffic to the south of the obstruction that is extending out into the channel. Further Starboard markers will be placed in this area during the early part of Spring in order to give further guidance to the mariner navigating in this narrow area of the channel.
- 3.4** The fixed perch beacons require paint and the Harbourmaster will be undertaking this work in the very near future.
- 3.5** Three temporary Port marker buoys remain in position at the harbour entrance in order to direct traffic away from the shallow water. The marker buoys will remain on station possibly until 2012 when the dredging programme for the entrance recommences. The Maritime Unit is in the process of improving the navigation markers and three standard Port buoys have been ordered which will replace the existing temporary buoys.
- 3.6** On the 3rd March 2009, two of the Temporary Port Markers indicating the extent of hazard to navigation at the harbour entrance were not on station and such a situation is unacceptable especially given the close proximity of the buoys to the harbour office. All seasonal Beach Zone Marker Buoys and the Speed Limit marker buoys close to the entrance to the inner harbour will be on station before the 1st May.

- 3.7 All harbour moorings have been inspected and have been maintained in order to ensure that vessels can be secure in the harbour during the forthcoming sailing season. A detailed report on the condition of the moorings and on the work that was undertaken on each mooring will be available from the Maritime Officer Harbours at the meeting.

The mooring inspection and maintenance work was completed by Underwater Maintenance and Inspection Service and the overall cost of inspecting and maintaining moorings at Pwllheli was **£1,750**.

The total cost of mooring chain and shackles that was used for maintaining moorings and Aids to Navigation within the harbour of Pwllheli during the spring of 2009 was £250. This cost was significantly lower than in previous years as the required amount of chain was available from stock.

4 - **Prosiect Academi Hwyllo – Sailing Academy Project**

- 4.1 The project of developing the Sailing Academy in Pwllheli continues to progress and the company commissioned to undertake the initial concept design, ‘Marina Projects’ have completed their work. Members will already be aware of the recommended concept submitted by the consultants and significant additional work will be required to be completed before such a proposal can be submitted for Planning Approval.
- 4.2 At present, ‘JOP Consulting’ are approaching the final stages of their work on the Socio-Economic and Language Impact Assessment report. ‘JOP Consulting’ have been reporting to the Technical Group on the progress made to date.

5 - **Gwyl ‘Wakestock’ Festival ‘Gwyl Fwyd Pwllheli Food Festival’**

- 5.1 The annual ‘Wakestock’ festival is scheduled to take place in the North Basin of Pwllheli harbour from the 10th to the 12th of July 2009. As in 2008, the organisers have requested authorisation that would permit for the festival to be held on the Friday, Saturday and Sunday. The Maritime Unit did not receive any complaints for the event held within the Inner Harbour in 2008.
- 5.1 We are informed that the popular Llyn Food Festival will be held at Penrhyn Glandon on the 23rd and 24th May 2009.

6 - **Clwb Hwyllo – Sailing Club**

- 6.1 Pwllheli Sailing Club were very successful in ensuring that a significant number of prestigious events were attracted to Pwllheli during 2008. The main event was the ‘Optimist National Championships’ which proved to be a great success. A detailed list of events, including the number of participants and the approximate number of support crew that have confirmed their intention to compete at Pwllheli in 2009 is appended

The work undertaken by the Sailing Club is applauded and appreciated especially for their success in attracting such prestigious events to Pwllheli. Members will recall that the ‘Mirror World Championship’ and the ‘Splash’ World Championships are scheduled to be held at Pwllheli during 2009.

Where possible, staff from the Maritime Unit will continue to assist with accommodating the needs of the competitors and the organisers, but it must be emphasised that the marina is presently working to capacity, and it is possible that there could be a shortage of available pontoon berths in the harbour.

The additional event pontoon which was positioned and was in commission during the latter weeks of 2008 will be of benefit to the Sailing Club and will be of assistance in ensuring that safety craft can remain afloat for the duration of the event if required. The pontoon was purchased by the Maritime Unit following grant support from the Welsh Assembly Government.

7.- **Rheoliadau Llongau Drafft - Draft Shipping Regulations**

- 7.1 The Department of Transport is currently consulting on regulations to except non-professional mariners in certain categories of ship from the offence of being over the prescribed limits for alcohol. It should be noted that Act does not allow the Regulations to make exceptions from the offence under section 80(2) Railways and Transport Act, of being *impaired* in the ability to navigate because of drink or drugs.

The deadline for response to the consultation is the 6th May 2009 and the Harbour Committees of Aberdyfi, Abermaw, Porthmadog and Pwllheli are being consulted through the relevant Harbour Committee meetings. The comments of the Committee, if requested by the Committee, will be submitted to the Department of Transport

- 7.2 During the passage of the Act through Parliament, the Government indicated that it was minded to except rowing and paddle boats and sailing dinghies from the application of breath limits and the associated tests. In contrast Government said it was minded to subject those operating very large recreational vessels, high powered motorboats and Personal Watercraft, commonly known as jet skis, to the limits and the associated tests.

There was some support in the consultation for figures based on the suggested parameters for an exception based on a speed of no more than 17 knots and length of no more than 22 metres. However, it was recognised that this would exempt a large number of recreational craft, many of which would be fairly large and fast. After considering views from enforcement agencies, leisure mariners and the public, Ministers have decided on a more limited exception for people on ships shorter than 7 metres and not capable of a speed of more than 7 knots.

These parameters coincide with those for lighting in **Rule 23** of the **International Regulations for Preventing Collisions at Sea**, so they have the advantage of providing a memorable and readily understood set of figures which most leisure mariners and enforcement agencies will recognise.

In setting these parameters the Government is aware that there will be cases at the margin where those just outside the exception feel they should fall within it. However, that would occur whatever the precise parameters. The Government's aim is to ensure that those non-professional mariners on ships which pose greater risks because of size and potential speed **are subject** to the alcohol limits.

- 7.3 The proposed regulations may be cited as the Shipping (Alcohol) (Exemption) Regulations 200X and shall come into force on the **/**/****.

Section 80(3) of the Railways and Transport Act 2003 shall not apply in circumstances in which the Ship mentioned in Section 80 (1) of that Act has:-

A length overall of less than seven metres and a maximum design speed not exceeding seven knots.

7.4 Section 80 of the Railways and Transport Act 2003 is as follows

Section 80 Non-professionals

(1) This section applies to a person who—

(a) is on board a ship which is under way,

(b) is exercising, or purporting or attempting to exercise, a function in connection with the navigation of the ship, and

(c) is not a person to whom section 78 or 79 applies.

(2) A person to whom this section applies commits an offence if his ability to exercise the function mentioned in subsection (1)(b) is impaired because of drink or drugs.

(3) A person to whom this section applies commits an offence if the proportion of alcohol in his breath, blood or urine exceeds the prescribed limit.

(4) The Secretary of State may make regulations providing for subsection (3) not to apply in specified circumstances.

(5) Regulations under subsection (4) may make provision by reference, in particular—

(a) to the power of a motor;

(b) to the size of a ship;

(c) to location.

7.5 Following consultation with the Harbour Consultative Committees of Aberdyfi, Abermaw, Porthmadog and Pwllheli, the Maritime Unit will be forwarding the views of each Committee to the Department of Transport. For information to Members, the Consultative Committee of Aberdyfi and Abermaw has supported the proposed Act.

8.- **Canlyniad Barn Cwsmer / Analysis of Customer Questionnaire**

A detailed analysis of the questionnaires distributed to all Pwllheli mooring holders during 2008 is appended for information to Members. It is disappointing to note that only 38% of the questionnaires were returned.

The Maritime Unit will be taking the opinion of the clients into consideration and will endeavour to take action to improve upon those areas which require attention.

9.- **Ad drefnu Gwasanaethau / Re organisation of Services**

9.1 As members will be aware, the Maritime Unit has been part of the Life Long Learning Service for a number of years and the support of the Head of Life Long Learning Service, which was always available, was instrumental to the Unit.

9.2 Regrettably, due to the necessity for Cyngor Gwynedd to identify significant reductions in their expenditure budget, the Life Long Learning Unit will be disbanded on the 31st March 2009 and as from the 1st April, the Maritime and Country Parks Unit will become part of the Economic Development Service.

9.3 A number of Officers from within the Maritime Unit continue to be on secondment in other areas of the service and it is most likely that the secondment period will continue until the end of September 2009. It is envisaged that the present Harbourmaster at Pwllheli, who is on secondment from Porthmadog, will also remain on secondment at Pwllheli until the end of September.

9.4 However, due to the requirement of Cyngor Gwynedd to identify budget savings, the post of Harbourmaster at Pwllheli will be subject to a review during the forthcoming months. At present, the Outer Harbour is managed by the Harbourmaster whilst the Marina is managed by the Marina Manager. The Maritime Unit is required to investigate unifying the post and members will recall that such a proposal did form part of the internalisation of the management of Hafan Pwllheli.

10.- Disel Coch – Red Diesel

10.1 As from the 1st November 2008, due to the United Kingdom having to comply with European Legislation, the rebate on the Duty which has been applied to Red Diesel for use by pleasure craft was ended. The additional payment of duty payable by the mariner could have a significant impact on the use of pleasure craft as the additional duty payable has to be added to the cost of Red Diesel at the pump.

10.2 Since the 1st November, .4066p of additional duty is payable on every litre of Red Diesel which purchased. However, this Duty is only payable on the percentage of the total amount of Red Diesel which will be used for manoeuvring a pleasure vessel.

10.3 If the Red Diesel is used for heating the vessel or for the charging of batteries, then there is no additional Duty payable.

10.4 Prior to the supplier dispensing Red Diesel into the craft or into a suitable container, the purchaser has to complete and sign the Statutory Declaration whereby the percentage of Red Diesel used for manoeuvring the vessel and the percentage used for heating/charging batteries on board the vessel has to be declared beforehand. The suggested percentage of Red Diesel used for manoeuvring and for heating/charging batteries is 60% - 40% split. However, the calculation as to the percentage used is for the purchaser to declare. It is the duty of the fuel supplier to collect the additional Duty and to inform Customs and Excise of the additional duty which has been collected on their behalf.

10.5 The additional Duty of .4066 pence per litre is only payable by the owners of Pleasure Craft and does not apply to the commercial operator, i.e. Fishing Vessels, Passenger Ships, Workboats etc. At the current price of 0.65p per litre, the additional Duty payable by pleasure craft owners will increase the price of Red Diesel to £1.06p per litre for the diesel used for manoeuvring the vessel.

10.6 The Maritime Unit is concerned as to the delay that the process of completing the Statutory Declaration and the subsequent calculation of the additional Duty payable will cause at the Fuel Pontoon. As previously mentioned, every customer will have to complete and sign the Statutory Declaration before the supplier can commence dispensing fuel and the additional Duty payable will have to be calculated and collected. Whilst this is a relatively simple procedure, this will cause a delay in supplying fuel promptly to clients berthing alongside the fuel pontoon in Pwllheli harbour.

11.- Craen Hafan Pwllheli – Hoist

- 11.1** As was reported to Members at the Harbour Committee Meeting on the 4th November 2008, the Maritime Unit had received quotations from three companies with regard to replacing the Boat Hoist during the latter part of 2009. The quotations received were as follows:- Company 1 = £132,590. Company 2 = £108,000. Company 3 = £134,000.
- 11.2** Unfortunately, the process used was not in keeping with the procurement requirements and the replacing of the Boat Hoist will need to be submitted and advertised on the Buy4Wales web site. This will unfortunately bring a slight delay to the replacing of the new Boat Hoist.
- 11.3** The Boat Hoist specification and the invitation for suitable companies to tender for the replacement Boat Hoist will be placed on the Buy For Wales web site as soon as possible. The web page address is as follows. www.buy4wales.co.uk/buy4wales.aspx companies interested in submitting a quotation for the replacement Boat Hoist will also be required to register on the site before hand at www.sell2wales.co.uk
- 11.4** The Maritime Unit will have to identify the cost of purchasing the replacement Boat Hoist from within it's current budget. Members will be aware that the Unit has been allocating funds towards such a requirement for the past two years.