

## PORTHMADOG HARBOUR CONSULTATIVE COMMITTEE 6/3/19

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### PRESENT:

Councillor Alwyn Gruffydd (Chairman)  
Councillor Nia Jeffreys (Vice-chair)

Councillor Selwyn Griffiths (Gwynedd Council), along with David Eastwood (Harbour Interests Representative), Dr John Jones-Morris (Leisure Interests Representative), Robert Owen (Commercial Interests Representative) and Peter L. Williams (RNLI Representative).

**Others invited:** Councillor Ioan Thomas (Cabinet Member – Economic Development), Will Walker Jones (RNLI), Martin Parouty (Member of Barmouth Harbour Consultative Committee) and Wil Partington (Member of Pwllheli Harbour Consultative Committee - for item 5 on the agenda).

**ALSO IN ATTENDANCE:** Barry Davies (Maritime and Country Parks Officer), Malcolm Humphreys (Porthmadog Harbour Master), Arthur Francis Jones (Senior Harbours Officer), Llŷr B. Jones (Senior Manager Economy and Community Department), Forkanul Quader (Maritime and Coastguard Agency Inspectorate) and Bethan Adams (Member Support Officer).

**APOLOGIES:** Llywelyn Rhys (Porthmadog Town Council Representative) along with Mici Plwm and Alwyn Roberts (Members of the Pwllheli Harbour Consultative Committee).

### 1. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 2. URGENT ITEMS

The Maritime and Country Parks Officer noted that after receiving a notice from the Wynnes Company in relation to the intention for a ship to traverse the harbour in June 2020 an urgent meeting had been arranged with the company on 7 March 2019. He elaborated that the proposal was related to the transformers in Trawsfynydd and Ffestiniog. He noted that the timetable of the proposal did not coincide with the harbour's schedule and busy season, a discussion would be held at the meeting in terms of the impact on the harbour and the significant and necessary work to enable the ship to traverse the harbour along with other options outside the main season. He confirmed that an update on the proposal would be provided at the Committee's next meeting on 9 October 2019.

In response to a question, the Maritime and Country Parks Officer noted that the proposal would not incur costs for the Council. He expanded that some owners might be offered to move to Pwllheli or to a location that was not part of the ship's navigation path.

A member enquired about the duration of the work. In response, the Maritime and Country Parks Officer noted that subject to the tide, the work would last approximately 3 months. He added that he would contact the Chairman, businesses local to the harbour and Madoc Yacht Club following the meeting.

In response to a question by a member, the Maritime and Country Parks Officer noted that he would discuss community benefit with the company but the company would certainly be responsible for the costs.

The Maritime and Country Parks Officer noted that it was intended to review the Harbour Bye-laws. He elaborated that discussions with the Legal Section and a timetable were in

place, it was intended for the new bye-laws to be operational in May 2020. He confirmed that a report on the bye-laws would be submitted to the next meeting on 9 October 2019.

A member enquired about the consultation arrangements. In response, the Maritime and Country Parks Officer noted that the consultation would be extensive, and would include the Wales Sailing Association, Porthmadog Town Council, Trinity House and the Maritime and Coastguard Agency. He added that a notice of the consultation would appear in the press.

Peter L. Williams (RNLI Representative) and Will Walker Jones (RNLI) were congratulated on their appointments as Chairman and Operational Manager of RNLI Cricieth.

### **3. MINUTES**

The Chairman signed the minutes of the previous meeting of this Committee, held on 10 October 2018, as a true record.

### **4. PRESENTATION ON THE PORT MARINE SAFETY CODE**

Mr Forkanul Quader of the Maritime and Coastguard Agency Inspectorate was welcomed to the meeting.

The Maritime and Country Parks Officer set out the context, noting that the Maritime Service had responded to the recommendations noted in the report received from the Maritime and Coastguard Agency Inspectorate on the safety arrangements and systems of Gwynedd municipal harbours and compliance with the Marine Safety Code following an inspection in 2017. He noted his appreciation of the Senior Harbours Officer and the Harbour Masters' work. He explained that a follow-up inspection had been held on 5-6 March 2019 where the inspector noted that the Service had firm foundations noting suggestions for improvement. He noted that all Harbour Committees members had received an invitation to the Committee for the presentation. He stated his appreciation for Forkanul Quader's work and professional guidance.

A presentation was given by Forkanul Quader, who noted that the Code was not statutory but that it was relevant and the need for safety control systems and risk assessments to be in place and that they correspond with the scale of activities undertaken at the Harbour. He listed the relevant legislation noted in the Code.

He noted the following main points in terms of what required the Council's attention:

- That Porthmadog Harbour had a status of a Competent Harbour Authority, as no commercial vessels had navigated the harbour in 23 years, the Council should consider whether or not it intended to keep the status which imposed additional requirements on the Council.
- That internal review arrangements had been set up but that operational work was needed with an opportunity for Harbour Masters to collaborate.
- There was a need to review the Porthmadog Harbour Bye-laws to ensure that they coincided with current practices.
- Pwllheli Harbour may be exempted from some of the requirements relating to pollution.
- Hafan Pwllheli generated an income, with the narrowing channel it was difficult for vessels to cross and navigate the channel. A hydro-graphic survey was needed and dredging works.

He confirmed that the Maritime Service had very good practices including the use of telemetrics. He noted that there was commitment to the safety controls system with the Duty Holders taking responsibility on the first page of the Council's Marine Safety Code.

The Cabinet Member for Economic Development noted that he had met with the inspector to discuss his report and a few things needed addressing. He elaborated that he was quite confident that it would be possible to respond to the matters raised by the inspector. He explained that the inspector had praised the professionalism and commitment of the Maritime Service officers.

In response to a question by a member, the Maritime and Country Parks Officer noted that it was intended to contact the Council's Legal Unit, the Welsh Government and the British Government to submit an application to remove the status of Porthmadog Harbour as a Competent Harbour Authority. He explained that the status entailed substantial work and responsibility under the Piloting Act 1987 and that removing the status would not prevent any ships from traversing the Harbour as part of the transformer work in Trawsfynydd and Ffestiniog. He noted that he hoped that the members would support the proposal.

In response to a further question, the Maritime and Country Parks Officer noted that removing Porthmadog Harbour's status as a Competent Harbour Authority would mean that Porthmadog Harbour would have the same status as the other harbours managed by the Council. The inspector explained that there were two types of statuses, Statutory Harbour Authority and Competent Harbour Authority, Porthmadog Harbour would continue as a Statutory Harbour Authority. He noted that given that no commercial ships had navigated the harbour in 23 years, what reason was there for retaining a status that imposed additional requirements on the Council in terms of training?

Members noted their appreciation of the presentation.

**RESOLVED to accept the information.**

## **5. UPDATE ON HARBOUR MANAGEMENT MATTERS**

The Senior Harbours Officer guided the members through the report and drew attention to the following main points:

- It was envisaged that an underwater inspection of the harbour moorings would be held before Easter, subject to the moorings contractor's commitments and the weather conditions.
- The post of a full-time Harbour Assistant was being advertised for Porthmadog Harbour, the officer would provide assistance to the Harbour Master with his duties and responsibilities and would also work at Aberdyfi and Barmouth harbours when needed.

A brief summary of the harbour's budgets and the financial situation up to the end of February 2019 was provided. The Maritime and Country Parks Officer provided details of the budgets noting that the income collected was £10,754 lower than the target income. He noted that an overspend of approximately £20,000 was anticipated for the end of the 2018/19 financial year, but given the size and responsibility of the Harbour and that financial resources had been committed for maintenance that was an investment in the Harbour. He drew attention to 2019/20 fees and charges.

In response to an observation from a member with regards to the Black Rock Sands Beach parking fees, the Maritime and Country Parks Officer noted that beach costs were funded under the beaches' budget and that beach expenditure and income was not part of the harbours budget.

A member drew attention to the fact that the Harbour officers worked on the beaches at times. He enquired whether the hours spent completing the work would be re-paid under the beaches budget. In response, the Maritime and Country Parks Officer noted that an arrangement was in place where beach officers and Harbour officers collaborated at times

on work in the Harbour and on the beaches to deliver the best benefit to Gwynedd residents in accordance with Ffordd Gwynedd.

Porthmadog Harbour Master presented a report summarising the navigation and operational matters that had arisen during the period between October 2018 and February 2019, including maintenance matters and incidents during the period. He noted that navigation buoy number 10 had come to the shore, therefore a further Notice to Mariners had been released in addition to what was noted in the report.

A member noted that it was good to see photographs expressing gratitude for the work involved with the sea wall in Borth-y-Gest with those who had originally objected to the proposal now welcoming it as it had improved the situation.

The RNLI Representative noted that the RNLI safety signs proposed to be erected in the Morfa Bychan area were very good signs. He drew attention to the fact that Cricieth RNLI had saved 10 individuals from the North Bank near Black Rock Sands Beach during 2018 which was a significant percentage of the total number of lives saved in the United Kingdom and Ireland during the year with 182 lives saved during that time. A member noted that it was an effective and very important Service.

In response to a question from a member regarding the ice cream concession, the Porthmadog Harbour Master noted that the tender would be advertised during March. The member added that he was eager for the tender to be advertised as soon as possible.

A member noted that Councillor Nia Jeffreys would be undertaking the Caru Port work in his place and it was intended to extend the lights next to the Ganolfan to go around.

The Leisure Interests Representative provided an update on Madoc Yacht Club's plan to increase the number of pontoons in the harbour. He noted that all the relevant paperwork in terms of installing the pontoons in the harbour, including the exact location of the main extension and the pontoon fingers, had been submitted to Natural Resources Wales. He explained that Madoc Yacht Club had received a response from Natural Resources Wales confirming that all the relevant paperwork had been received. He elaborated that it was proposed to install the additional 24 meter main pontoon sections and fingers at the beginning of April, in time for the new season, and the work would be carried out by Intermarine UK Limited.

**RESOLVED to note and accept the report.**

## **6. THE HARBOUR COMMITTEE'S CONSTITUTION**

Reference was made to the Committee's constitution noting that the Committee had been established under article 6 of the Porthmadog Harbour Revision Order 1998. It was highlighted that there were two empty seats, the seat of a landowners' interests representative and another empty seat. It was noted that it was intended to contact Porthmadog Sailing Club in terms of nominating a representative to the empty seat after they had submitted a request.

**RESOLVED to note and accept the information.**

## **7. NEXT MEETING**

It was noted that the next meeting would be held on 9 October, 2019.

The meeting commenced at 5.30pm and concluded at 6.35pm.

**CHAIR**