



North Sunderland Harbour Commissioner
General Meeting

Friday 22nd March 2024 @ 14.00, The Olde Ship
Minutes

Present: James Boulton (JB) Chair
Toby Douglas (TD)
Michael Evans (ME) (joined meeting at 2.30pm)
Colin Hardy (CH)
William Lawrence (WL)
Guy Renner-Thompson (GR-T) (left meeting at 4pm)
Kerren Rodgers (KR) (left meeting at 4pm)

Paul Brown (PB) Harbour Master (HM)
Kay Barkess (KCB) Clerk

Apologies for absence: Matthew Stephenson (MS)
Les Weller (LW)

1. Apologies received & Declarations of Interest

Apologies Matthew Stephenson
Les Weller

Declarations of Interest None

2. Approval of Minutes from Friday 26th January 2024

- Unanimously approved. Action List will be addressed during meeting. JB advised that Les Weller is resigning in April 2024 so will not attend future meetings in his capacity as Chairman of NIFCA / Commissioner.

3. Actions from previous meeting on 26th January:

- a. 5a – Survey Report has been received from Oswald Hughes re HM Cottage and NSHC await date for immediately instructed works and quotes for other items.
- b. 5c – Stakeholder Meeting / HUG. Please see below.
- c. 5f – Current training levels / requirements – dependent on start date of new HM as s/he will assess.
- d. 5h – Berthing Agreements had been issued prior to meeting for consideration and comment. Please see below.
- e. 7d – Ron Bailey (RB), Designated Person, booked to visit w/b 1 April to carry out PMSC audit. NB - since meeting it has been agreed between RB, JB and PB that Audit can be delayed.
- f. 7e – MSP submitted to MCA by PB after each meeting.
- g. 8 – All leases have been drafted and issued to HM for consideration prior to issue
- h. 9 – See para 9 - Level of response too slow NSHC decided to go out to tender for IT provision.
- i. 12 – Finance Policy issued for consideration and comment.
- j. 12 – Debtors list. Issued and discussed. See para 12 below.
- k. 13 – Contracts / current position re freezers and pontoon. See para 13 below.
- l. 13 – FaSS re their acceptance of changes to our original grant application. See Para 13 below.
- m. 14 - HUG / Stakeholders group to be confirmed. See para 14 below.
- n. 16 – Conservancy policy. See para 16 below.

4. Update on Recruitment

- NSHC's Designated Person, Ron Bailey, suggested contact with Fiona Kirby, current HM at Dunbar.
- Ms Kirby met, on 21st March 2024, with James Boulton, Paul Brown and Toby Douglas on an informal basis to discuss her potential move to North Sunderland Harbour from Dunbar. As meeting only took place evening prior to meeting further updates will be passed to Commissioners as available.
- PB explained that, following last recruitment drive, another applicant was interviewed who later withdrew for personal reasons.
- GR-T queried if the salary being offered is competitive and PB said that research advises it is in line with other ports.

5. HM House Refurbishment Update

- JB said that the Harbour Master's Cottage is to be made compliant following recent site surveys and then a just rent level be put in place. Future HM accommodation requirements are to be considered on interview of the correct applicant.
- KR queried if there is a Tenancy Agreement and was there a Bond payment by current tenant? JB states there is a Tenancy Agreement but no record of a Bond payment being requested nor received.

6. Scrutiny & Compliance

- **6a – New Commissioners** - following LW's resignation effective April 2024. With his resignation LW proposed that NSHC write to the new Chair of NIFCA and request appointment of a new Commissioner. If NIFCA don't appoint someone NSHC will confirm that still quorum and compliant.
- **6b – MCA & 6c – DP, PMSC Audit** – PB advised that MCA haven't asked for the declaration of compliance due on 31st Mach 2024. Designated Person, Ron Bailey, is attending NSHC's office first week of April to carry out an independent audit of the PMSC.
- **6di – Progress against MSP** – PB explained the SMS is available on shared drive. Any Commissioner unable to access must advise either PB or KCB at the earliest opportunity. Harbour Users Code of Conduct – TD said that the Berthing Agreements and other Licences / Agreements in process of being issued superseded same. WL suggested that the Harbour Users Code of Conduct may have been started by previous HM Barry Gardiner and could be available electronically.
- **6dii – Port Master Plan** – PB explained that we have a plan but it's not quite a Port Master Plan. This is required to take us to 2030. PB asked if 2 commissioners were willing to assist and JB and TD offered their assistance.

7 – Updated Berthing Agreement (BA)

- Draft issued prior to this meeting for Commissioners to consider and provide comment. Query was raised about two stakeholders not returning the BA last year and PB advised that if it is not signed in a timely manner then the vessels don't remain in North Sunderland harbour.
- **Hardstanding fees** were raised by PB re the duration that boats can be out of the water potentially losing car parking revenue. TD explained that historically levies have never been charged to allow repairs / maintenance to vessels. WL said that most stakeholders do not want their vessels to be out of the water longer than the two weeks agreed due to their own loss of revenue.
- KR suggested a tiered system be agreed with PB and JB. CH agreed and said that individual circumstances should be discussed with the HM.
- JB said that the BA is separate to any agreement about boats being on the hardstanding.

- WL suggested boats be removed to the compound if prolonged repairs required. PB said that NSHC have to consider any revenue source, but all suggestions considered.

8 – Billing / Charging / Website

- PB advised that charges on website appear to be more than last invoices issued for berthing dues. KCB had provided PB with info that 2021 meeting raised to £3,350 (amount recorded on website) and 2023 raised to £4,000. TD explained that bills are issued at £4,000 split over two payments so have been issued correctly website to be updated with immediate effect.
- TD suggested that the full payment be invoiced rather than in two payments and JB agreed. This will be written in to Berthing Agreement. KR queried if a Direct Debit arrangement could be made for the stakeholders and it was generally agreed that this wouldn't be necessary.
- Any concerns about a stakeholders ability to pay should be discussed in first instance by them with the Harbour Master (HM). JB pointed out that NSHC cannot accept a Direct Debit so if this did happen it would have to be a Standing Order. GR-T said he believed the payments had been split to assist stakeholders budget. JB and ME re-iterated that any concerns about ability to make payment should be raised with HM on receipt of invoice.
- TD queried about parking on the middle pier and PB immediately asked if that was the best place for the skip? PB said that Armco barrier may be required along full pier if it is to be fully opened up for public parking.

9 – IT / E-mail & CCTV

9a – Migrated e-mails

9b – Website update

9c – JD Vision

- PB said that NSHC still await requested invoice from JD Vision. CH said this now needs to be sent to tender. JD Vision will be invited to tender.

10 – HRO update

- 10a – there is currently no update as HRO is still awaiting to be addressed.

11 – Judicial Review (JR) update

- 11a – JR is now complete and all funds have been issued as required. JB said that NSHC have provided all information that was available re the Freedom of Information request made.
- 11b – JB and PB met with William Shiel morning of 22nd March 2024 for an informal meeting. No specifics were discussed about any issues however he was invited to join the HUG.

12 – SMS New Policies

- **12a – Section 13 Berthing Agreement**
Berthing Agreement is to be finalised and issued to stakeholders at earliest opportunity.
- **12b – Section 14 Edge Protection**
PB informed meeting that if public are within 1m of quay edge then NSHC has a duty to protect them. PB queried if full rail protection at end of the long pier rather than Armco could be considered. It was discussed that hatching could be considered to ensure public are aware there is no access to short pier. GR-T asked about blind users and PB said that in his experience they would be escorted by a sighted associate on a pier. CH said that we could move to edgings and no public access.
- GR-T said he thought spaces for staff parking should be clearly marked out and defined.
- **12c – Section 15 Complaints Procedure**
Unanimously agreed that this was straightforward and practical.
- **12d – Section 16 Finance Policy**
See Section 13 – Finance below.

13 – Finance

- JB said that Greaves West & Ayre have not completed ‘actual’ against the P&L but this will be more viable as the months pass and further figures are available. As previously discussed they are starting from a blank page. ‘Casual labour’ which records PB’s invoices is to be recorded as ‘Consultancy’ with immediate effect.
- TD suggested that an amount of approximately £10,000 be built up on account so available when required for future dredging. JB said that he will send TD the e-mail regarding this. Amount is ring-fenced and in NSHC’s account. KR mentioned it was also tax deductible.

- JB said that current figures suggest that approximately £10,000 is 'missing' re electric and fuel that has not been accounted for based on records starting from 'blank page'.
- GR-T queried debt collection agency for debts owed and CH said that in first instance fuel keys can be switched off. TD suggested that we then may have to close gates to avoid future bowser use. KR suggested that we give clearly defined 'dates' for payments and penalties if missed. PB checked and KR confirmed 21 days overdue is final notice. 8.5% was agreed as amount to be added to outstanding debts after this time period. CH suggested that 28 days to be clearly added to invoice. ME said that whatever is agreed could be clearly added to the Berthing Agreement and Finance Policy so they mirror each other and there is no ambiguity. KR will draft a letter for the Commissioners agreement before any changes to the wording on invoices.
- JB suggested that Finance Policy be signed off then letters are issued as required.
- ME queried if existing Berthing Agreements should be sent to current debtors and CH believes we treat the debts as separate entities.
- JB said that he will contact Ashfords LLP, Lara Moore, with regard to debt collection from Mr William Shiel due to amount currently due to NSHC.

14 – Freezer & Passenger Pontoon Project Update

- Freezers - PB and JB are to review the updated quote with regard to the freezers. As 'new' contractor now JB said we will contact the MMO to confirm funding is still available on that basis. As previous bidder has been bought out so remain within group should not be an issue.
- Pontoon – TD said that as outer wall is fibre concrete locate of 'coins' in wall cannot be determined for fixing the pontoon. TD is discussing siting pontoon on middle pier. JB queried pull test and design a pontoon on the result. It was agreed that the long pier is ideally best site and TD will continue to research how to make that happen.

15 – Harbour Users Group (HUG)

- PB said that whilst the HUG will be a valuable addition it is an advisory only group. PB will write to KR, in her capacity as a Parish Councillor, and request a candidate. The Fishermen will be contacted to ask them to put forward their own candidates. A notice is to be placed in the office and e-mailed out. 16 May 2024 was agreed as first meeting date.

- William Shiel and George Shiel are to be written to invite them to join HUG.
- National Trust – PB spoke with Ian Clement, NT, earlier that day.
- Notice to be placed in the ‘Village News’ magazine.

16 – Top 3 risks

- PB advised that these remain unchanged
 - a – Tripping Boat – Boarding & Landing
 - b – Diving Incident – Brought ashore
 - c – Cargo lifting on dockside

17 – Any Other Business

- JB reminded meeting that Fishermen’s Elections are due in October 2024. He will speak to Lara Moore, Ashfords LLP, re procedure required and report back at next meeting.
- Are pleasure boats allowed two offices when same company? PB believes that one operator should have one office, one kiln, fridge etc. JB said that if it isn’t fair to all then it’s not right.
- KR asked if the offices are owned by NSHC and rented out. No they are owned by operators who pay rent to NSHC.

18 – Date of next meetings

PLEASE NOTE all future meetings will commence at 2pm within Ward Room, Olde Ship

17th May 2024 – 2pm

19th July 2024 – 2pm

Publish all meetings for 2024 on website + for diaries?

20th September 2024 – 2pm

22nd November 2024 – 2pm

Meeting adjourned at 4.15pm