

PANNETT PARK | WHITBY | YO21 1RE  
TEL: (01947) 820227 | E MAIL: info@whitbytowncouncil.gov.uk

Dear Councillor,

11 May 2023

Your attendance is requested at a meeting of the **HARBOUR COMMITTEE** to be held in Pannett Art Gallery, on **Tuesday 16 May 2023 at 6.00 pm** the agenda for which is set out below.



Michael King  
Town Clerk

To: Cllrs R Dalrymple, G Goodberry, A Jones, J Redfern,  
C Riddolls, Mrs S Turner & Mrs L Wild,

**NOTICE OF MEETING – Public notice of the meeting is given in accordance with schedule 12, paragraph 10(2) of the Local Government Act 1972.**

## AGENDA

1. **ELECTION OF CHAIR**  
To elect a chair for the ensuing year.
2. **APOLOGIES FOR ABSENCE**  
To receive and resolve upon apologies for inability to attend.
3. **ELECTION OF VICE-CHAIR**  
To appoint a Vice-Chair for the ensuing year.
4. **DECLARATION OF INTERESTS AND REQUESTS FOR DISPENSATION**  
To declare any interests which members have in the following agenda items.
5. **TO CONSIDER ACTIONS REQUIRED IN ACCORDANCE WITH THE TERMS OF REFERENCE AT THE FIRST COMMITTEE MEETING OF A NEW COUNCIL YEAR.**
  - a. Confirmation of the accuracy of the minutes of the meeting of the committee held on 28 March 2023 (herewith).
  - b. Confirmation of the following adopted at Full Council on 2 May 2023
    - i) Terms of reference of the committee.
    - ii) Delegation arrangements to staff
    - iii) Standing orders, financial regulations, policies and procedures relating to the functions of the committee.
  - c. Review of the anticipated Committee workload for the coming year.  
(Future meetings are scheduled for 19 September and 23 January 2024)

**6. PUBLIC PARTICIPATION**

Standing Orders will be suspended for up to 15 minutes to allow for questions or statements about business items on the agenda, submitted by members of the public (limited to 3 mins per person).

**7. HARBOUR ISSUES**

To consider Harbour Issues.

# WHITBY TOWN COUNCIL

Minutes of the meeting of the **Harbour** Committee held in Pannett Art Gallery, Whitby, on Tuesday 28 March 2023 at 5pm, prior to a meeting of the Planning Committee.

**Present** Councillor C Riddolls (Chair) and Councillors R Barnett, A Jones, J Redfern and Mrs S Turner (substitute)

**Also** Mrs A Cowey, Deputy Town Clerk with one member of the public.

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## 407/22 APOLOGIES

Apologies for inability to attend was received from Councillors A Abbott, G Goodberry, Mrs L Wild, and Mr C Burrows (Harbour Master)

**RESOLVED** that the above apologies are received.

## 408/22 DECLARATION(S) OF INTERESTS & REQUEST FOR DISPENSATION

There were no declarations of disclosable pecuniary interests, and other interests or dispensation requests.

## 409/22 MINUTES

**MOVED** by Councillor Riddolls, seconded by Councillor Redfern

**RESOLVED** that minutes of the Harbour Committee held on the 26 July 2022 having been circulated be taken as read and approved as a correct record.

## STANDING ORDERS SUSPENDED

## 410/22 PUBLIC PARTICIPATION

A member of the public spoke about public participation at council meetings, and the legal case regarding Whitby Harbour.

## STANDING ORDERS REINSTATED

## 411/22 HARBOUR MASTER

The Harbour Master sent his apologies but submitted his Harbour Master's report which was circulated at the meeting.

Members went through the report and it was agreed that the following questions be submitted to the Harbour Master:-

- Is it correct that the Maritime Hub cannot go ahead until the court case is complete?
- How many businesses are signed up to the Maritime Hub? The Town Deal requirement is that it is fully signed up
- Is funding available for the repair of Eskside Wharf or does funding need to be obtained?
- Will Whitby benefit from the offshore windfarms?

- Can contact email address of the Harbour Executive be made available to Councillors?
- Could an update on the seating issues in the Bandstand be made available?

Councillor Redfern informed members that the Lobster Hatchery had submitted an expression of interest for funding from the Prosperity Fund to improve the fish market building.

**412/22 HARBOUR ISSUES**

Concern was raised regarding:

- The issue of feeding the bird life and the disposal of crabbing lines etc near the swing bridge. It was reported that Party Boats have had issues with the number of lines disposed of in the river. It was suggested that the rental of buckets and lines be implemented to control the environmental issues which appear to be caused by crabbing on Kiddies Corner, including the installation of a hand pump to fill the buckets.
- Pollution caused by the surface water running straight into the river from the new housing estate.
- Issues regarding the storage of lobster/crab pots as a commercial port the need for an alternative storage area.

**28/03/2023 Harbour Master's Report to Whitby Town Council's Harbour Committee Capt.  
Chris Burrows 28th March 2023**

**1. FISHING**

**1.1 Landings**

Fish landings at Whitby continue to be impacted by the shellfish mortality event which commenced in October 2021. The second half of 2022 experienced a reduction in landings of over 90% when compared to pre-pandemic levels with inshore fishers reporting heavily impacted fishing grounds. During the second half of 2022, 99% of landings consisted of shellfish with the exception of August 2022 where a higher percentage (39%) of white fish was landed. However, indication of just how small shellfish landings had become.

**1.2 Shellfish Mortality Event**

This event continues to impact widely with little movement from Government agencies towards a conclusion. The House of Commons Environment Food and Rural Affairs Committee held a hearing into the issue in October 2022, chaired by Sir Robert Goodwill MP. Following the hearing, Sir Goodwill wrote to the environment secretary Mrs Therese Coffey MP and called for the urgent appointment of an independent expert panel to investigate the mass die offs. The independent panel, chaired by the government's Chief Scientific Advisor, Sir Patrick Vallance and DEFRA's Chief Scientific Advisor Professor Gideon Henderson, published its findings in January 2023. The panel's report ruled out capital dredging, pyridine and algal bloom as possible causes. This was contrary to the original investigation which had blamed an algal bloom for the die offs and the theory from the fishing community that the chemical pyridine was to blame. The report did not come to a conclusive cause and instead theorised that a virus may be the cause but evidence for this was limited. The Environment Secretary has since refused to conduct further analysis despite calls and pressure from a wide variety of industry groups and growing support from local MPs and Councillors. At a recent meeting of North Yorkshire County Council, much discussion was held around the matter with widespread support for further action to be taken. This support covered coastal Members and those further inland.

**1.3 Fishing Safety**

The North East Fishing Safety Forum is now well established although attendance from Whitby Fishers has so far been poor. The forum is designed to give fishers a single group to take forward initiatives to improve safety and covers an area between Whitby and Bridlington. The forum is supported and attended by the Harbour Authority's responsible for Whitby, Scarborough, Filey and Bridlington as well as processors, Whitby Fishing School, the Maritime and Coastguard Agency, the Marine Accident Investigation Branch and fishers themselves.

**2. DREDGING**

Whitby's dredger SANDSEND has worked through the winter where weather conditions allowed to conduct a programme of dredging on the East Side pontoons and pontoon navigable channel. The weather and breakdowns have slowed progress however a reasonable percentage of the planned work has been completed. As the weather improves, the vessel will switch to its summer dredging programme which will include the lower harbour, fish quay, main navigation channel

## **OFFICIAL Harbour Master's Report to Whitby Town Council's Harbour Committee**

and harbour entrance. Additionally, the dredger has supported the RNLI with maintaining its lifeboat pen. Dredging within Whitby Harbour is permitted by local legislation however disposal of the dredged spoil at sea requires a marine license issued by the Marine Management Organisation (MMO). Over recent years obtaining a license has become increasingly difficult with ever increasing requirements being placed on Harbour Authorities. The marine license at Whitby is due to expire in January 2024 and presents a risk to continued conservancy operations. The Harbour Authority are aiming to mitigate this risk with ongoing discussions with the MMO.

### **3. PORT MARINE SAFETY CODE**

The annual report of Performance Against the Safety Plan was published to Scarborough Borough Council's Audit Committee in Oct. 2022. The report highlighted incidents which had occurred during the previous year and pleasingly showed a continued low level of incidents. Since the last Harbour Committee meeting four incidents have been recorded. These include one collision between a passenger vessel and yacht, two persons in the water and damage to infrastructure caused by a coach. Sadly, one of the persons in the water resulted in a fatality after a fall from a vessel during icy conditions.

### **4. HARBOUR MAINTENANCE & PROJECTS**

#### **4.1 Eskside Wharf (Parkol Marine Engineering)**

Advanced monitoring continues to be conducted at Eskside Wharf whilst contractors design a scheme to repair the current issues. The Harbour Authority, Local Authority and Parkol Marine continue to work together to maintain safety and impact operations as little as possible.

#### **4.2 Fish Quay Pile Maintenance**

Maintenance on worn timber pilings on the Fish Quay is due to take place in the next month. This will involve replacement of a number of older piles which have now reached the end of their lifespan. Other general repairs to ladders and other infrastructure are also underway.

#### **4.3 Fish Pier Sheet Piling**

A decision will be taken on Friday 31st March by Scarborough Borough Council's Portfolio Holder for Corporate Resources (which includes Harbours) with a recommendation to release funds for repairs to the Fish Pier. Subject to approval, the works will be undertaken ASAP with costs shared with the RNLI. This will be funded by the Harbours reserve account with a contribution from the maintenance budget to make up the required amount of £82,500.

### **5. LOCAL GOVERNMENT REORGANISATION**

#### **5.1 Duty Holder/Designated Person (PMSC)**

Extensive discussion has taken place with regards to who will assume the role of Duty Holder within the new North Yorkshire Council. This has now been determined as Mr Karl Battersby in his role as Corporate Director of Environment. He will be supported by Mr Paul Thompson as the Designated Person in his capacity as Assistant Director. Both Mr Battersby and Thompson have received training on the roles which will also be supplemented in April 2023.

## **OFFICIAL Harbour Master's Report to Whitby Town Council's Harbour Committee**

### **5.2 Directorate of Environment**

As we prepare for the establishment of the new Council, it has been determined that Harbours will form part of the Directorate of Environment under the leadership of Mr Battersby and within the sub directorate of Integrated Passenger Transport, Licensing, Countryside Access and Harbours led by Mr Thompson.

### **5.3 Harbour Executive**

Discussions have also taken place with regards to the future of the Harbour Executive, its membership and aims going forward. As such, it has been determined that the Executive will continue in a similar format as pre-vesting day with the addition of two members, increasing the membership to six. These will consist of:

- Mr Karl Battersby, Corporate Director (Chair)
- Mr Paul Thompson, Assistant Director
- Cllr Derek Bastiman, Exec. Member
- Cllr Janet Jefferson
- Mr John Woodhead, Northern Area Engineer
- Mr Alex Richards, Head of Regeneration

The membership will continue to be supported by officers from legal, finance, assets and estates as well as by the Harbour Master and his team. As the new Council finds its feet, a further review will be undertaken of the Harbour Executive.

### **5.4 Harbour User Consultative Group**

The Harbour User Consultative Groups at all three harbour undertakings continue to be a vital method of transferring information to the harbour community and gaining valuable feedback. There is no intention to change the makeup of these groups with the exception of the change of NYC elected member. The community continue to be encouraged to not store issues up for these meetings but rather to make use of the Harbour Masters open door policy and raise any concerns as soon as they arise.

## **6. OTHER BUSINESS**

### **6.1 Emergency Preparedness**

The Harbour Authority is classed as a Category II responder IAW the Civil Contingencies Act and also has responsibility as the primary responder to Oil Pollution within its jurisdiction. As such, a constant regime of drills, exercises and emergency plan reviews/inspections are undertaken. During February 2023, Whitby Harbour successfully completed its 3-yearly Incident Management Exercise to prove its response to a major oil spill. The exercise was observed by the Maritime and Coastguard Agency's Counter Pollution and Salvage Officer and exercised a road tanker spilling 25,000 litres of oil into the lower harbour. Additionally, the Harbour Authority took part in a national flood exercise in November 2022 which simulated the response to a tidal surge, much like those seen in reality in 2013 and 2017. The exercise included the practical activation of the Church Street flood defences and recovery pumps. Throughout the winter, the flood defences have been activated successfully by harbour staff a number of times in response to high spring tides.

### **6.2 Whitby Maritime Training Hub**

The Harbour Authority continues to work closely with the Maritime Hub project which is making steady progress. Discussions have taken place with designers and a consultant undertaking work into potential operators and tenants of the facility, including Whitby and District Fishing School. Ground investigation works have taken

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place during February and March 2023 with further works scheduled for April 2023. These investigations are designed to determine the exact location of underground services and obstructions including tie rods for the sheet piled face of the wharf. Engineers continue to work on the design of the building which will be built on a piled platform to support the building rather than the existing surface of the cargo wharf. This method is a common technique within the construction industry.

### **6.3 Offshore Wind**

The Dogger Bank Windfarm project continues to advance with pace and increasing interest is being shown in the utilisation of Whitby Harbour for support vessel operations. The vessel ISLE OF JURA has recently returned to the harbour as she commences a new phase of works on the windfarm and will be operating from Whitby Harbour over the coming months. The work conducted by the consultant on the Maritime Hub is also revealing a keen interest in the port from offshore wind operators with a number now approaching to look at how they might utilise the facilities available.

### **6.4 Maritime Growth Summit**

The Harbour Authority was recently represented by Mrs Linda Wild at a Maritime Growth Summit in Gateshead. The summit discussed the future of the maritime industry and allowed a number of valuable contacts to be made which will greatly assist in moving the port forward. As a result of Mrs Wild's ambassadorship, discussions are now ongoing with a variety of potential partners to grow the prosperity of the port.

### **6.5 Cruise Calls 2023**

The Harbour Authority continues to work with cruise vessel agents and has successfully secured two cruise ship visits for the coming season. Cruise ships REGAL PRINCESS and HEBRIDEAN SKY are due to attend bringing an influx of visitors to the town.

**Capt. Chris Burrows**

**Borough Harbour Master and Head of Harbours**