

## **The Highland Council**

Minutes of Meeting of the **Fishery Harbours Management Board** held in the Harbour Master's Office, Kinlochbervie on Thursday 30 January 2014 at 11.15 a.m.

### **Present:**

Dr I Cockburn  
Mr H Fraser  
Mr R Greene  
Mr A Henderson

Mr H Morrison  
Mr B Murphy  
Mr G Phillips (Chair)

### **Non-Member also present:**

Mr G Farlow

### **Officials in attendance:**

Mr N Gillies, Director of Transport, Environmental and Community Services  
Mr S MacNaughton, Head of Transport and Infrastructure, TEC Services  
Mr T Usher, Harbours Manager, TEC Services  
Mr M Mitchell, Finance Manager (TEC Services), Finance Service  
Miss J MacLennan, Principal Administrator, Chief Executive's Office  
Mrs F MacBain, Committee Administrator, Chief Executive's Office

#### **1. Apologies for Absence**

Apologies for absence were intimated on behalf of Mr M Rattray and Ms M Smith.

#### **2. Declarations of Interest**

The Board **NOTED** the following declaration of interest:-

Item 5 – Mr G Farlow (non-financial) and Mr R Greene (financial)

#### **3. Transfer of Dunvegan Visitor Moorings to the Dunvegan Mooring Association**

There had been circulated Report No FHMB/1/14 dated 15 January 2014 by the Director of Transport, Environmental and Community Services inviting Members to recommend to the Transport, Environmental and Community Services Committee that the visitor moorings at Dunvegan were surplus to the requirements of the Highland Council and that ownership of the moorings (anchors, chains, buoys, etc) were transferred to the Dunvegan Moorings Association at nil cost.

Information was provided on similar mooring transfers that had been undertaken in other harbours, which removed a maintenance cost burden for the Council and enabled local communities to take more active management of this type of mooring.

The Board **AGREED** to recommend to the Transport, Environmental and Community Services Committee that the visitor moorings at Dunvegan were surplus to the requirements of the Highland Council and to recommend to the Finance, Housing and Resources Committee that ownership of the moorings (anchors, chains, buoys, etc) be transferred to the Dunvegan Moorings Association at nil cost.

#### **4. Maritime Coastguard Agency Offices, Kinlochbervie – Request for New Lease**

There had been circulated Report No FHMB/2/14 dated 15 January 2014 by the Director of Transport, Environmental and Community Services inviting Members to agree, subject to a successful negotiation with the Maritime and Coastguard Agency (MCA) on the new rent, that the MCA be offered a new lease for their office in the market building at Kinlochbervie harbour and that the matter be passed to the Head of Legal and Democratic Services and the Interim Director of Housing and Property to conclude the arrangements in respect of the new lease.

Following a summary of the report it was clarified that a 6-year lease was being sought.

The Board **AGREED** to recommend to the Transport, Environmental and Community Services Committee, subject to a successful negotiation with the MCA on the new rent, that the MCA be offered a new lease for their office in the market building at Kinlochbervie harbour and that the matter be passed to the Head of Legal and Democratic Services and Director of Development and Infrastructure to conclude the arrangements in respect of the new lease.

#### **5. Elgol Jetty – New Tour Boats and Timetable**

##### **Declarations of Interest:**

**Mr G Farlow declared a non-financial interest in this item as Chair of Highland Fisheries Local Action Group in relation to European Fisheries Fund Annex 4, but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.**

**Mr R Greene declared a financial interest in this item as Chairman of North West Scotland Inshore Fisheries Group but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.**

There had been circulated Report No FHMB/3/14 dated 15 January 2014 by the Director of Transport, Environmental and Community Services inviting Members to approve the draft timetable for the existing and new tour boats operating from Elgol Jetty, as detailed in Appendix A of the report.

A brief history was provided of the situation at Elgol and of the current position. Further to the draft timetable included in the report, an updated version was circulated, showing minor amendments which had resulted from consultation with the operators.

Members discussed various aspects of the proposed new timetable, particularly certain peak times when it was thought there could be congestion issues. However, following full consideration, Members were supportive of the amended timetable provided the Harbour Master could use his judgement to ensure flexibility during particularly busy periods, for example to allow a full boat an extra 5 minutes or so to load or unload passengers. It was emphasised that all operators would be informed that use of the time slots would be monitored and recorded and any slots that were not being used would be unallocated.

Also considered by Members was the role of the Harbour Master at Elgol which, to date, had been mainly one of mediation. Some Members supported raising awareness among operators of the authority of the Harbour Master, while others considered that the role should remain largely neutral, at least until the Harbour Master gained further experience. It was clarified that the Harbour Master, although temporary, had full Harbour Master authority at Elgol and that training could be provided to support him in his duties.

In response to a question it was explained that all operators had signed the Code of Conduct and there appeared to be improved communication and cooperation between some of the operators. Members hoped that this would continue into the future.

Further related to the future at Elgol, an expression of interest had been lodged with Annex 4 of the European Fisheries Fund for the development of a pontoon. Regarding congestion in the car park during peak season, it was suggested that banking could be removed to provide additional parking spaces. Lorries that were due to bring in rocks to repair the armoury could be used to remove the stone debris from the banking which, in turn, could be stored by the Council for possible future use.

The Board **AGREED** to:-

- i. recommend to the Transport, Environmental and Community Services Committee approval of the draft timetable for the existing and new tour boats operating from Elgol Jetty and that the new timetable take effect for the 2014 season;
- ii. to monitor and record usage of the time slots by operators over the 2014 tourist season;
- iii. to support the Elgol Harbour Master with appropriate training to develop his role;
- iv. to investigate low cost options for the extension of the car park at Elgol; and
- v. to continue to pursue the possibility of a pontoon project at Elgol through Annex 4 of the European Fisheries Fund.

## **6. Industrial Unit Lease**

There had been circulated Report No FHMB/4/14 dated 15 January 2014 by the Director of Transport, Environmental and Community Services inviting Members to recommend approval of an application from a private business person to lease a vacant industrial unit at Lochinver Harbour for the purposes of processing local game and fish.

Following a summary of the report, the Board **AGREED** to recommend to the Transport, Environmental and Community Services Committee approval of an application from a private business person to lease a vacant industrial unit at Lochinver Harbour for the purposes of processing local game and fish and that the matter be passed to the Head of Legal and Democratic Services and the Director of Development and Infrastructure to conclude the arrangements in respect of the new lease.

## **7. Lease of Property for Seafood Processing at Kyle Harbour**

There had been circulated Report No FHMB/5/14 dated 15 January 2014 by the Director of Transport, Environmental and Community Services updating Members on progress regarding the issues of lease conditions and outstanding debt relating to the former Amazon Seafoods site at Kyle Harbour.

A brief summary was provided of the situation to date. Of particular note was that ground rent and insurances were now up to date. The rateable value of the building had been reassessed, although further information was awaited by the tenants as an additional reduction in value could be pertinent to business start-up financial assistance. An outline was then provided of a new business proposal for the property, which it was thought was to start in March 2014.

Members welcomed the possibility of a new business being operated from the premises for the benefit of the harbour and the wider local economy. However, they emphasised that the matter should be concluded as quickly as possible and that a detailed business proposal be submitted to the next meeting of the Board.

During discussion, it was pointed out that while Planning regulations might permit a change of use for the building, the Harbours Board would retain control of its use through a lease.

The Board **NOTED** the update on the current position and **AGREED** that:-

- i. a detailed business proposal be submitted to the next meeting of the Board; and
- ii. the matter be a standing item on future Board agendas until concluded to the satisfaction of Members.

## **8. Financial Performance 1 April 2013 to 30 September 2013**

There had been circulated Report No FHMB/6/14 dated 15 January 2014 by the Director of Transport, Environmental and Community Services setting out the financial performance of Highland Council Harbours for the period 1 April 2013 to 31 December 2013.

It was reported that fuel sales had continued to decline although the rate of decline had now decreased. Harbour dues too were lower than budgeted but were up on the same period for 2013 as a result of increased ferry dues at Uig, Sconser and Raasay. It was pointed out that fuel sales were not the biggest income source for the budget but, by having competitive fuel process in place, boats were attracted into Council harbours thus generating harbour dues. Nevertheless, if the trend in decreasing fuel sales continued, it would be necessary to examine the budget and the possible impact on capital and maintenance works.

In discussion, Members concurred with the need for a review, recognising the need for a long term strategy for harbours. The need for improved facilities were highlighted, one example being a chilled fish market for Kinlochbervie. It was acknowledged that this project had been dependant on match funding from the European Fisheries Fund, which was now fully spent, but officers were actively investigating other sources of funding and it was hoped a bid could be made for funds in 2015. Having a chilled market would ensure boats landing at Kinlochbervie would continue to do so and it would help maintain the quality of fish landed during warm weather. Reference was made to the Council's commitment to look at how services were delivered in north and north-west Sutherland and this could include capital projects at Kinlochbervie. Harbours and piers played an important role in the Highland economy and it was essential that they were protected in the new Council structure. The need to actively promote them, which also had the benefit of generating jobs, was emphasised and officers confirmed that the Council's harbours would be

marketed as part of the Council's new website. Furthermore, the incorporation of renewable energy aspects, such as solar panels, would also provide opportunities for electricity to be sold to the national grid.

Other issues raised during discussion included:-

- the use of Kyle, Lochinver and Uig harbours by cruise liners and other vessels to refuel;
- while it was intended that the entire fish market at Kinlochbervie would be chilled, it would be done as three separate compartments;
- it was important to bear in mind the impact any developments might have on the level of money the Council currently paid the Crown Estate; and
- the possibility of having bowzers available for emergency supplies in the event of machinery breaking down was raised. The process adopted to address such instances was outlined and specific instances of where problems had occurred should be discussed directly with the Harbour Master.

Thereafter, the Board:-

- i. **APPROVED** the financial position to 31 December 2013; and
- ii. **AGREED** to recommend to the Transport, Environmental and Community Services Committee that a scoping exercise be carried out as to potential future development opportunities for the Council's harbours and piers, including renewable energy options, the outcome of which to be reported back to the next Fishery Harbours Board meeting.

## 9. Debt Management

There had been circulated Report No FHMB/7/14 dated 15 January 2014 by the Director of Transport, Environmental and Community Services providing details of the outstanding debt for piers and harbours as at 3 January 2014.

Having been informed of the situation relating to one specific case, the Board otherwise **NOTED** the current debt position.

## 10. Valedictory

The Chairman informed Members that this would be the last meeting attended by Mr Neil Gillies, Director of Transport, Environmental and Community Services, who would be retiring on 31 January 2014. On behalf of Members he thanked Mr Gillies for his support and the invaluable contribution he had made to the Highland landscape, a sentiment echoed by fellow Members.

In response, Mr Gillies thanked Members for their cooperation. Whilst he had enjoyed many aspects of his role, the Fishery Harbours Management Board had been a specific highlight and the efforts by Members and Officers alike had resulted in improved infrastructure benefiting local economies.

The meeting ended at 12.45 pm