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Monitoring Officer Christopher Potter

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Agenda

Name of meeting HARBOUR COMMITTEE

Date WEDNESDAY 28 SEPTEMBER 2022

Time **2.00 PM**

Venue COUNCIL CHAMBER, COUNTY HALL, NEWPORT,

ISLE OF WIGHT

Members of the Cllrs P Jordan (Chairman), G Peace (Vice-Chairman), committee J Bacon, C Jarman, D Pitcher, M Price and R Redrup

Jonathan Brand, Alex Minns, Sean Newton and Joseph

Rennie

Democratic Services Officer: Marie Bartlett

democratic.services@iow.gov.uk

1. Apologies and Changes in Membership (if any)

To note any changes in membership of the Committee made in accordance with Part 4B paragraph 5 of the Constitution.

2. **Minutes** (Pages 5 - 8)

To confirm as a true record the Minutes of the meeting held on 29 June 2022.

3. Declarations of Interest

To invite Members to declare any interest they might have in the matters on the agenda.





Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's Committee <u>website</u>. This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

4. Public Question Time - 15 Minutes Maximum

Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at democratic.services@iow.gov.uk, no later than two clear working days before the start of the meeting. Therefore the deadline for written questions will be Friday, 23 September 2022.

5. Finance reports

- (a) Newport Harbour (Pages 9 10)
- (b) Ventnor Harbour (Pages 11 12)

6. Reports of the Senior Harbour Master

- (a) Newport Harbour (Pages 13 14)Outstanding PMSC actions.
- (b) Ventnor Harbour (Pages 15 16)Get Well Plan.
- (c) Senior Harbour Master Report (Pages 17 20)

7. Newport and Ventor DP Visit and PMSC Audit undertaken on 20.9.2022

To receive a verbal update on the key points.

- 8. Proposed freehold disposal of land and building (W5), Blackhouse Quay, Newport Harbour (Pages 21 36)
- 9. **Ventnor Harbour**

To receive an update on the management contract.

10. Members' Question Time

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to democratic.services@iow.gov.uk no later than 2.00 pm on Monday, 26 September 2022. A question may be asked at the meeting without prior notice but in these circumstances there is no guarantee that a full reply will be given at the meeting.

CHRISTOPHER POTTER
Monitoring Officer
Tuesday, 20 September 2022

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

Notice of recording

Please note that all meetings that are open to the public and press may be filmed or recorded and/or commented on online by the council or any member of the public or press. However, this activity must not disrupt the meeting, and if it does you will be asked to stop and possibly to leave the meeting. This meeting may also be filmed for live and subsequent broadcast (except any part of the meeting from which the press and public are excluded).

If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

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http://www.iwight.com/documentlibrary/view/recording-of-proceedings-guidance-note

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Minutes

Name of meeting HARBOUR COMMITTEE

Date and Time WEDNESDAY 29 JUNE 2022 COMMENCING AT 2.00 PM

Venue COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF

WIGHT

Present Cllrs P Jordan (Chairman), J Bacon, C Jarman, M Oliver, D Pitcher

and M Price

Also Present Cllr Julie Jones-Evans

Officers Present Jonathan Brand, Alex Minns and Joseph Rennie

Apologies Cllrs G Peace

1. Minutes

RESOLVED:

THAT the minutes of the meeting held on 30 March 2022 be approved.

2. **Declarations of Interest**

No declarations were received at this stage.

3. Public Question Time

There were no questions submitted, however following a question from Councillor Price at the last meeting officers confirmed that the road to the Folly was not within the ownership of the Council.

4. Finance Reports

4a **Newport Harbour**

Officers advised that there had been little change since the last meeting, there continued to be an overspend forecasted, due to contractor works, income had shown an increase due to updating leases and mooring figures. Visitor numbers were not as good as expected.

The committee were advised that a review of long term and visitor moorings had been discussed which would bring more regular income to the harbour.

RESOLVED:

THAT the report be noted.

4b **Ventnor Harbour**

Ventnor harbour was a simple budget and had a similar pattern to the previous meeting, further discussion had been had regarding the seaweed issue at the harbour.

The Chairman advised that there continued to be discussions regarding the future of Ventnor Harbour

RESOLVED:

THAT the report be noted.

5. Report of the Senior Harbour Master

6. Senior Harbour Master Report

The Senior Harbour Master advised the Committee that the major works at Newport Harbour had been completed. Inspections of navigation aids had taken place and any works requiring attention had been resolved.

There was some discussion regarding the planned Armed Forces Day and the availability of the toilets on the harbour, the Senior Harbour Master advised that the toilets were not the responsibility of the Harbour although they had locked them following an event earlier in the year, harbour staff were happy to help where they could.

The Committee were advised that there were a few small problems during the IW Festival however it seemed to run smoothly, comments forms had been returned to the festival organisers.

7. Get Well Plans

7a Get Well Plan for Newport Harbour

It was noted that the Get Well Plan had been drawn up to bring the Harbour up to standard, this had been achieved and discussion was had regarding renaming the agenda item as the plan was now for operational issues.

The Committee acknowledged the work undertaken to get the harbour to this point.

RESOLVED:

THAT the Get Well Plan for Newport Harbour be noted.

THAT officers changed the agenda item title.

8. **Get Well Plan for Ventnor Harbour**

The Assistant Director of Neighbourhoods advised that the journey for Ventnor Harbour had only just begun which was reflected in the number of outstanding issues to be completed. He explained that Ventnor Harbour was a statutory Harbour which was the responsibility of the Local Authority.

There was some discussion regarding closing Ventnor harbour as at this time the Authority were only permitted to allow someone else to manage the harbour, officers would look into the decision making process and advise the Committee.

RESOLVED:

THAT the Get Well Plan for Ventnor Harbour be noted.

9. Members' Question Time

Cllr Matthew Price asked if more could be done to assist businesses on Newport Harbour during the IW Festival period with regard to staff and visitors accessing the businesses during this period. The Harbour Master advised that he checked up on local businesses during this time and agreements had been put in place with Solo, however he did not know the full details of the agreements made.

Cllr Julie Jones-Evans asked if all the units on the harbour were being used, she was advised that they were all occupied.

CHAIRMAN



Newport Harbour - Financial Statement as at 31.08.2022

Expenditure		2021/22 FY	22/23 Budget	YTD To Aug 22 (actual)	Forecast 2022/23	Forecast Under/ Overspend 2022/23
		£	£	£	£	£
	Employees	87,283	119,052	49,602	114,498	4,554
	Premises	37,145	41,046	8,007	56,499	-15,453
	Transport	1,393	3,399	738	2,699	700
	Supplies and services	12,746	6,001	929	13,791	-7,790
	Contracted services	41,338	46,238	18,204	58,838	-12,600
	OIL III	5.004		247		1 001
	Other expenditure	6,081	0	247	1,081	-1,081
	Total	185,986	215,736	77,727	247,405	-31,669

Apr 22 (actual)	May 22(actual)	Jun 22(actual)	Jul 22(actual)	Aug 22(actual)
£	£	£	£	£
6,146	19,753	5,520	9,517	8,666
-640	7,464	2,242	-2,691	1,631
38	621	63	8	8
751	-43	174	9	39
2,477	4,502	1,192	6,609	3,424
			·	
0	60	159	28	0
8,771	32,357	9,350	13,480	13,768

Pa	Income		2021/22 FY	22/23 Budget	YTD To Aug 22 (actual)	Forecast 2022/23	Forecast Under/ Overspend 2022/23
age							
		Furlough Claim	-1,685	0	0	0	0
9		Harbour Dues & Wharfage	-4,926	-5,024	-2,408	-5,926	902
		Folly Pile - Permanent	-43,630	-45,000	-51,182	-51,182	6,182
		Newport Harbour Permanent Quayside Moorings	-25,103	-17,505	-9,916	-11,013	-6,492
		Storage of Goods	-867	0	0	0	0
		Cranes - Static	-458	0	-633	-633	633
		Newport Quay - Visitors	-15,466	-24,371	-15,293	-18,243	-6,128
		Electric Card Income	-2,803	0	-1,338	-3,712	3,712
		Off Street Parking Income	-1,231	-4,221	-2,770	-4,100	-121
		Leasing Income	-88,533	-92,881	-45,901	-119,398	26,517
		Folly Ventures - Visitors	-23,841	-47,930	-12,876	-15,826	-32,104
		Folly Swing - Permanent	-19,827	-15,000	-28,687	-28,891	13,891
		Houseboats	0	-10,470	-7,971	-10,679	209
		Swing Moorings - Central	0	-454	-629	-1,150	696
		Recharge to Other Revenue Accounts	-15,866	-10,000	0	-9,000	-1,000
		Dry Berths	0	-160	0	0	-160
		Other income	-2,347	-253	-6,996	2	-255
		Total	-246,584	-273,269	-186,600	-279,751	6,482

Apr 22 (actual)	May 22(actual)	Jun 22(actual)	Jul 22(actual)	Aug 22(actual)
0	0	0	0	0
-296	-851	-544	-718	0
-40,257	-3,246	-5,003	-356	-2,320
-16,607	6,796	-138	33	0
0	0	0	0	0
-42	-92	-125	-292	-83
-880	-2,413	-4,496	-2,443	-5,062
-416	-204	-326	-198	-195
-100	-1,798	-147	-538	-187
-31,261	-10,065	-2,000	-2,473	-102
0	-1,552	-1,449	-5,448	-4,428
-22,890	-4,255	-408	-1,212	79
0	-6,600	0	-1,117	-254
0	-629	0	0	0
0	0	0	0	0
0	0	0	0	0
-602	605	-7,000	-1	2
-113,349	-24,304	-21,634	-14,763	-12,549

Net position -60,598 -57,533 -108,873 -32,346 -25,187 -104,578 8,053 -12,284 -1,282 1,219											
	Net position	-60 598	-57,533	-108,873	-32,346	-25,187	-104,578	8,053	-12,284	-1,282	1,219

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Expenditure		2021/22 FY		22/23 Budget	YTD To Aug 22 (actual)	Forecast 2022/23	Forecast Under/ Overspend 2022/23
		£	П	£	£	£	£
	Employees	2,080		1,449	867	2,092	-643
			Ш				
	Premises	222	Ц	194	0	227	-33
			Ш				
	Transport	-2	Ц	0	0	0	0
			Ц			Ш	
	Supplies and services	1,044	Ц	1,255	0	1,044	211
	Contracted services	91,222	Н	73,189	74,480	78,389	-5,200
	Contracted Services	91,222	H	73,189	74,480	78,389	-5,200
	Other	0	1	0	0	0	0
	Total	94,566		76,087	75,347	81,751	-5,664

Apr 22 (actual)	May 22 (actual)	Jun 22 (actual)	Jul 22 (actual)	Aug 22 (actual)
£	£	£	£	£
174	173	173	173	173
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	95	57,193	8,596	8,596
0	0	0	0	0
174	268	57,366	8,769	8,769

Page 1	Income		2021/22 FY	22/23 Budget	YTD To Aug 22 (actual)	Forecast 2022/23	Forecast Under/ Overspend 2022/23
_							
		Leases	-12,000	-12,000	-12,000	-12,000	0
		Berthing fees	-1,056	-6,024	0	-3,966	-2,058
		Other income	0				
		Total	-13,056	-18,024	-12,000	-15,966	-2,058

Apr 22 (actual)	May 22 (actual)	Jun 22 (actual)	Jul 22 (actual)	Aug 22 (actual)
0	0	0	0	-12,000
0	0	0	0	0
0	0	0	0	-12,000

Net position 81,510 58,063 63,347 65,785 -7,722 174 268 57,366 8,769 -3,2											
	Net position	81,510	58,063	63,347	65,785	-7,722	17	4 268	57,366	8,769	-3,231

Note:

For now, contracted services has been forecast at close to budget. The 22/23 charge from from Cheetah Marine (for seaweed removal, £143k) will be considerably higher than budget but the funding of this has yet to be finalised.

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	Newport Harbour - outstanding PMSC audit actions - Version 1.16; 24.08.2022																										
		Items from PMSC audit, Novem	ber 2020			Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	1110-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23 Mav-23	Jun-23	Jul-23	Aug-23	Sep-23
No.	Action	Sub action	By Who	By When	Comments																						
А	Navigational risk assessment	It is recommended that the NRA is reviewed at least once a year or as a follow-up of any incident investigation.	JB	Sep-22	Review delayed to resource implications arising from Covid-19																						
С	Commercial berth operators	The commercial berth operators procedures for mooring commercial vessels are reviewed ensuring mooring gangs are trained correctly and that self-mooring is prohibited.	JB	Sep-22	See MAIB Report 9/2020 and Port Skills and Safety - Spotlight on Self Mooring Fatalities.																						
					Г	г	П	_				T		Т	ı		- 1	-	Т	_	$lue{}$	lacksquare	lacksquare	$\overline{}$	$\overline{}$	4	
Additional items from PMSC audit, October 2021 No. Action Sub action By Who By When Comments					Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	VIBY-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23 Mav-23	Jun-23	Jul-23	Aug-23	Sep-23	
No.	Action	Sub action	By Who	By When	Comments																						
A1	Consultation and Communication	It is recommended that a new Marine Safety Management Plan is drafted for approval	JB	Aug-22																							
А3	Risk Assessment	It is recommended that the top hazards listed in the NRA are regularly included in reports to the Duty Holder;	JB	Ongoing	These will be included in the quarterly reports to the harbour committee																						
A4	Marine Safety Management System	The current version of the Marine Safety Management System (MSMS) is in need of review and update including to reflect the new HRO;	JB	Aug-22																							
A5	Marine Safety Management System	It is recommended that the MSMS incident recording, investigation monitoring and after actions guidance is reviewed, developed and put in one place within the MSMS	JB	Aug-22																							
Α7	Marine Services	It is recommended that the commercial berth operators' procedures for the mooring of commercial vessels are reviewed ensuring mooring gangs are trained correctly and that self-mooring is prohibited	JB	Aug-22																							
A9	Professional Qualification and Competencies	It is recommended that the personal qualification and training records of the Senior Harbour Master's staff in the MSMS are reviewed to ensure that they are up to date;	JB	Aug-22																							

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Agenda	
a Item 6b	

	Ventnor Harbour 'Get Well Plan' - Version 1.4; 01.09.2022																						
		Green - complete Yellow - Planned completion date				Jul-21	Aug-21 Sen-21	Oct-21	Nov-21	Dec-21	Jan-22 Feb-22	Mar-22	Apr-22	May-22	Jul-22	Aug-22	Sep-22	Oct-22 Nov-22	Dec-22	Jan-23	Feb-23 Mar-23	Apr-23	Jun-23
No.	Action	Sub action	By Who	By When	Comments							_				, ,					1 1		
1	Include the Ventnor Harbour Revision Order 1994 in the list of legislation in the IWC Harbours combined MSMS.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22																			
3	Amend the current Newport Harbour Enforcement policy to include Ventnor.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22	Separate policy to be drfated																		
6	Amend the executive and operational duties to include Ventnor.	Separate Ventnor Harbour MSMS.	IWC	31.12.22	All policies and systems to be kept separate																		
/	Consider forming a Ventnor Harbour User Group (VHUG).	List the membership in the Ventnor Harbour MSMS	J. Brand	31.12.22																			
	Update the current Marine Safety Management Plan to include bringing Ventnor Harbour to full PMSC compliance.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22	All policies and systems to be kept separate																		
9	Update the IWC Harbours website.	Provide navigation safety advice to visiting vessels including advising that that Ventnor Harbour does not have any yacht visitors' moorings and that the harbour is very exposed when the wind is in the easterly quadrant.	J. Brand	31.07.22																			
10	Undertake a full Ventnor Navigation Risk Assessment (NRA) for Ventnor SHA area.	It is recommended that a new "Ventnor Register" is set up in Hazman and a full NRA is undertaken starting with a robust hazard identification involving local stakeholders. As part of the NRA consider whether: 1 - Any form of LPS/VTS is required. 2 - Any form of pilotage is required. 3 - The current Navaids remain appropriate. 4 - Mooring arrangements and operations are appropriate.	J. Brand	31.12.22																			
11	Amend the IWC Harbours combined MSMS to include guidance on the maintenance and review process of both the Newport and Ventnor NRAs.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22	All policies and systems to be kept separate																		
12	Revise the Newport Harbour events planning guidance and procedures to include Ventnor.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22	All policies and systems to be kept separate																	\prod	
	Modify the current Newport Marine Safety Management System to incorporate Ventnor.	It is suggested that "a sperate Ventnor Harbours MSMS" is created based upon the Newport Harbours MSMS	J. Brand	31.12.22	All policies and systems to be kept separate																		
	Adapt the current Newport Emergency Plan dated Jul 20 to incorporate Ventnor. Or, create a separate plan	20 into three sections (Common, Newport and Ventnor) similar to that recommended for the MSMS above.	J. Brand	31.12.22	All policies and systems to be kept separate																		
15	If required by the MCA develop an Oil Spill Response Plan for Ventnor.	IWC to liaise with the MCA to determine whether the MCA require an OSCP.	J. Brand	31.12.22	All policies and systems to be kept separate																		
16	Incorporate Ventnor Emergency and Oil Spill plans and training into the MSMS.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22	All policies and systems to be kept separate																		

17	Incorporate Ventnor into the Hydrographic Policy and survey programme.	IWC Harbours combined MSMS. Ensure that the hydrographic survey contractor passes the survey data to UKHO	J. Brand	31.12.22										
19	Include reference to Ventnor's powers to dredge, remove wrecks plus seaweed clearance in the MSMS.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22	All policies and systems to be kept separate									
20	Provide harbour users and potential visitors advice on entering, staying and departing from Ventnor.	Update the IOWC website (See 9 above). Add an entry into Admiralty Sailing Directions and Nautical Almanacks (e.g. Reeds).	J. Brand	31.12.22										
21	Establish a Small Commercial Vessel licensing scheme in Ventnor based on the those employed by the IOWC and/or for water taxis in Newport.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22										
22	Incorporate Ventnor into the current Newport Harbour incident reporting, investigation and after-action procedures.	Separate Ventnor Harbour MSMS.	J. Brand	31.12.22	All policies and systems to be kept separate									
23	Brief Ventnor harbour users on all the changes that are being introduced.	Suggest: Notice to Mariners, a public meeting, newspaper announcement plus via the VHUG if it has already been formed.	J. Brand	Ongoing										

Agenda Item 6c

Newport Harbour Quarterly Safety Report – 1st July to 14th September 2022

	New	port	Fo	olly
Month	Over nights	Short stays	Over nights	Short stays
July	220	13	236	79
August	193	7	252	82
September (up to 14.09.2022)	95	3	Not av	ailable

Risk register

Navigation Risk Assessment (highest rated risks for reference only)

- Leisure vessel/s Contacting at Folly, Possible Causes could be: Human error; Adverse weather conditions; Poor visibility; Mechanical failure; etc.
- Commercial (Passenger) vessel Collision with Commercial (Passenger) vessel at Folly. Possible Causes could be: Human error; Adverse weather conditions; Poor visibility; Mechanical failure; etc.

Operational information

- Interviews were held for the replacement Duty harbour master on 06.07.2022, the successful candidate started on 08.08.2022.
- Notices were attached on 18 vessels at Folly and Newport Harbour to contact the harbour office, these have
 outstanding fees and/or no contact details on file. This resulted in numerous people contacting the harbour and
 setting payments and updating their details.
- User group meeting was held on the 19.07.2022

Events

- Armed Forces Day was held on the 02.07.2022
- Newport carnival used the harbour as their end destination to disperse on the 23.07.2022
- Newport night Carnival ended at the harbour on the 25.08.2022
- The Parker Seals held a rally on the 10.09.2022

Covid-19 response

- The Vaccination Centre based at the Riverside Centre continued operating throughout the period with reduced operational days.
- Red and White barriers were collected on the 09.09.2022, quay swept cleaned by harbour staff when they
 departed.

1. Results of periodic inspections

1.1 Inspections of navigation aids

Periodic inspections have been carried out of the channel and navigation aids, some of which have been done from land. All navigation aids are in place, their colour and characteristics as required by IALA recommendations. 70 inspections were carried out from land up to the Newport Rowing club in the period and 8 times by launch by harbour staff and three by Folly Venture

Channel markers were inspected and cleaned and checked twice during this period.

1.2 Inspections of the channel

Periodic visual inspections have been carried out of the channel some of which were carried out from the land. The depth within the channel has not been reported below the depths advertised. 70 inspections were carried out from land in the period and 6 time by boat, Folly Venture have checked it weekly.

1.3a Inspections of quays, steps, pontoons, gangway, piles, and cleats

21 Periodic inspections have been carried out at Newport harbours and found to be in position and in good order. 70 inspected were carried out in the period. Folly pontoons were inspected 6 time by harbour staff.

- Replaced safety ladder on Folly West B Pontoon (south end) on the 28.07.2022.
- Replaced safety ladder on Folly West B Pontoon (south end) on the 28.07.2022
- The replacement ladder was fitted on Newport harbour quay from the visitor pontoon on the 15.07.2020, this was useable from 28.07.2022 when the top barrier was removed.
- The Dodnor moorings were inspected on 23.08.2022, all ok

1.3b Inspections of lights, electric boxes and water standpipes

- Periodic inspections have been carried out on the lights, electric pods and water stands. 70 inspections were
 carried out in the period the Folly was inspected by Folly Venture weekly once during the month and found to be
 good condition.
- Water monitoring was carried out each month.
- The electrical meters and socket boxes were removed by MCM from Little London on the 02.08.2022. they will be stored and refitted on Harbour North quay when required.
- Water leak was discovered on the Visitor Quay, tap disconnected and stopped, two taps are not connected. No stagnant (no flow) pipe connected.
- Due to the hose pipe ban coming into force, the taps on the visitor pontoon and quay had notices fitted informing visiting boats on 11.08.2022
- The southern electric box on the visitor quay required resetting once during this period. A report of defect with electric supply to a visiting vessel, it was suspected it could have been the vessel lead, as it was working when the boat departed.

1.3c Inspections of Hand Crane

The hand crane was used 13 times in period.

1.4 Inspections of life rings, fire extinguishers

Inspections were carried out and all existing life rings, fire extinguishers and safety ladders were found to be in position and in good order, 70 inspections were carried out in this period. Folly pontoons were inspected once by Folly Ventures.

All equipment checked

- Fire alarm buzzer sounded with a general fault, was attempted to be reset and all call points checked. This did not correct the fault, it was silenced and reported to property services. The fire alarm checked and serviced.
- On 23.07.2022 Wight fire checked and service the harbour fire extinguishers for the pontoon, buildings and harbour vehicle. All to be found in good condition.

1.5 Slipways Inspection

The slipways have been inspected and are in good repair. This has been helped by the environment officers, weekly inspections.

- Folly Slipway cleaned 5 times.
- Seaclose slipway cleaned 3 times.
- Tide Gauge scrubbed/cleaned once.

1.6 Work boats and Truck

The Harbour Launch was checked 70 times during this period., it was pumped when required.

- Following reports that the Launch was taking water on the 18.08.2022, engineer was call and came same day. Repacked the stern tube, ran the engine up, no visible leaks found.
- The floating bridge ex-work boat, which was surplus to requirements, was collected on the 07.09.2022. This is to assess if it may be useful for Newport Harbour. If not, it will be disposed of with the other closed bids.
- The harbour launch was lifted out and bottom cleaned on the 12.09.2022 and put back in on the 14.09.2022

Ford Ranger has been operated well during this period. M. Johnson took his CVDA on the 16.08.2022, Ford Ranger oil and coolant checked, ok. Toped up screen wash on the 19.07.2022

2.1 Collisions

None recorded

2.2 Fire or explosion

• None recorded

2.3 Vessels grounding-

None recorded

2.3 Vessels grounding-

• On the 09.08.2022 houseboat ran aground leaving their berth at black house quay, he was aided off by the harbour launch. No damaged to the houseboat.

2.4 Loss of vessel stability

- On the 10.08.2022, a boat moored alongside the visitor quay, was seen to be laying off the quay wall as the owner had loosened the lines to get access between the walls. Talked to him about turning the boat around to give better and safer access. The owner was on board at all time.
- On the 19.08.2022 the owner of a boat called saying he was bringing a boat up to visitor quay to carry out an inspection of the hull. He stated he had not done it before, informed that the harbour staff would be able to assist him. The boat was towed up (not by owner as he was not present). The harbour staff secured the boat with the lines supplied and contacted the owner to advise that he needed to check the vessel/lines as it was his responsibility; however, he did not and the boat was laying off the quay at an angle on morning 20.08.2022. It was resecured by duty harbour master and additional staff member when the tide came up using the harbour equipment, owner informed. The boat settled and was monitored by harbour staff until it departed on the 30.08.2022.
- On the 08.09.2022 a phone call was received that there was a rib partially deflated and taking on water on the back of Folly visitor pontoon. it was moved to the foreshore and reinflated and pumped out by Folly Venture.

2.5 Pollution

• None recorded

2.6 Dangerous occurrences / near misses.

- On the 08.07.2022, boat owner fell off his boat at allow water into mud, was not injured.
- During this period there have been children were swimming by the flyover and other locations in the harbour.
 They were spoken to of the dangers and encouraged to stop. Sadly, this advice was not taken, the harbour staff contacted the PCSO who came down and the children left.

2.7 Reportable Accidents

- On the 28.07.2022 three people were on harbour site and visitor pontoon with a BB gun shooting it off. Asked to leave the harbour pontoon by staff. Reported to police, staff monitored them until departed the harbour site. Description given to police when they arrived, believed to been picked up by police in the Bargeman's.
- There have been a higher number of dead seagulls at the harbour and Folly, theses have been collected by harbour staff, bagged, and disposed of. DEFRA were called and informed of location and number (they are not recovering or collecting seagull)

2.8 Defects affecting Marine Safety

None recorded

3.0 Additional information

- Litter picking has been required to be carried out most days this period.
- Harbour facilities had coded locks fitted to the door 03-04.08.2022 (which replaced the key locks), permanent berth holders informed. The Harbour hospitality facility's required repairs to the showers, doors and taps which were carried out by the harbour staff.
- Further problems with the gathering of modified car and bikes, with noise from exhausts and music as well as unsuitable driving at the harbour in cars and bikes though out the period. On the 03.2022 reports that they came closed to a 2-year-old when driving fast around. Reported to police who are liaising with a resident that has registrations.
- Items recovered/removed from the river include 3 traffic cones, road barriers, chair and two shopping trolleys.
- Eight expired flares taken to CHC flares amnesty on 08.07.2022
- Reported the damaged wall of Jubilee store car park on the 21.07.2022 to H&S team.
- Whitegates pier was inspected on 11.07.2022, no unauthorised boat, only the one harbour has taken ownership of.
- Two of the remaining abandoned boats were sold. The small, abandoned boat in harbour north car park had been moved across the harbour on 13.08.2022, was moved back to its original position as secured to the container on the 14.08.2022. One of the abandoned vessels towed up to Newport swing mooring on the 06.09.2022
- Boat was lifted in by Reynolds & Reed on 15.07.2022, no noticed received, informed it is required. Had been
 given by Sea2Sea boats that rent the aluminium shed. Pointed out the quay was not theirs, and they could not
 give permission.
- Items missing (outboard & cover) from one of the boats that had a notice applied was reported on the 16.07.2022. located on boat on same pontoon, explanation that was given he bought it at car boat sale, no information where or who or car type etc. Contact information shared with permission from both, it was resolved by the two boat owners.
- Kids on concrete boat on the 01.08.2022, talked to and they departed.
- Gabion boxes at sea closed opened and stones spread out, picked up and put back in and secured as best as possible on the 17.08.2022.
- Following the heavy rain, the drains around the harbour site were checked and cleared where required on the 08.09.2022



Purpose: For Decision

Committee report

Committee HARBOUR COMMITTEE

Date 28 SEPTEMBER

Title TO TREAT WITH THE ISLE OF WIGHT ESPRESSO COMPANY

AS A SPECIAL PURCHASE OF LAND AND A BUILDING AT BLACKHOUSE QUAY, NEWPORT HARBOUR (KNOWN AS W5

and W6)

Report of **DIRECTOR OF NEIGHBOURHOODS**

EXECUTIVE SUMMARY

- 1. The paper seeks approval for the council to negotiate with the Isle of Wight Espresso Company as a special purchaser for land and a building situated at Blackhouse Quay, Newport Harbour, known as W5 and W6.
- 2. The Isle of Wight Espresso Company is an island-based company and are keen to develop the site to provide not only a coffee roasting and processing facility, but also an accredited barista training centre, coffee shop and visitor centre. They also propose to offer tours of the facility so consumers can see the whole process form the delivery of raw materials through to the finished products ready for onward distribution.
- 3. Any final terms to be agreed with the Isle of Wight Espresso Company as a special purchaser would be subject to a further report to the Harbour Committee to confirm that the council is achieving best consideration from the disposal.

RECOMMENDATION

4. To treat with the Isle of Wight Espresso Company as a special purchaser for land and a building situated at Blackhouse Quay, Newport Harbour – known as W5 and W6.

BACKGROUND

5. The land and building situated at Blackhouse Quay (known as W5 and W6) forms part of the Newport Harbour estate as agreed by Cabinet on 13 December 2011. The plan which forms appendix 1 shows the agreed extent of the harbour estate whilst the plan which forms appendix 2 shows the extent of land (W6) and the building (W5).

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- 6. Following the death of the previous tenant, the lease of W5 was assigned to the Isle of Wight Espresso Company on 1 August 2015; this was a 75-year lease originally granted on 25 March 1947.
- 7. The area of land known as W6 is currently leased by the Isle of Wight Espresso Company; it is a 125-year lease which was granted in 1990 and is due to expire on 11 November 2115. The annual rental is fixed at £25 per annum.
- 8. Prior to the expiry of the lease on 25 March 2022 the council had been engaging with the Isle of Wight Espresso Company over the past 12 months regarding their plans for the site and the basis for a new lease for W5 as well as potential for the lease of an adjacent area of foreshore.
- 9. Following a meeting between council staff and the directors of the Isle of Wight Espresso Company the council received a formal request from their solicitors to purchase the freehold of both sites as opposed to taking out a new lease for W5 and continuing with the lease for W6.
- 10. They feel that given the proposed level of investment for the site, the opportunity to increase employment and the offer to residents and visitors that this is the most commercially viable option to enable the development.
- 11. They propose to develop the site to provide an improved coffee roasting and processing facility, an accredited barista training centre, coffee shop and visitor centre. They will also offer tours of the facility so visitors can see the whole process from the receipt of raw materials through to the finished products ready for consumption on site and onward distribution.
- 12. They want to develop the site to complement their retail offer (Café Isola) in Upper St. James Street, Newport as well as expanding their offer and brand. The development would be undertaken sympathetically in relation to the surrounding area and would be subject to the necessary approvals. Appendix 3 is their statement in support of being considered a special purchaser.
- 13. This is considered a matter for the Harbour Committee to determine as W5 (building and land) at Blackhouse Quay forms part of Newport Harbour. Accordingly, it is a Local Choice Function and is covered in by Part 3 Local Choice Functions in the Constitution.
- 14. In addition, the Harbour Revision Order 2021 states, that the Order authorises the modernisation of the statutory powers and duties of the applicant in its capacity as the harbour authority for Newport Harbour. This includes the clarification of harbour limits, the giving of general and special directions, the power to grant tenancies within the harbour premises and to enter into commercial activities. The Order came into force on 10 March 2021.

CORPORATE PRIORITIES AND STRATEGIC CONTEXT

Responding to climate change and enhancing the biosphere

15. The building and surrounding land are already being used by the Isle of Wight Espresso Company for coffee processing and distribution; whilst detailed plans are

to be prepared proposals for future investment in the facility would enable consideration of wider environmental issues and the opportunities to address these in the context of the facility as a whole.

16. The recommendation supports the UN sustainable development goals for: (8) Decent Works and Economic Growth by supporting local growth of a business that employs local staff and supply chain (11).

Economic Recovery and Reducing Poverty

17. The proposal would enable the Isle of Wight Espresso Company to progress its long-term investment plans with the aim of sustaining and growing the facility which would

benefit the local economy of Newport and the visitor economy of the Island.

Impact on Young People and Future Generations

18. The proposed investment plans for the site would sustain and create additional job opportunities for young people in this area of the Island.

Corporate Aims

- 19. The proposal will support the following aspirations of the Corporate Plan:
 - (a) Keep the council solvent and take all the measures we can to improve the financial position of the council.

REGENERATION

20. The request to be treated as a special purchaser has been shared with the Director of Regeneration and he has advised that these there is no reason not to proceed with the disposal and proposed development as it does not impinge on the masterplan and would be complementary to the regeneration plans.

CONSULTATION

21. The Isle of Wight Espresso Company have consulted with and received support from Newport Business Association and local members.

FINANCIAL / BUDGET IMPLICATIONS

- 22. The disposal of the land and building will result in a capital receipt to the council; this would be ring fenced to the Newport Harbour accounts. The potential capital receipt will only be known once an independent valuation of the land and building is undertaken and received if terms of disposal are agreed with the Isle of Wight Espresso Company. The costs of the valuations will be borne by the purchaser.
- 23. The tenant is currently 'holding over' on the lease which is full repairing and insuring.

- 24. The sale of the freehold of both sites would result in a capital receipt although there would be a loss of rental income stream derived from the leases which is currently £150/annum for W5 and £25 for W6.
- 25. Legal and other professional costs associated with the disposal are to be determined and these will be paid from the capital receipt up to a maximum of 4%, with the remainder paid from the harbour revenue account.
- 26. All void costs (including things like rates, utilities, legal & conveyancing, marketing etc) will be borne by the Council if the disposal to IOW Espresso does not go ahead and they chose not to renew the lease.

LEGAL IMPLICATIONS

- 27. The council has the power to dispose of property under section 123 of the Local Government Act 1972, which requires it to achieve 'best consideration' in any disposal. The council, as harbour authority, has the power to dispose of harbour premises for the purposes of or in connection with the management of the harbour undertaking as authorised by the Harbours, Docks and Priers Clauses Act 1847, the River Medina Navigation Act 1852, the River Medina Navigation Order 1898, the Newport (Isle of Wight) Harbour Revision Order 1968, the Newport (Isle of Wight) Harbour Revision Order 2021.
- 28. A covenant could be placed on the property when it is disposed of in order to assist in ensuring that the use stays within the harbour undertaking. This could mean that the disposal becomes a disposal at an undervalue. The council can dispose of property at an undervalue using a general consent of the Secretary of State. The difference between the unrestricted value of the property and the disposal consideration must not exceed £2 million and the purpose of the disposal must be likely to contribute to the achievement of the promotion or improvement of economic well-being; the promotion or improvement of social well-being; and/or the promotion or improvement of environmental well-being in its area or for residents in its area. Alternatively, a specific consent could be applied for. Subsidy control implications will also need to be considered.

EQUALITY AND DIVERSITY

- 29. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 30. There are no direct implications for equality and diversity as a result of the specific recommendations of this report.

PROPERTY IMPLICATIONS

31. The land and building form part of the Newport Harbour estate but is outside the area earmarked for regeneration; accordingly, an investment in the site would

- further enhance the appeal of the Harbour as a visitor destination and assist in generating additional employment.
- 32. The site itself is not identified as surplus to requirements but is small with very limited potential for any income generating use and is not considered to have any strategic value to the council. Whilst not currently having any direct liabilities its disposal to a third party would remove any such future risks.

<u>OPTIONS</u>

- 33. Not to dispose of the building at Blackhouse Quay, Newport Harbour known as W5 and continue with ethe 125-year lease of W6.
- 34. To offer the building at Blackhouse Quay, Newport Harbour known as W5 on the open market.
- 35. To offer a new lease to the Isle of Wight Espresso Company as a special purchaser of the land and building at Blackhouse Quay, Newport Harbour known as W5.
- 36. To treat with the Isle of Wight Espresso Company as a special purchaser of the land and building at Blackhouse Quay, Newport Harbour known as W5 and W6.

RISK MANAGEMENT

- 37. If the council does not agree to the proposed special purchaser status for the Isle of Wight Espresso Company and chooses to retain ownership of the building it would seek to negotiate a new lease for the Isle of Wight Espresso Company as the incumbent tenant. However, if this could not be concluded then it would leave the authority with an empty building and responsible for any liabilities and future management of the site for which there is not budget.
- 38. The council may receive a higher consideration for the building if it offered on the open market, but it should be recognised that the building requires significant investment irrespective of any future use and this would make it unlikely. It also has a good long-standing relationship with the tenant. An independent valuation of the land and building will inform the final disposal agreement with the Isle of Wight Espresso Company and will ensure that the council is fully aware of the land's value in reaching an agreement.
- 39. There remains the risk that even if the council agrees to the special purchaser arrangements it may not be able to agree terms for disposal of the land and building with the Isle of Wight Espresso Company that offers best consideration for the council and for the Island. The council would then re-evaluate the other options.

EVALUATION

- 40. The Isle of Wight Espresso Company are an established local business that are seeking to invest and grow their facility and offer; acquiring the freehold of the land and building will enable them to implement their ambitions.
- 41. The council may receive a higher consideration for the land if it offered on the open

market but the building requires significant investment irrespective of any future use and this would make it unlikely. An independent valuation of the site will inform the final disposal agreement with the Sile of Wight Espresso Company and will ensure that the council is fully aware of the land's value in reaching an agreement.

APPENDICES ATTACHED

Appendix 1 – Plan showing Newport Harbour estate

Appendix 2 – Plan showing land (W6) and building (W5) at Blackhouse Quay

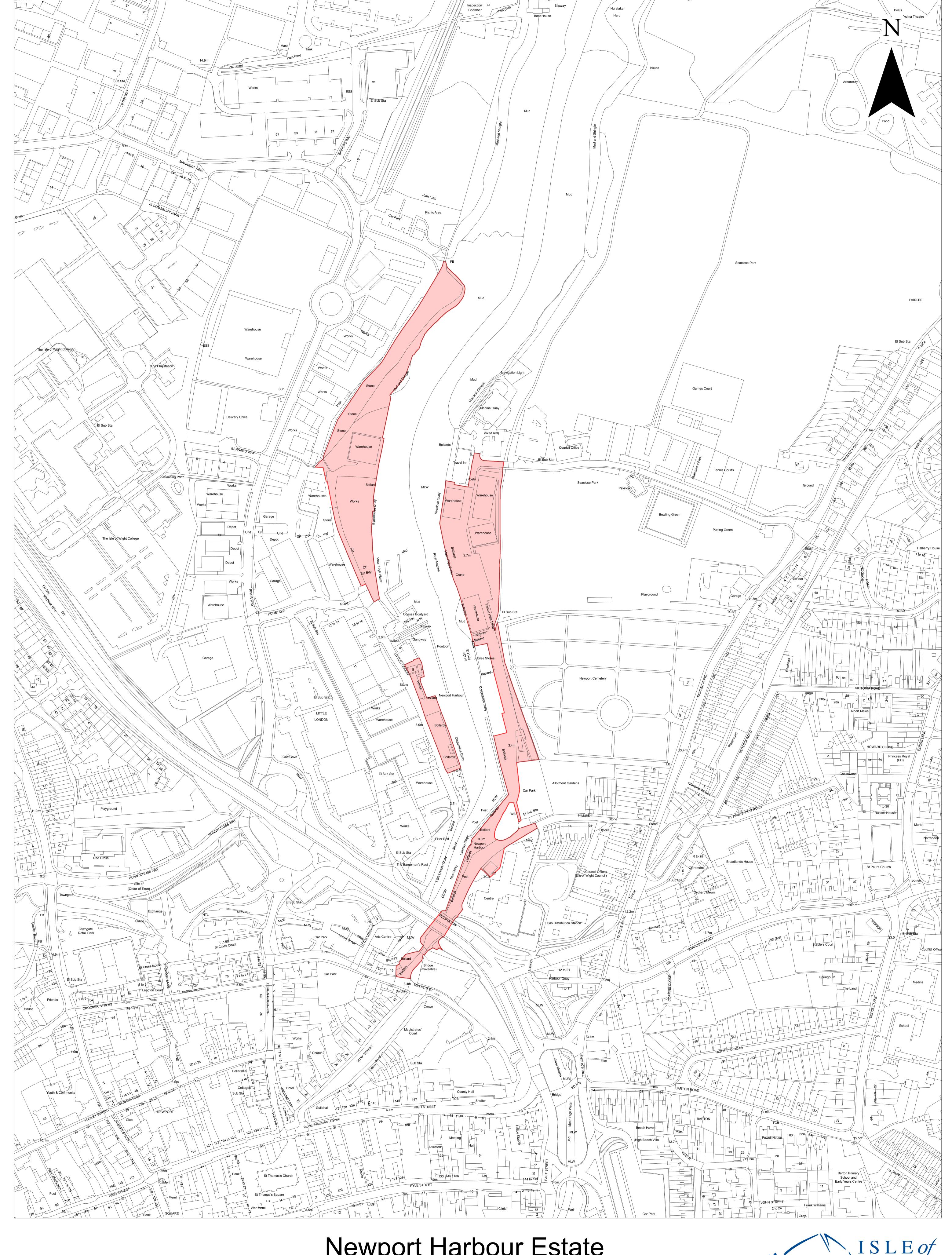
Appendix 3 - Isle of Wight Espresso supporting statement

Contact Point: Alex Minns, Assistant Director - Neighbourhoods ₹ 821000 e-mail alex.minns@iow.gov.uk

COLIN ROWLAND

Director of Neighbourhoods

(CLLR) PHIL JORDAN
Cabinet Member for Highways PFI, Transport and Infrastructure



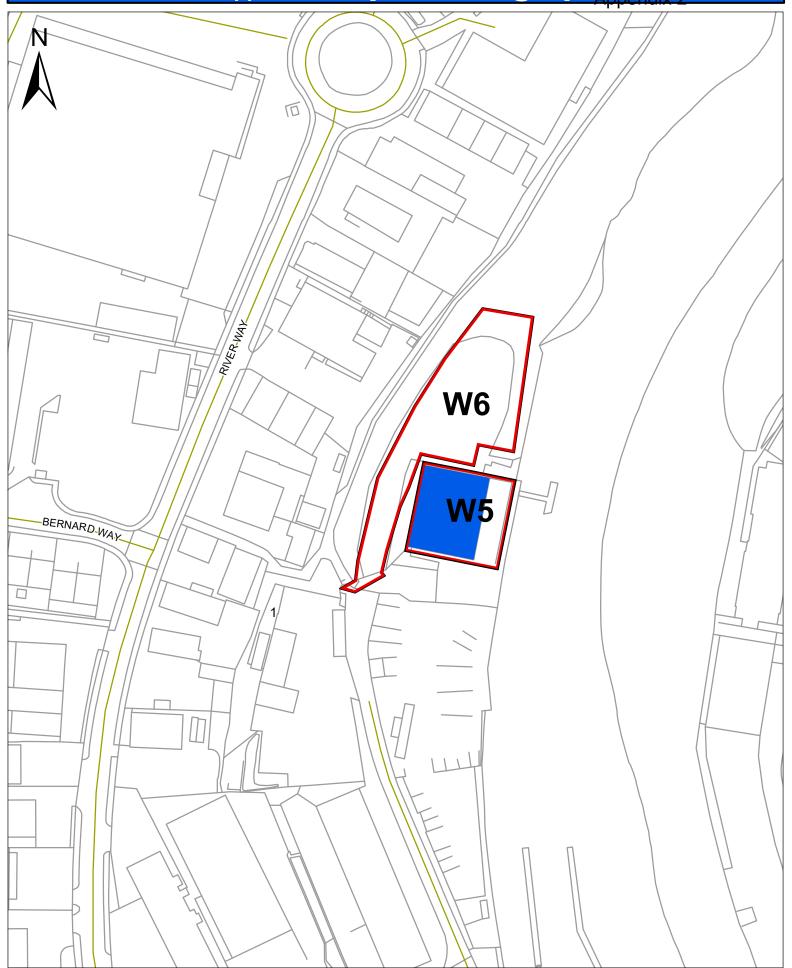
Newport Harbour Estate

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Land And Building At Blackhouse Quay, Newport Harbour, (W5 / W6) Appendix 2 [Scale 1:1250 @ A4] Appendix 2





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REQUEST FOR SPECIAL PURCHASE Title Numbers 24988 & 31031

9th June 2022

Dear Sirs,

We are writing to request being allocated Special Purchaser status for the property known as Redbrick Warehouse, Blackhouse Quay, Little London, PO30 5YH and adjacent land.

Background

The IOW Espresso Co. is a long-standing, well respected and award-winning local Island family business that, despite the unprecedented challenges of the COVID-19 pandemic, has continued a programme of growth and investment, helping to regenerate the areas it operates in, including the previously abandoned former Beavis's building in St James Street, and creating local jobs. We have a diverse and robust business with a well-structured and achievable plan for continued growth over the next 10 years, building on our existing and award-winning track record. Part of this plan is the investment in our existing sites which is only possible with the assurances of long-term tenure. Given our initial discussions with the Council Officers, we believe there is mutual benefit to the IW Council, the general Newport Harbour area and The IOW Espresso Co if we are able to purchase the freehold of the current sites at Blackhouse Quay, namely the Redbrick Warehouse and the adjacent land for which we are the incumbent leaseholders with a remaining lease in-excess of 90 years and on a peppercorn rent. We feel it is worth mentioning that we would also be interested in the piece of land north of our site should it become available to preserve as usable outside space for both our customers and the general public. Currently un-curated, it is an area that is neglected without a purpose which then attracts the wrong kind of attention. We would ultimately like to link this area with a footpath along the front of the site which would give it a purpose and make it a meaningful part of the area. We would intend to manage this along the lines of English Nature, encouraging wildlife birds and insects to thrive, whilst offering up the views to the river and a soft transition from riverbank walk to Urban arrival at Newport.

As the incumbent lease holders and sole occupiers for both properties, we have always worked proactively with the IW Council as well as being actively engaged with the consultation process for the Newport Harbour Regeneration plans, with our own investment and growth plans very much in-line with the Council's plans for regenerating the area.

Investment Plans

We have a multifaceted long-term growth and investment plan in sustainable phases. With the existing long-term tenure of the adjacent land, we have already invested in regenerating the brownfield site with the building of a new warehouse unit which will enable a more efficient and modern process to keep pace with the increase in output on our wholesale business. In turn, this will then allow us to clear and invest in the existing Redbrick Warehouse which requires significant works just to bring it up to a fully usable condition. This includes, but is not limited to, removal of a suspected asbestos roof which has not been fully watertight since before our lease ownership, stabilisation & rebuilding of part of the walls, external industrial door replacement and connection to a drainage solution. However, given the state of the property and the amount of investment needed to regenerate the building to only a basic shell standard, we would wish to fully regenerate the building to include the above along with looking to improve its flood resilience and to allow it to be used as a multi-use space centred around a coffee & tea environment, encouraging a range of







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cliental to form a hub for both local Island residents and visitors alike as well as incorporating some coworking space.

Alongside this regeneration project, we would also like to then lease an area of the waterfront to provide a variety of floating amenities such as eco-focussed holiday accommodation, guest pontoons and landside facilities to also encourage increased visitors and use of the River Medina to further support the overall regeneration of the Newport Harbour area, including the possibility of cycle hire and water sports such as paddle boarding/kayaking.

Track Record

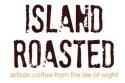
As we have grown our business, we have established a proven track record of generating business growth and job creation, particularly for younger workers under 25, and investing in our home community. We have won awards across the breadth of our business and brands, from our overarching IOW Espresso Co. business to our Island Roasted & Wight Label product brands as well as for our flagship café & retail space - Caffe Isola – which has not only been recognised for its achievements as a destination, but also for the regeneration and refurbishment of the former Beavis's building which had been left empty and in desperate need of repairs, yet retaining the wonderful architectural and historic elements of the former church lecture hall. In doing so, we have spearheaded a sustained re-independence of the upper St James Street area, significantly increasing footfall, the attraction of other shops to the street and increase in economic activity in this part of Newport. This required significant private investment by us to achieve and has produced a site unlike any other on the Island, but its popularity shows that we understand the coffee-related sector and operate at the forefront, providing space for business workers, local residents and visitors alike. We are certain we will achieve a similar growth in economic activity following our focussed and targeted investment in the Redbrick Warehouse site and, although the overall usage and draw of the site will be different to that of our Town Centre Caffe Isola location, we understand what combination of use-cases for the site will draw people into our coffee-centred offering.

Our track record however is not limited to our public-only facing business activities and we remain a key local producer with our Wight Marque Island Roasted artisan hand roasted coffee brand at the heart of our business-to-business and wholesale arm. With our sustained growth in overall production we will continue to create jobs within our production, sales, equipment, servicing and training roles providing multi-faceted opportunities for local people with a mixture of skills.

Impact

As the area already lies within the boundary that the Council desires private investment to fund regeneration and, given that our plans are very much aligned to the Council's desired regeneration outcomes as well as the current state of the Redbrick Warehouse building being in very poor repair, the impact of this proposal is entirely positive and with no risk to the Council. The key impact points are:

- Regenerates a currently dilapidated Council owned building
- Regenerates a Brownfield site within the boundary of the Newport Harbour Master Plan
- Generates immediate revenue for the Council to fund other regeneration projects
- Provides a destination for the harbourside area, tying in with the cycle path, industrial estates and walking routes between Newport town, IW College and Hospital
- Generates local jobs
- Provides a multi-use, multi-faceted and robust economic regeneration of the area







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- Will set the standards for quality, local business private investment in the Harbour Regeneration Plan (where private investment is crucial to the regeneration plan's success)
- Supports a long-standing local family business in its sustainable long-term growth

Considerations

The two sites, although open to each other, are on separate Titles and leases, with the adjacent land still on a current lease with over 90 years left to run and only a peppercorn rent of £25.00 per annum meaning this Title currently is of negligeable value to the Council in both the short and long-term. The Redbrick Warehouse (annual rental £150.00), whilst currently tied over, is subject to Landlord and Tenants which limits options and interests of other potential interested parties. It also requires significant investment simply to keep safe which, without us as the incumbents, will fall on the IW Council to fund and also makes its value to any other interested party limited in both type of interested parties and monetary value of the site. The site will then require even more investment in order to regenerate and, as such, not only is there a risk of the site producing no revenue in the short-terms and only limited revenue in the mid to long-term for the Council, there is also the risk that without, The IOW Espresso Co moving forward with the proposal to purchase, the site may indeed end up being a short to mid-term cost to the Council.

With the amount of investment required, no party would realistically regenerate the site without securing the site for the long-term in order to see a return on that investment.

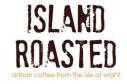
For the existing site, we have already completed our due diligence in accordance to Planning requirements for the regeneration of the adjacent land and as we have operated from the existing Redbrick Warehouse site for a number of years we have ongoing excellent relations with the neighbouring businesses and house boats which will be enhanced further as more economic activity comes into the area through our regeneration plans. We also have the support of Councillors Julie Jones-Evans and Matt Price as the members for adjacent wards.

Conclusion

As the incumbents and with our investment and growth plans well aligned with the Councils Newport Harbour Regeneration Master Plan, we are best suited and best placed to achieve regeneration of the site whilst creating more local jobs and providing an immediate revenue for the Council to further achieve other regeneration projects within the area. We have the proven track record, robustness, skills and long-term commitment to achieve this and, as such, we ask that we are considered as a Special Purchaser for the sites in order to move the regeneration of the area forward.

Yours Sincerely,

Colin Burgess
Founding Partner
The IOW Espresso Co.







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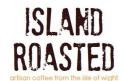
Site Overview















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Caffe Isola – Award-Winning Refurbishment, St James Street, Newport













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