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Monitoring Officer Christopher Potter

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Agenda

Name of meeting HARBOUR COMMITTEE Date WEDNESDAY 27 SEPTEMBER 2023 Time 2.00 PM Venue COUNCIL CHAMBER, COUNTY HALL, NEWPORT, **ISLE OF WIGHT** Members of the Cllrs P Jordan (Chairman), G Peace (Vice-Chairman), J Bacon, J Medland, M Price and R Redrup committee Jonathan Brand, Lawrence Edmonston, 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 28 June 2023.

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 <u>democratic.services@iow.gov.uk</u>, no later than two clear working days before the start of the meeting. Therefore the deadline for written questions will be Friday, 22 September 2023.

5. 2022/23 Finance reports

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

6. **Report of the Senior Harbour Master**

- (a) Senior Harbour Master Report (Pages 13 20)
- (b) Get Well Plan (Pages 21 22)
- (c) Newport Harbour PMSC Audit (Pages 23 24)

7. Disposal of Land and building at Blackhouse Quay, Newport Harbour (Known as W5, W6, Connecting land and W7) (Pages 25 - 34)

To agree to dispose of the freehold of land and a building to a special purchaser.

8. Members' Question Time

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to <u>democratic.services@iow.gov.uk</u> no later than 2.00 pm on Monday, 25 September 2023. 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, 19 September 2023

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 <u>christopher.potter@iow.gov.uk</u>, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email <u>justin.thorne@iow.gov.uk</u>.

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).

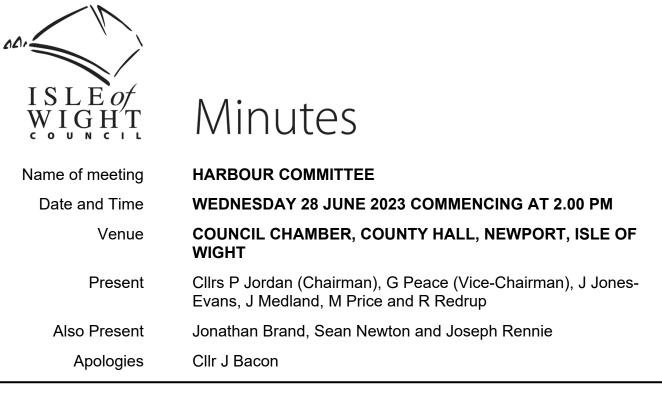
If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

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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Agenda Item 2



1. Apologies and Changes in Membership (if any)

Cllr Bacon had sent apologies Cllr Jones-Evans was substituting for him.

2. Minutes

RESOLVED:

THAT the minutes of the meeting held 29 March 2023 be approved.

3. **Declarations of Interest**

There were no declarations received at this time.

4. Public Question Time - 15 Minutes Maximum

There were no public questions.

5. 2021/22 Finance reports

6. **Newport Harbour**

The Strategic Manager for Commercial Services advised that the finance reports showed the first few months of the new financial year, there was net improvement on income forecast for 2023/24, however an over spend was shown on premises due to rising electric costs and a small overspend on operational equipment.

The Committee were advised that visitor numbers were increasing and a peak in temporary berthing fees in June due to the IW Festival.

RESOLVED:

THAT the finance report be noted

7. Ventnor Harbour

The Strategic Manager for Commercial Services informed the Committee that a management contract had been agreed from 1 April 2023 therefore all operational responsibilities were undertaken by the contract.

RESOLVED:

THAT the finance report be noted

8. Reports of the Senior Harbour Master

9. Senior Harbour Master Report

The senior Harbour Master advised the Committee that a number of events had been held on the quay which were well attended, the power washing of pontoons had been completed and issues with power supply were being investigated. An advertisement for a deputy harbour master had been required, the closing date for applications was 29 June 2023, it was noted that some applications had been received.

The Committee asked if there was any feedback concerning the boat fire, they were advised that the insurance company had dealt with it, and they were not aware of the cause of the fire, there was no damage to the pontoon.

Thanks were given to the Harbour Master for the tour of the harbour provided in April 23, the Committee questioned if anything had been looked into regarding additional pontoons being opened at the Folly to increase revenue to the harbour, they were advised that the work to the wall was completed, although it was an idea which would be looked into and a business plan could be drawn up later in the year.

10. Newport Harbour Outstanding PMSC actions

The Committee were advised that the annual audit was due to take place in September 2023 which would also include Ventnor Harbour the report would be discussed at the January 2024 meeting.

RESOLVED:

THAT the report be noted

11. Ventnor Harbour management contract update/get well plan

The Strategic Manager for Commercial Services informed the Committee that the management contract commenced on 1 April 2023 with monthly reports being made

to the Isle of Wight Council, all inspections were confirmed and an issue with navigation lights had been found, a compliment had been received from a visitor to the harbour.

A new electric pump had been ordered for the removal of seaweed in the harbour which was now the responsibility of the management company. Weekly meetings with the Senior Harbour Master were being undertaken.

RESOLVED:

THAT the update be noted

12. Members' Question Time

Councillor John Medland asked for an update on the commercial strategy for Newport Harbour, the Strategic Manager for Commercial Services advised that he would supply an update outside of the meeting.

Councillor R Redrup asked if there was any update on the issues around Island Harbour, the Senior Harbour Master advised that he had not been informed of any news.

Councillor J Jones-Evans provided an update on the proposed cultural centre and steel yard.

Councillor P Jordan asked if there was an update on the Coffee Company on the harbour, the Strategic Manager for Commercial Services advised that negotiations had taken longer than expected, a report would be brought to the next meeting of the Harbour Committee in September 2023.

CHAIRMAN

Newport Harbour - Financial Statement as at 31.08.2023

Expenditure		2022/23 FY	23/24 Budget	YTD To Aug 23 (actual)	Forecast 2023/24	Forecast Under/ Overspend 2023/24	Apr 23 (actual)	
		£	£	£	£	£	£	
	Employees	122,234	127,786	54,733	126,297	1,489	10,52	3
	Premises	52,196	45,892	27,452	66,567	-20,675	-2,84	2
	Transport	2,478	3,399	1,035	3,555	-156	8	8
	Supplies and services	13,294	6,001	5,300	12,765	-6,764	-66	0
	Contracted services	43,980	46,238	15,110	51,000	-4,762	73	2
	Other expenditure	1,319	0	113	1,319	-1,319	│	0
	Total	235,501	229,316	103,742	261,503	-32,187	7,84	11

Apr 23 (actual)	May 23(actual)	Jun 23(actual)	Jul 23(actual)	Aug 23(actual)
£	£	£	£	£
10,523	8,664	7,946	16,236	11,363
-2,842	3,833	834	16,251	9,376
88	798	34	60	55
-660	4,579	947	261	174
732	3,069	1,880	4,926	4,502
<u> </u>				
0	0	32	21	60
L				
7,841	20,943	11,673	37,755	25,530

ס	Income		2022/23 FY	23/24 Budget	YTD To Aug 23 (actual)	Forecast 2023/24	Forecast Under/ Overspend 2023/24	Apr 2 (actua		Jun 23(actual)	Jul 23(actual)	Aug 23(actual)
۵,												
age		Furlough Claim	0	0	0	0	0		0 0	0	0	0
		Harbour Dues & Wharfage	-3,750	-5,024	-1,474	-3,750	-1,274	-8	6 0	-669	0	0
9		Folly Pile - Permanent	-54,615	-45,000	-62,712	-58,000	13,000	-42,8	-2,446	-1,080	-6,671	-9,628
		Newport Harbour Permanent Quayside Moorings	-12,273	-17,505	-10,339	-13,724	-3,781	-13,5	6 -10,577	-204	16,481	-2,483
		Storage of Goods	-42	0	0	0	0		0 0	0	0	0
		Cranes - Static	-883	0	0	-883	883		0 0	0	0	0
		Newport Quay - Visitors	-21,310	-24,371	-18,496	-21,310	-3,061	-9	-2,860	-4,012	-5,788	-4,874
		Electric Card Income	-3,332	0	-1,322	-3,332	3,332	-1-	7 -272	-233	-329	-340
		Off Street Parking Income	-5,510	-4,221	-2,556	-5,510	1,289	-9	1 -954	-134	-200	-326
		Leasing Income	-129,163	-121,881	-96,753	-128,573	6,692	-42,1	7 -51,000	9,519	-13,080	-25
		Folly Ventures - Visitors	-19,043	-18,930	-12,331	-19,043	113		0 -1,715	-2,389	-5,707	-2,520
		Folly Swing - Permanent	-26,784	-15,000	-19,678	-24,560	9,560	-26,7	6 204	-1,423	-77	8,324
		Houseboats	-11,650	-10,470	-8,762	-10,908	438	-1,3	5 -390	-146	-6,473	-438
		Swing Moorings - Central	-479	-454	-847	-847	393	-4.	5 -1,349	94	0	833
		Recharge to Other Revenue Accounts	-12,960	-10,000	-7,000	-11,000	1,000		0 0	0	-7,000	0
		Dry Berths	0	-160	0	0	-160		0 0	0	0	0
		Other income	17	-253	0	0	-253		0 0	0	0	0
		Total	-301,776	-273,269	-242,268	-301,439	28,170	-129,9	-71,359	-678	-28,845	-11,477

Net position	-66,276	-43,953	-138,526	-39,936	-4,017	-122,069	-50,415	10,995	8,910	14,053

Notes

"Recharge to other revenue accounts" forecast, in income section above, includes £7k related to the Isle of Wight Festival

Overheads and capital charges are not included in above figures

Ventnor Harbour - Financial Statement as at 31.08.2023

Expenditure		2022/23 FY	23/24 Budget	YTD To Aug 23 (actual)	Forecast 2023/24	Forecast Under/ Overspend 2023/24	Apr 23 (actual)	May 23 (actual)	Jun 23 (actual)	Jul 23 (actual)	Aug 23 (actual)
		£	£	£	£	£	£	£	£	£	£
En	mployees	2,205	1,539	920	2,196	-657	183	184	184	184	184
Pr	remises	222	137	137	137	0	0	0	0	137	0
Tr	ransport	0	0	0	0	0	0	0	0	0	0
Su	upplies and services	981	1,255	0	2,967	-1,712	0	0	0	0	0
Co	ontracted services	144,450	117,165	40,479	78,500	38,665	0	39,759	0	160	560
Ot	ther	0	0	0	0	0	0	0	0	0	0
То	otal	147,858	120,096	41,536	83,800	36,296	183	39,943	184	481	744

Income		2022/23 FY	23/24 Budget	YTD To Aug 23 (actual)	Forecast 2023/24	Forecast Under/ Overspend 2023/24	Apr 23 (actual)	May 23 (actual)	Jun 23 (actual)	Jul 23 (actual)	Aug 23 (actual)
	Leases	-12,000	-12,000	-12,000	-12,000	0	0	0	0	0	-12,000
	Berthing fees	-2,046	0	0	0	0	0	0	0	0	0
	Other income	0	0	0	0	0	0	0	0	0	0
	Total	-14,046	-12,000	-12,000	-12,000	0	0	0	0	0	-12,000

	1						-					
Net position		133,812	108,096	29,536	71,800	36,296	5	183	39,943	184	481	-11,256
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Note

Overheads and capital costs not included in the above figures

-12,000 0 0

-12,000

	Newp	oort	Fo	ly
Month	Over nights	Short stays	Over nights	Short stays
June 2023	364	8	236	90
July 2023	275 11		120	42
August 2023	339	19	219	128
01 January to 31 August Totals	1,283	54	651	294

Newport Harbour Quarterly Safety Report 1st June to 30th September 2023

Risk register

Navigation Risk Assessment (highest rated): -

- 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

- The remaining Abandoned are ready for disposal, after one more was sold 18.07.23. The eight where moved alongside the harbour north quay, where they were lifted, transported off site for disposal 22 24.08.23. there are two remaining, one that owner said he would pay other is aluminium and will be weighed in.
- Changes to harbour staff, an advertisement for the vacant Duty Harbour master role at 20 hours per week was run from 08.06.23 with a closing date: 29.06.23, due to one member of staff changing to a 0-hour contract due to other commitments. The Interviews for the vacant were held on the 13.07.2023. The successful candidate started on the 25.07.2023
- Designated person monthly Liaison call on teams was held monthly with DF, SN or LE and JB

Events

- Taxi compliance operation was held in Newport harbour carpark south on the 06.06.23. The harbour office and facilities were used as a base for the Licensing Officer, DVSA officers and police involved.
- Isle of Wight Festival was held between 15.06.23 to 18.06.23 (build up on the harbour site between 29.05.23 to 25.06.23) on the 10.06.23 Harbour staff and other passes accreditation email was received; ticket office opens Monday 12.06.23 at 08.00 for collection
- Harbour user group meeting held on the 18.07.23
- Teams meeting on the 24.07.23 regarding the IOW car club rally, where the harbour site will be used as a service station over the 31.09.23-01.10.23, sadly have been informed by IOW car club it will not be happing but hope they may in the future.
- Southern water has been carrying out work with the pumping station though out the July, security fencing erected. Harbour South carpark was closed between 24.07.23-27.07.23 when they were carrying out work during the night (19.00-05.00) between 24-27 July. No complaints from visiting yacht during this time.
- On the 24.08.23 Barrier to Harbour North opened for the carnival, as the harbour was being used as their dispersal point at the end of the procession.

Covid-19 response

• Additional; cleaning equipment remains in place in the shower block for customers/user's use are still in place.

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. daily inspections were carried out from land up to the Newport Rowing club except for 5 days in this period and 28 times by launch by harbour staff

- The top Port Navigation Light north side of the Hotel remains out, form the 09.08.23 both lights unlit during the new post was being installed, it was completed on the 11.08.23 with both lights working
- On the 13.06.23 all Navigation Buoy and lights cleaned up.
- Tide gauge was cleaned on the 04.08.23

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. In this period inspections were carried out daily from land except for 5 days in this period and 28 time by boat, Folly Venture have also checked it weekly.

• Periodic survey of the channel from the Folly to Newport quay was undertaken on the 08.06.23 by Shoreline Surveys Limited. The results were received on the 11.07.23, these show there has not been much change against the first survey carried out in 2012, apart for the area that was dredged in 2019, which is showing most of it dredged depth.

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

14 Periodic inspections have been carried out daily at Newport harbours and found to be in position and in good order, in this period inspections were carried out daily from land except for 5 days in this period and 28 time by boat.

- Numerous buoys have been replaced and moorings adjusted by harbour staff during this period
- During the heat in this period the pontoon boards have shrunk, so the screw has required tightening or screw replaced
- On the 31.07.23 the 7 additional safety ladders were fitted by harbour staff aided by outside engineering contractors to drill the required holes and manufacturing adaption plates.
- On the 07.08.23 Meeting with Cowes Harbour Commission regarding correction to the Folly Swing mooring trot replaced by them earlier in the year and future inspections to the remaining swing trots
- On the 16.08.23 West P mooing missing, replaced by harbour staff
- On the 28.07.23 harbour staff cleaned Quay steps by Newport visitor's quay.

1.3b Inspections of lights, electric pods and water stands

Periodic inspections have been carried out on the lights, electric pods and water stands. In this period inspections were carried out daily from land except for 5 days in this period and 28 at the Folly. Folly Venture inspected weekly during this period, found to be good condition.

- In this period there have been numerus leaks discovered on Newport visitor pontoon as part of the daily checks, these have been repaired by harbour staff.
- On the 18.07.23 a water leak was detected by the entry ramp on to the visitor pontoon, it was reported to Southern water (reference 4553902). They were on site on the 19.07.23, the leak was fixed on the 21.07.23. during the operation a new water meter was fitted.
- 18-20.07.23 Enerveo fitted additional electricity box/sockets along Harbour north quay. They awaiting to be made live, after the required work to main supply is rectified.

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. In this period inspections were carried out daily from land except for 5 days in this period and 28 at the Folly. All equipment checked.

- Office fire alarm tested weekly
- The office fire alarm went off 6 times during this period, the building checked, nothing found, and alarm reset by harbour staff
- On the full inspection of the harbour site fire extinguisher was carried out 01.06.23, 02.08.23
- On the 12.07.23 Wight Fire visited the harbour to carry out the inspection of the site and building's fire extinguisher
- On the 13.07.23 Mountjoy servicing the harbour office fire alarm
- All of the harbour Life rings where opened and full inspected monthly during this period
- The life ring box were tampered with 5 times during this period, it was checked and repacked by harbour staff. (one by flyover 4 times and one by slipway, the ring was recovered from harbour north carpark)

1.5 Slipways Inspection

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

- The Folly slipway was cleaned 4 times during this period
- Quay street slipway was cleared of weeds once during this period
- Jubilee store slipway was cleaned once during this period

1.6 Work boats and Truck

The Harbour Launch

- The Harbour Launch was checked daily except for 5 days in this period and pumped out when required
- On the 15.06.23, the harbour launch and Dory were moved alongside "Changer" a permeant boat moored alongside the quay at Harbour North, this is with the permission of the owner for the Isle of Wight Festival. They were returned back onto the visitor pontoon on the 20.06.23

Harbour Dory

- The Harbour dory was checked daily except for 5 days in this period and the auto pump checked after heavy rain
- The harbour dory has been refitted during June with it being lifted in by Kingswell on the 14.06.23
- In July the harbour dory 12-volt electronical system renewed (navigation and

cabin lights, switch board and bilge pump) by harbour staff

- On the 31.07.23 the harbour dory outboard controls were adjusted South Coast Outboards.
- The harbour dory insurance confirmed on the 07.08.23 and ready for use, river test conducted on the 23.08.23 all ok.

Harbour Vehicle

• The harbour vehicle coolant, oil and washer fluid were checked monthly

Other equipment

• On the 02.08/.23 the harbour second pressure washer was delivered to Island Power Tools (Lake) for a service, collected when completed. Will aid with the winter power wash of pontoon.

2. Incident and Emergencies

2.1 Collisions

• None recorded

2.2 Fire or explosion

 On the 15.06.23 Lifeboat shout aka JM, part of Cowes lifeboat got page to launch boat around 9.40 got to the station then was told boat fire up Newport, called JB at 21.48 and passed information. JB and JM arrived at Newport harbour 9.55 to find out there no fire. JB called Solent Coast Guard told if harbour wanted to know what was happing in their jurisdiction it was for the Harbour Master to call them, it was not required for Solent Coast Guard to contact the harbour authority. JB & JM Newport quay at 22.30. for full detailed see attached report.

2.3 Vessel's grounding-

- On the 10.06.23 Report from JM a grey hull white deck speed boat hull, secured to west shoreline opposite Island Harbour. Called Folly venture to recover it, as secured to land could not retrieve it due to tide hight. On the 17.06.23 Solent Coast Guard called at 12.17 (JB) regarding boat on West bank opposite Island harbour, they were informed that the boat had been there secured from 10.06.23 no action required. Told Solent Coast Guard were still going to investigate; they pulled the boat further up the bank (making retrieval more difficult and covered it with coast guard tape)
- On the 21.06.23 Report from David (Folly) at 10.47 (4 hours before HW), a visiting boat had run aground on the eastern bank opposite NRC. They called him for assistance, got back in channel and is now being towed by another visitor back to Southampton.

2.4 Loss of vessel stability

- On the low tide on the 15.06.23, Blue small motorboat on the visitor pontoon let their lines off. Without the support, the boat rolled away from the pontoon coming to rest at a slight angle. Was not rafted and no damage or injury occurred and refloated and repositioned, owners happy.
- On the low tide on the 15.06.23 yacht Jester lent over, no damage was done as rafted with mast well-spaced, owner happy
- On the 18.06.23 Reports of a Rib when departed at the end of the festival, it slit its stern tube on the boat on the raised engine of the boat in front. The Rib was escorted to it home berth in Cowes by lifeboat, who were already launched as a

precaution for the last night of the festival.

- 25.06.23, vessels Wind gate 3 was taking on water, the owner is aware. He is fixing the problem getting a new part harbour staff will monitor.
- On the 27.07.23 at about 17.00 a Report was received from a Folly Pile customer that a 5 metres Shetland on a Folly Swing mooring, was upside down on her mooring. The harbour called Folly Ventures to investigate and confirmed, they informed the harbour the owner was already aware. Folly Venture were called for an updated on the 28.07.23. the operation of the vessel's recovery and removal started on the 01.08.23 the harbour staff recovered the upside-down Shetland from her mooring and towed her to the foreshore by the folly slipway. The vessel was removed on the 02.08.23 organised by the owner. The berth was inspected by harbour staff and all items (anchor and line etc) recovered where removed and owner informed.

2.5 Pollution

- On the 17.06.23 A water discharge from the festival sewage tank by Jubilee stores, this was resulting from an issue from southern water pumping station blockage. Southern water, dyno-rod and ABP where on site dealing with water blockage situation. Area around pumping station has been cordoned off for safety of the general public. On the 18.06.23 southern water had tankers operating on the quay by their pumpstation. Harris fence fell down by pumping station, Harbour staff called Southern water, so they are aware. Reference: 4542812. It was corrected by them the same day. The operation was completed on the 22.06.23.
- On the 20.06.23 call from Jim from Odessa called concerned about the swans (on his slipway) given the number for the RSPB and others we have. The swans where recovered and taken away, for treatment (2 adult swans and 5 signets) will be returned when well. It is suspected cooking oil, harbour staff looked for possible sources none found.
- On the 23.06.23 Investigation work was carried out by Dyno-Rod, Southern Water, to the pumping station area. The work begins on Monday 26th for approx.
 5 weeks to carry out repairs. Area fenced off work continue at the end of the June
- On the 17.07.23 a container of used engine oil was left on the quay, was moved and put in oil store in harbour container by harbour staff. Non found to of gone in the river.

2.6 Dangerous occurrences / near misses.

- On the 16.06.23 at 1015 a lady fell from a tender into the river when exiting onto the pontoon, was successfully recovered by member of the harbour team and other berth holders. No first aid assistance required.
- 3rd hand report that there was an incident on the night of the 16.06.23 at the Folly, when boat hit another and a confrontation/fight broke out. Police attended.
- On the 23.08.23 Individual's swimming in the river off boat Fire & Ice, owner spoken to as host, the men were asked not to swim in the river. A second swimming occurrence this time alongside harbour pontoon. Fire & Ice departed.
- On the 30.08.23 Folly swing mooring West J failed and boat was recovered and remoored to West 41 no damaged observed

2.7 Reportable Accidents

• Following an assault on the quay on Wednesday 07.06.23, which the police was called, during this a bag was thrown into the river. The bag was recovered by harbour staff on the 08.06.23 by harbour staff. The police collected the bag the

same day.

- On the 08.06.23 a harbour visitor tripped on an unlevel paving slab on Quay street (outside of Newport Harbour area). He suffered a cut to his head and bleeding nose; he was aided by harbour staff back to his boat and suggested he went to A&E, but he declined. Was checked on by harbour staff during the day. Photos were taken of the pavement area and reported to Island roads.
- On the 15.06.23 (during the IOW festival) An intoxicated member of the public at Newport Harbour quay tried get in to harbour north saying he was on a houseboat, festival security stopped him, Harbour staff confirmed he was not a berth holder. Due to being very inebriated he fell over banging his head on floor, festival security made sure he was ok. Video was taken as a precaution by harbour staff.

2.8 Defects affecting Marine Safety

- The owners access ramp on Kilwarlin (Black House Quay) was left down on the 05.07.23, it was crushed between the boat and the quay. It was freed and tied up by harbour staff. Replaced by the owner
- On the 05.07.23 a large tree branch was removed from mid river off the visitor pontoon by harbour staff, had been reported by visitor.

Additional information

- Litter picks needed most days during this period numerous times a large amount of broken glass (harbour north was not litter picked during the use of the area by the festival) on the 03.07.23 large amount of rubbish. It appaired to be an abandoned homeless camp (sleeping bags, shopping trolly, pallets etc,) was removed from West bank by five tree points by harbour staff.
- Items have been removed from the harbour including road cones, large branches etc by harbour staff
- When harbour staff visited Folly pumped out many of the swing mooring boats in this period
- On the 02.06.23 Island Cranes lifted a yacht from the classic boat shed
- The harbour toilet has blocked 4 times in this period, 3 times the harbour staff corrected the situation, once Dares were called and solved the problem
- On the 19.06.23 and 10.07.23 one of the gent's shower pressure release valves failed, replaced by harbour staff same day.
- On the 24.06.23 About 12 kids came on the Newport visitor pontoon with scooters and fishing gear, however fishing was not happening, but where playing, asked to move on by harbour staff.
- Harbour staff cut protruding bolts/fitting of Picnic table by northern leading light, after the wooden tabletops and seats have been vandalised (broken off)
- On the 10.07.23 a tent was noted in the cemetery, harbour informed Cemeteries (already knew) who arranged it to visited on the 11.07.23 by an environment officer. It was removed by them on the 13.07.23
- On the 11-12.07.23 SSE carrying out work on the electricity supply in town councils event loos
- On the 19.07.23, Black house quay pedestrian gate padlock was changed to a coded type, at the request of the residents, and extra key supplied to houseboat that required/requested. This is to improve the gates being closed at night.
- on the 21.07.23 The repair to the carpark wall on the south end of Jubilee store carpark started continued until 31.08.23.
- On the 26.07.23 the gully by the fly over was cleared by harbour staff.
- Harbour staff raised concerns on the 01.08.23 of the level debris along the side of

the pub wall areas. This was raised with the pub staff including the raised drain cover on the 03.08.23, it was corrected by pub

- The No Fin Signs that have faded and not present at some points. Replacement scored and replacing them have started when tide hights allow
- Harbour facility code changed on the 22.08.23 due to it being given out by the bicycle hire for their customers

During the Isle of Wight Festival

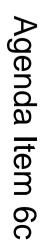
Between 15.06.23 to 18.06.23 (build up on the harbour site between 29.05.23 to 25.06.23

- From the 14.06.23 the staffing levels (2 staff) and working hours increased minimal 08.00 19.00, until the 18.06.23
- The harbour facilities code was shared with the festival security's station near and around the harbour site for personal; use, this resulted in the facilities being checked outside of the harbour staff working hours.
- On the 10.06.23 the 1st of the festival fencing along the cemetery was put in place, access by way of steps was maintained. A reopposed 15 MPH was attached to festival fence across the roadway South of Jubilee Store carpark.
- On the 12.06.23 Temporary marker/sign buoy "Keep Channel Clear" was put out at 5 tree point.
- On the 12.06.23 Staff picked up Festival access bands.
- On the 13.06.23 the harbour users' lanyards, and vehicle passes if required where collected by harbour staff, the information of requirements was emailed to festival on the 23.05.23. They were distributed to relevant people and company excluding Mark Mordey who opted to deal directly with the Festival (noted for next year).
- On the 14.06.23 the festival moved into the Harbour North with shower blocks, accommodation etc
- The organising/layout of the visitor's pontoon was started on the 14.06.23 to be able to accommodate the booked boats as maximise berths.
- On the 14.06.23 the anchorage was organised with the fist boats to arrive to ensure the channel remained clear
- On the 15.06.23 the Festival Fire boat was launched, and berth organised on Harbour north quay (quay mooring chains etc.) recovered on the 19.06.23.
- On the 15.06.23, Police marine police boat seen patrolling Newport harbour area (afloat)
- On the 15.06.23 Coastguard teams parked at harbour informed what vhf channel (68) the harbour was motoring
- On the 15.06.23 harbour facilities given a deep clean in preparation for the Festival duration, it was noted that Harbour facilities doors where being left open, an automatic closer was fitted by harbour staff on the 16.06.23
- On the 15.06.23 IoW Festival direction sign up to Hillside was put out. (created by the harbour)
- On the 16.06.23 Festival staff were swimming by hand crane, harbour Staff talked to them and asked not to do it again and they agreed.
- 21.06.23 Most of the IOW Festival items have departed from Harbour north and the fence has started to be collected. AMEY has litter picked Harbour North on the behalf of the Festival.
- Stack of fence blocks still are by the air raid shelter. Harbour staff emailed festival on the 27.06.23 to remind them they were still there, collect shortly afterwards

			Ventnor H	larbour 'Get W	ell Plan' - Version 1.10; 14.09	.2023	3																		
		Green - complete Yellow - Planned completion date				Dec-21	Jan-23	Feb-23	Mar-23	Apr-23	lviay-23 Jun-23	Jul-23	Aug-23	Sep-23 Oct-22	Nov-23	Dec-23	Jan-24	Feb-24 Mar-24	Apr-24	May-24	Jun-24 Jul-24	Aug-24	Sep-24 Oct-24	Vov-24	Dec-24
No.	Action	Sub action	By Who	By When	Comments					-	1		-	_	-	-			1 1		-			_	
1	Include Ventnor Harbour Revision Order in the list of legislation in the MSMS.	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	31.10.23	Draft has been completed																				
2	Produce Enforcement policy	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	31.10.23	To be reviewed after audit, Sept 2023																				
4	Include the executive and operational duties in the MSMS.	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	31.10.23																					
5	Consider forming a Ventnor Harbour User Group (VHUG).	List the membership in the Ventnor Harbour MSMS and form a VHUG	J. Brand/ VH Man. Co.	31.05.24	Discussed but no action until MSMS completed																				
6	Draft a Ventnor Harbour Safety Management Plan		J. Brand/ VH Man. Co.	31.05.24	This will bring Ventnor Harbour to full PMSC compliance.																				
8	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/ VH Man. Co.	31.10.23																					
9	MSMS to include guidance on the maintenance and review process of the Ventnor NRA.	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	28.02.24																					
10	Develop events planning guidance and procedures.	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	30.09.23	This will only be boat rallies as Ventnor harbour have no land based land events																				
11	Develop a Ventnor stand-alone MSMS.	It is suggested that "a sperate Ventnor Harbours MSMS	J. Brand/ VH Man. Co.	30.09.23	MSMS" will be based upon Newport's MSMS																				
12	Develop a Ventnor Emergency Plan.	Suggest base on the Newport Emergency Plan dated Jul 20.	J. Brand/ VH Man. Co.	30.11.23																					
16	Incorporate Ventnor into the Hydrographic Policy and survey programme.	Ensure that the hydrographic survey contractor passes the survey data to UKHO	J. Brand/ VH Man. Co.	31.05.24	To be carried out at the start of April 2024 due to changes the pump has made in the time it has been operational																				
17	Include reference to Ventnor's powers to dredge, remove wrecks plus seaweed clearance in the MSMS.	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	30.09.23	When updated terms and conditions sent to berth users																				
19	Develop Ventnor Open Port Duty and event planning procedures.	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	30.09.23	event planning procedures repeated																				
20	Establish a Small Commercial Vessel licensing scheme in Ventnor	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	30.09.23	Based on those for water taxis in Newport																				
21	Develop Ventnor incident reporting, investigation & after-action procedures.	Separate Ventnor Harbour MSMS.	J. Brand/ VH Man. Co.	31.05.24	will be included in MSMS.																				
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/ VH Man. Co.	31.05.24																					

Agenda Item 6b

		Newport Harbour - outstanding PN	ISC audit act	ions - Versior	1.20; 13.09.2023																			
	Additional items from PMSC audit, September 2022								Mar-23 Apr-23	May-23	Jun-23	Jul-23 Aug-23	Sep-23	Oct-23	Nov-23 Dec-23	Jan-24	Feb-24	Mar-24	Apr-24 May-24	Jun-24	Jul-24 Aug-24	Sep-24	Oct-24	Nov-24 Dec-24
No.	Action	Sub action	By Who	By When	Comments																			
3.8	Communication	The website has been updated but requires a review to ensure all information on it is completely up to date.	LE	Quarterly	February review as part of website migration																			
4.5	Risks	It is recommended that the NRA is routinely reviewed at least once a year and additionally as a follow-up action after any incident investigation; this process should be reflected in the MSMS.	JB	July																				



Purpose: For Decision



Committee report

CommitteeHARBOUR COMMITTEEDate27 SEPEMBER 2023TitleDISPOSAL OF LAND AND BUILDING AT BLACKHOUSE QUAY,
NEWPORT HARBOUR (KNOWN AS W5, W6, CONNECTING
LAND, AND W7) – SUPPLEMENTARY REPORT

Report of DIRECTOR OF NEIGHBOURHOODS

EXECUTIVE SUMMARY

- 1. The paper seeks approval to dispose of the freehold of land and a building situated at Blackhouse Quay, Newport Harbour (known as W5, W6, connecting land and W7) to the Isle of Wight Espresso Company.
- 2. On 28 September 2022 the Harbour Committee agreed to treat with the Isle of Wight Espresso Company as a special purchaser for W5 and W6 and that following negotiations a further report would be presented for consideration of the terms of the disposal.
- 3. This report sets out the findings from the independent valuation, outcome of the negotiations and the proposed terms for the disposal.

RECOMMENDATION

- 4. That the land and property is declared surplus to harbour requirements and disposed of.
- 5. That the Isle of Wight Espresso Company is treated as a special purchaser and agree to dispose of the freehold of the land and building at Blackhouse Quay, Newport Harbour known as W5, W6, connecting land and W7 for £315,000.

BACKGROUND

6. The land and building situated at Blackhouse Quay (known as W5, W6, connecting land and W7) forms part of the Newport Harbour estate.

- 7. 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 and which expired on 24 March 2022; accordingly, the tenant is holding over pending negotiations. The annual rent is £150 per annum. The tenant has a statutory right to renew the lease.
- 8. The area of land known as W6 is leased to 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 rent is fixed at £25 per annum.
- 9. The Isle of Wight Espresso Company has already constructed a new steel framed building on W6 and now wishes to redevelop the W5 site and feel that given the proposed level of investment for the site, the opportunity to increase employment and the offer to residents and visitors that the purchase of the freehold of W5 and W6 is the most commercially viable option to enable this regeneration.
- 10. Following the decision by the Harbour Committee on 28 September 2022 to treat with the Isle of Wight Espresso Company as a special purchaser an independent valuation was commissioned for W5 and W6, this has been received and evaluated.
- 11. The market valuation was undertaken by Eddison's and was conducted in accordance with the Royal Institution of Chartered Surveyors (RICS) Valuation Global Standard as issued in November 2021 and effective from January 2022.
- 12. In summary the report concluded that: -
 - Freehold valuation of the 'red brick' warehouse (W5) £300,000
 - Freehold valuation of the ground lease for W6 £500
 - Freehold valuation of W5 and W6 but as a single lot £305,000
- 13. As can be seen from the plan forming appendix 1 there is a small strip of land between W5 and W6 which is shown shaded blue; during the discussion it was concluded by both parties that excluding this from the disposal was not logical as this would impede the development plan for IoW Espresso and by retaining would impose a liability on the Isle of Wight Council. From a valuation perspective this land has little or no value and its inclusion within the single lot valuation for W5 and W6 (£305,000) is appropriate.
- 14. Isle of Wight Espresso Company is the trading name of Isle of Wight Espresso LLP.
- 15. Discussion and negotiations have taken place with the Isle of Wight Espresso Company regarding the valuation and proposed disposal; during these they expressed an interest in taking on the small area of land to the north of W6; this is shown as W7 on the plan which forms appendix 1 to the report.
- 16. W7 is a woodland area situated between the Cowes to Newport cycleway and the river Medina; it forms part of the harbour estate but is not subject to any scheduled maintenance works. Accordingly, there is no budget for the area and when works are required on the site which are invariably tree safety works there is no budget available.

17. The IoW Espresso Company wish to retain this as a woodland and encourage public use by actively managing it and enhancing accessibility; subject to the relevant permissions they are looking to create paths through the area leading to their site and to the river. It is also proposed to create seating areas.

CORPORATE PRIORITIES AND STRATEGIC CONTEXT

Responding to climate change and enhancing the biosphere

- 18. 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.
- 19. 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). The woodland enhancements will also contribute toward Goal 15 - protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.

Economic Recovery and Reducing Poverty

20. 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

21. 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

- 22. 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

23. Prior to the report considered by the Harbour Committee on 28 September 2022 the request for Isle of Wight Espresso to be treated as a special purchaser was shared with the Director of Regeneration and he has advised that there is no reason not to proceed with the disposal and proposed development as it does not impinge on the Newport Harbour masterplan and would be complementary to the regeneration plans.

24. The Director of Regeneration has been consulted regarding the proposal of the parcel of land known as W7 and is also supportive of this as it will further enhance the area and assist the overall redevelopment of the site.

CONSULTATION

25. No further consultation has taken place since the previous report considered by the Harbour Committee.

FINANCIAL / BUDGET IMPLICATIONS

- 26. The disposal of the land and building will result in a capital receipt of £315,000 to the council; this would be ring fenced to the Newport Harbour accounts. The amount has been informed by an independent valuation for W5 and W6, which was commissioned by the Isle of Wight Council, but the cost has been covered by the Isle of Wight Espresso Company.
- 27. The parcel of land known as W7 is approximately 3,156m² (0.78 acre) and based on market research areas of woodland are currently being sold for circa £20k per acre; accordingly, the value of the site is in the order of £15,800. In discussion with the IoW Espresso, it was recognised that the site would be subject to restrictive covenants and that by transferring ownership it would release the Isle of Wight Council from potential expenditure for which there is no budget. Accordingly, a discounted rate of £10,000 is felt to be a fair and reasonable sum.
- 28. The sale of the freehold of the three sites would result in a capital receipt of £315,000 although there would be a loss of rental income stream derived from the leases which is currently £150/annum for W5 and £25/annum for W6. The income would be paid into the Newport Harbour account.
- 29. The estimated market rental value for W5, based on the valuation report is £28,940 per annum; this is on the assumption that the Isle of Wight Council complying with its obligations undertakes the re-roofing of the building, the cost of which is estimated to be in excess of £110,000.
- 30. Whilst legal and other professional costs associated will need to be determined these will be paid from the capital receipt (up to a maximum of 4%), with the remainder (if any) paid from the harbour revenue account.
- 31. All void costs (including items such as rates, utilities, legal & conveyancing, marketing etc.) will be borne by the Council if the disposal to Isle of Wight Espresso Company does not go ahead, and they then choose not to renew the lease. If they do not renew the lease, then due to its age, type of construction and very poor condition the Isle of Wight Council would be required to demolish and rebuild estimated to be in the region of £1m to enable it to then be let on the open market.

LEGAL IMPLICATIONS

32. 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 Piers 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 1988 and the Newport (Isle of Wight) Harbour Revision Order 2021.

- 33. The Harbour Committee has delegated authority from Full Council to undertake the responsibilities and actions falling within its terms of reference. The Harbour Committee can monitor and review all matters relating to harbour land and property in accordance with policies laid down by the council.
- 34. It is considered that the land and property in question are surplus to harbour requirements and may be disposed of; this will enable the disposal to the special purchaser to proceed.
- 35. A covenant would be placed on the woodland property to ensure that it is managed in accordance with English Nature's practice and is maintained to the benefit of wildlife and the community, and that it is not to be developed and no buildings be erected thereon. 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

- 36. 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.
- 37. There are no direct implications for equality and diversity as a result of the specific recommendations of this report.

PROPERTY IMPLICATIONS

- 38. 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.
- 39. The site is small with limited potential for any significant income generating use, particularly without a capital investment by the council into the red brick building and is not considered to have any strategic value to the council. In view of this and that

it is not currently used for harbour purposes it is deemed to be surplus to requirements.

OPTIONS

- 40. Option 1: That the land and property is declared surplus to harbour requirements and disposed of.
- 41. Option 2: That the Isle of Wight Espresso Company is treated as a special purchaser and agree to dispose of the freehold of the land and building at Blackhouse Quay, Newport Harbour known as W5, W6, connecting land and W7 for £315,000.
- 42. Option 3: Not to continue to treat with the Isle of Wight Espresso Company as a special purchaser and to offer a new lease to the Isle of Wight Espresso Company as the tenant of the building at Blackhouse Quay, Newport Harbour known as W5. This would be subject to the Isle of Wight Council re-roofing the whole building to fulfil its obligations as landlord.

RISK MANAGEMENT

- 43. 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, with the Isle of Wight Council needing to commit to a significant capital investment in accordance with its landlord's obligation. However, if this could not be concluded, then it would leave the authority with an empty building and responsible for any liabilities (including the re-roofing of the whole building) and future management of the site for which there is no budget.
- 44. The independent valuation of the land and building has informed the proposal for the final disposal with the Isle of Wight Espresso Company and has ensured that the council is fully aware of the land and building's value.
- 45. The Council has discussed and agreed terms for disposal of the land and building with the Isle of Wight Espresso Company and this ensures that offers best consideration for the council and for the Island.

EVALUATION

46. The independent valuation of the site has informed the final disposal agreement with the Isle of Wight Espresso Company and has ensured that the council is fully aware of the land's value in reaching an agreement.

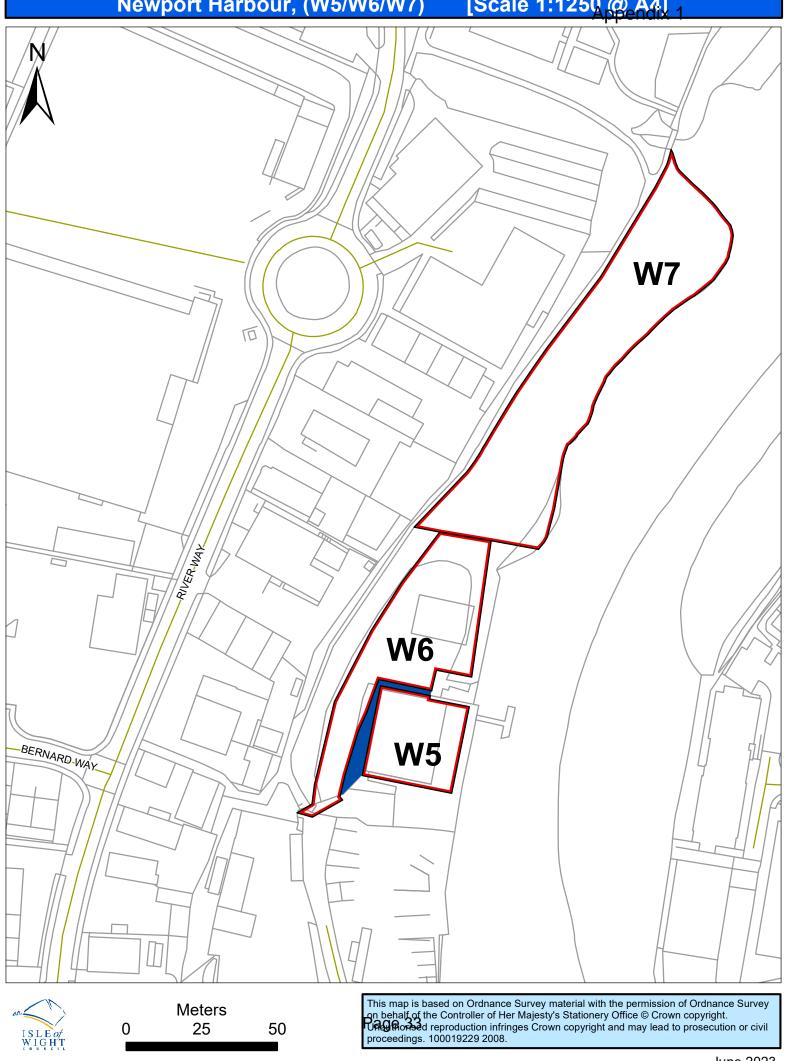
APPENDICES ATTACHED

Appendix 1 – Plan showing land (W6 and W7) and building (W5) at Blackhouse Quay

Contact Point: Alex Minns, Assistant Director - Neighbourhoods 2821000 e-mail <u>alex.minns@iow.gov.uk</u>

COLIN ROWLAND(CLLR) PHIL JORDANDirector of NeighbourhoodsCabinet Member for Highways PFI, Transport and
Infrastructure

Appendix 1, Land And Building At Blackhouse Quay, Newport Harbour, (W5/W6/W7) [Scale 1:1250, @A4]



Appendix 1, Land And Building At Blackhouse Quay, Newport Harbour, (W5/W6/W7) [Scale 1:1250, @_A4] 2

