

Looe Harbour Commissioners

Trustees' Annual Report

Year ended 18 May 2022

Reference and administrative details

Registered charity name Looe Harbour Commissioners

Charity registration number 291498

Principal office The Harbour Office
The Quay
East Looe
Cornwall
PL13 1DX

The trustees

Mr D Bond (Chair)
Mr D Peat
Mr J Bussell
Mr M Toms
Mr A Toms
Mr M Darlington
Dr J Graham-Jones
Mr A Penhaligon
Mrs A Harrison
Mr A Giles

Auditor Walter Hunter & Co Limited
Chartered accountants &
24 Bridge Street
Newport
South Wales
NP20 4SF

Bankers Lloyds Bank plc
Fore Street
Looe
Cornwall
PL13 1DP

CCLA Investment Management Ltd
Senator House
85 Queen Victoria Street
London
EC4V 4ET

Solicitors Ashfords
Ashford House
Grenadier Road
Exeter
EX1 3LH

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Structure, governance and management

Governing document

The charity is controlled by its governing document, a deed of trust, The East and West Looe Harbour Bridge Act 1848, Looe Harbour Order 1920, Looe Harbour (Amendment) Order 1950 and 1961, and the Looe Harbour Revision Order 1976.

Objectives and activities

Background:

Looe Harbour is under the management of Looe Harbour Commissioners, who were formed in 1848 by an Act of Parliament known as 'The East and West Looe Harbour and Bridge Act'. This was a public Act and the 1848 recital refers to 'the proper maintenance and improvement of the Harbour of Looe, which would promote the Towns of East and West Looe and of the adjacent towns and districts and would also benefit the fisheries.'

Since 1848 the Harbour has gone through many changes, primarily due to the change in the nature of trade passing through the port.

Currently, main areas of operation are;

- Two Harbour side car parks
- Leasing of a number of properties
- Overseeing the market operations and fishing related services on the quay
- Providing moorings (commercial and leisure) on the seaward side of the bridge
- Management & maintenance two harbourside slipways
- General maintenance of the quays and harbourside areas

The Commissioners are accountable to stakeholders, both beneficiary and non-beneficiary.

As a Harbour Authority, daily operations are undertaken with consideration and reference to the objectives stated in the Port Marine Safety Code, which applies to all Harbour Authorities in the UK that have Statutory Powers and duties.

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Implications of the Government 'COVID Plan B'

On the 8th December 2021 Prime Minister Boris Johnson, held a press briefing announcing that England would be moving to 'Plan B'. The measures announced included the re-introduction of guidance for everyone who could work from home, to once again, do so.

During previous Government lockdowns, a number of LHC staff were either furloughed (maintenance and car park staff) or working from home (office staff). Daily operations were very disjointed. Therefore, a decision was taken to maintain full staffing levels, with all staff continuing to work on site, whilst staying mindful of the pandemic restrictions and Government 'safe working' recommendations. Lateral Flow Tests continued to be completed twice a week, with procedures in place, to be actioned if a positive test result occurred. Guidance continued to be taken from UK Public Health England's online portal, daily media updates and information issued from The UK Harbour Masters Association.

CCTV

The system continues to act as a deterrent to crime and provide reassurance to Harbour users. A successful prosecution was made during the year, in relation to fish being stolen from Harbour fridges. The offender had committed a similar crime previously and been issued a warning. CCTV evidence supported the case when taken to court where a successful prosecution was brought in March 2022. The CCTV equipment was also used on a number of occasions, to collect evidence in relation to illegal fishing practices being undertaken by a group known to the Marine Management Organisation. A multi organisational operation was staged during the year, following which there have been no known visits by the group, to Looe. The Emergency Services continue to liaise with Harbour staff, extracting footage from the Harbour system which has assisted in a number of incidents. Upgrades of the system are actioned as and when required.

Staff Training

Provision of staff training proved difficult to secure due to the 'backlog' resulting from Government Lockdowns. Management staff continued to review the staff training programme to ensure that training was adequate for the work commensurate with each staff members position. During the year, the Harbour secured 'WISE' accreditation. The aim of the accreditation being to promote responsible wildlife watching through training, accreditation and raising awareness.

Stakeholders Consultation

A restricted number of meetings with stakeholders took place this year.

Support of Local Events

Although the Commissioners, due to their constitution, are unable to offer financial support to the many local events, they are able to offer non-financial support to events such as the International Sailing Championships, Looe Music Festival, Lugger Regatta, Raft Race, Carnival, Christmas/New Year Celebrations, the Wild Swim, May Fayre and a number of other fundraising events. For the past two years, many of these events did not take place due to COVID restrictions introduced by Government. However, many local events were seen to return to the town this year, which was a relief for the local economy.

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Defibrillator Appeal 2022

In November 2021, the Board agreed to support the Chief Executive of LHC in her bid to raise £16,000 by July 2022, to provide lifesaving training within the community and ensure that the seventeen public access defibrillators (currently in situ around the town) would be available in the community for a further four years. Fundraising efforts continue at the year end.

Annual Charge Review

Afloat trading within the port, appears to be moving away from fishing towards tourism, with numbers of tripping boats increasing each year and fishing boats decreasing. Fishermen have traditionally benefitted from low Harbour dues as consideration has been given to the fact that fishermen have (in the past) used a variety of other harbour services (ice, box washing etc). However, with the income from both dues and Harbour services significantly decreasing in recent years, consideration was given as to whether the 'Tripping' boat charges should be reviewed and brought in line with other ports. As in past years, LHC charges were considered alongside charges levied in other similar ports and parking facilities in the close vicinity.

Refurbishment Works

During the year, quotes were accepted to refurbish the War Memorial Railings (£13,850 including VAT) and re-line car parking areas (£5,054 + vat). Work commenced in September 2022.

Review of Looe Fish Market Operations

Despite intense discussions for the past two years, regarding linking the Plymouth and Looe fish markets, in November 2021, Plymouth Trawler Agents (PTA) advised that with consideration to the current climate and uncertainty within the fishing industry, it was no longer viable to electronically link Looe and Plymouth Fish markets. Many ports were fighting for survival, with landings having decreased significantly. Although PTA offered continuing support to Looe, many vessels chose to land their catch directly to merchants and outlets based in Looe. The Grading Equipment was later purchased by Plymouth Trawler Agents for a sum of £12,500. The box washer (having been unsuccessfully advertised) was scrapped. Plans to re-develop part of the market area to support a tenant with an expanding business, followed.

Change of Occupation/Use of Harbour properties

(i) Unit 3 Buller Quay - Ten expressions of interest were received for occupation of unit 3 Buller Quay. These included a wide range of businesses, three of which were existing LHC tenants, wishing to expand their businesses. In July 2021, four applicants were short listed and invited to present their proposals to the Board. The successful applicant being 'Copperfish', an existing tenant with an expanding business. The new tenant of unit 3 submitted 'Change of Use' plans to the Commissioners for converting the building to incorporate a spirit distillery/storage area, spirit school and corporate meeting area. Approval was granted for a 'Change of Use' application to be submitted to Cornwall Council.

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(ii) Conversion of part of Fish Market building - With only a small area of the fish market being used for the purpose for which it was intended (as an Approved Auction Hall) and having determined that the planned merger of Looe and Plymouth Fish Markets was not viable, the Commissioners agreed to support the expansion plans of an existing tenant (Nippers) by converting 2/3rds of the Fish Market into an Approved Fish Processing unit for the tenants use. Investigations into costings and associated regulations, commenced in September 2021, with building works commencing in November 2021. This 'State of the Art' unit, will allow the tenant to process an increased quantity of direct landings. This will support the Looe Fishing fleet (current and future). Having sought professional advice re the rental to be charged, the tenant took residency in February 2022. The estimated cost of the project is expected to be in the region of £110,000. Having taken occupation, the tenant then relinquished his tenancy of Unit 2 NGQ.

(iii) Unit 2 NGQ - In February 2022, a transfer of business was agreed by a local fish processor. However, shortly after, the new tenant withdrew from the purchase and this property remains vacant at the year end.

(iv) Unit 4 NGQ - this unit was vacated in March 2022. No interest was received having advertised the unit locally. The unit was placed with a local estate agent in April 2022. At the year end, the unit remained unoccupied.

(v) Pengellys Fish shop - In June 2021, a long standing tenant 'Pengellys', retired from business. New leases were agreed with the new owners, who took over all the Harbour premises previously occupied by 'Pengellys'.

(vi) Daves Diner - In November 2021, a second long standing tenant 'Daves Diner' retired from business. The business was purchased by an existing tenant 'Quayside Fresh', with new leases being agreed accordingly. The intention is to continue to run the business as a traditional fish and chip shop.

Rental re-valuations

Professional advice was sought from Jeffreys re rentals to be levied on all 'changes of use/tenants' of Harbour Properties. Revised rentals being incorporated into each of the new leases that were drawn up as a consequence.

Re-cycling Facilities

The Harbour continues to provide re-cycling receptacles for fishermen's waste and arrange collections as and when required.

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Additional Outside Seating areas

Following a request from a restaurant business adjacent to Harbour land in May 2021, consideration was given for the creation of an additional outside seating area on Lower Quay. Following monitoring of an area of designated fisherman's parking, it was agreed to repurpose the area for reserved parking tenants, thus freeing up the area in question for outside seating. A new lease was agreed for the area to be used as outside seating in May 2022. The area being charged at the same rental as other outside seating areas under LHC ownership.

Issues with Jet Skis

During the year, a particularly disturbing incident occurred involving two visiting jet skis. As a result of good communication channels already in place between a number of Organisations, together with the launching procedure operated for craft using the Millpool slipway, it was possible to liaise with police in a prompt and efficient manner. Collaboration between Town Organisations will continue to be developed, such that any future unacceptable behaviour within the town (or on the water), can be dealt with in a professional, effective way.

Quay Movement

In May 2022, quotes were sought for high spec surveys of an area of Lower Quay, where a number of buildings have been showing signs of slight movement. It was agreed that the work would be completed at the end of the tourist season.

Recovery of Practice Sea Mines

During the first part of the year, several practice Sea Mines were recovered by local fishermen whilst working, resulting in significant damage to their equipment. The mines were left over from a previous Naval exercise. LHC supported the fishermen in the recovery of the mines and the financial claims that followed.

New Legislation affecting Commercial Fishermen

In October 2021 LHC staff met with representatives of the Maritime Coastguard Agency to be briefed on new legislation being introduced by licencing Authorities (relating to commercial skippers) which is expected to become mandatory in two years' time. Additional presentations were attended by Harbour staff throughout the year as, LHC as the Harbour Authority, have a duty to ensure that commercial skippers operating from the port, comply with legislation associated with their operations.

Local Boatman's Annual Operating Licences

A formal application process has been developed for people wanting to operate commercially from the Port. This includes a practical and local knowledge examination. The need to formalize the application process, arose from concerns re the ease that inexperienced operators were able to progress from a level 2 power boat qualification to a passenger carrying vessel, by completing an online commercial endorsement qualification. This route was not considered acceptable by LHC. Therefore, additional requirements have been introduced.

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Withdrawal of permission to operate - Commercial Tripping vessel

Having corresponded with The Maritime Coastguard Agency following an incident involving a local passenger vessel, a decision was taken to withdraw the operating permission and moorings of a commercial skipper during the year. As part of the investigation, consideration to breaches in maritime legislation were considered, but no prosecution made. Instead, the skipper was instructed to relinquish his commercial endorsement. LHC are proud of the high level of service offered by water-based businesses operating from the Port. Health and safety being of utmost importance to the Port Authority. Lack of compliance will not be tolerated by LHC.

New Commercial water-based businesses

Operating permissions have been granted for a number of new water-based businesses during the year, to include the return of self-drive boats. For each new business, Harbour staff have worked with skippers and owners to ensure that risk assessments, operational procedures and hire information, were of a required standard. The new ventures provided additional employment opportunities for local people.

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Achievements and performance

CAPITAL PROJECTS:

Sardine Factory Re-Development

General:

On 24th March 2020, the Prime Minister declared a National Lockdown and all businesses within the Sardine Factory building remained closed until May 2021 when Government restrictions were relaxed. Since then, the town (and businesses within it) have benefited from increased visitor numbers.

Café (LHC operated):

Plans continued during lockdown for LHC to run the café (as a supplementary revenue source for the Heritage Centre) with their own staff, when restrictions were lifted. The café opened for business in May 2021, providing LHC with the opportunity to offer employment to local people. Investment was made into kitchen equipment and training of staff. It was also agreed that following the success of a number of 'licensed' events, that it would be of financial benefit to licence the café. This proposal will be investigated during the winter period. The decision was made to close the café in September 2021 for the winter and re-open the venue in March 2022 to trial the operation for a second season. Early indications suggest that the Coffee Shop operation will reduce losses sustained by the Heritage Centre.

Heritage Centre (LHC operated):

The Heritage Centre also re-opened in May 2021. A revised charging system was developed with consideration to the clientele visiting the premises. Throughout the season, displays continued to be updated and new revenue streams pursued.

Possible new income stream

Since the lifting of COVID restrictions, demand for wedding venues in Cornwall has increased significantly, with demand exceeding availability. In July 2021 the Heritage Centre Venue Manager started investigating the possibility of using the Heritage Centre and Banjo Pier as venues for civil ceremonies. At the year end, this possible new income stream was being developed. Having agreed the previous year, to run the Heritage Centre as a 'seasonal business' - March to September (due to lack of earning potential during the winter), the hope remains, that with support from the café, the Heritage Centre will 'break even' this season.

Restaurant (Leased) and Outward Bound Centre (Leased)

Both the Sardine Factory Restaurant and Outward Bound Centre have seen a significant increase in visitor numbers since relaxation of Government lockdowns.

Flood Resilience Project

The aim of the Looe Defence and Regeneration Scheme, has always been to protect Looe from frequent and severe flooding for the next 100 years, giving the community time to adapt to a changing climate. The project will also enhance the overall environmental integrity of designated sites and water bodies, and work in partnership to promote economic growth in East Cornwall, by helping to deliver new and improved rail, road, ferry, cycling and walking links whilst protecting and enhancing the marine and visitor economy. The Looe Flood Defence & Regeneration Scheme continued to make good progress this year. Engineering Design Intent Statements (DIS's) have been circulated for East Looe Flood wall, Hannafore Walkway and the Moorings. DIS's for the gates and controls are being progressed by WSP (lead consultants) and are expected to be issued in the Autumn. Discussions are continuing with the RNLi over the location of an above-ground flood defence wall (and gates through) and the shared use of their building. Discussions with the Crown Estate and the Duchy commenced, and the project team are working with an early contractor involvement (ECI), Volkerstevin, to identify temporary ground/bed required to construct the works. Volkerstevin has identified a construction methodology that should make it possible to construct the tidal barrier "in the wet" and thus maintain

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navigation within the Looe River with only occasional closure necessary for items like gate installation. This would be for a short period only (i.e. 1-2 days at a time). Environmental surveys are drawing to a close with some marine and traffic surveys to be completed. A number of public consultations and stakeholders' engagement meetings have been held, with feedback published thereafter. These sessions included options that have been considered and initial draft visuals of the barrier. These sessions were designed to stimulate debate on appropriate structure finishes to be used to complement the heritage nature of Looe. The most significant risk to the project is a lack of available funding and a Funding Prospectus is in development for use in approaching potential funders and investors to help bridge the funding gap. Discussions have taken place with Cornwall Council Cabinet, and they are fully supportive of the need to drive the scheme forward. Thanks to an early draw-down of Flood Defence Grant in Aid (FDGiA), the project team has sufficient funds to complete the Outline Business Case (OBC) for presentation to the Large Project Review Group (LPRG) of the Environment Agency in March 2023. The LPRG will advise on whether the scheme should go forward to Full Business Case. The project is projected to commence on site in 2025 with completion due in 2028, provided there are no delays to the current programme and that sufficient funds can be found to support both the capital, and ongoing operational and maintenance costs.

Millpool Slip & Adjacent Parking Area

The Millpool Slip continued to be operated under a 'managed' opening hours policy. Patrons were invited to park vehicles on site following relaxation of COVID regulations. The conservancy charge remained throughout the season, which generated a small income stream which continued to be 'ringfenced' to offset the wages of slipway staff and general maintenance costs of the launching area and slip. Millpool slip staff continued to provide sea safety advice to water users and worked under the guidance of the RNLI to distribute advisory leaflets to slip users. Relationships were also developed with local wildlife Organisations and in a similar manner, advisory leaflets were distributed to slip users. Both services were received favourably, both by the users and associated Organisations.

GRANT APPLICATIONS:

NEW APPLICATIONS:

Harbour side Davits

In August 2020 a funding opportunity arose and a 75% grant was secured for an inflated project cost of £53,235 (including VAT) Work commenced to install the davits in April 2021. The associated grant was received during the year.

FUTURE GRANT APPLICATIONS:

There are no grant applications planned for the immediate future.

OTHER WORK/ITEMS OF INTEREST:

Work to Quay Walls

The quay walls are routinely inspected, and remedial work is completed wherever and whenever deemed necessary.

General Maintenance/Repair of Harbour Properties

The general maintenance/repair programme continues, with upgrades and improvements being made where necessary.

Support of Tuna Catch/release programme

The one-year CHART 2021 programme (which had previously been supported by LHC based on extending the short tourist season), commenced on 16th August 2021. During the 13-week programme, 15 authorised vessels (3 from Looe) tagged and released 704 Bluefin tuna. Bluefin Tuna UK have presented a recreational live Bluefin fishery proposal to DEFRA, with the hope that a similar programme will run next year.

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Claim against the Harbour

With the assistance of insurers, LHC staff successfully defended an injury claim by a member of the public during the year.

Fire Risk Assessments

Fire risk assessments continue to be completed for Harbour properties, with any recommended works actioned with immediate effect.

Tri Annual Elections

In May 2022, contact was made with Cornwall Council with regards to the tri-annual Commissioners elections, due to take place in October 2022. Associated costs are unknown at the year end.

Change of Auditors

In August 2021 Sheppards (LHC auditors) advised that they would no longer be acting as auditors, but could continue to prepare the Financial Statements. The Commissioners expressed a preference for having the statements prepared and audited by the same company to maintain consistency. Quotes were sought from six companies that could complete both requirements for LHC. In December 2021, 'Walter Hunter' were chosen as the new accountants & auditors for LHC. Walter Hunter were established in 1887 and have extensive knowledge in dealing with charity accounts. They have also acted as clerk for Newport Harbour Commissioners for many years. The Board felt that experience gained in this role, would be beneficial when preparing the financial statements of a Charity registered port such as Looe. Work commenced on preparation of the year ended 18/05/21 statements immediately after appointment, with the current year following shortly afterwards.

LHC Staff

The Assistant Harbour Master gave notice of his intention to leave his position in April 2021 and left Looe Harbour Commissioners in early July 2021. It was agreed that a replacement would be sought in the Autumn. In August 2021 the Assistant Harbour Master post was advertised. Interviews followed of a shortlist of potentially suitable candidates. In September 2021, the position was offered and accepted by Mr David Jackman, a local person with extensive local and marine knowledge. Mr Jackman joined the management team in January 2022.

Three new members of staff joined the maintenance, carpark and office teams during the year. Each being selected due to the expertise they could add to their respective departments. An exercise was completed to determine the viability of utilizing seasonal staff during the winter in alternative roles, thus extending their employment period. Approval was granted by the Board for this to happen. During the year, an annualised contract was agreed for the Heritage and Coffee Shop Venue Manager. The contract having previously been seasonal.

Having not received an annual rise the previous year, the Board approved a 5% rise for all staff in March 2022.

Loss of a Commissioner

In February 2022, Melvyn 'Mally' Toms lost his battle with ill health and sadly passed away. Having been a Harbour Commissioner for 24 years, Mally's dedication to the Harbour and 'quirky' character will be missed by all who knew him.

Future Projects:

After the year end, the Commissioners began investigating a number of capital projects, to include the re-roofing of the fish market building and development of an additional outside seating area on Lower Quay.