

GOVERNANCE ARRANGEMENTS SUMMARY– PORTSMOUTH, SUNDERLAND WHITSTABLE

Portsmouth International Port

The Port Manager, who heads the management team at Portsmouth International Port reports directly to the Chief Executive and the Executive Member for Planning, Regeneration and Economic Development.

The management team roles are as follows:

Port Manager - responsible for long-term development of the Port and heads the management team, co-ordinates all City Council departments working for the Port on strategic issues and top level liaison with customers to ensure services meet their requirements.

Ferry Port Manager - responsible for operational management of the cruise and ferry port and plays a key role in the development of port infrastructure and strategic development.

Harbour Master - responsible for regulation of navigation in the approaches to Portsmouth's commercial berths, pilotage of commercial vessels within the Portsmouth Competent Harbour Authority and operational health and safety.

Business Manager - responsible for commercial activities of the business as well as working closely with the Port Manager on delivery of the port's strategic and business plans. Day to day activities include control of the port's finances, tendering, procurement, personnel and management reporting.

There is a Port Advisory Board in place, which has no decision making authority or delegated powers. It provides an informal forum for discussion of the full range of port activities and is chaired by the Cabinet Member with responsibility for the Port.

Strategic and key decisions are reported to the Executive Member and the City Council as appropriate in accordance with City Council standing orders and Constitution. The Port operates within an agreed budget for 1 year and produces a set of accounts on an annual basis. Any capital funding is the subject of a report to the City Council, they do not operate any reserves.

The governance arrangements of Portsmouth International Port are being reviewed over the next year to eighteen months to assess whether the current system allows sufficient challenge and openness required for good governance principles to be exercised. There is a possibility that consideration will be given to a more formal Port Board that has decision making powers, but also the experience and awareness to provide challenge. It would consist of Members of the City Council and also co-opted non executive members who have the relevant experience.

Port of Sunderland

The Port Director at the Port of Sunderland reports to the Deputy Chief Executive and Sunderland City Council's Port Board. The Management Team comprises the Port Director, Harbour Master, Cargo Operations Manager, Marine Services Manager, Port Engineer and Sales Manager.

In 2010 Sunderland City Council's Cabinet agreed to progress new governance arrangements for the Port in line with best practice as set out in the Municipal Ports Review which was carried out in 2006 by the Department for Transport.

The Port Board is a Council committee, and in line with best practise comprises of 5 councillors (the chair being the Leader of the Council) plus 2 co-opted (non-exec) directors. The Board is responsible for the strategic management of the Port.

It was intended that these governance arrangements would enable the Port to develop an improved and more responsive approach to securing new business in a very competitive market place. The Port Director is responsible for taking forward the Business Improvement Plan and for both consolidating existing and developing new business.

Waiting to hear from contact re pro's and con's of these governance arrangements.

Taken from Sunderland City Council's Constitution - Responsibility for Council Functions (Functions not to be the responsibility of the Executive)

Port Board

The functions of the Port Board will be:

1. To exercise all of the Council's functions in respect of the Port under the Harbours Act 1964, the Sunderland Corporation Act 1972, the Pilotage Act 1987 and all other relevant statutory provisions;
2. To manage the Port business and to take commercial decisions in relation to the Port business, including entering into contracts with existing and prospective Port users and the procurement of works, services and supplies for the Port, in accordance with the Council's budget and policy framework and the Port budget and business plan approved by Council (subject to delegations to officers);
3. To manage and maintain the Port assets and estate, namely the maintenance of the existing assets, the acquisition of new assets and the disposal of leasehold interests in accordance with the agreed budget and business plan;
4. To act as duty holder in relation to the exercise and discharge of the Council's functions and duties under the Port Marine Safety Code and all other legislation or guidance as may from time to time be published by the Government;
5. To submit reports to Council on an annual basis regarding the performance of the Port during the preceding year in light of the agreed budget and business plan.

Whitstable Harbour

The management team at Whitstable Harbour comprises a Port Manager and Harbour Master, Senior Port Controller, Port Admin Officer and Seasonal Port Controller. The Port Manager and Harbour Master reports to the Deputy Head of Culture and Enterprise.

Whitstable is a municipal harbour owned by Canterbury City Council. Since 2003, it has been directed by a Harbour Board comprising both councillor and independent members as a committee of the council. Whilst the Council is itself the competent Harbour Authority, the Board has delegated authority from the Council to make certain decisions relating to the Harbour.

The Whitstable Harbour Board Terms of Reference pay particular regard to the Harbour's need to be financially self sustaining whilst having due regard to:

1. The changing needs of the marine sector and others with an interest in the port activities of Whitstable Harbour.

Annex 4

2. The interest of the local community in the running of the harbour.
3. The contribution which the harbour makes to the economic well being of the area through both direct and secondary employment and purchasing.

The Harbour Board's strategic aim as set out in the Strategic Plan - to develop Whitstable Harbour into a thriving and successful niche port for the benefit of the stakeholders and the community of Whitstable as a whole remains its main driver. To achieve this aim it has set down the following objectives.

- To meet the ambition of the local community
- To maintain and develop the harbour's infrastructure and environs
- To support the local economy
- To be financially self-sufficient
- To comply with all applicable legal and regulatory requirements
- To adhere to the best practice of open and transparent governance

Scheme of delegation taken from Canterbury City Council's Constitution under the powers delegated to the Head of Culture and Enterprise

Whitstable Harbour

8. To approve terms for the letting of the fisherman's huts at Whitstable Harbour. [C]
9. To agree Harbour charges for cargoes where there is no approved scale of charges and to offer concessions on Harbour charges where it is commercially expedient to do so, subject to such charges and concessions being subsequently reported to the Whitstable Harbour Board. [C]

(This delegation is exercisable in consultation with the Director of Finance and Deputy Chief Executive).

10. To take any necessary action in connection with wrecks, obstructions or similar emergencies arising or affecting Whitstable Harbour. [C]
11. To take all necessary action to ensure the safety of the Harbour. (C)
12. To take all necessary action to ensure the environmental protection of the harbour and its surroundings including making appropriate arrangements for dealing with Harbour waste. (C)
13. To sign the three yearly assessment of compliance with the Council's obligations under the Port Marine Safety Code following the assessment's approval by the Whitstable Harbour Board. [C]

(NB Any exercise of these powers should be reported to the next available meeting of the Whitstable Harbour Board).

14. To manage the beach huts at Whitstable Harbour including agreeing and signing licences to beach hut occupiers.