

North Yorkshire Council

Local Government Reorganisation Transition Overview & Scrutiny Committee

11 March 2024

Harbour Services

Report of the Assistant Director - Integrated Passenger Transport, Licensing, Public Rights of Way and Harbours

1.0 PURPOSE OF REPORT

1.1 To provide an overview of Harbour Services as requested by the committee.

2.0 SUMMARY

2.1 This report provides an overview of the Council's Harbour Services for information as requested by the committee. The report sets out some background relating to the three harbours at Whitby, Scarborough and Filey as well as describing the governance arrangements for the harbour. The report also covers some of the operational considerations, risks and challenges associated with the Harbours together with a high-level overview of future opportunities and developments.

3.0 BACKGROUND

3.1 Scarborough Harbour is situated at the foot of Scarborough Castle and in the lee of the Castle Headland, and with a southerly facing entrance Scarborough Harbour offers direct access to the North Sea. The Harbour has been in existence in one form or another since the 13th century. In the 19th century the Harbour served as one of the one of the east coast's principal ship building centres. Since that time, it has served a wide range of roles including a major harbour for the herring fishery, a cargo harbour for timber and foodstuffs; and between the 1970-1990s a major regional harbour for the commercial North Sea fishing fleet.

3.2 Cargo trade has now ceased entirely within the harbour and the commercial fishing industry has reduced and rationalised. Scarborough is now host to 38 commercial fishing vessels. The majority of fishing boats are smaller vessels, under 10m, predominantly serving the shellfish industry. However, in recent years the Harbour has been a popular destination with visiting prawn trawlers and scallop vessels. The number of leisure craft in Scarborough has increased in recent years with over 205 leisure vessels in the Harbour and a healthy waiting list for future users.

3.3 The wharves and piers of the Harbour are open to the public and are considered to be part of the attraction of the town and are public promenades and visitor attractions in their own right. The Harbour therefore has a very mixed role within the local economy and to the community in which it is located.

3.4 Moving forward the Harbour is also ideally located to capitalise on the development of the North Sea offshore renewables sector by acting as an operations and maintenance base for offshore wind support vessels.

- 3.5 Whitby Harbour is situated at the mouth of the River Esk with a northerly facing entrance, protected by two substantial piers. The bottle-shaped estuary of the River Esk was the only natural harbour along the 100 miles of coastline between the rivers Tees and Humber. By the early 1300s merchants from Lombardy and across Northern Europe were sailing to Whitby, to trade with the wealthy Abbey. The natural harbour was improved with quays, a bridge and piers. The harbour effectively splits Whitby in two and access across the river is provided by the historic swing bridge.
- 3.6 Today, the harbour is integral to the heart of Whitby and continues to be a working harbour together with a tourist attraction in its own right. There are 44 commercial fishing vessels operating from the harbour together with 226 leisure vessels and a number of operators offering pleasure boat and fishing trips. In addition, the harbour supports a major boat builder at Parkol Engineering and marine engineering services at Coates Marine together with JCF Marine Engineering. Alongside Scarborough Harbour, the harbour at Whitby is well placed to serve the significant offshore wind developments taking place in the North Sea.
- 3.7 Filey Coble Landing is a cobbled slipway at the northern end of Filey Bay. It is sheltered from northerly storms by Filey Brigg and has been the centre of the town's fishing industry for generations. In the 1880s, the landing was home to an incredible 190 boats, and it was from here that the cobbles were launched from the open beach onto the North Sea where they would fish for cod, haddock, herring and salmon, as well as lay pots to catch lobsters and crabs.
- 3.8 Today, the Landing is home to a much smaller number of working boats, together with a handful of leisure vessels, tourism related stalls, cafes and the Filey Lifeboat Station.

4.0 Governance

- 4.1 North Yorkshire Council is the statutory harbour authority for Scarborough and Whitby Harbour. The council accommodates underlying statutory requirements (both in local government legislation and in any specific local harbours legislation) in its approach to management of its harbours. Statutory harbour authorities are under a common law duty to conserve and facilitate the safe use of the harbour. This includes a duty to ensure that those who may choose to navigate the harbour, may do so, without danger to their lives or property. In addition to any provisions in local legislation, the common law duty to conserve and facilitate safe use of the harbour extends to maintenance of the harbour, including dredging, and a discretion to repair, improve and maintain harbour infrastructure. Scarborough and Whitby are subject to the 'Open Port Duty' to keep the harbour open, upon payment of rates, for the shipping and unshipping of goods and the embarking and landing of passengers.
- 4.2 The Port Marine Safety Code is a nationally agreed standard designed to implement safety standards for marine operations, throughout the United Kingdom. The Code establishes the principle of a national standard for every aspect of port marine safety for those who use or work in ports. The Code is based on maritime and general legislation which includes, amongst others: the Harbours, Docks and Piers Act 1847; the Harbours Act 1964; the Pilotage Act 1987; the Merchant Shipping Act 1995; International Regulations for Preventing Collisions at Sea (COLREGS); the Health and Safety at Work Act; the Dock Regulations. As Harbour Authority for the ports of Whitby and Scarborough the council implements and audits a Safety Management System (SMS) to comply, so far as is practicable, with the recommendations of the code and its legal duties and powers. The Code will co-exist and compliment the Authority's extant Health and Safety Policy.
- 4.3 Local Authority owned harbours are part of the council so ultimately accountable to elected Council members and the local electorate. They also operate within the council's

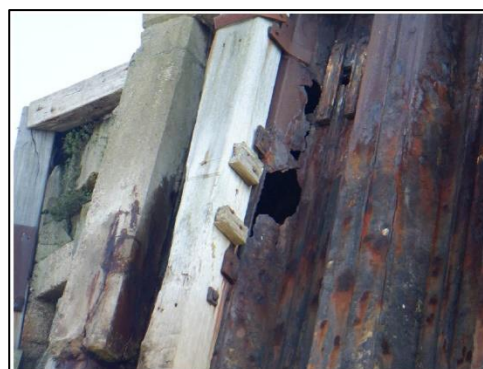
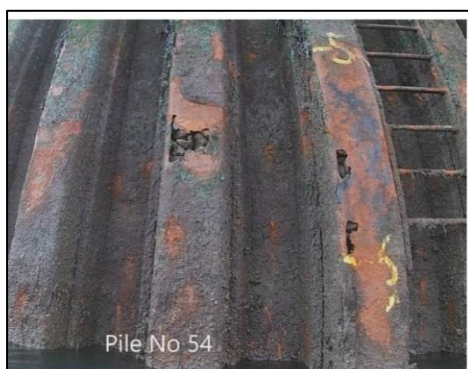
governance and decision-making structure. Relevant delegations to the Corporate Director, Executive, Executive Member and Harbour Master are therefore set out in the Council's Constitution and local legislative harbour functions are reserved to the Council's Executive. An established Harbour Executive, which is an advisory group of the council, currently oversees the operational management of the harbours with the decisions being made in line with the arrangements contained in the Council's Constitution.

5.0 Challenges

5.1 The infrastructure at Scarborough and Whitby harbours is designed to protect the harbours against tidal, wave and fluvial impacts together with other environmental factors. The infrastructure largely consists of stone harbour walls, rock armour and sheet piling. Whilst extensive works have been undertaken to some of these structures over recent years, most notably the Whitby piers, the structures are historic in nature and a number are in poor condition. In order to address the condition of these structures a proactive approach to maintenance and management together with significant investments in repair and replacement will be required to maintain the structures to a satisfactory operational standard.

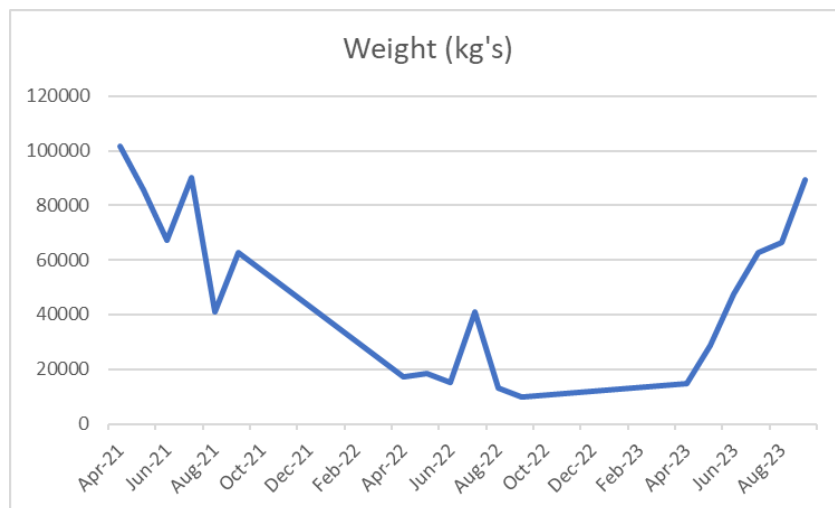
Common problems associated with the harbour infrastructure include:

- Accelerated low water corrosion
- Thinning of sheet pile thickness
- Holes in sheet steel piles
- Loss of fill materials
- Areas fenced off or load restrictions in place
- Risk of collapse
- Negative public image and perception.



5.2 Across the harbours there are a number of areas of sheet piling and other structures that are in very poor condition and at risk of failure. A comprehensive infrastructure investment programme has been developed which has taken a risk-based approach to identify and prioritise the works required. Extensive project programmes and costings have been developed for each area in turn and an investment of £27m is required to resolve all of the issues. Funding is in place to repair the sheet piling on the inner West Pier harbour wall at Scarborough Harbour and the Executive agreed on 20 February 2024 to approve the commitment of a further £795k of funding to undertake the detailed design work and obtain the necessary consents for the Scarborough Lighthouse and Roundhead Piers as well as the Whitby Lighthouse renovation. Upon completion of the design work, the Council will have fully costed, shovel-ready schemes in place and further funding will be sought for delivery. The Whitby Eskside Wharf project is currently progressing through the design phase and ongoing commercially confidential discussions are taking place with the current occupier of the land.

- 5.3 Scarborough and Whitby harbours both experience regular silting and require annual dredging to ensure sufficient water depth is maintained to allow navigation and enable access to piers, wharfs and pontoons. Disposal of dredged material at sea is licenced through the Marine Management Organisation (MMO); this takes place at a designated spoil ground owed by the Crown Estates. The Council has recently re-submitted an application to renew the disposal licence for dredged arisings from Scarborough Harbour mouth and this is being processed by the MMO. It is hoped that this licence will be granted in the near future and that dredging operations can re-commence in this location.
- 5.4 The Council currently owns a dredger (MV Sandsend) and undertakes its own dredging operations. Extensive repairs have been undertaken to the dredger this year which has seen a delay in winter dredging operations in Whitby Harbour. The dredger is now fully operational and is working longer shift patterns to recover the lost time. In recent years, the dredger has been operated in partnership with a private sector operator, to allow the dredger to undertake external dredging contracts at other harbours during periods when it is not required to undertake works to Scarborough or Whitby harbours. This arrangement has helped to offset the high cost of ownership and maintenance of a specific dredger; however, consideration should be given as to whether this is the appropriate model moving forwards.
- 5.5 The North Sea has experienced significant shellfish mortality over recent years which has had an extensive impact upon the fisheries sector. The impact upon fishermen and the investigation into the causes of the mortality event are well documented publicly and should not be underestimated, however this report will focus on the impact on the harbour authority. The harbour levies landing dues on shellfish landings, which is calculated as a percentage of the gross sales from the landings. A reduction in the quantity, and therefore value (£), of the shellfish landings as a direct result of the mortality event has significantly impacted upon the harbours budget. It is important to note that, whilst the graph below shows some signs of recovery, this is largely due to visiting scallop vessels that chose to land their catch at Scarborough harbour during 2023.



Shellfish Landings Scarborough & Whitby Harbours

- 5.6 The transition to the new authority has been challenging for the Harbours Service with a multitude of new processes and procedures being adopted during the busiest time of year. This has led to some significant pressure across the service and a number of key members of staff have left the Council. Work continues to recruit into the vacant posts and align the service with the Council's target operating model, streamlining processes as the service moves forwards.

6.0 Opportunities & future strategy

- 6.1 There are a number of opportunities for the Council's harbours in the future and an extensive consultation took place with harbour users during 2023 to help define a future vision and strategy for the service. It is recognised that a mixed economy of commercial vessels, industry, leisure vessels and tourism would provide a resilient future for the harbours, however, significant investment is required to maximise the opportunities available. The rapid expansion of the offshore wind industry provides a clear commercial opportunity for the harbours as Whitby is the closest accessible harbour to the Dogger Bank windfarm site and Scarborough is well placed to service both the Dogger Bank and Hornsea development areas. Officers are actively engaging with the offshore wind industry to set out the opportunities provided by both harbours for wind farm service and guard vessels. Part of this expansion into this commercial sector may include the provision of a large boat lift and associated storage at Scarborough harbour (subject to business case and funding) to provide "out of the water" servicing, maintenance and inspection facilities to commercial vessels.
- 6.2 Alongside the exploration of new commercial opportunities, there are also two significant regeneration schemes planned for West Pier, Scarborough and Endeavour Wharf, Whitby. The West Pier scheme will see the extensive refurbishment and replacement of the onshore fishing facilities including new net lofts, refrigeration space, storage and wet fish sales opportunities for the fishing industry. The scheme also includes an enhanced public realm, new public toilets, re-aligned and brand new 'crab stalls' and a high-quality fish restaurant, recognising the importance of the tourism industry as part of the mixed economy required to ensure a thriving harbour. The Maritime Training Hub at Endeavour Wharf will see a state-of-the-art training facility for maritime skills to develop a new career path for the local community to exploit the opportunities offered by the expansion of offshore renewables and other emerging maritime industries.
- 6.3 It must also be recognised that the Council's Harbours could not succeed without the dedication and commitment of the Harbours Team who work in all weathers, 24 hours a day, 7 days a week, 365 days per year to ensure the smooth and safe operation of the Council's harbours and this team will be instrumental in taking the harbours forwards into the future.

7.0 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 Not applicable, this report is for information.

8.0 FINANCIAL IMPLICATIONS

- 8.1 Not applicable, this report is for information.

9.0 LEGAL IMPLICATIONS

- 9.1 Not applicable, this report is for information.

10.0 EQUALITIES IMPLICATIONS

- 10.1 Not applicable, this report is for information.

11.0 CLIMATE CHANGE IMPLICATIONS

- 11.1 Not applicable, this report is for information.

12.0 REASONS FOR RECOMMENDATIONS

12.1 This report is for information.

13.0 RECOMMENDATION

13.1 The Committee is asked to note the information in this report.

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