

MILFORD HAVEN PORT AUTHORITY

MINUTES OF 155th BOARD MEETING
HELD AT MHPA OFFICES GORSEWOOD DRIVE
AT 1000 FRIDAY 27th JANUARY 2012

Present:

In Attendance:

1. APOLOGIES FOR ABSENCE

8/1/12

2. DECLARATIONS OF INTEREST

[Redacted]

3. MINUTES OF PREVIOUS MEETING

[Redacted]

4. MATTERS ARISING

➤ [Redacted]

➤ [Redacted]

- David apprised Board Members that the refineries had not yet reverted with any suggestions for improved customer service. However, it was noted that discussions were taking place with Valero over the possible requirement to dredge to accommodate larger vessels.
- Board members had considered the policy whereby the Harbourmaster is instructed to refuse entry into Port Limits of any leaking vessel where the degree of such leakage could not be adequately contained by local resources, subject to there being no danger of loss of life and no specific instruction from SOSREP and **reaffirmed their approval of the policy** as it stood.

Part A

5. SAFETY, SECURITY AND ENVIRONMENTAL REPORT

[Redacted]

Safety

[Redacted]

[Handwritten signature]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

In response to a query regarding NMR 94/11 when a small release of gas took place at a South Hook loading arm, the Board were advised that the incident had occurred due to a procedural issue.

[Redacted]

[Redacted]

6. RISK REGISTER

[Redacted]

[Redacted]

JB

7. MARINE REPORT

[REDACTED]

[REDACTED]

[REDACTED]

Lease documentation for the enlargement of Mustang's facilities were due to be signed imminently and progress would then be made with the Oakum building. The Chairman asked that the shoddy fencing be removed from this area.

[REDACTED]

[REDACTED]

Power Station

Mark reported that indications were that the Power Station would come on line earlier than expected.

[REDACTED]

[REDACTED]

[Handwritten signature]

Part B

8. CHIEF EXECUTIVE'S REPORT

The EU environmental objection process with regard to the Power Station was being monitored by management.

JB

Planning

Fishguard

A recent objection had been submitted by MHPA to the planning application by Conygar for development in partnership with Stena at Fishguard.

Johnny requested that it be recorded in the Minutes of the meeting that, in his view, our objection, on what he viewed as a strictly planning issue, should be withdrawn.

The Chairman and Deputy Chairman had been aware of the objection made by MHPA and considered it appropriate in the circumstances given that the proposed development at Fishguard was competitive and, could ultimately affect operations by Irish Ferries at Pembroke Port. Johnny stated that it was Welsh Government policy to establish marinas around the Welsh coast. However, the Chief Executive reported that the application envisaged the creation of expansion land for the ferry terminal, that the justifications set out in the planning application for this aspect of the development were misleading, and that the development should probably more properly be consented by means of an HRO or similar. If the development did not involve soft planning or section 106 obligations, the process was fair, and public money was not involved, it is unlikely that our objection would be upheld. However if these conditions are not true the development would distort the market, possibly constitute state aid and result in unfair competition. The Chief Executive indicated that for Board Members not to act in the interests of MHPA as a commercial organisation would be a breach of their fiduciary duty.

Alec suggested there could be other ways to address the issue, one of which would be to invite Stena into discussions to do a deal on a single ferry terminal. The Board confirmed that the Objection should not be withdrawn.



9. FINANCE & HR

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

It was confirmed there would be enhanced tax relief on the solar panel spend.

[REDACTED]

Not written
- see next meeting
notes
JLB

10. CORPORATE AFFAIRS REPORT

[REDACTED]

11. ANNUAL REPORT AND RESULTS

[REDACTED]

12. DEEP SEA REPORT

[REDACTED]

[REDACTED]

JLB

[REDACTED]

[REDACTED]

13. SHORT SEA REPORT

[REDACTED]

[REDACTED]

[REDACTED]

14. ENGINEERING REPORT

Paper No. 09/12 was received and noted.

Andrew briefed Members on the latest position regarding engineering. A meeting was due to be held shortly with regard to the dredging survey. The marina re-decking project was progressing well as was the installation of CCTV.

Solar Energy

An addendum on progress of the solar PV installation project was tabled at the meeting. Members were advised that the Court of Appeal had upheld a High Court ruling that the Government cuts to the feed-in tariffs were unlawful. There was the option for DECC to go to the Supreme Court to overturn this decision. This meant that installations that have had solar panels installed and registered by the 3rd March 2012 would receive the original feed-in tariff. MHPA has five weeks to install the panels to secure the higher rates. Every effort was being made to achieve this and Tim James, the Energy Development Manager, was commended for all his efforts.

[REDACTED]



[Redacted]

15. PENSIONS

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Handwritten signature]

16. REMUNERATION COMMITTEE REPORT

17. ANY OTHER BUSINESS

18. DATE OF NEXT MEETING

JB