

**Minutes
Whitby Harbour Users Group
23 January 2026
Whitby Lifeboat Station Meeting Room**

Present:

Adrian Fusco (AF) – Chair and Whitby Yacht Club
 Alan Page (AP) – Small Fishing Boards
 Bob Bennett (BB) – Whitby Cruising Association
 Chris Bourne (CB) – North Yorkshire Council
 John Anderson (JA) – Whitby Yacht Club
 Gary Pearson (GP) – North Yorkshire Council
 James Cole (JC) – Whitby Commercial Fishermen's Association
 David Moore (DM) - WyBA
 Cllr Sandra Turner – Whitby Town Council
 Cllr Linda Wilde – Whitby Town Council
 Paul Hobson (PH) – Charter
 Kirsty Patullo KP (via Ms Teams) – note taker

		Action
1.	<p>Welcome, Introductions & Apologies:</p> <p>Adrian opened the meeting, and introductions were shared for the purposes of the minute</p> <p>Apologies: Callum McKeon, Cllr. Mark Crane, Sally Atkinson and James Cole</p>	
2.	<p>Minutes of last meeting:</p> <p>Cllr Sandra Turner's apologies were sent for the last meeting but not recorded. Kirsty to update the minutes to reflect her apologies be noted.</p>	KP
3.	<p>Port and Marine Facilities Safety Code (PMSC)</p> <p>Gary Pearson explained the evolution from the Port Marine Safety Code to the Port Marine Facilities Safety Code, emphasising that "facilities" now encompasses a broader range of assets from ferry boats and steps to oil terminals and pontoons. All such facilities must comply.</p> <p>The Harbour Authority is responsible for declaring its own compliance, not that of independent operators. The Authority aims to declare compliance by the end of March 2026. A critical three-year window for other operators to declare compliance will open after March; failure to comply within this period will result in a further three-year wait.</p> <p>To support members, Garry offered assistance to operators with the completion of the relevant templates. Gary clarified that he cannot complete the documentation for them.</p>	

He noted that the scale of risk assessment required varies significantly based on the facility's size and complexity. Alan confirmed the Yacht Club has an existing risk assessment that could be shared.

Some members raised concerns about a lack of official communication regarding independent compliance requirements. Gary clarified that letters were being dispatched, with only a few operators yet to receive them.

David enquired about penalties, and it was explained that while PMSC is not legally enforceable, non-compliance is viewed unfavourably. In the event of an incident and subsequent investigation by the MCA or MAIB, safety procedures would be scrutinised, potentially leading to insurance invalidation.

Bob sought clarification, confirming that clubs (e.g., rowing, canoeing) also fall under the compliance requirements, not just those with fixed infrastructure. Gary confirmed this and offered to meet with club representatives.

Upon successful completion of risk assessments, individual Memorandum of Understanding (MOUs) will be established between the Harbour Authority and each compliant facility or club, with a target completion date by the end of March 2026. It was confirmed the Harbour Authority bears overall responsibility for ensuring facilities within the harbour comply, which reflects on the Authority's own compliance status. Gary affirmed this, directing operators to the Port Marine Safety Code and, more importantly, the "Guide to Good Practise" for detailed requirements.

The Authority is currently "green" on oil pollution compliance, with a major Tier 2 exercise scheduled for February.

Port Waste Management Plans are fully in place and ISPS Plans are current for the next five years.

Incident Reporting noted that there has been one "person in the water" incident noted, indicating a rising trend. MAIB reports on diving incidents (Scarborough) and manual overboard situations (fishing vessels) are available at the Harbour office.

Chris anticipates a "10 out of 10 green" audit outcome for PMSC. An annual public report on North Yorkshire harbours' compliance will be presented to the Scarborough and Whitby Area Committee after March. Gary confirmed the last audit found no non-conformities, only recommendations for improvement.

Members enquired about the independent designated person. Chris identified him as Alan Feast (AFS Consultants), an experienced ex-harbour master from New Zealand and Newcastle, whose maritime expertise is crucial for advising the Duty Holder (Corporate Director).

4.

Fees and Charges 2026/27

The Harbour Executive has approved the proposed fees and charges for consultation, with the schedule distributed to all attendees.

Most fees will see an inflationary increase of 3.4%. Additionally, some charges are being rationalised and aligned between Scarborough and Whitby, consistent with a broader council policy.

The council has decided to not proceed with charging for extra bridge openings, reversing last year's controversial proposal.

	<p>Chris requested Adrian to confirm with colleagues the withdrawal of the objection to the Secretary of State and statutory auditor concerning these charges. Action: Adrian Fuscoe.</p> <p>Members questioned the future of historical extra openings. Gary indicated that restrictions would apply due to MMO and dredging campaigns. A separate meeting with the Yacht Club is required to discuss specific requests, though most are expected to be approved, with a small number needing adjustment or mitigation.</p> <p>Chris stressed the importance of advance planning for extra bridge requests, noting the standard opening window is +/- 2 hours of high tide. Gary highlighted that many ad hoc requests often go unused, incurring unnecessary public expense for staff overtime. He reiterated that harbours operate on tidal cycles, not standard working hours.</p> <p>Chris explained that bridge operators work specific 4-hour shifts around high tide, meaning extra openings outside these times necessitate overtime pay. Gary also noted potential safety issues for deeper drafted vessels if bridges are opened at low water.</p> <p>Bob warned that the ring-fenced harbour finances would be subject to intense scrutiny, making unused bridge openings a potential target for cost-cutting measures.</p>	AF
5.	<p>Fishing Industry Update</p> <p>No significant whitefish landings have occurred since the last meeting.</p> <p>The harbour has accommodated scallop boats from the south, providing forklift and ice services, but the product is transported out of town by road.</p> <p>The sea trout season proceeded normally, involving six local vessels and supporting 12-15 fishermen. However, there was no local demand for the catch, which was sent to Scarborough for nationwide distribution.</p> <p>Despite available facilities, there have been no requests for whitefish landings for over 12 months. A key issue is the absence of sufficient merchants/buyers.</p> <p>New vessels increasingly have their own on-board ice machines, reducing reliance on shore facilities.</p> <p>Fish Figures were confirmed as follows:</p> <ul style="list-style-type: none"> ○ July: 100% shellfish. ○ August: 2% fish, 98% shellfish (the fish declared in August likely originated from the end of the June trout season). ○ September: 1% fish, 99% shellfish. ○ Whitby is now predominantly a shellfish port. Shellfish figures were high in 2023, saw a slight drop in 2024, and are rising again in 2025, though not to 2023 levels. <p>Concerns from Fishermen were noted that there is a lack of adequate facilities: Scales are privately owned, forcing fishermen to weigh their catch elsewhere despite paying 3% harbour dues. Vessels over 10m are unable to weigh catch on the quay due to post-POC documentation requirements, necessitating weighing elsewhere. It has also been identified that there is a need for more tanks and freezer facilities. The issues of private scales and facility shortages were acknowledged with Chris enquiring about specific needs, identifying a crane and scales as priorities.</p>	

Gary suggested converting the large crane (originally for troll doors) for fish box handling and adding scales, noting a 1-tonne lifting capacity would be required and also noted that the Authority's support for improving facilities to boost harbour income. There is potential for 320-340 tonnes of cod this year (a significant increase from 6-20 tonnes last year), but no facilities exist to land or process it.

It was noted that cod licences are currently catch-and-release, meaning any influx might be from recreational anglers rather than commercial fishermen. The Authority committed to assisting if commercial licences are granted.

Pot Storage Issues were highlighted during the meeting. Gary advised that the harbour's limited space is insufficient for the current volume of fishing pots, hindering its function as an open port and its ability to attract trade.

There is an estimated £60,000+ in car parking revenue is lost annually (October-May) due to spaces being occupied by pots. As also posing a significant health and safety issue due to the increase in rodent activity, with rodents now entering buildings, poses a risk of fish quay closure.

Pots are occupying the entire fish quay and Endeavour Wharf, extending beyond traditional storage areas. Despite repeated requests since September and the offer of alternative free storage, fishermen have not moved their pots.

These challenges have been escalated to the MP for their intervention by a fisherman who complained to the MP about pot storage, requesting additional free storage at Calla beck. The council has agreed to provide free pot storage at Calla beck. Cllr Turner questioned if this was on the old tip land which is owned by WTC ? Chris confirmed it was on North Yorkshire Council-owned land. The Fishermen are requested to relocate pots from unauthorised areas to this new storage site. Alan raised security concerns regarding vandalism at Calla beck and Paul questioned traffic safety due to access via Spittle Bridge, though Gary clarified the traffic volume would be minimal compared to a car park. Chris advised fishermen were welcome to introduce their own security such as temporary fencing to secure their pots.

Chris stated he would authorise Gary to remove pots if voluntary relocation does not occur, with associated costs to be borne by the pot owners.

Loss of working space on the fish quay was raised. This is potentially due to some fishermen that might be acquiring pots to inflate compensation claims, a point which was disputed, stating monthly earnings are required for compensation. It was also noted that some pots are left year-round by non-fishing individuals, exploiting free storage. Gary proposed a joint walk-around with fishing industry representatives in July/August to identify and remove pots not actively used for fishing, thereby freeing up space for genuine fishermen.
Action: Gary Pearson. Chris urged reporting of pots used for free storage by non-genuine fishermen. Alan suggested using identifiable pot markings. Gary confirmed traditional storage areas (e.g., New Quay Road) would remain undisturbed. Notices have been placed on pots in unauthorised areas, indicating their impending removal.

GP

6. **Harbour Maintenance & Infrastructure Projects**

The lower harbour dredging campaign is complete, with operations now moving to the upper harbour.

Significant restrictions exist due to the dredging licence, including a 5,000 tonnes/month limit and an exclusion zone alongside Endeavour Wharf (attributed to historic pollution). Two applications have been submitted to the Marine Management Organisation (MMO): one to increase the monthly dredge tonnage and another to reduce or remove the exclusion zone at Endeavour Wharf. This process is expected to be lengthy, as the previous licence took nine months to secure, and a coastal scientist has been engaged.

The exclusion zone directly impedes the port's capacity to accommodate larger keeled vessels. Cllr Turner mentioned the potential return of the Endeavour replica in 2028. Gary noted that the Harbour Authority has not yet been officially approached with any request for berthing.

The next dredging phase targets the upper harbour pontoon areas, with an aim to complete before April 2026. This will require coordination with boat owners to facilitate vessel movement.

Gary highlighted hydrocarbons from bilge pumps as a primary source of sediment pollution, directly contributing to dredging restrictions. Alan clarified that the main issue is the disposal of dredged material, not the dredging itself. Chris explained the prohibitive costs (estimated £200 per cubic metre) and logistical difficulties of landfill disposal (nearest site Stoke-on-Trent), projecting an £8-10 million cost that would bankrupt the harbour.

Sandra enquired about the usability of the un-dredged Endeavour Wharf. Gary confirmed it retains sufficient depth for certain vessels, and most berths there are not requiring deep water.

Parkol Piles Replacement

Planning for this project is nearing completion. The project faces restrictions from the MMO marine licence (sediment issues) and stringent noise and vibration limits due to nearby properties. The contractor has priced the work, factoring in these restrictions, which increases complexity and cost. The price is currently undergoing an audit. Funding is available within the ring-fenced account and would be subject to an Executive decision.

An audit period of one month is anticipated, followed by a three-month lead-in for executive approval, aiming for early summer approval. The goal is to commence works this year, subject to the availability of specialised plant and workboats.

Martin Lloyd is managing the relocation of pontoons and liaising directly with affected users. Martin has full authority to coordinate these efforts with Gary.

A comprehensive walkover survey of both harbours has been completed, cataloguing the condition of every asset with a red, amber, or green rating. A revenue maintenance budget of £80-90k per annum is available at Chris's discretion. Engineers are prioritising "red" defects, systematically working through the list to improve overall harbour condition.

The ability exists to request funds from the ring-fenced account for larger asset replacements (e.g., new pontoons).

A survey is underway to identify defects of the Lighthouse, with a budget exceeding £1 million allocated for the scheme's design and implementation.

8.

Harbour Strategy

Chris provided members with an update on the draft Harbour Strategy.

	<p>The Harbour Strategy has been written and is now publicly available on the council's website under the consultation section. An email notification was sent to all attendees.</p> <p>Currently a text-only document for consultation, it will be visually enhanced with photographs upon adoption. The strategy is based on feedback from previous consultation meetings (Paul Thompson, 2024) and other user input, aiming to reflect user ambitions across all harbour sectors.</p> <p>During the consultation process, users are strongly encouraged to read and provide comments. All feedback will be reviewed by council management, the harbour executive, and Gary Pearson.</p> <p>The document will undergo scrutiny by the Transport and Environment Overview and Scrutiny Committee (Northallerton, next Wednesday 28 January 2026) and the Scarborough and Whitby Area Committee (03 March in Whitby Pavilion).</p> <p>Feedback can be submitted via an online survey (agree/disagree options with free text) or by attending public scrutiny sessions.</p> <p>The consultation period closes at the end of March 2026, with adoption by the North Yorkshire Council Executive targeted for April 2026.</p> <p>Other comments highlighted during today's meeting is the strategy indicates diesel provision will not be possible until the current contract ends.</p> <p>The current contractor cannot be forced out due to security of tenure under a historic 1970s agreement. Chris's ambition is to replicate the new fuel tank system being trialled in Scarborough (selling marine gas oil directly) in Whitby, if successful. This would bypass the third-party provider.</p> <p>The strategy proposes working up harbour fees in autumn. However, Chris noted that while the council budget is fixed in January, Chris aims to provide an early outline of draught fees in autumn for approval, noting that elected members rarely alter these specific charges. Gary also noted that finalising contracts by January is crucial for berth allocation by March 2026.</p>	
9.	<p>Any Other Business</p> <p><u>Flares Disposal</u> Disposal of out-of-date flares is difficult and expensive, with limited official disposal points (e.g., Liverpool, Firth of Forth, Birmingham). Current practice is that the Harbour Authority returns its own flares to manufacturers/providers for disposal, a practise recommended for all individuals.</p> <p>A previous meeting discussed organising a collective flare disposal event to leverage economies of scale. Gary advised that his predecessor explored this but found the cost implications for over 1,000 vessels prohibitive. Port owners are responsible for disposal of their own flares.</p> <p>Action: Gary agreed to investigate the possibility of organising a collective flare disposal event. – Gary Pearson.</p> <p><u>Leaking Pipe at Old Pump House</u> WTC members reported a leaking pipe. Staff investigated and believed water is rising through the ground.</p> <p>Action: Gary will escalate this to Andy Crossley and for further investigation, including liaison with Yorkshire Water. – Gary Pearson</p>	<p>GP</p> <p>GP</p>

	<p><u>Manhole on Church Street</u> A manhole cover on Church Street has been lifting, with sewage elements present, particularly during heavy rain.</p> <p>Attendees were advised to continue reporting the issue to Yorkshire Water. Action: All</p> <p><u>Fishing in Harbour Centre</u> An increase in fishing activity in the centre of the harbour is causing problems for trip boats, rowing clubs, and yacht clubs.</p> <p>This is a significant problem involving antisocial behaviour and threats to harbour users but Police involvement is limited. Watchkeepers attend when reported but lack enforcement powers. Legal recourse is limited, and enforcement is challenging. Chris advised that Staff can ask individuals to stop, but they often resume once staff depart, with no further action possible.</p>	<p>WHU</p>
<p>10</p>	<p>Date of Next Meeting Kirsty is working on meeting dates for the remainder of 2026/27. These will be shared in due course.</p>	<p>KP</p>