

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	<b>Executive Committee</b>
<b>Date:</b>	<b>1<sup>st</sup> December 2014</b>
<b>Subject:</b>	<b>Commercial Charter/Pleasure Boat Fees 2014/15 and 2015/16</b>
<b>Portfolio Holder(s):</b>	<b>Cllr. Aled Morris Jones</b>
<b>Chief Executive:</b>	<b>Richard Parry Jones</b>
<b>Report Author:</b>	<b>Iwan Huws</b> <b>Principal Development Officer – Tourism and Maritime</b>
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<b>Local Members:</b>	<b>Relevant to all Members</b>

<b>A – Recommendation/s and reason/s</b>
<p>Six options were presented (see attached paper) to the Partnership and Regeneration Scrutiny Committee on the 25<sup>th</sup> September. The Committee failed to agree and concluded that the matter of Charter/Pleasure Boat Fees 2014/15 should be decided at the Executive.</p> <p>It was clear from the Scrutiny Committee deliberations that the preferred option was a simplified, flat-rate annual fee (no summer surcharge added) for all operators, ie no differentiation between commercial operators using Beaumaris Pier, Menai Bridge Pier, Amlwch Port or the Fish Dock, Holyhead. The closest option is Option 5 which considered a low rate only. Following a further review, with comparisons made between neighbouring local authorities, a new recommendation is made.</p> <p><b>It is recommended to the Executive Committee that the 2014/15 and 2015/16 (with the Council's adopted fees and charges increase applied) charter boat fee should be a flat-rate payment of £400 (£480 with VAT) with no discount applied on subsequent boats owned by the same operator. Visiting Licenced operators (from outside the area) to pay £30 (£36 with VAT)/per trip.</b></p> <p><b>It should be noted that annual berthing fees at Amlwch Port over the last two years have already been paid. The outstanding issue is the payment of this additional commercial element.</b></p>

The downside to this recommendation is that income from fees and charges from commercial operators will be less. However, the dispute in Amlwch Port over the stepped increase to the 2013/14 fees (Appendix 1 in the Scrutiny Committee report) which have never been paid can be resolved. Advice from the Section 151 Officer also suggests that these fees could be challenged legally. A further recommendation to the Executive Committee is therefore to “write off” the debt of the uncollected 2013/14 fees as a good-will gesture to the commercial operators in Amlwch Port. It is recognised by the Executive Committee that the business model for commercial operators in Beaumaris/Menai Bridge is different to Amlwch Port. Our economy is heavily dependent on tourism and we do not wish to penalise operators in more challenging tourist areas.

When maritime fees and charges are reviewed in readiness of the 2016/17 financial year, consideration should be given to penalise late fee payers, as receiving income from maritime fees and charges continues to prove problematic.

#### **B – What other options did you consider and why did you reject them?**

An options appraisal of 6 options was presented and scrutinised – attached.

As requested by the Finance Portfolio Holder, annual income figures to the Authority against the 6 options is attached at Appendix 1 to this report. Also attached at Appendix 2 is a three year analysis of costs comparing fees for berthing at Amlwch Port and mooring charges at Beaumaris/Menai Bridge.

#### **C – Why is this decision for the Executive?**

This is an income generating matter which is proving controversial with much lobbying of local Ward Members involved particularly in Amlwch and Beaumaris. Different facilities are available in all our maritime assets and it is therefore extremely difficult to agree a “level playing field” around all our coastal assets. Amlwch Port users in particular feel penalised by the recommended increase in fees and charges.

In an Executive meeting held on 30 November 2010 it was decided by the Executive that all decisions relating to “setting fees and charges” should be delegated to the Service Portfolio Holder. However, the Guidance on delegations to Portfolio Holders suggests that only uncontroversial decisions should be referred to a Portfolio Holder, and all controversial decisions should be dealt with by the Executive Committee. As this is a controversial matter, we believe that this decision should be taken by the Executive as opposed to the Portfolio Holder otherwise we would be acting in contravention of the Guidance.

**CH – Is this decision consistent with policy approved by the full Council?**

The Maritime function generates an income for the Council and therefore needs to set maritime fees and charges annually. We need to maximise this income but at the same time need to be seen to be supporting the fishing and tourism industries on the Island.

**D – Is this decision within the budget approved by the Council?**

Yes for 2014/2015. In the next financial year the Maritime budget is subject to a zero base budgeting exercise.

<b>DD – Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	
2	<b>Finance / Section 151</b> (mandatory)	
3	<b>Legal / Monitoring Officer</b> (mandatory)	Advice received on 'Section C', updated to correspond with Legal advice.
4	<b>Human Resources (HR)</b>	
5	<b>Property</b>	
6	<b>Information Communication Technology (ICT)</b>	
7	<b>Scrutiny</b>	
8	<b>Local Members</b>	
9	<b>Any external bodies / other/s</b>	
<b>1</b>		
1	<b>Economic</b>	
2	<b>Anti-poverty</b>	
3	<b>Crime and Disorder</b>	
4	<b>Environmental</b>	
5	<b>Equalities</b>	
6	<b>Outcome Agreements</b>	
7	<b>Other</b>	

**F - Appendices:**

Appendix 1 - Annual cost of the 6 options  
 Appendix 2 - 3 years comparison of fees between Beauamris and Amlwch.  
 Appendix 3 - Partnership and Regeneration Scrutiny Committee Report – 25<sup>th</sup> September.  
 Appendix 4 - Partnership and Regeneration Scrutiny Committee Minutes – 25<sup>th</sup> September.

**FF - Background papers (please contact the author of the Report for any further information):**

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## Appendix 1

OPTION	BEAUMARIS and MENAI BRIDGE COSTS (10m boat)	AMLWCH COSTS (10m boat)	INCOME to COUNCIL (Reg only) BEAUMARIS/ MENAI BRIDGE (7+3)	INCOME to COUNCIL (Reg only) AMLWCH (5)	** Paying passenger surcharge
1	BERTH = £317.34 REG = £562.81 to £773.42	BERTH = £361.30 Conservancy = £ 41.00 REG = £562.81 to £773.42	Between £5,091.97 and £6,566.24**	Between £2,814.85 and £3,867.10	Beaumaris only 25p/passenger
2	BERTH = £333.05 REG = £590.95 to £837.30	BERTH = £379.40 Conservancy = £45.00 REG = £590.95 to £837.30	Between £5,346.55 and £7,071.00**	Between £2,954.75 and £4,186.50	Beaumaris only 26p/passenger
3	BERTH = £333.05 REG = £590.95 to £840.00	BERTH = £379.40 Conservancy = £45.00 REG = £590.95 and £840.00	Between £5,36,55 and £7,652.85**	Between £2,954.85 £4,200.00	26p on lower scale only
4	BERTH = £333.05 REG = £480.00 to £600.00	BERTH = £379.40 Conservancy = £45.00 REG = £480.00 and £600.00	Between £3,360.00 and £5,208.00**	Between £2,400.00 and £3,000.00	36p on ALL passengers
5	BERTH = £333.05 REG = £480.00 to £600.00	BERTH = £379.40 Conservancy = £45.00 REG = £480.00 and £600.00	Between £3,360.00 and £5,208.00	Between £2,400.00 and £3,000.00	Base rate only NO surcharge
6	BERTH = £333.05	BERTH = £379.40 Conservancy = £ 45.00	£00.00	£0.00	N/A

## Appendix 2

### AMLWCH (CONSERVANCY FEE NOT INCLUDED)

YEAR	BERTHING	REG	TOTAL/BOAT (10M)
2011/12	£285.93	£184.22	£470.15
2012/13	£307.33	£450.00	£757.33
2013/14	£361.30	£562.81 to £773.42	£924.11 to £1,134.72

### BEAUMARIS and MENAI BRIDGE

YEAR	MOORING	REG	TOTAL/BOAT (10M)
2011/12	£249.84	£510.49 to £701.53	£760.00 to £951.37
2012/13	£268.56	£536.02 to £736.60	£804.58 to £1,005.16
2013/14	£317.34	£562.81 to £773.42	£880.15 to £1,090.76

## Appendix 3

ISLE OF ANGLESEY COUNTY COUNCIL	
REPORT TO :	Scrutiny Committee
DATE:	25 <sup>th</sup> September 2014
SUBJECT :	Charter/Pleasure Boat Fees 2014/15
PORTFOLIO HOLDER(S):	Cllr Aled M Jones Cllr Hywel E Jones
REPORT AUTHOR:	Iwan Huws – Principal Development Officer Tourism & Maritime
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### 1.0 RECOMMENDATIONS

**R1- To submit the favoured option for decision by the Executive Committee.**

**R2- New charging policy to be backdated to 1<sup>st</sup> April 2014.**

**R3 – Option 3 is the favoured option; i.e. option of a single annual payment of £840 or a lower annual payment of £420 with a passenger surcharge/levy of 26p/passenger applied. The charter boat operator to choose either option.**

### 2.0 REASONS

2.1 Apart from the annual fees for commercial pleasure boat operators (sightseeing/fishing/adventure trips) all other maritime fees and charges (berthing, mooring, registration and launching etc) have now been adopted by the Authority to be backdated from 1<sup>st</sup> April 2014. Bills for mooring/berthing fees have now been issued with income coming in to the maritime budget in Q2.

2.2 This element of the maritime fees and charges has proved controversial hence this report to Scrutiny Committee. Operators in Amlwch Port and those using the pier in Beaumaris have been most vocal. All the local Members have been drawn into this debate in one way or another. Operators also use St George's Pier, Menai Bridge and one charter boat vessel operates from the Fish Dock, Holyhead.

- 2.3 The background to this controversy over maritime fees and charges lies in Amlwch Port where historic anomalies in mooring/berthing fees together with charges for licenced passenger vessels (charter boats) were apparent. To bring these fees into line meant a hefty increase in annual charges for charter boat owners in Amlwch Port. **Appendix 1** shows a five year analysis of fees in Amlwch Port. The 2013/14 charter boat fees were never adopted and remain “in dispute” with the operators. However, it has been made clear to the Amlwch Port Users Group that the fees for 2013/14 will be collected. A recent Internal Audit report has also identified this anomaly which will be rectified in the bills issued to Amlwch Port operators following adoption of the 2014/15 charter boat fees (this report).
- 2.4 **Appendix 2** is a SWOT analysis of all four of our maritime ports/harbours where we are the statutory Port Authority. A maritime facilities review is also currently underway by URS Infrastructure & Environment UK Ltd (“URS”) and the final report is imminent. A publicly available port prospectus will be produced as part of this commission which will outline our maritime assets and facilities at the four facilities. The full report will also outline the structural nature and condition of the four facilities. The SWOT analysis shows that each facility is very different to each another and it is practically impossible to compare like with like.

### **3.0 TOURISM**

- 3.1 Tourism on Anglesey is heavily dependent on the weather. Similarly, charter boat operators are heavily dependent on good weather to take trips to sea. Beaumaris as a tourist destination is in a different league to Amlwch even though new investment in the Port such as the Copper Kingdom Heritage Centre and the Sail Loft café are increasing the appeal of Amlwch as a tourist destination in its own right in the north of Anglesey. Operators from the pier in Beaumaris benefit from high passenger numbers together with 24 hour tidal access compared to the tidal Amlwch harbour.
- 3.2 Only a handful of charter boat owners make a living from this activity on the Island. However, they are proving to be a very vocal minority! The attraction of having such operators in the destination is clear to all and should be encouraged. It should not be forgotten that the £2.6m investment in the refurbishment of Beaumaris pier and pontoon was predicated on an increased opportunity of more operators working from the pier thus increasing the number of jobs created by the investment. Neither Amlwch Port, Menai Bridge nor the Fish Dock have seen such capital investment and improvement in their facilities. This is part of the URS study.

### **4.0 CHARGING OPTIONS**

- 4.1 **Appendix 3** puts forward 6 options for scrutiny. Options included are annual flat-rate charges together with a paying passenger surcharge/levy – the so-called “tourist tax”. Each option is analysed and is presented for discussion. These are difficult times for local government finances with all income generating

opportunities needing to be explored. However, we need to be careful in setting these charges as to lose operators could affect Anglesey's popularity as a tourist destination with its myriad of attractions and activities on offer to the visitor. The Destination Management Plan 2012-16 clearly identifies the importance of the Island's coastline and associated activities in making Anglesey a popular destination in increasingly competitive times. We need to encourage a diverse tourist offer and having economically viable charter boat operators is important to tourism on Anglesey.

**Author:** Iwan Huws  
**Job Title:** Principal Development Officer Tourism & Maritime  
**Date:** 17<sup>th</sup> September 2014

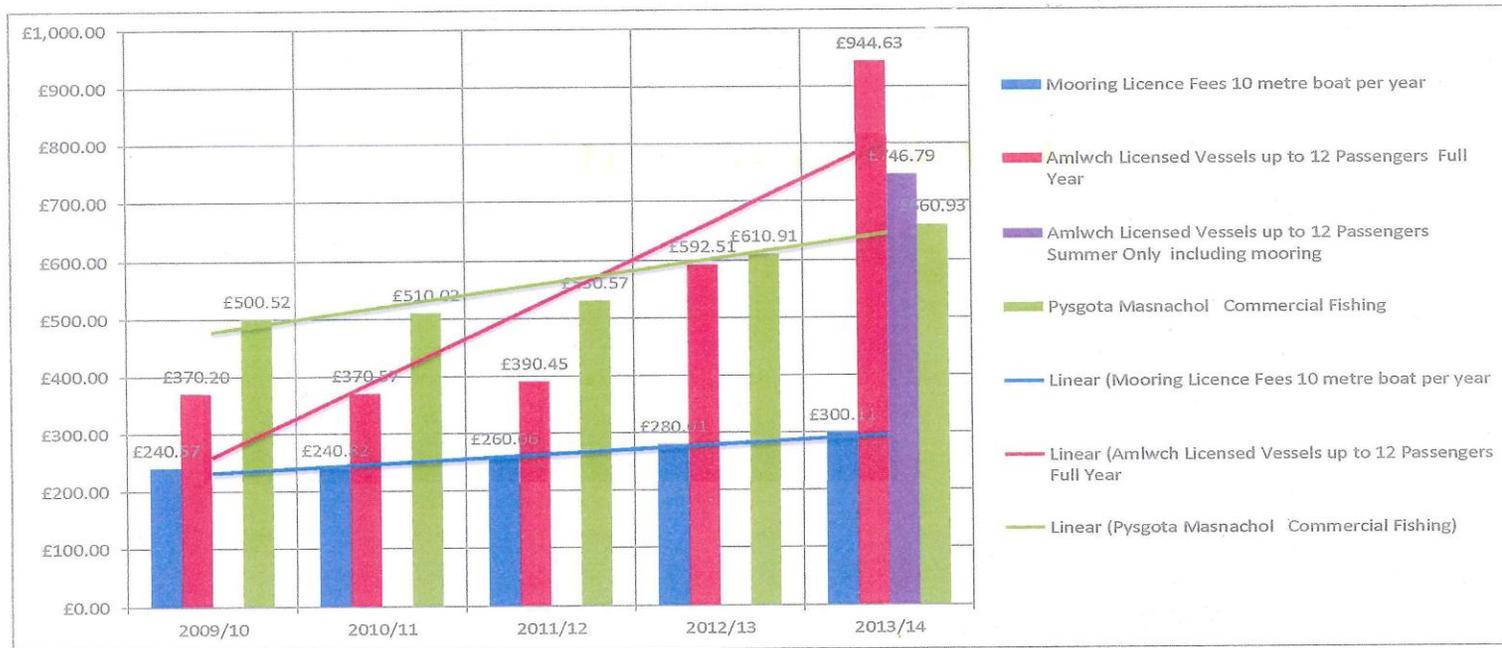
APPENDIX 1- Five year analysis of fees in Amlwch Port.

APPENDIX 2- SWOT analysis of all four of our maritime ports/harbours where we are the statutory Port Authority

APPENDIX 3 – Six recommendations/options.

# APPENDIX 1

**Amlwch Port Mooring Fees**  
2009/10 to 2013/14



## APPENDIX 2

	AMLWCH	
<b>Access from sea</b>	24h 18h <15h	Pens Watch tower basin Inner harbour
<b>Access (embarking/disembarking passengers)</b>	18 of 24h	Via steps in watch tower basin
<b>Bunkers</b>	Yes	On site/ or by bowser or road tanker
<b>Shelter</b>	Fair/good	Very poor in Northerly winds, serge conditions within harbour. Safety issues boarding vessels in serge conditions (for limited time as vessels take to ground)
<b>Parking</b>	Limited	40/50 (free)
<b>Footfall</b>	Limited	Has increased since opening of copper kingdom, but still very limited
<b>Distance to angling grounds</b>	1nm	
<b>Additional costs for berthing/mooring</b>	£200	Ropes and fenders
<b>Maintenance berth/ facilities</b>	Maintenance berth available	21 days free storage on quay at pens.

	<b>BEAUMARIS</b>	
<b>Access from sea</b>	24h	
<b>Access (embarking/disembarking passengers)</b>	24h	Pontoon or stone steps at HW
<b>Bunkers</b>	No	
<b>Shelter</b>	Fair/good	Very poor in NE to SE winds Severe safety issues getting to vessels on moorings in bad weather
<b>Parking</b>	None	800 spaces in 3 car parks within quarter of a mile
<b>Footfall</b>	High	Very high during season
<b>Distance to angling grounds</b>	9nm	
<b>Additional costs for berthing/mooring</b>	£2,500/annum £200	Mooring maintenance costs Ropes and fenders
<b>Maintenance berth/ facilities.</b>	No maintenance berth available	

	<b>HOLYHEAD</b>	
<b>Access from sea</b>	24h	Permission required from port control
<b>Access</b>	24h	Via pontoons
<b>Bunkers</b>	Yes	On site/ or by bowser or road tanker
<b>Shelter</b>	Fair/good	Poor in NE, mod in NW
<b>Parking</b>	Limited	20/25 (free)
<b>Footfall</b>	None	
<b>Distance to angling grounds</b>	3nm	
<b>Additional costs for berthing/mooring</b>	£200	Ropes and fenders
<b>Maintenance berth/ facilities.</b>	No maintenance berth available	

NOTE: the fish dock is not in use at present.

	<b>MENAI BRIDGE</b>	
<b>Access from sea</b>	24h	
<b>Access (embarking/disembarking passengers)</b>	20 of 24h	Pontoon on inside of pier. Access limited on outside due to Prince Madog
<b>Bunkers</b>	No	Bunkers available through private company at Porth Daniel
<b>Shelter</b>	Fair/good	Very poor in NE winds
<b>Parking</b>	Limited	10/12 permit required 200 spaces in 3 car parks within quarter of a mile
<b>Footfall</b>	Limited	Has increased since the opening of "Dylan's"
<b>Distance to angling grounds</b>	13nm	
<b>Additional costs for berthing/mooring</b>	£200	Ropes and fenders
<b>Maintenance berth/ facilities.</b>	No maintenance berth available	

	<b>MOEL Y DON</b>	
<b>Access from sea</b>	18 of 24h	Stone jetty
<b>Access (embarking/disembarking passengers)</b>	18 of 24h	Stone jetty
<b>Bunkers</b>	No	By bowser or road tanker
<b>Shelter</b>	Fair	Very poor in NE or SW winds
<b>Parking</b>	Limited	10/12 permit required
<b>Footfall</b>	Limited	
<b>Distance to angling grounds</b>	13nm	
<b>Additional costs for berthing/mooring</b>	£200	Ropes and fenders
<b>Maintenance berth/ facilities.</b>	No maintenance berth available	

## APPENDIX 3

	<b>CRITERIA</b>			<b>Achieve IoACC Income</b>	<b>Simple to Administer</b>	<b>Equal charges to All</b>	<b>Options for User</b>	<b>Summary</b>
<b>OPTIONS</b>		<b>Cost</b>	<b>Cost Inc VAT</b>					
<b>Option 1 -13/14</b>								Prices 2013/14
Licensed pleasure boats per annum		£644.52	£773.42	<b>YES</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>	
Subsequent boats, /boat (same company)		£320.08	£384.10					
Licenced pleasure boat summer only (April/Sept)		£469.01	£562.81					
Surcharge /paying passenger (Beaumaris only)		£ 0.21	£ 0.25					
Licenced craft /trip		£ 20.83	£ 25.00					
<b>Option 2 – 5%</b>								+5% (as per council instructions)
Licensed pleasure boats per annum		£697.75	£837.30	<b>YES</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>	This is the target for income and so should be used as the baseline.
Subsequent boats, /boat (same company)		£336.08	£403.30					
Licenced pleasure boat summer only (April/Sept)		£492.46	£590.95					
Surcharge /paying passenger (Beaumaris only)		£ 0.22	£ 0.26					
Licenced craft /trip		£21.87	£ 26.24					

<b>Option 3 – Higher rate / Lower Surcharge</b> Licensed pleasure boats per annum Subsequent boats, /boat (same company)  Licensed pleasure boat summer only (April/Sept)  Licensed pleasure boat per annum  Surcharge /paying passenger  Licensed craft /trip	£700.00 £336.08  £492.46  £350.00 +surcharge £ 0.22 £ 21.87	£840.00 * £403.30 *  £590.95 *  £420.00 +surcharge £ 0.26 £ 26.24 *	YES	YES	YES	YES	flat rate on all marked*  Surcharge on lower rate only. (however passenger No must be sent in monthly, any late or incorrect information will result in the full charge being levied)
<b>Option 4 – Lower rate / Higher Surcharge</b> Licensed pleasure boats per annum Subsequent boats, /boat (same company)  Licensed pleasure boat summer only (April/Sept)  Surcharge /paying passenger (all ports)  Licensed craft /trip	£500.00 £280.00  £400.00  £ 0.30  £ 30.00	£600.00 £336.00  £480.00  £ 0.36  £ 36.00	YES	YES	YES	YES	Lower standard charges and increase the surcharge to all  This would be dependent on successful season to reach targets.
<b>Option 5 – Low Rate Only</b> Licensed pleasure boats per annum Subsequent boats, /boat (same company)  Licensed pleasure boat summer only (April/Sept)  Licensed craft /trip	£500.00 £280.00  £400.00  £ 21.87	£600.00 £336.00  £480.00  £ 26.24	NO	YES	YES	YES	Lower rate and no surcharge

<b>Option 6 – No Charge</b>							
Licensed pleasure boats per annum	£0.00						No charges at all
Subsequent boats, /boat (same company)							
Licensed pleasure boat summer only (April/Sept)	£0.00						
Surcharge /paying passenger							
Licensed craft /trip	£0.00		<b>NO</b>	<b>YES</b>	<b>YES</b>	<b>NO</b>	

## Appendix

### PARTNERSHIP AND REGENERATION SCRUTINY COMMITTEE

#### Minutes of the meeting held on 25 September 2014

- PRESENT:** Councillor Derlwyn Rees Hughes (Chair)  
Councillor Alun Wyn Mummery (Vice-Chair)
- Councillors John Griffith, W T Hughes, Carwyn Jones,  
R Ll Jones, Richard Owain Jones and Dylan Rees
- IN ATTENDANCE:** Corporate Director (Sustainability) – In respect of Item 6,  
Head of Service (Housing Services) – In respect of Items 4 & 5,  
Head of Service (Adults Services) – In respect of Item 7,  
Principal Development Officer (Tourism & Maritime) (IH) – In  
respect of Item 6,  
Housing Strategy and Development Manager (LR) – In respect of  
Item 5,  
Scrutiny Officer (GR),  
Committee Officer (MEH).
- APOLOGIES:** Councillor Dafydd Rhys Thomas.  
Councillor H. Eifion Jones (Portfolio Holder – Finance) – In respect  
of Item 6.  
Councillor Jeff Evans (In respect of Item 8) – The Authority’s  
representative on the Fire Authority.
- ALSO PRESENT:** Councillor Ieuan Williams (Leader of the Council) – In respect of  
Item 3.  
Councillor Aled M. Jones – Portfolio Holder (Economic  
Development, Tourism and Leisure) – In respect of Item 6.  
Councillor K.P. Hughes – Portfolio Holder (Social Services and  
Housing) – In respect of Items 4, 5 and 7.
- Senior Partnerships Manager (Gwynedd & Ynys Môn)(AD) – In  
respect of Item 3.  
Communities First representatives – In respect of Item 4.  
North Wales Fire and Rescue Service representatives – In respect  
of Item 8.
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## **1 APOLOGIES**

Apologies as noted above.

## **2 MINUTES**

The minutes of the following meetings were confirmed :-

- Minutes of the special meeting held on 11 July, 2014.
- Minutes of the meeting held on 24 July, 2014.

## **6 CHARTER/PLEASURE BOAT FEES 2014/15**

Submitted – a report by the Principal Development Officer Tourism & Maritime in relation to Charter/Pleasure Boat Fees 2014/2015.

It was reported that apart from the annual fees for commercial pleasure boat operators (sightseeing/fishing/adventure trips) all other maritime fees and charges (berthing/mooring/registration and launching etc.) have been adopted by the Authority to be backdated from 1<sup>st</sup> April, 2014. Discussions have been undertaken over a number of months with the operators in respect of this matter.

Controversy over maritime fees and charges lies in Amlwch Port where historic anomalies in mooring/berthing fees together with charges for licenced passenger vessels (charter boats) were apparent. Appendix 1 attached to the report showed a five year analysis of fees in Amlwch Port. The 2013/14 charter boat fees were never adopted and remain 'in dispute' with the operators. Appendix 2 attached to the report was a SWOT analysis of all four of maritime ports/harbours where the Authority is the statutory Port Authority i.e. Amlwch Port, Pier in Beaumaris, St. George's Pier, Menai Bridge and one charter boat vessel operates from the Fish Dock, Holyhead.

The Officer referred the Committee to Appendix 3 attached to the report which gave 6 Options for Charter/Pleasure Boat Fees. It was noted that Option 3 was the favoured option for a single annual payment of £840 or a lower annual payment of £420 with a passenger surcharge/levy of 26p passenger applied. The Charter Boat operators to choose either option.

Issues raised by Members of the Committee :-

- If Option 3 was the favoured option, this would entail them having to pay a total fee of £1,340. The Charter Boat operators are already paying a berthing fee of £500. Questions were raised as to what facilities operators at Amlwch Port were receiving for the total amount of £1,340 as the facilities are not of a high standard compared to other areas. The Officers agreed that the facilities at Amlwch Port were not as good as other locations.

- Questioned raised as to why Commercial Fishing Boats who fish on the Irish Sea are not charged for berthing at Amlwch Port. Consideration should be given to imposing a levy on these boats in line with other ports in Britain. The Corporate Director (Sustainability) responded that the matter would be given due consideration.
- The berthing fees seem to be different at other berthing area. Members gave examples of berthing fees along the North Wales coast. Members questioned as to where these berthing fees had originated from? The Officers responded that these fees are historical fees and it is very difficult to compare fees along the coastline of North Wales. Using Beaumaris as an example, the boats can use the Pier at Biwmares to launch and it could be argued that the facility can be used 24 hours a day. The Officers stated that Conwy County Borough Council has invested a great amount in the Marina in Conwy and it is anticipated that the berthing fees are low due to an incentive to use the facilities at the Marina.
- Members of the Committee wished to have fair and realistic boat fees across the coastline of the Island and stated that they considered that due to the anomalies in the fees they were unable to support the adoption of Option 3 as a preferred option by the Officers.

Following lengthy deliberations it was **RESOLVED** that the **Partnership and Regeneration Scrutiny Committee** agreed that the matter of **Charter/Pleasure Boating Fees** should be decided at the Executive.

**ACTION** : To note that the **Charter/Pleasure Boating Fees** will be discussed at the Executive in due course.