



HARBOUR MASTER'S REPORT TO HHAC 12th October 2011.

1 Operational review by DHM

- 1 The slipway was busy during the school holidays with a large increase in the number of diving vessels operating from the harbour one of which has expressed an interest in making Hayle its permanent base. As a result of the North quay works there were some traffic tail backs created when vessels were being launched or recovered and also some parking issues, but generally the North Quay works have had a minimal effect on the slipway operations.
- 2 Some vessels will soon be lifted out of the water for the winter and will go to dry berthing at various locations in the area. It is planned that vessels remaining on ING land will be Dry berthed on Lelant quay.
- 3 Parking on South quay was arranged for the RNLI service in the ISIS gardens and additional mooring rings were fitted on the quay for the St Ives life boat enabling it to moor parallel to the viaduct on the quay wall for the service, but unfortunately due to poor weather the event was cancelled.
- 4 Litter especially dirty nappies left on Harvey' Towens car park was a problem throughout the summer and was cleaned up by harbour staff when operational commitments permitted. The dog bin has been successful with much less waste being left on the ground at the base of the pay and display.
- 5 BCTV completed marram grass planting on the dune replenishment site however the fence put in place to keep public off the area was damaged within two days of being erected.
- 6 There was a requirement to move the vessels moored on North quay to enable the works on quay walls to be progressed. This created some minor problems due to the availability of moorings but vessel owners especially the commercial fishermen were very cooperative and worked with the authority to resolve the difficulties.
- 7 The RNLI have identified the conditions at Copperhouse and Carnsew sluice as being suitable for the training requirements of their flood rescue teams and have to date used the site on two occasions.

- 8 A person later found to be a male was seen to be snorkelling in the navigable channel the AHM attended and advised him of the danger and that he was in breach of Byelaw 52 which was explained to him (except with the permission of the harbour master no person shall bathe in the harbour). He became somewhat confrontational but complied with the instruction to remain clear of the channel.
- 9 Four vessels have taken up moorings on Lelant Quay which has been bought back into operational use. One of the vessels an old Lowestoft drifter played an active role in the evacuation of troops from Dunkirk and was also involved with the sinking of a U Boat.
- 10 High levels of chromium were detected in the harbour during routine sampling by Carillion. The contractors worked closely with the authority and the EA but were unable to locate the source of pollution. Sampling has since indicated that the levels have continued to decrease.
- 11 A minor oil pollution incident occurred in the harbour the source of which remains unknown. The size of the spill fell within the category required by a tier one response (small operational spill) and was therefore dealt with internally. This involved booming the affected area adjacent to the Isis slipway where it had collected. The pollutant was identified as diesel much of which was absorbed by the boom. The remainder a very light sheen on the water was left to degrade naturally within the confines of the boomed area. Communications were maintained with the RSPB, EA and NE who were provided with regular situation reports throughout the duration of the incident.

The spill enabled the authority to test its oil spill response plan which forms part of the Port Marine Safety code documentation, this was adhered to by the AHM resulting in a successful conclusion to the incident with no non-conformities being identified within the scope of the plan.

Both the DHM and AHM are attending a Beach Masters Oil Spill training Course on the 5th & 6th of October sponsored by the MCA at Portreath. This is a national requirement that all harbour authorities comply with and requires all marine staff to undergo refresher training every three years.

- 12 During a routine patrol of the harbour the AHM found a 2ft long cylinder on Penpol bank that was obviously an explosive. The object was treated as live the police called and public kept clear of the area. It was later removed from the area by the police to be blown up at a safe location.

This incident also enabled the Authority to test its emergency plan which deals with various emergencies that may occur within the harbour. As a result the plan requires to be amended as it addresses bomb threats but not the discovery of ordnance on the foreshore. This non-conformity has been duly recorded in the relevant section of the PMSC and will be rectified at the earliest opportunity.

2 Status of the Entrance Channel

There has been no maintenance dredging. A careful watch on the migration of the channel has been maintained and timeline photography is on-going.

3. Port Marine Safety Code

I am content that the harbour authority continues to meet the requirements of the Code and all risks associated with marine operations are managed to ALARP. The SMS has proved to be worthwhile management tool. It is soon to be audited by our Designated Person using the latest MCA verification aide memoire.

Incident report completed for minor oil pollution on 08/09/11.

4. United Kingdom Hydrographic Office

The Hayle Harbour Authority has now entered into a standard agreement with the UKHO. We shall keep them updated on the status of the harbour and send them updates and photos as the harbour is developed. In return they will supply a full set of publication including, charts, pilot book, tide tables that we can notate and return with amendments as things progress. This agreement will facilitate better promulgation of information from the harbour authority to all mariners.

5. Mackerel Boats

The case was part heard before District Judge Thomas sitting at Truro County Court on 12th September. The Judge has requested further expert evidence on the limits of the jurisdiction of the harbour authority. The case is listed to be completed on 28th November. As the case is part heard it is not appropriate that I discuss it further.

The defendant has sold one of his boats that is subject to an unpaid invoice.

6. Chromium in harbour

High concentrations of chromium were detected in the harbour. The harbour authority was kept informed by those authorities involved and we were assured that there was no harm to public health and that it was not necessary to exclude persons from the waters of the harbour.

7. Kite surfing

Input from all stakeholders was sought before the Kitesurfing Code was amended so that there is no time restrictions. A LNTM was issued. The KKC will amend the signs on the Towans. They have made enquiries about starting a Kitesurfing school which at present would not meet the requirements of the Kitesurfing Code (no beginners). I am not prepared to consider a school until the “no time limit” Code has been running for some months. I consider this an iterative process.

The kitesurfers asked if we would consider making an exemption from the agreed Kitesurfing Code to amend the insurance requirements for foreigners. I was not prepared to consider this because if we start making exemptions for one class of kitesurfer the Code loses its credibility. How all kitesurfers meet the requirements of the Code is matter for the KKC and individual kitesurfers. There have been no adverse reports since the Code was amended to allow kitesurfing at any state of the tide.

8. RNLI food training

It's been agreed that the RNLI can train in the harbour including near the tunnels in Carnsew (RSPB and others raise no objection). The first exercise went well and we understand more will follow.

9. Freedom of Information Act

In response to an appeal by a stakeholder the Information Commissioner has decided the Harbour Authority is subject to the FOI Act. The Ministry of Justice have elongated the consultation that they have conducted with harbour authorities on this point. This somewhat flies in the face that the Information Commissioner has already determined that as a harbour authority we are subject to FOI. In February I completed the Ministry of Justice questionnaire arguing that we should not be caught by the FOI as we are obligated as a harbour authority to be open, accountable and fit for purpose and compliance with the FOI is burdensome for a small harbour authority.

We have responded to one FOI request and another is potentially pending.

10. Wave hub

The cable and junction box on the beach has been exposed as the sand covering has moved. I understand the junction box has been lowered as far as the bed rock and the only solution to cover it is to bury it.

Wave hub went to tender on proposed works on the beach to protect the junction box and cable. The works included the construction of groynes. On contacting the MMO we determined that they did not have an exemption nor consent to carry out these works and that obtaining consent was a contractual burden on the contractor.

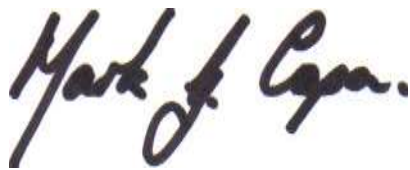
I had enquiries for those tendering but was non-committal referring them back to wave hub. I informed the MMO that we considered that "groynes" were not a temporary or emergency measure. Save or Sands also contacted the MMO with their views. Subsequently the MMO has requested wave hub to apply for a marine licence.

The Harbour Authority is a consultee in the application process. We have until 31st October to respond.

What wave hub now propose is to cover the cable duct with marine geotextile and bury that under 2 layers of rock armour. What is not clear is how far the rock armour will extend down the beach or what effect it may have on sand migration. Worst case for HHAL is that it has an adverse effect on the entrance channel to the harbour. There may be an opportunity for sand to be dredged/pumped from the entrance channel to the works. We need to consider our response to the consultation documents. It may be that we request more information on the possible impact the works will have on sand migration; although my initial thoughts are that previous studies on sand movement have been proved unhelpful. All we know is sand moves.

9. HM Surgeries

I continue to hold monthly surgeries and find them a valuable source of interest and information. Regardless of the surgeries I welcome contact with all stakeholders at any time.

A handwritten signature in black ink that reads "Mark J. Capon." The signature is written in a cursive style with a large initial 'M' and a distinct 'J'.

Mark Capon
Harbour Master
Hayle Harbour Authority Limited.