



## HARBOUR MASTERS REPORT TO HHAC October 2013

### 1 Operational report

#### July

- Time line photography of the channel no change to risk assessment required
- North Cardinal Buoy Operational
- Aids to Navigation Availability report sent to Trinity House
- Meeting with Buro Happold re Sluicing
- Police assistance required tombstoning on East and North Quay
- Chris Lello instructed to re-grade access road to Harvey Towns car park
- Camper on middle Weir
- Fence breached at Carnsew sluice and fence panel removed from the bridge which crosses the old sluice channel
- Damage to two vessels on East Quay
- AHM fell over and fractured his thumb.
- Police moved youths on who were having a BBQ on the North Quay wooden steps
- Snorkeler spear fishing at Carnsew tunnels
- Hayle Surf Life Saving Club surf to salt Paddleboard race
- Letters sent to the parents of underage Tombstoners
- Yacht grounded on the Cocklebank
- Report of late night Activity on Lelant Quay Police informed
- Copperhouse Pool impoundment
- AHM instructed to complete an internal inspection of the Safety Management System

#### August

- Report from a harbour user of a suspect white Flatbed tipper truck on South Quay details passed to police.
- Time line Photography of the Channel risk assessment and Local Notice to Mariners updated due to siltation at posts two and three.
- MV Adagio cast adrift owner attended and will report the incident to the police
- Complaint from a member of the public that waste was seen to be thrown overboard from the MV Feasible on Lelant Quay. Owner contacted by HM who stated it was not thrown but wind blown, but he would conduct a litter pick along the foreshore which was completed later that day.
- Firemen testing high pressure pump equipment were seen to be jumping off North quay. Station officer informed, he informed me later that day that those involved had been disciplined.
- Report from a member of the public that a speed boat was seen to be towing a water skier inside the restricted area at the Old Quay House. Penwith water Ski Club Secretary informed.
- Hayle Gig club under 14's championship Copperhouse pool
- Call for a member of the public that a yellow hulled RIB was seen to be operating at speed close to swimmers and Kayakers at Carbis Bay. The RIB launched from Hayle upon return the skipper was given a verbal warning and invited to contact the St Ives HM who wished to speak with him.

## **September**

- Application for grant funding for the provision of Pontoons submitted to FLAG
- Timeline photography of the Channel completed Risk assessment updated HM inspections increased to weekly.
- Permanent fence around the Fishermen's compound erected three more panels are required along the Northern end of the quay to complete the work.
- A quote for a gate at the entrance to the landing area has been requested.
- Notification from MRCC Falmouth of an incident in the Estuary which involved both lifeboats from St Ives.
- Availability report of Navigational Aids sent to Trinity House.
- Waste management Plan updated and forwarded to the MCA for approval.
- Findings following the internal audit of the SMS sent to the ING harbour board and designated person.

## **HM Report**

- 1** Siltation of the channel has occurred at posts 2 and 3, this has reduced the available depth of water at high tide and is also altering the orientation of the channel therefore the risk to vessels entering and leaving the harbour has increased. I have issued a revised Local Notice to mariners to warn of the change, up dated the risk assessment and increased inspections of the channel from monthly to weekly. Unless the channel corrects itself naturally within a short period of time corrective action in the form of dredging will be required. I have opened consultations with SOS so that they are aware of the situation and will involve them in any decision making with regard to the management of the channel and have also advised the Harbour Board that the risk to users is no longer ALARP and asked for direction regarding the management of the channel.
- 2** The Assistant Harbour Master was instructed by the Harbour Master to conduct an internal audit of the Safety Management System (SMS) at Hayle Harbour Authority Ltd (HHAL). The internal audit is in addition to the annual external audit conducted by the Designated Person and is a requirement of the PMSC. By instructing the AHM to conduct the audit the HM felt this would continue to assist him in conjunction with last years internal audit to become fully acquainted with the documentation generated from the PMSC and Guide to Good Practice and to also ascertain the harbour's continued compliance, the Executive summary of his report is attached.
- 3** When the pay and display was initially introduced on East Quay, to assist local businesses on and around Quay free parking permits were provided. However this gesture was abused and the permits have since been withdrawn. Businesses wishing to park on the quay were offered an annual parking permit at a cost of £250.00 pa, per vehicle. However Sue Crew of Strawberry Blondes suggested an alternative as this amount would be difficult for some of her part time staff to find and suggested that HHAL issue her staff with a parking permit which will be validated with a £1 pay and display ticket. Following consultation with Sue Crew HHAL agreed to her proposal and has also offered this option to the staff of the other businesses that operate on and around East Quay.

4 I had a fortunate meeting with the son Mr John Johnson owner of St Ives RIB rides and asked if they would be interested in running a park and ride ferry service from Hayle to St Ives. The response has been very positive and following a meeting with Mr Johnson I received the following

Dear Peter

After our discussion on Monday 16<sup>th</sup> September regarding a Park & Ride service for the public from Hayle Harbour to St Ives Harbour and return trips.

I am very interested in putting the following proposal to you, should this be acceptable in principal, then we could as discussed hold a meeting with all concerned and I would suggest that the following organisations and services be invited to such a meeting.

Hayle Harbour Master  
St Ives Harbour Master  
Representative from Harbour Board  
Representative from the Cornwall Council  
Representative from Local Police  
Representative from participating Holiday Camps and Complexes  
George Eustice MP for Hayle  
And Myself

The Following are only my suggestions, which can be altered after discussions with all involved

I propose that my Company operates an 11 or 12 seater Rib Boat from Hayle Harbour to St Ives Harbour from April through to the end of September.

As tide and weather conditions will make operating the Boat not possible on some occasions, I propose that I operate a 20 seater coach to be a back up service i.e. When the Rib cannot operate, the Coach will transfer passengers from either Hayle, St Ives or both ways if necessary.

This will enable us to set a daily timetable that we will be able to adhere to, the public could then be confident of a service whatever the weather.

However, my main concern is what the cost of the fares will be, if the cost is not realistic then the public will not use the service. To be able to calculate the cost of the fares I will need to know what subsidies will be available and how long such subsidies will be available for. I will also need to be confident that I will recover my initial outlay costs of coach etc. I will require a contract of 5 years to make this Venture viable.

I would like to suggest that you organize a meeting with all concerned where we can sound out everybody's views then hopefully proceed from there.

Just to let you know I have had a discussion with Steve Bassett and he is agreeable to the idea in principal

If you have any more suggestions or thoughts, please get back to me

Yours sincerely  
John Johnson

I suggested Mr. Johnson give a brief presentation to the HHAC as many of those he wished to have a meeting with would be around the table, but unfortunately he has a prior commitment. We have both since met with George Eustice MP at the harbour who was encouraged by the progress made and is eager for the project to be driven forward.

- 5 The North Cardinal Buoy is once again operational following storm damage earlier in the year. The final bill to replace the damaged components amounted £4500.00 which I refused to pay, as I considered that the components which had failed fell under the warranty. Following examination of the damaged tower when it was removed, it would appear that movement of the buoy had caused the reinforced plastic tower to flex which in turn created fracture points at the screw inserts that supported the top mark and light, consequently the screw inserts failed. As the buoy had only been in the water for six months I endeavored to have the parts replaced under the equipment warranty, but the French Manufacturer insisted this was not a result of material failure or design and refused to honour the warranty. I then informed the supplier Hydrosphere that I would post a report on the UK Harbour Master's association website regarding the quality of service provided and also warn all ports with similar equipment to check for signs of material fatigue.  
The response was amazing Hydrosphere offered to upgrade the tower to aluminum and replace the lost light and top mark if HHAL were prepared to pay £1000 the difference in cost between the plastic and aluminum towers. I had also explored the possibility of claiming on the harbour's insurance but the excess was £1000 therefore I settled with Hydrosphere.



# **PORT MARINE SAFETY CODE**

Hayle Harbour Authority Ltd

Internal Audit

Date of Inspection 31<sup>st</sup> July 2013

Internal Audit conducted by

Port personnel involved

1. Ken Routledge (AHM)

2. Peter Haddock (HM) & Ken Routledge (AHM)

Hard copies of this completed report will be sent to the Boards Representative and the Harbour Master.

## **EXECUTIVE SUMMARY**

### **1.0 Internal audit of the SMS carried out by Mr K Routledge AHM August 2013**

Mr Kenneth Routledge, Assistant Harbour Master was instructed by the Harbour Master to conduct an internal audit of the Safety Management System (SMS) at Hayle Harbour Authority Ltd (HHAL). The internal audit is in addition to the annual external audit conducted by the Designated Person and is a requirement of the PMSC. By instructing the AHM to conduct the audit the HM felt this would continue to assist him in conjunction with last years internal audit to become fully acquainted with the documentation generated from the PMSC and Guide to Good Practice and to also ascertain the harbour's continued compliance.

### **2.0 Harbour Operations**

Hayle Harbour is still in a state of flux due to the redevelopment of South Quay. Relocation of vessels from South Quay continues, to be completed by the 15/10/13. This is to comply with the contractors Health & Safety policy. The completion of the infrastructure works on North Quay and the ensuing installation of 14 new ladders and mooring rings have been completed. Vessels on South Quay have been allocated new berths on North & East Quay. Leisure vessels on East Quay have been reallocated to moorings on North Quay with the initiative to moor the majority of Commercial Fishing Vessels on East Quay.

The installation of additional ladders on North Quay post infrastructure completion has created additional moorings. This is of benefit to HHAL by way of increased mooring facilities and the generation of more revenue. However, this will not be fully realised until completion of infrastructure works on South Quay. When infrastructure is completed additional moorings will also be created in Carnsew Creek and leisure vessels relocated onto North Quay can relocate back to their original moorings on South Quay. This will assist in HHAL contacting clients on the wall mooring waiting list and further increasing revenue.

The creation of additional wall moorings has provided HHAL with the opportunity to renumber all moorings including those on Penpol Bank consecutively providing a logical flow of mooring locations which have previously been poorly numbered and caused some confusion amongst new harbour users when directing them to their mooring.

### **3.0 Responsibilities**

Simon Clarke continues to act as The Boards Representative, but there have been changes to the board due to the departure of Guy Parker, leaving Russell Coetzee, David Alker, Hein Brandt and ING REAL ESTATE as the Harbour Board Members. Policy Statements section 1.3.2. Members of the Board require updating to reflect the change in board structure.

### **4.0 Note: Required Actions**

4.1 The waste management plan will require updating and submitting to the MCA for approval in September 2013.

4.2 The statement of compliance to the MCA from Tim Armstead, previous Harbour Board's representative will require updating by the incumbent boards representative before April 2014.

4.3 Trinity House annually undertake two inspections of Hayle Harbour authority; one a visual inspection of the ATN normally completed in May the second an inspection of written records in June. Harbour Records indicate that the second inspection has not taken place since June 2011. HM is to contact Trinity for an explanation.

### **5.0 Oil Spill Emergency Plan**

The oil spill emergency response plan was utilised by the AHM when dealing with a minor oil spill found in the culvert adjacent to the slipway. He found the guidance and the actions listed to be user friendly and an aide-mémoire.

However The Plan is in the process of being updated to include a provision for sluicing operations from Carnsew Pool. When this is completed the updated version will be sent to the MCA for approval.

### **6.0 Enforcement**

#### *6.1 Dry Berthing Dues*

*Not for publication as the information contained is of a sensitive nature.*

#### *6.2 Tombstoning and Swimming in the Harbour*

The HM has taken a robust approach to the enforcement of Byelaw 52 of the Hayle Harbour Byelaws 1990. The initial drive was education and the dissemination of harbours byelaws, reinforcing this with a local press release highlighting the dangers of swimming in the harbour. In conjunction with the local police task force persistent offenders were required to provide names and addresses so that the HM could write to their parents reminding them of the byelaws, the dangers of swimming in waters designated as navigable and possible prosecution. The



exercise has resulted in a downturn of recidivism and the HM has been approached on several occasions by local youths as young as 8 -10 years of age expressing their lack of knowledge with regard to the safety issues with a promise not to repeat those activities now that the dangers have been highlighted. This proactive exercise has achieved an excellent result considering the entrenched attitudes towards what has in previous years become a 'traditional activity'. However, now that the mechanics to manage the problem to ALARP have been established, HHAL must remain vigilant towards the activity and be seen to maintain its stance by continuing to ensure the dangers are highlighted to the next generation.

The AHM had also encountered an adult that was swimming in the main navigational channel. When challenged he ignored direction by the AHM to leave the navigational channel resulting in the AHM verbally redirecting navigational traffic, and apprehending the perpetrator with the aid of the local police sergeant. The gentleman received a verbal warning from the AHM and Police Sergeant within the scope of the Hayle Harbour Act 1989 and Byelaws 1990. His details were taken and the HM duly wrote to him expressing safety concerns and warning him that should he continue with this activity then HHAL will prosecute.

### 6.3 *Moorings*

It became necessary for the HM to issue a formal written warning to a belligerent harbour user who had laid an unlicensed mooring and would not comply with directions to remove it. The authority made it clear that it would prosecute under the Harbour Act and Byelaws if the user did not comply. When the person involved realised the authority was about to put the mechanics of a prosecution in place by inviting him to attend a formal interview with police in attendance he complied and removed the mooring.

### 6.4 *Kite Surfing*

Two kite surfers were observed by the AHM in the navigable channel South of Chapel Anjou beyond the kite surfing zone. They were challenged and asked to show their KKSC identification. One complied and apologised for surfing in the channel and walked back to the kite surf zone. The other stated he had left his in the car and continued to kite surf ignoring directions to leave the channel.

Contact was made with the chairman of the club who was instructing at Mexico Beach, he was made aware of the situation, but was unable to attend immediately and stated he would arrange for a club steward to attend.

Lech Kwiatowski, vessel owner of Myross Mist, a commercial fisherman was also attempting to enter the channel at this time, and contacted the harbour office as he was extremely irate and concerned for his safety and the safety of the kite surfers as they were coming far too close to his vessel while he was navigating the channel.

The authority has since met with Mr Townsend, secretary of the KKSC who had investigated the incidents. He confirmed he knew the person who would not show his identification and that he was not a club member. The HM asked Mr Townsend to invite the male concerned to contact the Authority as he wished to discuss this person's conduct with him and to make him aware that he was breaking the byelaws which is an offence.

Following a meeting with the person concerned he apologised and has since become a member of the kite surf club. He has also assured the HM that he will in future comply with the code of conduct.

Investigation of the incident where the kite surfer came close to Myross Mist revealed that he had a line failure and dropped the kite which is why his lines were close to the vessel and why he was unable to turn away.

#### 6.5 *Fatality*

At 0700 on the morning of the 29<sup>th</sup> May the HM received a call from the Duty MCA Operations Officer informing him that a fatality had occurred as a result of an incident at Carnsew Pool on the evening of the 28<sup>th</sup> May 2013. A body had been discovered by a member of the public who had alerted the emergency services and then proceeded to give first aid. On the arrival of the emergency services attempts were made to resuscitate the casualty. He was subsequently airlifted to the Royal Cornwall Hospital Treliske but was pronounced deceased. The HM has since provided the investigating police officer with a statement reference harbour operations and also informed the HSE. The HM will be required to attend the coroner's inquest later this year.

#### 6.6 *Standard Operating Procedures*

The HM investigated a complaint from a person about his position on the waiting list for a wall mooring which was applied for on 5<sup>th</sup> of September 2011. The person concerned claimed that he had previously been informed that he was tenth on the list and not seventeenth. The system the HM inherited was not transparent which it should be. As a result a procedure has been put in place which is now part of the authority's standard operating procedures. This falls within the scope of the SMS required by the Port Marine Safety Code. It is robust and intended to avoid this type of situation recurring. That said the AHM and HM checked the list against the applications held on file and could not find any reason to suggest why the complainant should be any further up the list than his current position. The authority does periodically go through the list by contacting those who have applied and quite often find some no longer require a mooring or have moved on which would naturally shorten the list.

## **7.0 Channel / Bar**

### *7.1 Risk assessment*

The Authority's highest risk continues to be the channel entrance. Therefore regular monthly timeline photography of the channel from key locations continues to be undertaken which is essential to updating the risk assessment of the channel entrance. The DP has highlighted the fact that the risk assessment for the channel entrance is ongoing and must continue to be updated monthly. The HM has also directed the AHM to keep a record in the log book. The HM updates the risk assessment as required from the information provided by the AHM and also from his own inspection of the channel or amend the Local Notice to mariners for the channel entrance issued by the authority. Following an observation from the external audit in January 2013 the HM annotates the daily log when this process is completed

### *7.2 Bar Buoy*

On Sunday 10<sup>th</sup> March 2013 the St.Ives NCI informed the HM that the top mark and light were possibly loose on the North Cardinal Buoy as they appeared to be wobbling. They then phoned again later that day and informed the HM that the top mark and light had broken away from the buoy. The HM came in and was able to confirm that the report from the NCI was correct and immediately issued an LNtM to warn of the danger and informed Trinity house. Mr Peter Ghey, commercial fisherman, also informed the HM that when he was passing the buoy he saw the light and top mark fall into the sea.

When conditions were suitable photos were obtained of the buoy, which would suggest that the screw inserts had probably failed leaving a large hole in the top of the buoy. A radar reflector was placed on the broken tower so that users with radar could determine the buoys position during the hours of darkness. The HM pursued the suppliers for replacement parts which arrived some weeks later.

#### *7.2.1 Bar Buoy Supplier Dispute*

HHAL remain in dispute with the provider of the NCB due to the failure of the top mark after only five months of installation. However, the top mark has been replaced with an aluminium tower, a more robust solution to the previous installation; the recovered plastic tower has also been returned to the manufacturer for analysis.

## **8.0 Channel Maintenance**

It is evident from timeline photography and daily visual inspection that a substantial bank has started to form at posts two and three on the Western side of the channel which is gradually extending Eastwards across the channel. As there is a continual migration of sand on the bar

and in the estuary it is hoped that the channel will correct its self naturally, but to date this has not occurred and the bank has continued to extend further into the navigable channel.

The Sand bar and channel is a risk that the authority struggles to maintain to As Low as reasonably Practicable (ALARP), this recent development has increased the risk for those navigating vessels to and from the harbour. The channel is now at a point where if it fails to correct itself naturally within a short space of time dredging will be required to ensure any risk is maintained to (ALARP). The HM has updated and re-issued a notice to mariners warning users of the change to the channel and increased the frequency of inspections to weekly.

The Authority has a statutory duty to maintain the navigational channel and reduce all risks to ALARP. The long term plan is to reintroduce traditional methods of maintaining the channel by sluicing and plough dredging. The work to the Carnsew sluice is a requirement of the South Quay development, but the time scale for this remains unclear. The HM has obtained permission to plough Dredge from the Marine Management Organisation (MMO) which will work in conjunction with sluicing but a suitable vessel capable of undertaking this task will be required.

An aerial photograph of the channel taken in August by Peter Channon clearly shows the severity of the siltation which confirms the concerns of the HM following the results of recent time line photography and visual inspection. Any work to the channel will involve cost therefore an executive decision by the Harbour Board will be required to determine how this navigational hazard is to be best managed.

## **Close out of Previous observations arising from the January External Audit 2013**

### **5.2 Channel risk assessment**

The HM annotates the daily log as to whether the channel risk assessment requires updating / amending following the monthly timeline photography

### **6.1 Oil spill response plan**

HHAL have endeavoured to hold an exercise and this may be expedited by the fact that Cornwall Council has identified Hayle Harbour as an excellent training ground resource and they would look to hold future Oil Response Beach Master training courses at the site.

**8.2 Fire risk assessment for the harbour property**

The fire risk assessment for the Harbour office has been updated

**8.4 Kite surfing in pools on the beach**

Following continued requests to teach kite surfing on the beach tidal pools the HM has explained the Authority's position and refused to allow the activity to take place.

**The SMS**

The Safety Management System continues to be used as an active management tool and is being continually improved upon through its daily use and also from comments following internal and external auditing.