



## HARBOUR MASTER'S REPORT TO HHAC 27<sup>th</sup> July 2011.

### 1 Operational review by DHM

- 1.1 During suitable weather conditions the harbour has been reasonably busy with both commercial and leisure users. There has however been a slight decline in leisure vessels using the slipway, a result of the North Quay works also restricted parking and traffic congestion. With this in mind I negotiated with Carillion to have the North quay beach gate slipway upgraded with some hardcore and geo textile fabric to provide an alternative launch site for the clubs that operate within the jurisdiction of the harbour which will relieve some of the traffic congestion at the harbour office slipway.
- 1.2 Engines and equipment thefts from vessels continues to be a problem. PC Trevorrow has supplied HHAL with Boat Watch stickers, marking equipment and various information leaflets which are being distributed to harbour users. A 6hp outboard engine stolen in late May was recovered by police when they were investigating an incident that was not connected with the engine theft.
- 1.3 A free CCTV has been gifted to the harbour users which is with Mr Baumbach. The intention is to fit the equipment onto his building to cover Penpol and South Quay
- 1.4 Tombstoning has again been a problem this year and early this month Mr Routledge felt it necessary to request police backup when a large group of some twenty youths, some of whom are known trouble makers were seen jumping off the old swing bridge then later North Quay. As North quay is currently under the control of the contractors I have requested that Carillion security play a more active role in policing the quay because this is a health and safety site management problem and should HHAL staff need to move these youngsters on Carillion security are present to assist as necessary
- 1.5 The DHM completed a RYA for the PWC in April, enabling HHAL to show a more regular presence on the water and to police the water activities within the authority's jurisdiction. This has already proved to be beneficial as several kite surfers have been identified who were not club members who were informed where they can obtain temporary or full membership of the Kernow Kite Surfing Club.

- 1.6 Three harbour users have on separate occasions been given verbal warnings after they were observed to be exceeding the 5 knot speed restriction in the navigable channel.
- 1.7 Both Mr Routledge and I undertook the clearance of buckthorn from the foreshore prior to the commencement of the holiday season. The operation took two days to complete and we were able to clear the bulk of what was on the beach and to also remove some other litter.
- 1.8 The King George walk memorial celebration day saw many people enjoying the water activities that took place in the harbour and the gig club reported that many had taken up the offer to crew a gig for a row around the Cocklebank, which also helped to raise funds for the club.
- 1.9 Hayle Surf Life Saving Club held a 3km paddleboard race on the 4<sup>th</sup> July which was well supported and required competitors to start from the beach clubhouse and paddle into the bay to the Port hand Channel buoy then back to the Estuary, along North Quay finishing at the viaduct.
- 1.10 Public visiting the beach have been removing the fencing at the end of north quay to park. I raised the matter with Carillion at a monthly management meeting which resulted in some additional fencing and signage which has helped, however we still occasionally need to ask public not to park there and direct public to the Harvey Towns car park.
- 1.11 BTCV which is the UK's largest practical conservation charity which aims to support individuals and communities in taking voluntary action to improve their local environment have been asked to manage the dune replenishment site which involves fencing the area, rubbish removal and planting of Marram grass
- 1.12 In addition to the annual external audit of the Port Marine Safety Code carried out by the designated person there is a requirement to complete internal audits. This Audit was carried out during the last week of June by the DHM and concluded that the safety management system in place is robust and fit for purpose, however it did highlight several non-conformities in the standard operating procedures that require amending /updating to ensure that the standards the authority have achieved remain consistent.

The Safety Management System conforms to the UK Guidelines of the Code, in particular the system of audit and review now in place is comprehensive and transparent.

## **2 Status of the Entrance Channel and Bathymetric Surveys**

There has been no maintenance dredging. A careful watch on the migration of the channel has been maintained and timeline photography is ongoing. A bathymetric survey was undertaken in April 2011. The results are available on the website and a LNtM was issued with the following text.

### ***Bathymetric Survey Hayle Harbour.***

*Recent bathymetric surveys have been completed and compared with similar surveys carried out a year ago. Copies of the latest survey are available at [www.hayleharbourauthority.com](http://www.hayleharbourauthority.com) and hard copies are available for inspection at the harbour office.*

*The most recent survey indicates a reduction of depth in some parts of the harbour and the approaches. However, the tidal window during which vessels can safely enter and leave the harbour should not be affected as this is determined by the Hayle Bar. Mariners are referred to LNtM 07/10 „Entrance to Hayle Harbour“ and the warning published on British Admiralty Chart 1168.*

*“Hayle Bar (50° 12′.0 W., 5° 26′.0W) Fishing vessels and small craft with local knowledge may enter across Hayle Bar in favourable weather within 1 hour of High water. The charted navigational aids do not necessarily indicate the best water”.*

## **3. Port Marine Safety Code**

An internal audit of the SMS was conducted by the DHM in June. 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 will continue to be improved and will be subject to external audit by the Designated Person during the autumn. The MCA have developed a new approach to verification visits (now known as health checks) and the next external audit will be conducted in accordance with this new approach. (I was instrumental in designing this approach and instructing surveyors of the MCA in its implementation).

Other than warnings for speeding there have been no incident reports.

Tim Armstead has replaced Hamish Calder as the Harbour Board's representative and I report through him to the Board. The role of the Board's representative is embraced in the SMS and provides the link required from the operational staff to the Board. The designated person, who must have direct access to the Board will in the

first instance contact the Board's representative but will always have direct access to the Board if required.

#### **4. Trinity House**

The Inspector of Seamarks attended on 13<sup>th</sup> April 2011. We discussed dredging, the channel and navigation aids and in particular the lateral marks at the buoy. I suggested that a cardinal mark seaward of the bar may be more appropriate. The Inspector agreed that the rationale was sound and intimated that if the Harbour Authority wished, at some stage in the future, to replace the port and starboard buoys with a lateral buoy they would not object. The Inspector was aware of correspondence between stakeholders and Trinity House. The AHM accompanied the Inspector during his inspection. His written report raised no issues.

#### **5. Mackerel Boats**

The case has been allocated to the small claims track and is listed to be heard at 1000hrs 12 September at Truro County Court. The Judge has considered the case suitable for mediation and has encouraged the use of the Small Claims Mediation Service. I have confirmed that HHAL is keen to resolve this matter and welcomes mediation. The Mediation Service rang me to say that they have not received consent from the defendant and therefore cannot mediate.

The case hinges on 2 issues; the limits of the harbour authority's jurisdiction and historic rights. Both sides have made extensive pleadings and the harbour authority has obtained an expert's report on the limits of jurisdiction. Costs and resources are disproportionate to the claim but the harbour authority is keen to demonstrate that all vessels that enter the jurisdiction are obliged to comply with the same rules.

The defendant is in the process of selling one of his boats which adds a further dimension to the dispute as the harbour authority can exercise a lien to provide security for the debt. I've invited the defendant to either settle the claim or lodge security with a solicitor so that we do not inhibit the sale of his boat with a lien.

#### **6. RNLI**

The RNLI have visited the harbour to evaluate its potential as a training base for flood relief and rescue. The officers were convinced that the Harbour would provide ideal training facilities and HHAL are keen to work with the RNLI and other rescue providers.

## **7. Kite surfing**

The present 6 month “no time restriction” trial ends on 1<sup>st</sup> August when it will be reviewed. I invite comments from all stakeholders.

## **8. United Kingdom Hydrographic Office (UKHO)**

The UKHO and the United Kingdom Harbour Masters association have produced a “Code of Practice for UK Ports and Harbours”. It sets out the framework for exchange of hydrographic information between harbours and the UKHO so that nautical charts and publications can be kept up to date. HHAL have been invited to enter into an agreement for the free exchange of information. I have suggested to the Board that HHAL enter into this agreement, comply with the Code and ensure that all UKHO charts and publications reflect the latest information on Hayle, the entrance channel, the bar and dredging.

I’m awaiting confirmation that HHAL can sign the agreement with UKHMO.

UKHMO have sent us the latest edition of the admiralty Charts for Hayle and the Admiralty Sailing Directions for the west coast of England.

Chart BA 1168 contains this Note:

“Hayle Bar (50° 12'.0 W., 5° 26'.0W) Fishing vessels and small craft with local knowledge may enter across Hayle Bar in favourable weather within 1 hour of High water. The charted navigational aids do not necessarily indicate the best water”.

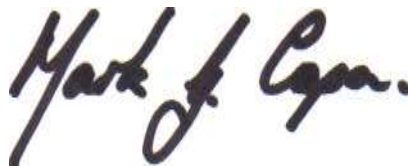
The Admiralty Sailing Directions include:-

“The entrance channel is marked by a light buoy (port hand) close N of Hayle Bar. However, sand movement, prevalent during gales, causes the course of the navigable channel to alter and any vessel wishing to enter the harbour, and lacking local knowledge, should contact the harbour master before attempting to do so..... Vessels may cross the Hayle Bar, in favourable weather, at HW +/- 1 hour.

As soon as the agreement is in place I shall notate the Charts and Sailing Directions, provide photographs and revert to the UKHMO so that they are kept fully informed.

## 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.