



HARBOUR MASTER'S REPORT TO HHAC 18th January 2012.

1 Operational review by DHM

October 2011

- 1 The British Kite Surfing Association arrived at the harbour unannounced to hold a national kite surfing event in the authority's jurisdiction but were unaware that they required permission. After consultation with the Kernow Kite Surf Club who were also unaware of the event it was agreed that it could proceed providing the BKSA complied with the KKSC code of conduct. I also consulted with the Harbour Master who was in agreement. The competition was very successful and the BKSA thanked the harbour for its assistance and are considering making this an annual event.
- 2 A crew from Trinity House arrived on site with a RIB and the intention of carrying out an inspection of Godreavy light however due to poor weather conditions and heavy swell the inspection could not be completed.
- 3 There was an attempted theft of an auxiliary outboard from a vessel on a mooring at Carnsew but the engine is fitted with an alarm / tracker which activated alerting the owner on his mobile phone and the culprit left empty handed, police also responded.
- 4 Mooring holders with outstanding dues were sent final reminders. As a result of non-payment by three and their failure to contact the authority their moorings were terminated.
- 5 The MV Ida May had its ropes let go by persons unknown and was moored up by the DHM and AHM. It was evident at the time that the vessel was in a poor state of repair and seaworthiness. The DHM instructed the owner to contact the authority to discuss the future of the vessel.
The following weekend the vessels ropes were cut and had the Ida May not come up hard against two other moored vessels it would have drifted into the navigable channel were it would have created a navigation and possible pollution problem had it grounded or sunk. The owner came into the office and informed me that he could not afford to repair, maintain or insure the vessel. I therefore instructed him both verbally and by letter to immediately remove the vessel from the Harbour. He did not comply with my instructions therefore I had the vessel craned out onto South Quay with the intention of selling any equipment of value to recover costs. I

informed the HM of my action and he advised that I send a the owner a special direction giving him until the 20th of January to remove the vessel from harbour land by which date it will be considered abandoned and the authority could then dispose of it under the provisions of the Hayle Harbour Act 1989

- 6 The MV Capriole arrived in the harbour during the last weekend of October, but did not request permission to enter, or advise the authority of the intention to run angling trips from East Quay on the Saturday and Sunday. This is normal practice by visiting vessels and at which point the skipper is advised of any navigational or weather information in force that may affect his operations. On the Sunday 30th the skipper proceeded to sea with a group of anglers in poor weather conditions and the vessel was severely damaged by heavy seas when leaving the navigable channel, the MCA were informed and an incident report was sent to the Marine Accident Investigation Branch who thanked the authority for its cooperation. As a result of the incident the risk assessment for the channel entrance and navigable channel were reviewed and found to remain fit for purpose.

November 2011

- 7 Six vessels were lifted out to dry berthing at various locations
- 8 A stranded pup seal was reported on the middle weir British Divers marine life rescue association (BDMLRA) attended and reported the pup to be in good health but they will continue to monitor. The Pup later returned to the water unaided
- 9 The Designated Person carried out an audit of the PMSC and was satisfied that HHAL continued to meet the requirements of the Port Marine Safety Code. The non-conformities that were noted have since been rectified.
- 10 PCSO Jenny Hosking asked if HHAL would be interested in joining the Store net initiative which had proved to be effective tool. The proposal was discussed at the authority's management meeting and the scheme was considered to be of little benefit to the harbour in its present form but would be reconsidered at a later date once the South Quay development had started.
- 11 Myself and the AHM attended the County Court with the Harbour master for the Mackerel boats hearing

December 2011

- 12 The owner of MV Mary Lou reported that his vessel had been damaged when rocks were thrown into it. He was instructed to report the incident to the police and obtain a crime number.
- 13 Although not a marine but estate matter the drains at Ready Fresh Octel building

were reported to be blocked. Tony lee investigated and cleared the blockage.

- 14 Several of the St Ives fishing vessels sought shelter in the harbour due to heavy ground seas being forecast for St Ives Bay
- 15 A dead swan with its head missing was reported by several members of the public the RSPB were informed they investigated and concluded that the swan had been attacked by a fox.

January 2012

- 16 The quarterly availability report of the authorities navigational Aids was sent to Trinity house
- 17 The authority has decided not to increase harbour dues this year due to the ongoing contractor works and the inconvenience that this is causing to mooring holders.
- 18 A Desk top oil spill exercise organised by Cornwall Council is scheduled to be held on the 22nd February. The scenario is that two super tankers have collided off Lands End and a large oil slick has formed along the North Cornish coast line. HHAL will be actively involved in the exercise and will also look to activate and prove its own oil spill contingency and emergency plans.
- 19 On 9th January it was reported that a large concrete pipe was visible in the entrance channel at low tide. A Local Notice to Mariners was issued. The concrete pipe was located at the edge of the channel about 15 years to support a navigational pile but it kept falling over and was abandoned. Attempts are being made to remove the pipe.

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

The independent Designated Person attended on 22 November and audited the Harbour Authority using the latest methodology required by the MCA. See attached report.

The Harbour Authority has to confirm compliance with the Port Marine Safety Code to the MCA before 31 March 2012. In the light of the DPs audit and the Certificate of

Compliance that he issued this has been done.

4 Entrance buoys

I approached Trinity House to explore the possibility of surrendering the lateral buoys that mark the entrance channel and replacing them with one cardinal mark. This single buoy would not mark the position of the entrance channel (this is the case with the existing buoys) but would warn of the bar and provide a reference for vessels entering and leaving the harbour. Trinity House have agreed this in principle.

Trinity House was not persuaded that such a buoy would be for “general navigation” and would not take responsibility for it. They will position a new buoy for us. The harbour authority is looking to source a north cardinal buoy.

5 Mackerel Boats

After hearing all of the evidence and considering expert’s reports from both sides District Judge Thomas found in favour of the harbour authority. He ordered that the defendant should pay the outstanding invoice for harbour dues and mooring licence fee with interest and he dismissed his claim for compensation for when the harbour authority removed his mooring tackle. The harbour authority waived its right to seek costs as it was in everybody’s interest to have this long running dispute settled.

This court case has confirmed the right of the harbour authority to charge all vessels within its jurisdiction harbour dues. Vessels moored at Lelant Saltings are not excluded.

The defendant has now paid the amount due and we are chasing any boat owners that have outstanding invoices.

6 Chromium in harbour

Levels of chromium have now been confirmed low with no health risks. The source of the chromium was not determined.

7. National Occupational Standards (NOS) for Harbour Masters

Recently a new consolidated version of the NOS has been approved by the industry. The NOS covers all types and size of ports and some will not be relevant or

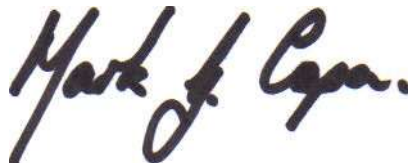
proportional to Hayle. The NOS will sit alongside our Safety Management System and will form the bench mark for confirming all harbour office staff have the necessary competencies.

8. Wave hub

The MMO have now decided that as the junction box is above MHWS they are not the appropriate licencing authority. The application is to be determined by Cornwall Council under Town & Country Planning Act. The MMO have not passed to Cornwall Council the representations made to them. The Harbour Authority will be responding to the planning application.

9. HM Surgeries

The need for monthly surgeries has waned. Instead of surgeries I am pleased to meet stakeholders and others with an interest in the harbour on appointment. Just ring the harbour office.

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 'C'.

Mark Capon
Harbour Master
Hayle Harbour Authority Limited.