

# **Annual Report**June 2017

# **Harbours Board**

The Harbours Board is responsible for the operation of all of the municipal ports and harbours in Cornwall which include Bude, Newquay, Portreath, St Ives, Penzance, Prince of Wales Pier (Falmouth), Penryn, Truro, Portscatho and Portwrinkle. Other assets that the Maritime Team is responsible for are at Saltash, Downderry, Cawsand and Looe.

The Board consists of 12 members, with six being Councillors and six Independent Board members who are appointed following a skills audit. There are also non-voting, co-opted members, who are stakeholder representatives, appointed to it.

The Harbours Board has been set up following best practice which was identified in the Municipal Ports Review and it operates as a committee of the Council. The Harbours Board is a non-executive function and reports to the Full Council.

Its role and function is described in the Memorandum of Understanding (MoU) between the Council and the Board. It is a requirement under the MoU that the Harbours Board will provide an annual report to Cornwall Council on how it is governing the Ports in a manner that is consistent with relevant policies, plans and legislation.

One of the Independent Harbours Board members, Mr Garrick Royle, has now completed the three terms of office and this position will shortly be advertised. Over the last twelve months the Harbours Board has considered a number of issues.





#### **Harbour Board Reports**

During the last twelve months the Harbours Board has considered a number of reports:

**Budget Monitoring** 

**Annual Report 2016** 

Minutes of Stakeholder Groups

Permits to Ply for Hire (Prince of Wales Pier, Falmouth)

Outdoor Seating Area & Food Van – Newguay Harbour

Shelter Refurbishment – St Ives

Ports and Harbours Business Plan 16/17

Penzance Harbour – Unserviceable Vessels and Salvage

**British Ports Association Updates** 

Port Skills and Safety Updates

ISO 14001 Assessment and Audit Reports

Penzance Harbour – Unserviceable Vessels

MCZ Extension – Mounts Bay and the Gannel

European Maritime and Fisheries Fund

Special Area of Conservation – Harbour Porpoise

Stakeholder Group Updates

Ports and Harbours Budgets

Ports and Harbours Annual Fees and Charges

Church Beach Slipway, Penryn

Lease of Land – Newham, Truro (Various)

Prince of Wales Pier Booking Kiosks

**Dredging Policy** 

Harbours Study

Portwrinkle Formal Risk Assessment

Portscatho Formal Risk Assessment

Penzance Harbour Management Plan

Penzance Navigational Risk Assessment

MMO SW Inshore and Offshore Plan

Review of Governance and Management of Local

Authority Ports and Harbours in Cornwall.

Siting of Floating Restaurant in King Harry Reach

Hosting BPA Conference

Pilotage Standards Committee

Port Marine Safety Code

Purchase of Part Malpas Marine Site





## Sustainable Strategy

As part of the review package a new Sustainable Strategy was developed in November 2014 and adopted by the Harbours Board. The objective of this document is to meet the needs and aspirations of the present without compromising the ability to meet those of the future and is based around five key elements which are:-

A successful and long term financially sustaining harbours portfolio

Achieved through strong governance and management with an active localism agenda, based on a modern fit for purpose regulatory regime.

Contributing to prosperity

Balanced with environmental stewardship in its widest sense

Subject to an absolute requirement for safety for all users

# Port Marine Safety Code

The Port Marine Safety Code is primarily aimed at the 'Duty Holder' (i.e. Full Council) who is directly accountable for marine safety in harbour waters.

The Code was updated in November 2016 and sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses or works in the UK port marine environment. It is endorsed by the UK Government, the devolved administrations and representatives from across the maritime sector and, while the Code is not mandatory, these bodies have a strong expectation that all harbour authorities will comply.

The Code is intended to be flexible enough so that any size of harbour or marine facility will be able to supply its principles in a way that is appropriate and proportionate to local requirements.

The new Code considers ten key areas which are, Duty Holder, Designated Person, Legislation, Duties and Powers, Risk Assessment, Marine Safety Management System, Review and Audit, Competence, Plan and Aids to Navigation.

The Formal Safety Assessment for Truro and Penryn which was undertaken in October 2010 can now be viewed on the website www.portoftruro.co.uk and will be reviewed later this year

Penzance Harbour underwent a Formal Safety Assessment (FSA) in April 2011, Newquay Harbour in March 2012 and St. Ives Harbour in March 2013 with all marine hazards in the harbour assessed to be 'as low as reasonably practicable' (ALARP) or below.

Bude Harbour completed its FSA in January 2011 and Portreath Harbour in May 2014. Portwrinkle

was completed in July 2016 and Portscatho in December 2016. Prince of Wales Pier (Falmouth) will be undertaken in 2017.

Penzance Harbour undertook an update with a Navigation Risk Assessment for the new freight vessel 'Mali Rose' which will replace the 'Gry Maritha'.

The accompanying Guide to Good Practice on Port Marine Operations was updated in February 2017. This guide is intended to support and supplement the Port Marine Safety Code and contains useful information and more detailed guidance on a number of issues relevant to the management of port facilities.

A letter of compliance with the Code, which is required every three years, has been sent by the Chairman of Cornwall Council to the Maritime and Coastguard Agency dated April 2015 and which is valid until April 2018.

#### **Pilotage**

The Harbours Board as the Competent Harbour Authority (CHA) has a duty to keep the need for pilotage under review (Section 2 (1) of the Pilotage Act 1987). It also has to consider the authorisation of pilots, employment arrangements for its authorised pilots, the approval of pilot launches, the issue of pilotage directions and the issue of exemption certificates.

As a result of this the Pilotage Agreement with Falmouth Harbour Commissioners for the provision of pilotage services within the Ports of Truro and Penryn has been extended from 1 January 2016 for a period of five years.

Pilotage Directions applicable to the Ports of Truro and Penryn are those for vessels over 60 metres loa, carrying dangerous or polluting goods, using the services of harbour tugs, having chart deficiencies and/or when directed by the harbour master in the interests of safety of the vessel, other vessels, persons, the port or its infrastructure.

A member of the Harbours Board sits on the Pilotage Standards Committee and is involved directly with the authorising and re-authorising of pilots. Additionally, the Harbour Master attends relevant Pilotage Assessment Panels and attends the Fal Estuary Marine Safety Committee. St Ives is covered by the St Ives (Pilotage) Harbour Revision Order 1988 and is able to make pilotage compulsory for ships within the area covered by the Order. This was reviewed by the Harbours Board, following the Marine Navigation Act 2014, and it was agreed in November 2015, following consultation with Hayle Harbour, that there is no need for pilotage at St Ives Harbour at the present time. The CHA status will be retained and the pilotage requirement at St Ives Harbour will be reviewed by the Harbours Board on a 3 yearly basis.

Penzance Harbour is covered by the Penzance and Newlyn (Pilotage) Harbour Revision Order 1988 and is also able to make pilotage compulsory for ships within the area covered by the Order. This was reviewed by the Harbours Board, again following the Marine Navigation Act 2014, and it was agreed in February 2016, following consultation with Newlyn Harbour, that there is no need for pilotage at Penzance Harbour at this time. Furthermore it was considered that CHA status should be retained and the pilotage requirement reviewed on a minimum 3 yearly basis or less should there be a change in harbour use.



# Port Facility Security Plan

Regulation (EC) No. 725/2004 of the European Parliament, together with the Ship and Port Facility (Security) Regulations 2004 and the Ship and Port Facility (Security) (Amendment) Regulations 2005 are the principle pieces of legislation that have relevance to the International Ship and Port Security (ISPS) Code in the UK.

Compliance with this legislation is required by virtue of the Ports of Penzance and Truro handling vessels greater than 500GT engaged on international voyages.

The Port Facility Security Plan for Truro was revised in February 2015 following statutory requirements and is valid for

a period of five years. The Port Facility Security Plan for Penzance was completed in November 2014.

In addition, there is a requirement to have a Port Facility Security Officer (PFSO) for each of the ports together with the need for training.

#### Oil Spill Contingency Plan

These plans are a requirement under the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 which requires contingency plans for any harbour or oil handling facility offering berths alongside, on buoys or at anchor, to ships of over 400 GT or tankers (oil or chemical) of over 150 GT.

There is a need to be capable of responding to a Tier 1 oil spill, together with holding the appropriate stock of equipment, have a formal agreement in place for a Tier 2 response together with adequate training and exercising of the plan.

The plan for Truro has been approved until July 2017 and the plan for Penzance has been submitted to the Maritime and Coastguard Agency and awaits sign-off.

#### Port Waste Management Plan

The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 are applicable to any harbour or terminal within the UK. Every harbour authority operator has to provide waste reception facilities adequate to meet the needs of ships normally using the harbour or terminal in question, without undue delay to ships.

In addition to the provision of facilities, there is also a requirement to produce Port Waste Management Plans for the various ports and harbours managed by the Council. St. Ives Harbour had its plan renewed in June 2016 and Truro and Penryn completed in November 2014. Both Penzance Harbour and Newquay Harbour had their plans renewed in July 2016.



#### Maritime Emergency Plans

Plans are prepared in accordance with the legal obligations placed on authorities that are contained within:

The Dangerous Substances in Harbour Areas Regulations 1987 (Regulations 26, 27 and 28)

Control of Industrial Major Accident Hazard Regulations 1984

**Public Health (Ships) Regulations 1979** 

The Fal Estuary Marine Emergency Plan which includes the ports of Truro and Penryn was updated in February 2013 and the Penzance Harbour Marine Emergency Plan requires updating in 2017.

# Inspection of Local Aids to Navigation

It is a requirement under the Merchant Shipping Act 1995 (Section 198(1)) that an inspection of the Local Aids to Navigation in all harbours is carried out annually by an officer from Trinity House Lighthouse Service with any deficiencies corrected and reported back to them.

### Harbour Byelaws

Harbour byelaws for the ports and harbours are an integral part of the Port Marine Safety Code and need to be reviewed and updated when required. There is a need to undertake this at St Ives and this will be looked at once the Stakeholder Group has been reformed.





## Activities undertaken within the Ports and Harbours



**Commercial.** Truro continues to export bulk and baled scrap metal to the UK and Near Continent.

Laid up shipping berths in Truro have been occupied during the last year and continue to attract interest principally from the offshore industry.

During 2016 a new traditional boatyard was started up at Newham together with other areas for more scrap metal storage and collection.

Penzance Harbour offers facilities for the handling of passengers and freight to and from the Isles of Scilly as well as passenger landings by the occasional cruise liner. In May 2016 the Isles of Scilly Steamship Company acquired the vessel 'Mali Rose' as a replacement for their freight vessel 'Gry Maritha'. Fish landings have also taken place as a result in the change of ownership of the marine engineering company on West Pier and which are predicted to increase during 2017.

Newquay, St Ives and Bude are also used by the fishing industry for the landing of fish and shellfish. St Ives Harbour had a new compressor for the ice-making plant in 2016 and it is intended to replace the ice-making plant in Newquay in 2017.

Additionally, there are a number of businesses operating within the harbours ranging from boat hire to a dry dock, pleasure boat trips to marinas and boatyards to engineering firms.

This has been recognised in the Sustainable Strategy where it states that:-

- The community benefits from the business transacted in the harbours.
- Harbours add value through job creation, facilitation of trade and efficiency in transport logistic trains.
- Harbours add value through the facilitation of the tourism and leisure economy.

The Licencing of Boats and Boatmen is also undertaken in a number of locations in Cornwall whereby any vessel let out for hire or carrying up to 12 passengers, and not going beyond categorised waters, has to have an inspection and examination. Over the last year there have been approximately 200 vessels (including kayaks) licenced and 80 Boatmen examined for a licence or having a renewal.







Leisure. All of the ports and harbours cater for the leisure market to varying degrees. This can include spaces available for small dinghies, swinging moorings, pontoon berths, quay berths, storage ashore to facilities for much larger vessels.

It also includes leased areas for clubs and associations who wish to manage their own areas themselves, although they will continue to be within harbour limits and subject to the normal rules and regulations contained within harbour byelaws and other legislation.

Shelter repairs and refurbishment were completed at Smeaton's Pier in 2016 following a successful bid for money from the Coastal Communities Fund.

Fees and charges are considered on an annual basis and then recommended to the Full Council for adoption. The policy is to collectively manage the ports and harbours as a financially self-sustaining enterprise with prices set appropriately considering other objectives.



**Environment.** There are a number of areas around, and in, a number of the harbours that are designated Special Areas of Conservation, Special Protection Area or Marine Conservation Zones.

The Conservation (Natural Habitats &c) regulations 1994 require relevant authorities (those organisations with statutory powers and duties for the marine environment) within, or adjacent to a European marine site to be responsible for the management of the site.

Under the Countryside and Rights of Way Act 2000 the harbour authority, as a relevant authority, shall have regard to Areas of Outstanding Natural Beauty.

The Sustainable Strategy states that the key principles should be to:-

- Adopt an overall stewardship/leadership role in the environmental management of harbours.
- Improve the physical amenity and public perception of harbours.
- Minimise waste, pollutants and adverse environmental impacts.
- Maintain accountability by developing specific, measurable and achievable performance indicators.
- Complete preparation of Environmental Management System for all harbours together with maintaining ISO 14001 accreditation.

Work is on-going to review the current Environmental Management System, for all of the ports and harbours, in order to comply with the new ISO 14001:2015 standards.



#### Municipal Ports Review

The Department for Transport are in the process of reviewing the Municipal/Trust Port Review in order to publish guidance to good practice on port governance and the Maritime Manager has been invited to sit on the Working Group. This new guidance will now be for all ports and harbours irrespective of whether they are managed as a trust, municipal or private port.

#### **Business Plan**

This is a written document that describes the business of the various harbours, the objectives, strategies, what it does and its financial forecasts. It is a document that is updated annually and modified as circumstances change and develop.

It was last updated in October 2016 and will be reviewed again later this year.

The Corporate Business Plan (2015 – 2019) states that 'The outcome (of the Review below) should provide for a financially sustainable future, paid for by users, and maximising their economic and social contribution to Cornwall'.

#### **Port Master / Operational Plans**

A Port Master Plan has been adopted for Truro and Penryn which reflects the physical but flexible expression of the future vision for the harbours. The goal has been to develop a vision that is consistent with the Sustainable Strategy and permit the harbours to be managed in a financially self-sustainable way in the long term.

The recent ports and harbours review recommended that there should be mini master plans for each harbour and as a result of this a Port Operational Plan has been completed and adopted by the Harbours Board for Penzance Harbour.

#### **Financial Information**

# Summary profit and loss accounts as at **31 March 2017**

## St Ives

#### Harbour

	2016/17	2015/16
Operating Income	(132,490)	(130,656)
Expenditure Operating & Maintenance	128,237	111,481
Overheads	7,695	6,140
	135,932	110,172
Operating Deficit / (Surplus)	3,442	(13,470)
Contribution To Reserves	0	9,762
Bad Debts Movement	277	0
Interest	-167	-60
	110	(60)
Net Deficit / (Surplus)	3,552	(13,095)

## Newquay

### Harbour

	2016/17	2015/16
Operating Income	(100,656)	(98,461)
Expenditure Operating & Maintenance	88,920	79,484
Overheads	11,400	12,821
	100,320	92,305
Operating Deficit / (Surplus)	(336)	(6,156)
Contribution To Reserves	0	-106
Bad Debts Movement	0	0
Interest	0	0
	0	(106)
Net Deficit / (Surplus)	(336)	(6,262)

## **Penzance**

## Harbour

	2016/17	2015/16
Operating Income	(443,016)	(636,880)
Expenditure Operating & Maintenance	378,334	548,144
Overheads	26,860	23,675
	405,194	571,819
Operating Deficit / (Surplus)	(37,822)	(65,061)
Contribution To Reserves	0	0
Bad Debts Movement	5,569	158,918
Interest	0	0
	5,569	158,918
Net Deficit / (Surplus)	(32,253)	93,857

## Penryn **Port & Harbour**

	2016/17	2015/16
Operating Income	(158,462)	(148,073)
Expenditure Operating & Maintenance	74,991	60,694
Overheads	42,137	39,983
	117,128	100,677
Operating Deficit / (Surplus)	(41,334)	(47,396)
Contribution To Reserves	41,302	50,528
Bad Debts Movement	969	-2,058
Interest	-937	-1,074
	41,334	47,396
Net Deficit / (Surplus)	0	0

## **Truro**

## **Port & Harbour**

	2016/17	2015/16
Operating Income	(427,220)	(443,720)
Expenditure Operating & Maintenance	199,965	154,836
Overheads	148,435	129,405
	348,400	284,241
Operating Deficit / (Surplus)	(78,820)	(159,479)
Contribution To Reserves	81,334	162,238
Bad Debts Movement	-521	-416
Interest	-1,993	-2,343
	78,820	159,479
Net Deficit / (Surplus)	0	0

## **Bude** Harbour

	2016/17	2015/16
Operating Income	(19,442)	(17,031)
Expenditure Operating & Maintenance	42,606	39,454
Overheads	5,583	5,590
	48,189	45,044
Operating Deficit / (Surplus)	28,747	28,013
Contribution To Reserves	0	0
Bad Debts Movement	0	0
Interest	0	0
	0	0
Net Deficit / (Surplus)	28,747	28,013

## **Falmouth**

## **Prince of Wales Pier**

	2016/17	2015/16
Operating Income	(56,687)	(56,451)
Expenditure Operating & Maintenance	30,843	36,965
Overheads	11,645	5,604
	42,488	42,569
Operating Deficit / (Surplus)	(14,199)	(13,882)
Contribution To Reserves	0	0
Bad Debts Movement	0	0
Interest	0	0
	0	0
Net Deficit / (Surplus)	(14,199)	(13,882)

## **Portreath**

### Harbour

	2016/17	2015/16
Operating Income	(474)	(7,273)
Expenditure Operating & Maintenance	15,843	26,310
Overheads	5,000	5,000
	20,843	31,310
Operating Deficit / (Surplus)	20,369	24,037
Contribution To Reserves	0	0
Bad Debts Movement	0	0
Interest	0	0
	0	0
Net Deficit / (Surplus)	20,369	24,037

## **Portscatho**

### Harbour

	2016/17	2015/16
Operating Income	(12,853)	(12,551)
Expenditure Operating & Maintenance	17,278	11,327
Overheads	2,000	2,000
	19,278	13,327
Operating Deficit / (Surplus)	6,425	776
Contribution To Reserves	0	0
Bad Debts Movement	0	0
Interest	0	0
	0	0
Net Deficit / (Surplus)	6,425	776

## Saltash & Portwrinkle

### Harbour

	2016/17	2015/16
Operating Income	(24,410)	(23,369)
Expenditure Operating & Maintenance	19,573	25,573
Overheads	7,000	4,000
	26,573	29,573
Operating Deficit / (Surplus)	2,163	6,204
Contribution To Reserves	25,000	0
Bad Debts Movement	38	0
Interest	0	0
	25,038	0
Net Deficit / (Surplus)	27,201	6,204



## Councillor **Loic Rich**

is the Chairman of the Harbours Board. He is an Independent Member for the Truro Tregolls Electoral Division. Other committees that he sits on are:

- **■** Cornwall Council
- Cornwall and Isles of Scilly Local Transport Board
- Economy and Culture Policy Advisory Committee
- Standing Advisory

  Committee for Religious

  Education
- Transport Policy Advisory Committee

His term of office commenced in May 2013 and he is also a member of Truro City Council and past Mayor for Truro.



## Councillor **Geoff Brown**

is also the Portfolio Holder for Communities. He is a Liberal Democrat for the Newquay Central Division. Other committees that he sits on include:

- **■** Cornwall Council
- Cabinet
- Central Sub-Area Planning Committee (Substitutes)
- Cornwall Inshore Fisheries and Conservation Authority
- West Sub-Area Planning Committee

His term of office commenced in June 2009. He is also a Harbour Commissioner for Port Isaac and DLA for Newquay RNLI.



## Councillor **Geoffrey Evans**

is the Conservative
Member for the
Falmouth Arwenack
Division. Other
committees that he sits
on include:

- **■** Cornwall Council
- Central Sub-Area Planning Committee (Substitutes)
- Licensing Act Committee
- Young People Committee
- Strategic Planning Committee
- Adult Education Board

His term of office commenced in June 2009. He has also held terms of office as Mayor of Falmouth.



# Councillor **Mary May**

is the Independent Member for Penryn West. Other committee appointments include:

- Cornwall Council (Vice Chairman)
- Central Sub-Area Planning Committee
- Licensing Act Committee
- **Cornwall Housing Board**
- Strategic Planning Committee
- Education Transport Appeals

Her term of office commenced in June 2009. She is also a past Mayor of Penryn.



## Councillor Jim McKenna

is the Independent
Member for Penzance
Promenade and the
Portfolio Holder
for Adult Care.
Other committee
appointments include:

- **Cornwall Council**
- Cabinet
- Disabled Learning Partnership
- Learning Disabled Partnership Board (Chairman)
- Health & Wellbeing Board
- Safeguarding Adult Support
- Carers Partnership Board

His term of office commenced in June 2013. He is also a Newlyn Harbour Commissioner and is Chairman of the Penwith Landscape Partnership Board.



## Councillor **Rob Nolan**

is the Liberal Democrat Member for Truro Redannick Electoral Division. Other committees that he sits on are:

- **■** Cornwall Council
- Central Sub-Area Planning Committee
- Environment, Heritage and Planning Portfolio Advisory Committee
- Licensing Act Committee
- Strategic Planning Committee (Chairman)

His term of office commenced in June 2009. He has also been a past Mayor of Truro.



#### Simon Hendra

is responsible for the continuing expansion and development of GJ Hendra in Truro, Penryn and the Isles of Scilly. As a pharmacist he has seen the business expand from a dual site pharmacy business to nine different businesses. He has spent his working life based in Truro and is also a founder and Past Chairman of the Working for Truro Association, Director of the **Totally Truro Board and Director of Truro Cathedral** Ltd.



#### Michael **Brougham**

completed a full career as an Engineer Officer in the Royal Navy in 2001, retiring in the rank of Commodore. In his final appointment he was the Royal Navy's senior chartered aerospace engineer. In 2002/03 he built up the Cornwall Marine Network, of which he is now Chairman. CMN has grown to over 350 member businesses. CMN specialises in the delivery of national and international training and marketing programmes for the sector, and has recently passed the milestone of 1000 marine apprentices in small businesses. He is a keen sailor, and has lived near the Carrick Roads since 1983.



#### **Garrick** Royle

is the Operations Manager for Cornwall Ferries Limited responsible for ensuring the smooth and safe operation of this service whilst also assisting in developing plans for its sustainability and development. **Educated at the Camborne School of** Mines he graduated with a degree in Environmental Science and has an active interest in the local environment. He is a member of the Institute of Waste Management and sits on the Falmouth **Traffic Infrastructure** Group.



#### Geoff Wilson

followed a career at sea rising to Captain E (Engineer) in the Royal Fleet Auxiliary and is now the Managing Director and Principal Surveyor of a Marine Surveying and **Consultancy business** based in Penryn. He is a fellow of the Society of **Consulting Engineers and** Ship Surveyors and is a surveyor for a number of Classification Societies, Foreign Ship Registries and MECAL. He is also Treasurer of Penryn Community **Development Trust and** sits on the Maritime and **Coastguard Agency South West District Marine Safety** Group.



#### Martin Gilbert

has been a fisherman for over 30 years and has experience of working in most of the harbours around Cornwall. He is a member of the Cornish Fish Producers Organisation. He has been a volunteer crew member of the RNLI. He works his own vessel from Newquay Harbour and takes a keen interest in the environment, both local and further afield.



#### Mel Sharp

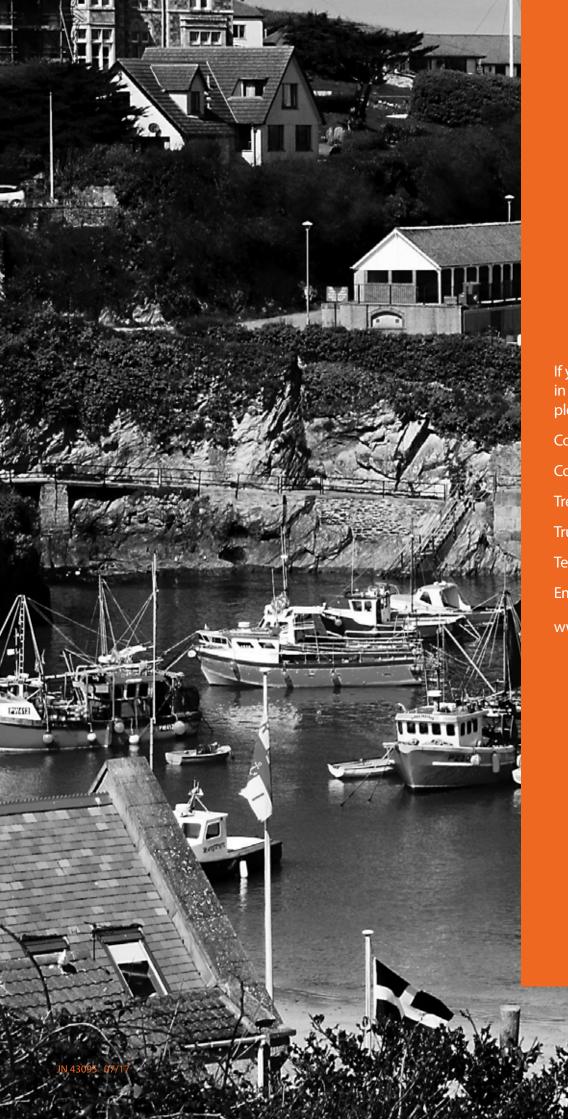
has spent many years in the marine environment. On leaving school he joined the Royal Marines serving in 45 Commando, commanding sections of raiding craft and working on larger landing craft.

Following 12 years' service he based himself in Penzance and started to work locally and abroad in the commercial and leisure sector. After qualifying as a commercial diver he travelled to Angola, working on oil and gas installations, and also started to develop his own Company A2 Rigging Ltd.

A2 Rigging is based in Falmouth Marina and Gweek Quay Boatyard. Its work takes him and his team to many harbours in Cornwall and he is keen to see these develop for all users.







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