



# **Ports of Truro & Penryn Sustainable Strategy**

**Updated**

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# 1. Introduction

## 1.1 BACKGROUND

Carrick District Council is the Statutory Harbour Authority for the **Port of Truro** covering approximately 2,500 acres contained within the northern part of the Fal Estuary complex in Cornwall. The estuary is nine miles from its head at Truro to the mouth at Falmouth, and Truro Harbour Authority is responsible for the top six miles. The council is also the Statutory Harbour Authority for the **Port of Penryn**, comprising some 100 acres, located in the western part of the estuary.



*Plate 1 Truro and the Fal Estuary*

The key activities undertaken in the ports include marine leisure (Truro and Penryn), and cargo handling, laid up shipping and aquaculture in Truro.

Both are Municipal Ports. Their enabling legislation (known as Orders) vested the harbour undertakings in the City of Truro and Penryn Borough Council. Following local government reorganisation, Carrick District Council (CDC) assumed their roles.

The Maritime Section of CDC manages the two harbours. It is also responsible for Beach Safety within the District, administration of the oyster fishery, and has responsibilities for several piers, including the Statutory Authority of the Prince of Wales Pier, Falmouth, and a non-statutory harbour (Portscatho), together with other marine related functions, including licensing of boats and boatmen.

## 1.2 ABOUT THIS STRATEGY

This document presents the Sustainable Strategy for the Ports of Truro and Penryn. As far as we are aware, Truro and Penryn were the first ports in the UK to explicitly develop such a strategy in 2004. It has now been updated by Fisher Associates.

Following publication of the Department for Transport's Municipal Ports Review in May 2006, Carrick District Council benchmarked its arrangements against this and the Trust Ports Review, and is now implementing various recommendations. The key recommendations included appointing a new Carrick Harbours Board, developing a port masterplan, and a business plan.

The Sustainable Strategy has thus been revised to reflect this new context and the passage of time. The core of this updated Sustainable Strategy has changed little, and in particular the *raison d'être* remains as defined in 2004.

## 1.3 STRUCTURE OF REPORT

The summary and conclusions are presented in Section 2.

Section 3 describes the national policy framework for ports, drawing some important directions for the future of the Ports of Truro and Penryn.

Section 4 describes the concept of the sustainable port, and with reference to international best practice, it offers a framework for the Ports of Truro and Penryn. This framework provides a basis for the rest of this report.

Section 5 uses the framework to help define the function or *raison d'être* of the ports. It sets a policy based around defined sustainable outcomes.

Section 6 considers the current institutional building blocks that determine how the ports are managed, and assesses whether changes would be beneficial.

Sections 9 to 11 review the existing situation in the ports against the specific sustainable outcomes, making relevant comments and recommendations.

## 2. *Summary and Conclusions*

### 2.1 POINTS OF DEPARTURE

There are various national policies resting with the Department for Transport (DfT) that provide important points of departure. Some of the key points are:

- The application of best practice is a key objective for Municipal Ports.
- All ports should be governed accountably and effectively against “powers” suitable for modern ports.
- Coastal and short sea carriage of freight plays an important role in sustainable distribution.

A Sustainable Strategy for the Ports of Truro and Penryn must seek to meet the needs and aspirations of the present without compromising the ability to meet those of the future. The Sustainable Strategy is based around six key elements:

- A successful port business
- Contribution to prosperity
- Environmental stewardship
- Safety for all port users
- Secure land and sea access
- Community engagement

This framework permits definition of sustainable outcomes for the Ports of Truro and Penryn. The Strategy confirms that the ports’ administrator should adopt a *raison d’être* that explicitly:

1. Pursues the objective of a successful and long term financially self-sustainable ports business,
2. contributing to prosperity, and that
3. this is balanced with its environmental stewardship role for the estuary.
4. These should be subject to an absolute requirement for safety for all users.
5. Developing secure land and sea access will support all four of these outcomes.
6. The administrator should engage with the community.

## 2.2 INSTITUTIONAL DEVELOPMENT

Form follows function. This means that the form of the institution that governs and manages the harbours must be designed for and be capable of pursuing their *raison d'être*. This raises four key institutional issues, and these are analysed to assess what responses might be made.

### **How the Port Authorities for Truro and Penryn relate to others in the Fal Estuary**

There is a patchwork quilt of port authorities, and although there may be some benefits in combining these, there is not a compelling case to do so now. This should continue to be periodically reviewed. Strong and mature relationships exist between the Authorities management, and these should continue. This should consider how synergies could be obtained, particularly with respect to safety, but also overall efficiencies.

### **The regulatory framework for Ports of Truro and Penryn**

All Ports' statutory bases are defined by their legal powers. It is possible that the passage of time can result in a *modus operandi* that is partially contrary to these. The Orders for the Ports of Truro and Penryn should be reviewed and probably modernised with reference to Model Powers suggested by the DfT, and any issues that emerge dealt with along the way. This will be progressed by the new Carrick Harbours Board.

### **Governance of the ports**

CDC is in the process of implementing key changes in the governance of the ports. These are based on adopting best practice for Municipal Ports as advised in the Municipal Ports Review, and by association the Trust Ports Review. The key elements of this are:

- The formation of a new fit for purpose Carrick Harbours Board, which will be a full Committee of Council, reporting to full Council.
- The Board will work under guidance defined by best practice, with clear definition of roles.
- The Board will be appointed / recruited against a skills audit.
- The relationship between the Board and the Council will be governed via a Memorandum of Understanding, which will set out their roles and obligations.

Other options such as conversion to Trust Port status have again been considered, but these seem to hold little advantage at this time.

### **Management of the ports**

The management of the Ports of Truro and Penryn are held with high regard in the industry, and the evidence shows this to be well founded:

- The patient land assembly and creation of a viable commercial wharf at Lighterage Quay.
- The inclusive and partnership attitude that has seen joint working with other port authorities and agencies.

- Serious attempts to gauge the satisfaction of users with services provided.
- Serious attempts to understand the cost structure of the business.
- Joint working with the Environment Agency and Natural England to balance economic and environmental imperatives.

The management and staff effectively fulfil three roles:

- Management of the Ports of Truro and Penryn pursuant to their Orders.
- Management of maritime services that are provided by CDC such as beach safety etc.
- Contributing to the wider role of the Council.

There are clear synergies between these roles, and it makes sense to combine them. The non-statutory maritime services should be recognised as “contracted out” services from CDC to the new Harbour Board.

## 2.3 SUSTAINABLE STRATEGY

We have reviewed how the situation in the harbours measures up to the sustainable outcomes proposed in 2.1. The key findings are summarised below.

### **Develop the business**

The way of life is that income streams decline. The Port of Truro has experienced a falling operating surplus in recent years. It has experienced shocks such as loss of revenue due to cessation of maerl extraction, and loss of laid up vessels. The business must give birth to new income lines. The proposals for balanced development contained in the Port Masterplan have been designed to address this issue. New projects can best be developed by management who have their full focus on harbours business, with support from an experienced Board. The new structure should deliver this.

### **Increase contribution to prosperity**

The Ports of Truro and Penryn have a significant impact on prosperity locally and in the District. In the case of the Fal, it is highly likely that the sum of its parts are (or can be) greater than its individual components.

The central focus that maritime plays in the local and District plans will best be realised by “upping the ante” for maritime, and raising its profile as a key economic driver. This may be best achieved through support for and cooperation with Cornwall Marine Network.

### **Environmental stewardship**

Within the new structure, the Board should adopt the philosophy that “we steward the environment, and our business pays for this”. The Fal is a tremendous piece of public realm for us all to enjoy. The Board has this under its care, and it should be one of its proudest roles.

Notwithstanding this “biodiversity agenda”, the Ports of Truro and Penryn, as well as the estuary areas in general, can make significant contributions to sustainable distribution of goods, and sustainable transportation of people. These address one of the key “economic bads” and environmental problems of our time – road congestion.

### **Enhancing safety**

The port should ensure that:

- Port users, employees and nearby residents feel safe.
- Safety is a key determinant in all aspects of harbour operations, ranging from cargo handling to marine leisure.
- The organisation has in place appropriate systems and risk management strategies to deliver consistent, reliable services and provide a safe port environment.

### **Improving secure access**

Secure land and sea access can be achieved through:

- Anticipation of future shipping needs and commitment to supply access as required.
- Provision of efficient intermodal connections and linkages with the external freight transport network.

### **Community engagement**

The ports should engage with the community, but the community should not control them. Ports have a wider duty to many stakeholders over an extended geographical area. Community engagement can be maintained through:

- Understanding the community’s needs and actively responding to these needs.
- Providing a vision for the future of the port, which is inclusive of community interests.
- Implementing a consultative process to address transport issues both within and outside the port.
- Ensuring that customers are well informed on port issues and developments that affect them.

### 3. *Ports Policy*

There are various relevant policies that include:

- Ports Policy
- Municipal Ports Review
- Trust Ports Review
- The Port Marine Safety Code
- A Guide to Good Practice on Port Marine Operations

#### 3.1 PORTS POLICY

The Draft Port Policy, published in May 2006, notes that ports have wider impacts upon our economy, our society and our environment, at national, regional and local levels. It reviews key issues in the industry to assess whether Government has correctly identified the issues that require Government intervention. Much of the policy is aimed at larger ports handling commercial shipping, but some of it is targeted at small ports and Municipal Ports, and the key points are highlighted here.

The key issues examined by the document include:

- The likely future demand for port capacity.
- How to ensure that the market response to that demand reflects the objectives of sustainable development.
- How far the Government should reflect regional development objectives in encouraging the future provision of ports capacity.
- How the Government can help smaller ports, which in many cases are owned by trusts or local authorities, to realise their potential as businesses and for the benefit of their wider communities.

With respect to opportunities at smaller ports the policy notes that successful small port operations generate wealth, and may give rise to twice as many induced or indirect jobs as are actually employed at the port itself. It is therefore important that every opportunity be taken to realise the potential of well-located harbours.

There is, however, evidence that several factors hold back the development of smaller ports. These include:

- A lack of awareness of the value added by ports on the part of public bodies such as regional, sub-regional and local development agencies.
- The difficulty of accommodating public seedcorn investment to support port operations in the context of a competitive commercial ports industry.

Regarding Municipal Ports, the policy concentrates on wider external issues. It comments that most of the 62 Municipal Ports serve only leisure or fisheries markets, and only a handful are commercially significant. They are subject to the tight constraints of local government finance, and so are arguably less free than trust ports to invest in expansion that might impact on neighbouring company-owned ports.

Nonetheless, Government considers that it needs to be confident that Municipal Ports continue to justify their place in a mixed ports sector, and that local authority involvement does not distort the market for ports services. Indeed, there might be scope for synergies in a local authority's interest in ports through increasing its oversight of the activities of trust ports in its area.

The policy asks whether there might be merit in a greater alignment of approach to Trust and Municipal Ports, strengthening their contribution as a 'social' ports sector alongside the purely commercial company ports.

Also of interest is the policy's direction with respect to Port Masterplans and integrated land-use and economic development planning. In the airport sector, masterplans have been generally welcomed as providing greater clarity as to the intentions and aspirations of the airport in relation to its hinterland, and it notes that a similar approach may or may not be suitable for ports. The policy floats the idea of recommending ports more generally to prepare Master Plans and where necessary subject them to a sustainability appraisal.

On coastal shipping, the policy notes that this helps to reduce road congestion. The Government wishes to see freight moved by alternatives to road where this makes sense and provides financial support where appropriate.

### 3.2 MUNICIPAL PORTS REVIEW

Following the Government's work on Modernising Trust Ports, it issued "Opportunities for Ports in Local Authority Ownership" (known as the Municipal Ports Review) in May 2006. It sets out the challenges for local authority-owned ports and recommends a number of measures that local authorities may pursue together to align successful port operations more effectively with the new structures and obligations placed on local authorities.

The central recommendation is that local authorities should consider restructuring the governance into a harbour management committee (HMC), resembling the structure of a trust port, and introducing a degree of operational independence from the parent authority and enhancing direct stakeholder input. Municipal Ports should consider adopting and adapting the recommendations made in the Modernising Trust Ports: A Guide to Good Governance. This sets out the benchmarks in terms of Board composition, appointment, performance and accountability.

The key findings of the review are summarised below:

**Accountability and decision making:** As a direct result of the 'Modernising Local Government' initiative many ports now report to a small committee, portfolio holder or cabinet member. This has led to concerns about the capacity and capability of harbour management. There is a perception that in some cases authorities' management structures are failing to provide appropriate accountability, there is insufficient stakeholder involvement, and that some portfolio holders are not seen as accountable to the full council for the decisions they make.

**Strategy and business planning:** Concerns have been expressed that many local authorities are pitching dues at a level designed to maximise income from lucrative visitor leisure traffic. Such a policy could be in danger of excluding local stakeholders who have traditionally used the harbour facilities for business and domestic pleasure purposes. Local authorities need to have a clear idea of what they want to achieve from Ownership.

**Management and performance review:** Like Trust ports, Municipal Ports are operated for the benefit of stakeholders including the local community but, unlike trusts, they are not in general governed by an independent, bespoke, expert and directly accountable body. Instead Municipal Ports generally form an integral part of the local authority and are treated the same way as any other service.

**Municipal port finances:** Local authority accounting methods may not be well suited to the needs of a commercial body. Failure to separate port accounts from those of the owning authorities has also hindered systematic provision for maintenance and development and prevented sensible commercial business planning.

The Municipal Ports Review makes a number of recommendations:

#### **Accountability and decision-making**

Each authority should already have in place a mechanism to review and scrutinise decisions and actions by the executive in relation to its port. Overview and Scrutiny Committees should be used to question authorities' discharge of their functions in managing their ports.

Each authority, where ports are a responsibility of the executive, should keep under review the effectiveness of its existing systems for the delegation of functions, so it is clear what level of decision can be taken by the executive member, by the cabinet as a group and by the full council.

Local authorities must accommodate underlying statutory requirements (both in local government legislation and in any specific local harbours legislation) in their approach to management of Municipal Ports. They should also seek to address stakeholder requirements and take full account of the commercial realities of municipal port operations.

Adoption of the structures recommended in *Modernising Trust Ports: a Guide to Good Governance* could assist in addressing the reported concerns that relevant stakeholders and those with relevant expertise have in practice been excluded from the decision-making process in some ports, to the detriment of important issues such as commercial viability, environment, health and safety.

#### **Strategy and business planning**

Municipal ports are in the main a local asset. Local authorities are strongly advised to carefully consider, and to consult on, the impact of their policies on the communities the ports serve.

Municipal ports should consider producing a business plan that looks at the future prospects of the port and how it will meet the requirements of the stakeholders, who should be involved in its development. The plan should review the strategy of the port and present measurable objectives.

### **Management and performance review**

Local authorities or Municipal Ports should undertake an audit of their current status, benchmark themselves against the Modernising Trust Ports: a Guide to Good Governance and adapt their structures accordingly.

When a local authority undertakes a review of its municipal port, the review should be tailored to examine the port as a commercial operation, which allows the port management the appropriate level of independence and flexibility.

Municipal ports may see benefits in assessing, on a regular basis, their level of compliance with the benchmarks of good and accountable practice set out Modernising Trust Ports: a Guide to Good Governance. Each port should set out an implementation schedule for review.

### **Municipal port finances**

Municipal ports would benefit from the introduction of ‘assured accounts’. There should be a memorandum of understanding between the port managing body and the owning authority that sets out financial ground rules. Prudent and adequate provision should be made for capital asset replacement and future development. Local authorities should allow ports to undertake capital expenditure financed by unsupported borrowing where they can show that they can afford this.

## **3.3 TRUST PORTS REVIEW**

This highlights the potential for Trust Ports to benefit their region and become key players in the Government's regional regeneration strategy. The effectiveness with which trust ports rise to this challenge has a bearing on economic prospects of the port's hinterland, and the review considered whether they were indeed able to do this. The Review recommended a number of best practices to promote effectiveness, particularly with respect to national standards for Port Boards to become both fully accountable and fit to fulfil an important role in wider economic and transport strategies. The review states that these best practices could equally be said to apply to Municipal Ports.

The review also considered the powers of ports, which are derived from local acts. It concluded that the “following observations may apply to the generality of ports rather than specifically to the trust sector”.

The review points to the need for legislative change to:

- Remove anomalies.
- Level the playing field between those ports benefiting from modern legislation and those who do not.
- Place ports on a commercial par with industry in general.
- Allow them to play a fully effective role within the Government's economic and transport strategies.

More general problems are also identified. Ports expertise seems to be concentrated in operations rather than administration. To be truly effective local legislation must be regularly reviewed and updated. There has been no consistent approach to maintaining ports functional legislation so that it is fit for purpose.

Most ports seem to have applied very little effort to enforcement or maintenance of byelaws. Insufficient thought is often given to drafting and the task is sometimes delegated to those with inappropriate skills.

The conclusions of this review are important to our strategy. These are:

- It is important to note that all ports possessing statutory powers and duties should be accountable for their use, as these powers were granted in the public interest. There is a public right to use our ports; but the public interest runs wider than the immediate users and potential users of the port to encompass the community and port surroundings. The Government considers that the use of powers and the operation of all ports should become a much more open process than hitherto.
- The Government therefore proposes a partnership with the whole ports industry, aiming to meet the aspirations of ports, their users and local communities, as well as the key themes of wider transport and economic policies.
- As a first step the Government considers that trust ports should revisit the basic principles on which they were founded and strengthen their accountability to the local communities and all port users that they serve. The review offers “Model Powers” which ports other than Trust Ports will be free to adopt. The accountability and performance of ALL ports as measured against best practice in the Review will play a significant part in deciding on any application from them to adopt model powers.

### 3.4 PORT MARINE SAFETY CODE

The Code sets out national standards for marine operations. Although this is more operational than strategic in nature, this has had a very significant impact on the strategy of many ports. Part 2 of the Code details six specific measures that an Authority must take to meet the standards:

- Harbour authority boards are accountable for their duties and powers, and should measure themselves against nationally agreed standards (i.e. those in the Code).
- Harbour authorities should publish policies, plans and periodic reports setting out how they comply with the standards set by the Code.
- Powers, policies, plans and procedures should be based on a formal assessment of hazards and risks, and authorities should have formal safety management systems.
- The aim of a safety management system is to ensure that all risks are tolerable and as low as reasonably practicable.
- Safety management systems depend upon competence standards applied to all parties involved - these have been developed in parallel to the Code.
- Harbour authorities should monitor and adopt good practice - A Good Practice Guide is also being developed in parallel to the Code.

Implementation of the Code requires two main actions:

- A formal assessment of (marine) hazards and risks.
- Develop a formal safety management system (SMS).

### 3.5 A GUIDE TO GOOD PRACTICE ON PORT MARINE OPERATIONS

The Guide to Good Practice on Port Marine Operations has been written to support the Port Marine safety Code. The guide provides advice on the implementation of the duties and obligations contained in the Port Marine Safety Code, with illustrations of good practice for the benefit of those with responsibility for port marine safety.

### 3.6 RECOMMENDATIONS

Taken in aggregate, these policies provide some particular directions that provide the basis for a number of recurring themes in the development of Sustainable Strategy for the Ports of Truro and Penryn.

- The emphasis on following good practice, which applies to the industry as a whole.
- The need for accountable, clear, fit for purpose governance.
- Their contribution to economic prosperity.
- Their existing and potential role in sustainable distribution.
- The absolute requirements for safety.
- **The links between all of these.**

These provide the basis for several of the themes developed in Section 4.

## 4. Sustainable Ports

### 4.1 WHAT IS A SUSTAINABLE PORT?

Sustainability seeks to meet the needs and aspirations of the present without compromising the ability to meet those of the future. Our need for economic development must be at acceptable social and environmental cost. Equally, our need for environmental preservation and social development must be paid for. The basic tenets of sustainability are:

- The precautionary principle: The benefits of a “project” must significantly outweigh environmental impacts.
- Intergenerational equity: The decisions we take today must consider the impact on future generations.
- Conservation of biological diversity and ecological integrity: Preserve the essential life-support services that provide a healthy environment – air / water / food / clothing / shelter.
- Real valuation, pricing and incentive mechanisms: Include valuation of environmental factors in the evaluation of assets and services.

Many big businesses are now reporting against a framework that covers their economic, social and environmental contributions – so called Triple Bottom Line (TBL) reporting. TBL implies specific assessment of how a project or business contributes to these three issues, and is a convenient way of indicating contribution to sustainability.

Ports are perhaps one of the most obvious examples for the application of sustainable thinking:

- They are of primary importance to our economy.
- Ports need to be managed in a sustainable manner, incorporating social and environmental as well as economic conditions.
- They are a vital link in the freight logistics chain for the movement of goods.
- Port efficiency is promoted by a holistic approach to the management of key port assets.

### 4.2 BEST PRACTICE

This section highlights two specific examples of the application of sustainable thinking to ports. While the examples quoted refer to major international commercial ports, the application of sustainable thinking applies equally to all ports, large and small.

The New York and New Jersey Comprehensive Port Improvement Plan Consortium aims to create a multi-phased, comprehensive plan reflecting the need for an economically viable and environmentally sustainable Port of New York and New Jersey. It endeavours, to the maximum extent possible, to advance the restoration of the harbour and its environment.

This approach will enable the Port to attempt to meet forecasted increases in demand *and* address community, environmental and social needs. Environmental and social enhancements of the Port area will be sought by advancing, to the maximum extent possible, environmental and technical improvements that increase cargo throughput on existing port acreage, restoration of natural resources, and application of Green Port Initiatives.

The Port of Melbourne has developed a detailed framework for sustainability. This aims to balance and reconcile commercial challenges, community and political challenges, and the challenges that affect city ports. The framework recognises that:

- The port is a business, and long-term financial sustainability is critical.
- It impacts on the biophysical environment. Many of these impacts can be long-term, and the port is accountable for environmental performance.
- It impacts on surrounding communities, in some cases requiring their relocation, which raises important questions of social performance.

### 4.3 FRAMEWORK FOR SUSTAINABLE PORT

#### 4.3.1 *Overview*

The Port of Melbourne uses the following framework. It considers six key objectives to develop as a “sustainable port”:

- A successful port business
- Contribution to prosperity
- Environmental stewardship
- Safety for all port users
- Secure land and sea access
- Community engagement.

#### 4.3.2 *A successful port business*

The key activities are:

- Attracting and maintaining customers, adding value consistent with its role in the logistics chain.
- Maintaining port charges that are competitive and responsive to market conditions, while generating adequate cash flows.
- Ensuring business activities are managed on a commercial basis.
- Provision of new infrastructure and equipment in accordance with planned construction and maintenance programmes.

### 4.3.3 *Contribution to prosperity*

This can be achieved through:

- Ensuring the cost of moving cargo through the port is minimised.
- Ensuring that the port has the appropriate mix of infrastructure, facilities and services to meet customer needs.
- Providing a business environment that promotes investment in the port, and assists customers and stakeholders in developing their long term plans.

### 4.3.4 *Environmental stewardship*

The ports are held in trust for future generations. The authority should:

- Adopt an overall stewardship / leadership role in the environmental management of the port.
- Seek to achieve the highest level of environmental operations within the port and at its interfaces.
- Continue to improve the physical amenity and public perception of the port.
- Ensure that future development and operations of the port not only comply with environmental laws and policies, but also set an example based on integrated and holistic environmental practices.
- Ensure that ecological values and integrity of the port are maintained and enhanced.
- Minimise waste, pollutants and adverse environmental impacts.
- Preserve and enhance the port ecosystems, biodiversity and habitat quality.
- Maintain accountability through specific, measurable and achievable performance indicators.

### 4.3.5 *Safety for all port users*

The port should ensure that:

- Port users, employees and nearby residents feel safe.
- Safety is a key determinate in the design and operation of all transport systems, including shipping movements, cargo handling and landside transport.
- The organisation has in place appropriate systems and risk management strategies to deliver consistent, reliable services and provide a safe port environment.

#### 4.3.6 *Secure land and sea access*

This can be achieved through:

- Anticipation of future shipping needs and commitment to meet its needs where practicable.
- Provision of efficient intermodal connections and linkages with the external freight transport network.

#### 4.3.7 *Community engagement*

This can be maintained through:

- Understanding the communities needs and actively responding to these needs.
- Providing a vision for the future of the port that is inclusive of community interests.
- Implementing a consultative process to address transport issues both within and outside the port.
- Providing a pricing policy which is appropriate for all users of the port and its facilities.
- Ensuring that customers are well informed on port issues and developments that affect them.

## 5. *Harbours Policy*

This section sets out the high level policy which aims to make the Ports of Truro and Penryn the UK's first ports to be managed explicitly as "sustainable ports".

### 5.1 SUSTAINABLE OUTCOMES

For each objective in the framework, we have developed high-level long-term sustainability outcomes applicable to the Ports of Truro and Penryn:

#### **A successful port business**

- The ports make a sufficient return on assets to permit reinvestment and financial self-sustainability.
- They make plans for the future.
- Value is added for port customers, and port charges are competitive.

#### **Contribution to prosperity**

- The community benefits from the business transacted in the port.
- The port adds value through job creation, facilitation of trade and efficiency in transport logistic chains.
- The port adds value through the facilitation of the tourism and leisure economy.

#### **Environmental stewardship**

- The port environment is nurtured and enhanced by positive actions and on-going management.
- Port management shows leadership in the environmental management of port operations.

#### **Safety for all users**

- The port authorities and other operational stakeholders can deal effectively with emergencies.
- The port is a safe place for seafarers, workers, users and visitors.

#### **Secure land and sea access**

- Good land access for the community to access the river and for using the resource in passenger transportation.
- Land access for port users does not alienate nearby residents.
- The ports maximise accessibility for vessels at all times.

### **Community engagement**

- Community needs are understood, through consultation and information exchange.
- The community is proud of the ports.

**Collectively, these define the raison d'être of the Ports.** What is the current raison d'être of the Ports of Truro and Penryn and how does this measure up to these sustainable outcomes?

## **5.2 DISCUSSION**

Organisations must have a clear statement of their raison d'être and core values. This must drive the existence of the organisation, and be shared by the people within it. In some instances this is relatively straightforward for an organisation to develop:

- A private company exists to generate profit.
- A plc to generate return to shareholders.
- An environmental body to protect the environment.

What are the core values driving the Ports of Truro and Penryn? It is clear that there are divergent views on this:

- One view sees boat owners as wealthy people who should be charged more, another as the essence of the local community deserving "free parking".
- One view considers that the ports could be run fully commercially as a business, and that environmental issues constrain this. Others see the ports as stewardship of the environment, and activities such as cargo handling as a necessary evil.

In practice, it is clear that the ports are not currently run like a private business. Demand for leisure moorings well outstrips supply, and a business would increase prices to the point where demand equals supply.

This is a reflection of the way the ports engage with the community. This sees the estuary as part of the way of life of some of the people who live around it, analogous perhaps to a National Park.

It is also clear however that the ports must be run as a robust financial concern. The ports will have certain obligations for maintenance and replacement of assets. They must adapt their business strategy to changing market conditions, and invest in growing sectors. It is important to always operate from a position of financial strength, and to avoid having to call upon CDC's General Fund if possible.

### 5.3 RECOMMENDATIONS

The Ports of Truro and Penryn need an explicit statement on their raison d'être, and this must take full cognisance of their status as important statutory bodies on their own right (discussed later), and the wide stakeholder communities that these imply.

The Ports of Truro and Penryn adopt a raison d'être that explicitly:

1. Pursues the objective of a successful and long term financially self-sustainable port business...
2. contributing to prosperity, and that
3. this is balanced with its environmental stewardship role for the estuary.
4. These should be subject to an absolute requirement for safety for all users.
5. Developing secure land and sea access will support all four of these outcomes.
6. The ports should engage with the community, but the community should not control them - they have a wider duty to all stakeholders.

These are reflected in the service objectives which state:

*The Harbour Authority for the Ports of Truro and Penryn:*

1. *Aims to ensure that the areas under its jurisdiction are managed, maintained and improved in the most cost effective and efficient manner to ensure the safety and regulation of navigation together with a good value service to port customers.*
2. *Are committed to the protection and conservation of the environment and shall seek to maintain and improve, wherever possible, high environmental quality through the strict adherence to UK and European environmental legislation and internationally agreed conventions, directives and resolutions intended to protect the environment.*
3. *Will promote the use of sustainable transport with regard to the movement of freight and passengers.*
4. *Is keen to promote and support marine related business within the harbour areas.*
5. *Encourages the use of the harbour for recreational purposes provided safety and environmental concerns are addressed. Access to the water for the community is considered a priority.*
6. *Will continue to work very closely with other agencies and, where appropriate, combine their efforts to produce benefits for the community.*
7. *Considers that training forms an important component in ensuring good service delivery to all our customers. We will ensure that the training needs are relevant and benefit both the individual as well as the organisation.*

## 6. *Institutional Review*

### 6.1 INTRODUCTION

Who owns the core values? Who will recognise and implement them?

Form follows function. This means that the form of the organisation(s) that manage the harbours must be designed for and capable of pursuing the core values (their function).

There are four key issues that are relevant to the current situation, and these are analysed to assess what improvements might be made:

- How the Port Authorities for Truro and Penryn relate to others in the Fal Estuary.
- The Regulatory framework for Ports of Truro and Penryn.
- Governance of the ports.
- Management of the ports.

### 6.2 THE FAL ESTUARY

#### 6.2.1 *The Authorities*

The Fal Estuary falls under the jurisdiction of four key statutory authorities plus several other less significant jurisdictions:

- Port of Truro – administered by Carrick District Council
- Port of Penryn – administered by Carrick District Council
- Falmouth Harbour – administered by Falmouth Harbour Commissioners (Trust)
- Falmouth Docks – administered by A&P Falmouth (private).

St Mawes Pier and Harbour Company is another Statutory Authority (private). In addition there are a further two areas, Percuil River and Restronguet Creek. Both are outside any statutory harbour area, but are covered by speeding byelaws made under the Public Health Act 1961 (and are enforced by CDC's Maritime Section).

#### 6.2.2 *Discussion*

This “patchwork quilt” of authorities needs to be viewed in the light of various issues:

- The recent trend for safety to become, and to be seen to become, more of a driver for the modus operandi for harbour authorities has and is raising costs and obligations in safety management. There are discontinuities in safety management systems between the authorities, and the Fal Estuary Marine Safety Committee coordinates these.
- Each authority has a Harbour Master and carries the statutory responsibilities that are inherent in managing a harbour. This raises questions on the potential for greater efficiency or productivity if there was only one organisation covering the whole area.

- Both Falmouth and the duo of Truro / Penryn are fairly small undertakings in financial terms. It is hard to judge how the increasing burden of safety and security obligations will impact financially in the future.

There are merits in a combined authority, however it is clear that:

- The current approach to safety and responsibilities is not unsatisfactory. This is due to the high level of co-operation between the leaders of the three administrations. This goes some way to co-ordinating activities.
- There may not be a large potential saving in operating costs in the event of integration. The estuary covers a big area, and would still need people to carry out the various activities required to manage the undertaking. There would still need to be two offices in Falmouth and Truro to serve the needs of stakeholders.
- There are no **immediate** financial pressures at Truro and Penryn that suggest integration is necessary.
- It is also clear that a formal institutional change, which involved the ceding of both Carrick District Council's obligations and those of Falmouth Harbour Commissioners into a new organisation, would be contentious with some whatever the merits. It would, in short, be hard to do. Significant legal costs and management time would be incurred.
- A larger single integrated authority may appear to be less accessible or approachable to local users than the current individual and locally based authorities.

### 6.2.3 Recommendations

There is merit in closer integration, but no compelling reason near term to merge four authorities, and take on all the issues that this would raise.

It is also true however, that where safety and security are concerned, the minimising of risks cannot simply be left to rest on good co-operation between personalities.

There is already significant cooperation on safety between the four authorities, and we recommend that this should continue.

Authorities should clearly identify how such co-operation can result in better efficiency and productivity for all concerned.

Should a more compelling reason emerge for integration, this will be time to consider integrating the authorities into a new Fal-wide unified Harbour Authority.

## 6.3 REGULATORY FRAMEWORK

### 6.3.1 *The Orders*

The limits for the Port of Truro were established in 1709, and the Port Authority was established under the Truro Corporation, which later became Truro City Council. The Truro Harbour Orders 1883 to 1928 set out the legal basis for the port. They enact and modify the 1847 Harbours, Docks and Piers (Clauses) Act as well as bringing in some local legislation.

These Orders define a number of critical things:

- Who is responsible for enacting them (the “undertakers”). The undertakers are the mayor, aldermen and citizens of the City of Truro *acting by the council of that city* (known collectively as “the Corporation”).
- The geographical area covered by the Orders.
- The activities that may be carried out in the harbour, including a range of powers to deepen, improve, maintain, lay down buoys and moorings, services, connecting infrastructure, warehouses, offices, weighbridges, and general facilities related to ships, cargo and passengers.
- Critical financial constraints which include:
  - The Undertakers of the Act should keep separate accounts of the money received by them in running the port.
  - Rates should be revised so the harbour is self-financing (and explicitly no more than this), i.e. charges should effectively cover costs (capital and operating) without provision for dividends.
  - That the money raised from the activities under the Orders should not be used for purposes other than those detailed in the Orders.

Penryn Port Authority was vested in Penryn Borough Council and the Penryn Harbour Orders 1870 to 1920 enact the relevant legislation. The two main differences to the Orders for Truro are:

- The definition of the Corporation as the Mayor Aldermen and Burgesses of the Borough of Penryn acting by the Council.
- The Orders do not explicitly define that separate accounts should be kept, but specify that revenue is to be applied only for the purposes of the Orders, and these do not include dividends.

### 6.3.2 *Recommendations*

The regulatory framework requires updating and modernising as foreseen by the conclusions of the Trust Ports Review. The Model Powers may aid this process. This will require DfT approval.

## 6.4 GOVERNANCE

### 6.4.1 *Options for port ownership*

This section reviews the merits of the ports' Municipal status, and the alternatives available.

The inherent strength of the municipal model is that it is directly democratically accountable to the local population who are **one** of the key stakeholder groups.

With reference to the particular situation in the Fal, the key weaknesses inherent in the model are:

- Municipalities tend to manage ports with the same values and *raison d'être* that they themselves follow. The *raison d'être* of CDC is to serve the community of Carrick. The *raison d'être* for the Ports is both wider and more specific, and the stakeholder community is partly without Carrick.
- The objective of developing the business of the port and contributing to prosperity requires development. This creates conflict with the Council's key role as planning authority, and possibly its regulatory environmental obligations.
- There is potential for the political exigencies that drive the Council to be applied to governance and management of the ports, even though this may not be appropriate.
- There is potential for partiality in favour of Truro and Penryn against say Falmouth or indeed vice-versa, where these come into competition, and where CDC's non-regulatory roles have an impact on this.
- The requirement for the Council to act across a range of services (e.g. covering housing and leisure) means that the harbours are unlikely to get the prominence and focus that they deserve even though they are in fact statutory bodies themselves. Very few people in municipalities have management experience applicable to ports.
- The requirement for port management to be involved to some extent in the weekly business of managing the Council's portfolio of roles means that Harbour staff are distracted from their focus on Harbours' business.

Due to the changes that have taken place in recent years – notably with respect to safety, security, and requirement to improve the governance of (all) ports, it is no longer satisfactory for municipalities to run statutory harbours as just one of a basket of services. There are clear pointers for this in the Municipal Ports and Trust Ports Reviews.

What other options might it be appropriate to consider? The key models for the administration of statutory harbours are:

- **State** – where a port is owned by central government. There are none now in the UK, but all bar one port in Ireland and major ports in France are owned by the State.

- **Municipal** – where the port is owned and administered by a local authority. This is a minority in the UK, but widespread elsewhere with the most celebrated being Rotterdam. There is a trend in the UK for Municipal Ports to change their status – Bristol (privatised) and Exeter (Trust Port) are examples.
- **Trust Port** – A Trust Port is a particular legal identity found in the UK and former colonies – notably India. It is a not-for-dividend independent company, managed by a Board, with profits being reinvested, and management and development of the port on behalf of ALL stakeholders - local / regional / national / international. The Trust Port concept has benefited recently from a “relaunch” as a stakeholder based model for the 21st Century. Falmouth is a Trust Port.
- **Business association** – In France, it is common for Chambers of Commerce to “own” and administer small ports on behalf of stakeholders including local public sector.
- **Private** – most major ports in the UK are fully privately owned. The UK is the only country in the world that has private companies assuming the role of ownership and administration of harbour authorities. Most countries have adopted to develop terminals within ports by the private sector.

#### 6.4.2 Recommendations

The Ports of Truro and Penryn are being put on a more independent footing in accordance with the Municipal Ports Review. This is highly consistent with the Council’s ethos of empowerment (witness the recent developments with both Housing and Leisure), and its transition to a strategic enabler and partnership builder.

We do not recommend that privatisation in any of its forms should be considered. It is not consistent with achieving the core values and raison d’être the core Policy. The raison d’être defines the role of the Administrator as balancing the need for a sustainable port business with environmental stewardship, subject to the absolute demands of safety and security. Full profit-motivated exploitation of the assets is unlikely to best achieve this.

Notwithstanding the special environmental designations that apply, we advocate that a stakeholder-based approach is most likely to keep the right balance. There are thus two main options for consideration:

1. Adoption of best practice as advised by the Municipal Ports Review.
2. To create fully independent ports with a wider stakeholder base, the Trust Port model could be pursued. This is the route being taken by Exeter. This would require the formation of a new Trust Board probably with a new Act. Department for Transport approval would be required, and it would have to be demonstrated that the new Trust Port could survive financially as an independent organisation. This would almost certainly bring into question the potential for integrating the Fal Authorities under a new Fal-wide Trust Port, implying the dissolution of the current Falmouth Harbour Commissioners.

Considering the merits of these two, there is no pressing reason for conversion of the ports to Trust Ports. Adoption of the recommendations of the Municipal Ports Review yields most of the benefits to be had, without the difficulties of conversion to Trust Port status. In practical terms, it is most productive to pursue best practice as a Municipal Port.

## 6.5 MANAGEMENT AND ORGANISATION

### 6.5.1 *How it works*

The Carrick Harbours Board is a full Committee of Council, and is responsible for the management and operation of the Harbours in accordance with national legislation and local Orders. This responsibility is vested to the Board via a non-binding Memorandum of Understanding, which sets out what the Council expects of the Board and vice versa.

The Harbours are under the direct management of the Harbour Master who reports to the Chief Executive of CDC. The Harbour Master also acts as Head of Maritime Services, covering the activities that are outside the scope of the Ports' Orders.

The Maritime Section comprises the following staff:

- Assistant Harbour Master
- Maritime Administrator (2 job share)
- Assistant Maritime Administrator (part-time)
- Piermasters, Prince of Wales Pier (2) (Seasonal)
- Part-time Harbour Master, Portscatho (Seasonal)
- Senior Maritime Assistant (2)
- Maritime Assistants (3)
- Patrol Officers (6) (Seasonal)

The Maritime Section operates from a Harbour Office located at Truro, with a smaller base at Penryn. Additionally a workshop is located adjacent to the commercial quay at Newham, approximately 1 mile from the Truro Harbour Office. Services relating to Personnel, Legal, Financial, Property Services and Information Technology are “bought in” from other Departments within CDC by way of Service Level Agreements.

### 6.5.2 *Discussion*

The management and staff effectively fulfil three roles:

- Management of the Ports of Truro and Penryn pursuant to their Orders.
- Management of maritime services that are provided by CDC such as beach safety etc.
- Contributing to the wider role of the Council.

It may be said that the general maritime services distract from statutory responsibilities; however, there are clear synergies between some of the statutory and non-statutory roles (e.g. the need for craft). Jersey Harbours is another example where the Harbours Department fulfils non-statutory functions.

### 6.5.3 *Recommendations*

We recommend that the non-statutory maritime services are recognised as “contracted out” services from CDC to the new Harbour Board. These services should be valued and provided through a service level agreement in a similar fashion to the way that the ports currently buy various centrally provided services.

## 7. Successful Port Business

### 7.1 FINANCIAL PERFORMANCE

Tables 8.1 and 8.2 summarise the profit and loss statement for the Ports of Truro and Penryn for the last 5 years.

**Table 8.1 Port of Truro P&L**

	Actual 2001/2002	Actual 2002/2003	Actual 2003/2004	Actual 2004/2005	Actual 2005/2006
	£	£	£	£	£
TURNOVER	245,606.47	267,894.96	264,574.50	287,784.00	291,864.90
OPERATING COSTS:					
OPERATING & MAINTENANCE COSTS	58,962.21	79,157.65	75,358.65	117,450.57	114,339.23
ADMINISTRATION	115,792.88	133,450.55	141,695.89	159,861.49	170,439.23
OPERATING PROFIT/(LOSS)	70,851.38	55,286.76	47,519.96	10,471.94	7,086.44
INTEREST RECEIVABLE	18,665.00	17,000.00	17,500.00	22,470.00	19,003.00
OTHER FINANCE CHARGES/(INCOME)					
<b>PROFIT ON ORDINARY ACTIVITIES BEFORE TAX</b>	89,516.38	72,286.76	65,019.96	32,941.94	26,089.44
TAX ON PROFIT OF ORDINARY ACTIVITIES	0.00	0.00	0.00	0.00	0.00
RETAINED PROFIT FOR PERIOD	89,516.38	72,286.76	65,019.96	32,941.94	26,089.44

**Table 8.2 Port of Penryn P&L**

	Actual 2001/2002	Actual 2002/2003	Actual 2003/2004	Actual 2004/2005	Actual 2005/2006
	£	£	£	£	£
TURNOVER	65,447.15	72,310.83	76,328.08	70,601.32	91,408.75
OPERATING COSTS:					
OPERATING & MAINTENANCE COSTS	9,153.62	15,136.97	15,591.92	13,643.03	14,790.17
ADMINISTRATION	52,725.13	54,153.52	55,611.69	51,837.09	62,572.00
OPERATING PROFIT/(LOSS)	3,568.40	3,020.34	5,124.47	5,121.20	14,046.58
INTEREST RECEIVABLE	6,681.00	7,000.00	5,600.00	6,828.00	7,301.00
OTHER FINANCE CHARGES/(INCOME)	0.00	0.00	0.00	0.00	0.00
<b>PROFIT ON ORDINARY ACTIVITIES BEFORE TAX</b>	10,249.40	10,020.34	10,724.47	11,949.20	21,347.58
TAX ON PROFIT OF ORDINARY ACTIVITIES	0.00	0.00	0.00	0.00	0.00
RETAINED PROFIT FOR PERIOD	10,249.40	10,020.34	10,724.47	11,949.20	21,347.58
	65,447.15	72,310.83	76,328.08	70,601.32	91,408.75

Profits at the Port of Truro have shown a downward trend for the last five years. Although revenues have risen, costs have increased at a faster rate. In the most recent year, the business will be affected by a significant reduction in laid up shipping activity, down to perhaps 5% from a 20% contribution in recent years.

The Port of Penryn has made a consistent operating profit throughout most of the period.

It is useful that both ports own the relevant seabed (fundus) and foreshore with the result that no rental is paid to any other authority for their use, and any income generated is paid directly to the relevant Harbour Authority.

There will be a renewed focus on financial matters to ensure that a successful port business is maintained. As a first step a 10 year financial plan has been prepared to assess the harbours' financial self-sufficiency. In addition to this, a Business Plan and Port Masterplan have been prepared. The business plan sets out the commercial

opportunities of the Harbours, and the Port Masterplan identifies specific growth and investment opportunities.

These three measures will provide the basis for the New Carrick Harbours Board to ensure that the Harbours remain on a successful footing in the future.

## 7.2 CARGO HANDLING

### 7.2.1 *Current situation*

This takes place at Lighterage Quay, a 370m steel piled quay, built between two old granite quays by the Ministry of Defence in 1961, originally intended to service the lay up moorings further downstream. The quay was recently extended from 330 metres following derelict land improvement works. Landside access is limited to road access via the A39 and the secondary Newham Road.

The main advantages of Lighterage Quay are:

- A central location for the South West of the UK with a hinterland extending throughout Cornwall, Devon and the South West peninsula.
- An inland location offering low cost road haulage.
- Low port charges.
- Low berth utilisation.

For the last 40 years the facilities have been utilised by shipping handling cargoes such as coal, fertiliser, animal feed, scrap metal, calcified seaweed, building materials, sand, roadstone and grain. It now handles about 30,000 tonnes pa of cargo.

The cargo base reflects local needs. Truro has little manufacturing in its hinterland, and Cornwall has a small, scattered population centred in a number of small settlements covering a wide area.

Recently the facility has undergone a renaissance with nearby land being leased to companies requiring import / export facilities. The administration has an active policy to promote the port and encourage the use of seaborne freight, e.g. by ensuring that nearby waterfront land is maintained for use by marine related businesses.

Facilities have recently been increased by the acquisition of more land adjacent to the quay together with the upgrading of the quay surface to cater for heavier cranes and cargoes.

There are dedicated areas for the handling of scrap metal exports, recycled glass, import of bulk cement and concrete blocks. The level of enquiries demonstrates a continuing demand for niche facilities like Lighterage Quay.

### 7.2.2 Discussion

The Lighterage Quay operation is a positive force in local employment, and its role in sustainable distribution is important.

Even though it handles relatively small volumes, this makes a considerable contribution to sustainable distribution. Indeed the scrap metal now being exported used to travel over 200 miles away to be exported, resulting in an annual lorry mileage of 200,000 miles on the road. By exporting 10,000 tonnes, this has been reduced by 190,000 miles to only 10,000 miles per year. Similarly the import of cement in bulk represents a saving of some 300,000 lorry miles.

There are three trends that mean that the cargo handling operations should continue into the foreseeable future:

- The policy environment actively supports coastal and short sea shipping, including provision of grants within the UK (Freight Facilities Grant) and for international links (Marco Polo).
- The rate of change of increase in cost for distribution by road is increasing, driven by the costs of congestion reducing speeds, actual road pricing, shortages of drivers, and regulations such as on drivers' hours. As the cost difference with water distribution grows, so does the viability of small ports that access the heart of local markets.
- The potential for small ports to play a role in the distribution of local waste and recycled materials is gradually being realised. Waste management strategies being adopted throughout the country have to deal with increasing need to find alternatives to landfill, and this will generate demand for both transformation and recycling and the logistics activities that go with this.

The key problem that Truro faces is its inability to cope with the trend of increasing vessel size, and no realistic way of developing this capability.

Port users indicate that vessel sizes for small ports in the region of 1,500 to 2,500 tonnes are currently the norm, and Truro's maximum is about 2,000 tonnes. It is to be hoped that the trends in favour of small ports will encourage the market to respond with construction and operation of small vessels well into the future.

A related opportunity is to add value to cargoes that are handled in the port. Bagging, palletising, making up and breaking down all add value and generate economic activity for local companies. Lighterage Quay is limited in terms of back-up land and superstructure / equipment. Nonetheless, it is a significant credit to the Port's Administrators that they have followed a policy of site assembly near Lighterage Quay which makes it the useable facility it is today – a policy that should continue.

## 7.3 LAID UP MOORINGS

The River Fal has a natural deep-water channel. For many years the Harbour Authority have offered this to vessels to be moored for periods of laying up. Moorings were upgraded in the mid 1980's to 3 ½" ground tackle capable of handling vessels up to 219 metres in length – the maximum for safe turning. The moorings are available for the berthing of vessels awaiting scrap, sale or simply 'resting' between charters.

This market is currently in a natural lull, due to global economic conditions, resulting in a significant loss of revenue. For this reason, the Port Masterplan considers the future possibility of placing marine leisure pontoons between the buoys.

## 7.4 MARINE LEISURE

### 7.4.1 *Current situation*

The entire Fal estuary holds approximately 4,700 moorings. The Ports of Truro and Penryn combined provide about half of these (Truro 1,600, and Penryn 730). This makes CDC the largest single provider of moorings in Cornwall and the Isles of Scilly. The moorings are available to leisure craft and would be either of the deep water, half tide or beach berth (foreshore) or pontoon (Penryn only) type.

Within the Port of Truro there is one marina located at Mylor Yacht Harbour together with three other smaller boat yards that lease seabed. The former manages a total of 228 swinging moorings together with 160 pontoon berths licensed by the Harbour Authority. The Mylor complex has recently been upgraded with new shore facilities and pontoons.

In some areas the Harbour Authority is replacing moorings, as they are given up, with mooring equipment laid and maintained by the Authority.

Over the last eight years visitors pontoons and moorings have been laid around the estuary together with the building of a large slipway, electricity points at the upper quays in Truro, basic WC / shower facilities, fresh water supplies and waste collection points.

River patrols are regularly undertaken in the summer months to ensure byelaws are adhered to and that visitors mooring and anchoring fees are collected whilst also generally acting as a focal point to assist customers.

In Penryn there are a number of half tide moorings and beach berths, together with out hauls and dinghy park spaces. However there are a significant number of marinas and boatyards within the harbour including Falmouth Yacht Marina, Ponsharden Boatyard, Falmouth Yacht Brokers, Islington Wharf, Ponsharden Boatyard, Challenger Marine, McGregor Yachts and Rustler/Starlight/Bowman Yachts.

Local clubs, associations and businesses are encouraged to take out a lease on an area of the seabed in order to run the moorings themselves. Thus the harbour authority seeks to minimise administration and servicing of individual moorings and take an overall landlord role.

Clubs and associations benefiting from such leases include:

- The Association for the Preservation of Local Waters and Amenities
- Penryn River Users Association
- Mylor Yacht Club
- Restronguet Sailing Club
- Truro and District Boat Owners Association
- Ponsharden Boatowners Association

The policies adopted by the Harbour Authority generally ensure that there is no vast overcrowding in the area and enables mooring holders and visitors the chance to sail in fairly open waters of very high environmental value.

All forms of marine leisure activities are encouraged provided they do not pose a threat or danger to other users. A water-skiing and jet-skiing area has been identified and regular contact with sailing clubs, activity centres and sailing schools is maintained.

The Harbour Authority is keen to promote the many marine related businesses in the area. There are a number of boatyards and repair facilities for small craft together with yacht storage and craneage facilities.

Income from moorings represents a significant part of the Harbour Authorities budget. In most cases the mooring license is let to the holder to place their tackle on the seabed. In addition, no harbour dues are levied on private moorings although it is implicit that a certain amount of the money from the mooring license will be utilised for the conservancy functions of the Harbour Authority.

Commercial users generally pay a higher amount for any lease and include Falmouth Yacht Marina, Challenger Marine, Mylor Yacht Harbour, Tregatreath Boat Yard, Malpas Marine, Victoria Quay, Bar Creek Yacht Station and Port Falmouth Boatyard.

There are a number of moorings allocated to the operators of bona fide fishing vessels who are given priority on the waiting list in order for them to undertake their work. In addition, Penryn Quay serves as a useful base for some fishing boats. Penryn Quay has a compound for the storage of nets and other equipment and the Harbour Authority has purchased net bins.

#### **7.4.2 Discussion**

There is a significant opportunity to improve the quality of facilities all round, and to develop better returns from higher value added for at least some of the customer base.

The marine leisure sector represents a significant potential source of further revenue. Were it not for political exigencies, the charges would certainly be higher for moorings and leases than they currently are. This leeway helps to cushion the business against future financial risks.

The Port Masterplan therefore proposes to increase the number of pontoon berths over the next 20 years. In line with the environmental objectives of the Sustainable Strategy, it also proposes to reduce the overall area of the harbours under berths / moorings, and

reduce congestion in certain areas of the harbours. This can be achieved because it is generally possible to replace one swinging mooring with perhaps 5 to 8 pontoon berths – depending on boat size and other factors.

In broad terms, over the next 20 years, the masterplan therefore considers phased implementation of a net increase of about 900 berths over the whole area, of which about half will be marina berths developed through leases with private companies, and the remainder full tide access remote pontoon berths managed by the Harbour Authority. These will replace some of the provision for laid up shipping, and a number of swinging moorings.

Over this long period, the reduction in swinging moorings will be achieved primarily by natural means as mooring holders give up moorings. Existing mooring holders in the vicinity will thus be offered the opportunity to migrate to pontoon berths on beneficial terms. No existing mooring holders will be forced to migrate to a pontoon berth at a higher charge than for a managed swinging mooring.

This proposal will support jobs, and contribute to economic development and prosperity. The masterplan therefore offers a balanced proposal that gives a positive impact on prosperity and income to sustain the harbours, whilst avoiding significant environmental disbenefits, or disadvantaging any current mooring holders.

## 7.5 SMALL PASSENGER CRAFT

There are a number of passenger craft that use the Harbour, with a seasonal (April – October) service operated by a local company with three 130-passenger craft linking Falmouth to Truro. In addition a number of ‘tripping’ boats use the area, operated from the Prince of Wales Pier at Falmouth.

A number of smaller craft, both self drive and skippered, register as licensed craft each year and these boats are inspected annually to ensure that the equipment carried, hull and engine (if fitted) are fit for use. Passenger activity has grown to encompass sailing schools, self-drive hire, yachtsmen taking out tourists and craft used for filming, parascending and water-skiing.

Following new regulations brought in by the Maritime and Coastguard Agency the Harbour Master has been made a ‘competent authority’ regarding the examination of boatmen together with being a certifying authority regarding the licensing of boats.

The movement and transportation of people by boat on a variety of services within the estuary is an emerging reality that conceptually has great scope for the future. The Park and Float scheme is the first of its kind we have come across in the country. In addition a scheme called “Fal River Links” has been introduced to coordinate passenger services in the Estuary.

Services currently link Truro, Falmouth, Penryn, St Mawes and other places in between – notably with the King Harry ferry. We have advocated in the Isles of Scilly that rural ferry services should be considered as candidates for rural bus subsidies, and this may be something to pursue.

The movement of people with a purposeful journey is one thing, movement for tourism is another. Although seasonal, tourism obviously helps the viability of transport services, and the suggestion that the estuary has a lot more to offer people has been made. The industrial archaeology and history of Cornwall is related to its use of ports,

and the designation of part of the Estuary as a World Heritage site could provide a significant attraction.

## 7.6 OTHER ACTIVITIES

The ports must generate financial sustainability, and an important factor here is understanding the risks to the revenue base. These always exist, and are easily forgotten when times are good. An uninsured physical collapse, a downturn in the economy affecting mooring demand, a downturn in cargo, new investment requirements in response to safety events – these are all risks.

It therefore makes good sense to diversify the revenue base. The Port of Truro has recently allowed the mooring of pontoons and laying of buoys in order to grow mussels from ropes hanging off them. This operation takes place south of the King Harry Ferry and appears to be a great success. This appears to be an excellent and appropriate example of diversification.

Truro and Penryn also make an important contribution to the overall marine cluster in the South West, and a significant amount of the value created by this is in the marine supply chain – looking after boats and their equipment, chandlery, specialist clothing and services etc.

## 7.7 RECOMMENDATIONS

The current policy is one of mixed use, including cargo handling, vessel lay-up, port industry, marine leisure and aquaculture. We recommend that the mixed-use policy continue. It diversifies risk, and does not generate **undue** conflict between different classes of user.

The Port Masterplan develops options for future investment in the marine leisure sector and aquaculture, which is where business opportunities lie in the main.

## 8. *Contribution to Prosperity*

### 8.1 POLICY BASE

The existing economic activities catalysed by the ports and potential future developments make an obvious impact on prosperity. This is reflected in regular reference to the ports by the lattice of public sector plans and strategies that apply to Truro and Penryn, Carrick and the sub-region.

The key statement of strategic intent for CDC as a whole is contained in its Community Strategy. This contains various references to the role of the ports and the estuary at large that are relevant to the prosperity of Carrick:

- Greater use of water for transportation of people
- Water based recreation corridors
- More leisure and cultural activities
- Encouraging port and marine business (Penryn)
- Preserve and promote maritime heritage (Penryn)
- Maintain and develop as a small port (Truro)
- Enhance facilities for visiting boats and water-based activities (Truro).

This is one component in a network of policies that include:

- Regional Economic Strategy
- Regional Spatial Strategy
- Connecting Cornwall and the Cornwall Freight Strategy
- CDC's Core Strategy and Local Development Frameworks

In essence these policies set the economic development and planning context for the Harbours, and they are therefore reviewed in the Port Masterplan.

Of further interest however is the Cornwall and Isles of Scilly Economic Forum (CEF) which has identified a number of economic development priorities with respect to ports and maritime issues. The primary policies are to:

- Enhance and develop port and harbour infrastructure
- Consolidate the establishment and raise the profile of the Cornwall Marine Network.

The CEF “Strategy and Action Plan” SWOT analysis of Cornish ports and harbours is reproduced below.

<p><b>Strengths:</b></p> <ul style="list-style-type: none"> <li>• A network of ports and harbours with distinct maritime heritage and outstanding coastline which are a strong draw for tourism, both land and sea based</li> <li>• Cruise line business</li> <li>• The number of ports and harbours support an expanding number of marine industries</li> </ul>	<p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>• All ports are managed separately and on a competitive basis</li> <li>• Physical infrastructure constraints, for example, poor road and rail access to ports, low bridges on road access routes, and poor or no intermodal facilities</li> <li>• Lack of investment in port and harbour infrastructure over a long period</li> </ul>
<p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>• Predicted increase in freight volumes with possible development of niche markets e.g. secondary aggregate</li> <li>• Establishment of a Short Sea Shipping Bureau for Cornwall</li> <li>• Conserve and enhance Cornwall’s maritime heritage in its ports and harbours</li> <li>• Further development of cruise line business</li> </ul>	<p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Continued lack of investment in ports and harbours</li> <li>• Isles of Scilly ferry, connecting Isles to the mainland due for replacement</li> </ul>

Similarly the CEF “Strategy and Action Plan” SWOT analysis of the Cornish marine sector is reproduced below:

<p><b>Strengths:</b></p> <ul style="list-style-type: none"> <li>• The number of significant ports and marine businesses</li> <li>• Tourism linkages within sector</li> </ul>	<p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>• Port infrastructure needs modernisation</li> <li>• Lack of skills and learning take up in all parts of the marine sector</li> <li>• Fragmented industry and supply chains</li> </ul>
<p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>• Cornwall Marine Network</li> <li>• Capacity building within the industry</li> </ul>	<p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Limited investment or funding for sector</li> <li>• Decline in fishing industry</li> <li>• Port infrastructure</li> </ul>

The contribution that The Ports of Truro and Penryn make to prosperity is significant. They are in fact part of the wider contribution that is made by the Fal Estuary, which is clearly expected to maintain / play a significant role in the economic development of Carrick. The Fal is in turn a major driver of the maritime sector within Carrick overall, and an important contributor to Marine SW where it is viewed as one of the three key clusters.

## 8.2 RECOMMENDATIONS

There are at least two steps that can be taken to cement and develop contribution of maritime to prosperity.

### **1 Understanding what you have**

This could include some basic research identifying who the key companies are, their value and contribution to employment etc using commercial databases, local knowledge, association lists etc. This is (relatively) micro scale “cluster mapping”.

It may be worth considering a more detailed survey on “economic impact”, structured in a way that this provides actionable management information rather than an academic exercise.

### **2 Conducting networking initiatives**

These can take place on various levels:

- Business to business
- Business to community
- Public sector to private sector.

This is the type of activity undertaken by Cornwall Marine Network, and this should be supported.

## 9. *Environmental Stewardship*

### 9.1 ENVIRONMENTAL MANAGEMENT

Most of the Fal estuary complex is of national importance with Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty, Heritage Coast together with being identified as a candidate Special Area of Conservation (SAC) nominated under the Conservation (Natural Habitats etc.) Regulations 1994.

However, even prior to this candidate SAC status, the Harbour Authorities of Truro, Falmouth and Penryn collaborated together to produce an Environmental Management System in order to understand what, if any, operations were likely to have a detrimental effect on the environment. Once identified, targets were produced in order to limit these effects. The following issues have been considered:

- Sewage discharges from pleasure craft
- Anchoring and mooring policy
- Litter control
- Dredging and spoil disposal
- Dust control
- Bait digging
- Oil/Fuel contamination into the Harbour
- Control of fish waste into the Harbour
- Use of biocides
- Screening of suppliers
- Recycling
- Recreational disturbance to wildlife
- Management of sub-contractor or lessee activities
- Energy consumption
- Water consumption.

Operational control of activities such as fibre glassing, sanding, oil pollution, clean-up, painting (anti-fouling), changing sump oil / hydraulic oil / cleaning bilges, assessing dredging requirements, assessing suppliers energy consumption and water consumption all have detailed work instructions in order to lessen impacts.

The Harbour Authority is also a relevant authority within the SAC management group and has a management agreement with English Nature over a Site of Special Scientific Interest in the upper reaches. The Ports of Truro and Penryn have a duty to exercise functions with regard to nature conservation and other related environmental

considerations (Section 45A of the Harbours Act 1964 – inserted by the Transport and Works Act 1992).

The Harbour Authorities jointly produce an environmental code of practise for the ports, which attempts to inform and educate people on why the estuary is so important and what can be done in order to look after it. This publication, together with other relevant information, is made available, free of charge, to all users.

The harbour authority has recently purchased pontoons not with tropical hardwood decking but ‘plaswood’ made from recycled plastics. The costs were the same yet the deck is more comfortable and less noisy to walk on, and has a life-span of 50-plus years as opposed to 15-20 years. The same material is now being introduced as fixed fendering on piers, jetties and quays as an alternative to softwood timber.

In an attempt to establish a framework for promoting economic, social and environmental well-being in the Fal Estuary, recognising the interdependency between all three, CDC and the Environment Agency have entered into an agreement with the objective to establish a framework for development proposals affecting the inter- and sub-tidal areas of the Fal and Helford “SAC”.

The key aims are to:

- Assess environmental risk from development, particularly TBT release.
- Identify options for mitigation and/or compensation.
- Promote best practice for development, notably in relation to dredging, infill and TBT release.
- Promote the incorporation of best practice as supplementary planning guidance.

## 9.2 DISCUSSION

It is clear that the Ports of Truro, Penryn and Falmouth are committed to the protection and conservation of the environment. The Ports actively seek to maintain and improve, wherever possible, high environmental quality through strict adherence to UK environmental legislation and internationally agreed conventions, directives and resolutions intended to protect the environment.

The Harbour Authorities fully recognise the need to conserve the natural environment of the estuary and waters under their control through sound environmental management. This environmental management is in place and the Port of Truro was identified in a recent survey as an example of good practice in waste management in the marine environment. Existing environmental policies for the port ensure wherever possible that duties carried out by harbour staff and recreational and commercial activities within the area of jurisdiction will take place without any adverse effects on the quality of the environment.

## 9.3 RECOMMENDATIONS

The existing policies and environmental code of practice for the ports demonstrates a high level of commitment to the protection of the environment. The introduction of the EU Water Framework Directive (WFD) and the proposed Marine Bill will present

additional demands on the ports of Truro and Penryn in their effective management of the environment of the River Fal.

The Water Framework Directive is the most substantial piece of EC water legislation to date. It requires all inland and coastal waters to reach "good status" by 2015. It will do this by establishing a river basin district structure within which demanding environmental objectives will be set, including ecological targets for surface waters. Much of the implementation work will be undertaken by the Competent Authorities, which in England and Wales will be the Environment Agency. To assist in the implementation of the WFD, a Technical Advisory Group (UKTAG) comprised of experts from the UK environment and conservation agencies, has been established.

For the first time the WFD deals with the whole spectrum of inland and coastal waters, managed on a river basin basis. The linkages between surface and groundwater and water quantity and water quality must be taken into account in meeting objectives. The water quality requirements of Natura 2000 sites [sites designated under the Birds and Habitats Directives] must be integrated into river basin plans and consideration must be given to the water needs of wetlands.

Through River Basin Management Plans decisions will be made at basin level about what measures need to be used to tackle pollution, proportionate to the problem. The Directive's emphasis on public participation will mean that there will be greater public involvement in shaping the management of the water environment.

Government has identified a number of issues which will be particularly relevant to the Fal Estuary, including:

**Water and land use planning.** Physical development, including urban regeneration, can affect water resources and water quality. Government wants to ensure that land use planning guidance adequately reflects the pressures this can put on water, including over the long term to reflect the influence of climate change (e.g. from hotter and drier summers).

**Water and biodiversity.** Water has a powerful effect on biodiversity both in and around water, and improvements in the quality of water will be achieved through the Water Framework Directive.

**Water and tourism, leisure and recreation.** Water is a powerful focus for leisure activities, but this can lead to conflicts, for example through the use of speedboats and PWC's. Tourism needs attractive and good quality water which will be achieved through the WFD.

Most of the implementation of the WFD will be carried out by the Environment Agency through a series of duties and powers which the Government places on the Agency as competent authority. The work to be carried out will relate to key implementation duties such as:

- identification of river basins and assigning them to districts;
- characterisation of surface water (i.e. identification of water bodies and defining them into "types") and groundwaters (e.g. location, boundaries, pressures and catchment strata), assisting with economic analysis;
- review of human activity on water bodies and assessing the impacts of those pressures;
- production of River Basin Management Plans;
- production of basin plans;
- maintaining the registers of protected areas;
- co-ordination of the programme of measures, including consultation on possible measures;
- management and co-ordination of public participation;
- establishment and maintenance of monitoring programmes.

The programme for carrying out this work is summarised in the Table 10.1 below

**Table 10.1 UK Government Programme for Implementation of the water Framework Directive**

<b>Date</b>	<b>Action</b>
22 December 2000	Directive entered into force (article 22).
22 December 2003	Bring into force the laws, regulations and administrative provisions necessary to comply with the Directive (article 24). Identify competent authority (article 3)
22 June 2004	Provide Commission with list of competent authorities (article 3).
22 December 2004	For each District, complete analysis of characteristics of the surface and groundwaters, review the environmental impact of human activity (industry, farming etc) and prepare economic analysis of water use (article 5). Establish register or registers of Protected Areas (articles 6 and 7).
22 December 2005	In the absence of agreement at Community level, of criteria for identifying significant and sustained upward trends in groundwater pollution and for the definition of starting points for trend reversals, Member States to establish appropriate criteria (Article 17(4)) In the absence of criteria at national level, trend reversal is to start at 75% of quality standards applicable to groundwater in existing Community legislation (Article 17, 5).

<b>Date</b>	<b>Action</b>
22 December 2006	<p>Make operational monitoring programmes to ensure comprehensive view of water quality status within each River Basin District (article 8). publish and consult on a timetable and work programmes for the production of River Basin Management Plans for each River Basin District (article 14). In the absence of agreement at Community level, for substances included on the first priority list (see article 16), member states to establish environmental quality standards for all surface water affected by discharges of those substances and controls on principal sources of discharges (same obligation to apply 5 years after subsequent inclusion of a priority substance in the list, in the absence of Community agreement) (article 16).</p>
22 December 2007	<p>Publish and consult on an interim overview of significant water management issues for each River Basin District (article 14).</p>
22 December 2008	<p>Publish and consult on drafts of the River Basin Management Plans (at least 6 months to be allowed for comments in all the above cases) (article 14).</p>
22 December 2009	<p>Establish programmes of measures in each River Basin District in order to deliver environmental objectives (article 11). Publish first River Basin Management Plan for each River Basin District, including environmental objectives for each body of surface or groundwater and summaries of programmes of measures (article 13) 2010. Ensure proper water pricing policies are in place (article 9).</p>
22 December 2012	<p>Make operational programmes of measures in each River Basin District to deliver environmental objectives (article 11). Interim progress reports to be prepared on progress in implementing planned programmes of measures (article 15).</p>
22 December 2015	<p>Main environmental objectives to be met (article 4).</p>
22 December 2015 and every six years thereafter	<p>Review and update plans (with same consultation and interim reporting arrangements described above) (articles 13,14 and 15).</p>

The ports of Truro and Penryn will need to work closely with the relevant authorities in the future to achieve this programme.

[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

[www.europa.eu.int/comm/environment/water/water-framework](http://www.europa.eu.int/comm/environment/water/water-framework)

[www.defra.gov.uk/environment/water](http://www.defra.gov.uk/environment/water)

## 10. Safety for all Users / Secure Land and Sea Access

### 10.1 CONSERVANCY FUNCTIONS

The conservancy functions of any Harbour Authority relate to the safety of navigation for vessels using the port. There is a public right of navigation in harbours upon the payment of dues and harbour authorities have a common law duty to take reasonable care that those who lawfully use their harbour may do so without danger to their lives or property.

Conservancy relates to those operations that are required to ensure navigational safety. A summary of these follows:

**Hydrographic Surveying:** Since 1991 the Harbour Authority has embarked upon a systematic approach to sounding the area under its jurisdiction at regular intervals, and all that now remains is to revisit smaller creeks. Surveying at this level will continue indefinitely in order to understand the dynamics, and it is hoped that together with dredging records a clear picture of the physical processes of the estuary will be understood.

**Buoyage and Lighting:** The Ports of Truro and Penryn are local lighthouse authorities and have duties imposed upon them by Trinity House to ensure that the navigational marks under their control are fit for their intended purpose. There are 54 navigational buoys, beacons and lights within the Ports, of which 38 belong to the Authority with the balance of 16 being the responsibility of a variety of agencies. A policy of lighting the buoyage was completed in the spring of 1999.

**Dredging:** Siltation of the upper reaches of Truro has been a problem over the years caused mainly by the waste from nearby china clay and tin mining industries together with agriculture run-off. Consideration has to be given to undertaking a small dredging programme of about 5,000m<sup>3</sup>, dumping the spoil out to sea. Dredging will continue to enable swinging room and safe depths / berths for commercial coastal shipping using the quay at Newham. In the longer term consideration may have to be given to dredging some leisure mooring areas within the port to continue to provide deep-water yacht moorings. There has been a limited amount of dredging in Penryn alongside Exchequer Quay. Falmouth Yacht Marina and Challenger Marine have also undertaken dredging.

**Pilotage:** The Pilotage function is provided on a day-to-day basis by the Falmouth Harbour Commissioners for the whole of the Fal estuary. However the three Competent Harbour Authorities of Falmouth Harbour Commissioners, Carrick District Council (Ports of Truro & Penryn); and A&P Appledore (Falmouth Docks) remain the responsible authorities under the 1987 Act.

Pilotage is non-compulsory for vessels under 60 metres. There is an agreement with the Falmouth Harbour Commissioners to provide the service to the Ports and pilots fulfil these duties. Regular contact is kept with the pilots through operational meetings, the Port Development Group and ad-hoc meetings and discussions whenever the need arises.

Tugs are available from the local docks to assist in vessel manoeuvres in the lay up berths whilst smaller craft including the harbour work-boat and launch are on hand to assist in berthing / unberthing the coastal traffic in the upper reaches of Truro and occasional movements at Penryn.

**Communications, including local notices to mariners and VHF:** The Harbour Office at Truro and the harbour launches utilise VHF channel 12 as the working frequency with radio contact maintained when boats are on the water and during vessel berthing operations. Hand held VHF sets and mobile telephones are also available. Local Harbour Masters Notices and Notices to Mariners are issued as and when the need arises, displayed on notice boards, sent to relevant organisations and/or placed in the local press if considered necessary. Harbour transport consists of the following craft / vehicles:

- Work-boat: locally built 8.5m GRP craft. 90hp Ford Sabre Diesel with 1.5t Hiab crane.
- Catamaran 6.9m GRP, powered by 170hp Yanmar diesel connected to a hydraulic jet-drive.
- Patrol Craft: Trihedral 5.2m GRP craft. 60hp outboard motor.
- Small Craft: Oyster punt with 5hp outboard, Orkney Coastliner with 15hp outboard and various dinghies.
- Landrover and trailer.

**General port safety including byelaws:** Byelaws for the protection and regulation of navigation have been updated (November 1997) and enforcement tends to be given a higher priority from May-September when there is a considerable increase in the number of craft on the water. Regular patrols are undertaken. Risk assessment of staff duties has been undertaken together with relevant training.

**Wrecks and wreck removal:** Like most other ports, Truro and Penryn have dual wreck removal powers which are found in Section 56 of the Harbours Docks and Piers (Clauses) Act 1847 and Section 252 of the Merchant Shipping Act 1995. The wrecks found around the harbours of Truro and Penryn are generally old leisure craft that have been either abandoned, part broken up, or sunk on foreshore berths.

## 10.2 STATUTORY PLANS AND POLICIES

**Oil pollution plans:** The UK Government enforces the International Convention on Oil Pollution Preparedness, Response and Co-operation (1990) (International Maritime Organisation) and the Merchant Shipping (Oil Pollution, Preparedness, Response and Co-operation Convention) Regulations 1998. The Port of Truro is required to abide by these Regulations and it is considered prudent to include Penryn as an extension to Truro and Falmouth. These regulations require that a response plan, compatible with the National Contingency Plan, be submitted to the Maritime and Coastguard Agency for approval. In addition there is a requirement to report all oil spills and the ability to respond immediately to cope with any identified operational (Tier One) oil spills within a port's own resources. A stock of equipment together with the relevant training and exercising is also required. There must be some formal agreement in place to ensure that for medium sized spills (Tier Two) a response will be guaranteed in the event of an incident, nominally set at 4 hours.

The Harbour Authorities at Truro, Penryn and Falmouth have long collaborated over the provision of an oil pollution plan, and have now included A&P within a new response plan. All three Competent Harbour Authorities will have similar equipment so that it can be utilised together in the event of a more serious spill. It is hoped that a multi-harbour authority response will be capable of providing for a Tier 2 oil spill to avoid payment of a retaining fee to another organisation.

Harbour Authorities have a statutory responsibility to prosecute oil pollution offenders and detention powers exist if a Harbour Master has reason to believe that a vessel has committed an offence by discharging oil, or a mixture containing oil, into the water of a harbour (Section 144 of the Merchant Shipping Act 1995).

**Port Marine Safety Code:** A significant amount of work has been undertaken regarding this Code resulting in a formal safety assessment and a safety management system including full risk assessments for all tasks undertaken.

**Emergency Plans:** A joint approach by the Harbour Authorities of Falmouth, Truro and Penryn has been made to produce a Marine Emergency Plan for the estuary to ensure that all marine emergencies receive a speedy and effective response from the emergency services. The plan has been prepared in accordance with the legal obligations placed on the authorities with the objectives to:

- To identify the inherent risks (Emergency Scenarios) that may occur within the Fal estuary limits.
- To identify the roles and responsibilities of the personnel likely to have an active part in mitigating the effects of a marine emergency occurring within the Fal estuary limits.
- To provide an alerting procedure and management teams that may be required in the event of a marine emergency occurring within the Fal estuary limits.
- To provide a series of action check lists and background sheets to assist key officers in the execution of their duties in an emergency situation.

There are a number of response priorities from the saving and preservation of life to the restoration of normality. There is a multi-agency approach in dealing with major marine incidents and liaison with the County Emergency Planning Officers ensured that an effective plan could be drawn up.

**Waste management plans:** Ports, harbours, terminals, installation, marinas, piers and jetties in the UK must produce a waste management plan. Such plans are to be submitted to the local offices of the Maritime and Coastguard Agency for approval. Again a joint plan between Falmouth, Truro and Penryn was undertaken which identified facilities available for the joint disposal of waste.

As Truro has a substantial number of leisure moorings, waste facilities include “wheelie-bins” placed on visitors pontoon systems with a daily collection service undertaken in the summer months by harbour staff. Commercial shipping using the quay also has dedicated facilities and the vessels laid up in the River Fal have skips brought out to them by one of the local marine companies.

**Rabies Contingency Plan:** The Rabies Contingency Plan, operated by the County Council has been developed to mitigate the effects of rabies outbreak within the County of Cornwall. Liaison is maintained with the Animal Health Inspectors to ensure correct signage is placed around various landing places and informing them of any vessels with animals on board.

### 10.3 DISCUSSION

The current arrangement for the provision of pilotage services appears to function well and co-ordinates and simplifies those operations throughout the Fal estuary. It is important to remember that the “Competent Authority” for Truro and Penryn remains the full council of CDC, who must remain with overall responsibility in ensuring the service provided meets all statutory regulations.

The collaboration by the Harbour Authorities of Falmouth, Truro and Penryn on issues such as oil pollution response and emergency planning are again examples of pragmatic and cost effective approaches to provide these services.

### 10.4 RECOMMENDATIONS

The current approach to share planning and resources in issues such as the provision of pilotage services and joint response to emergency and oil pollution response with the Falmouth Harbour Authorities should continue.

# 11. Community Engagement

## 11.1 DISCUSSION

The community currently has a direct line to the harbour authority through the Council because it elects the Members who govern the ports. As previously noted, the strength of community relationship in the Municipal Ports model is its key attribute. The community also have direct opportunities to be involved in the management of the Harbours through:

- Opportunities to become Board members of Carrick Harbours Board.
- Working with the newly formed Carrick Harbours Stakeholder Group, which will be a recognised forum for stakeholder engagement with the Board.

The Port management have an open door policy to members of the public and the location of the Harbour Office near the city centre facilitates access by harbour users.

Community engagement should be maintained by:

- Understanding the community's needs and actively responding to those needs.
- Engaging with and being available to give presentations to clubs, associations, societies, and schools etc.
- Providing a vision of the future of the port, which is inclusive of community interests.
- Providing a consultative process to address operational and transport issues both within and outside the port.
- Ensuring that customers and stakeholders are well informed on port issues and developments that affect them.

Management do take explicit steps to engage with the community. It organises, for example, an annual boat trip for harbour users and local councils with waterfront on the estuary. The trip provides commentary on the activities of the harbour authority and outlines future plans and activities. In addition feedback of comments on the services provided is encouraged through the use of questionnaires.

Information on the work of the ports, management and operations as well as plans for future development is disseminated regularly through presentations to local organisations and associations in the area.

A significant part of the community has a direct relationship with the ports as holders of moorings – the moorings policy restricts licenses to residents within Carrick, Kerrier, Restormel and Penwith districts. The Maritime Department undertakes periodic surveys of leisure users to assess satisfaction levels. The results from the last survey (2003) show that direct mooring holders are generally well satisfied with service levels, and supportive of the Ports of Truro and Penryn remaining as Municipal Ports.

## 11.2 RECOMMENDATIONS

The Maritime Department should develop a strategy based around key events designed to communicate with and receive feedback from the community. Given the geography of the Ports within the Fal, it makes sense to organise this on a Fal wide Basis in co-operation with the other authorities.

