

**maritime**

**Maritime  
Functions within  
Carrick District  
Council**



## MARITIME FUNCTIONS WITHIN CARRICK DISTRICT COUNCIL

Introduction . . . . .	1
History . . . . .	1
Carrick Harbours Board . . . . .	2
Terms of Reference of the Board . . . . .	3
Harbours Forum (Truro & Penryn) Constitution . . . . .	4
Administration of the Harbours . . . . .	6
Financial Background . . . . .	7
Activities within the Ports . . . . .	7
Conservancy Functions within the Ports . . . . .	11
Environmental Management . . . . .	16
Plans and Policies . . . . .	17
Liaison with other agencies . . . . .	18
Other responsibilities . . . . .	19
Summary . . . . .	20



## Maritime Functions within Carrick District Council

### Introduction

The Port of Truro is a municipal statutory Harbour Authority of approximately 2,500 acres (1000 hectares) contained within the northern part of the Fal Estuary complex in Cornwall, UK. The estuary is nine miles from its head at Truro to the mouth at Falmouth, and the Harbour Authority is responsible for the top six miles.

The Port of Penryn, again a municipal statutory Harbour Authority of approximately 100 acres (40 hectares) is located in the western part of the estuary.

Within the estuary there are other statutory harbour authorities both privately owned (A&P Falmouth (The Docks) and St Mawes Pier and Harbour Company) and of Trust Port status (Falmouth Harbour Commissioners).

In addition there are a further two areas, Percuil River and Restronguet Creek, which are both outside of any statutory harbour area. However, both these two areas are covered by speeding byelaws made under the Public Health Act 1961, and enforced by the Maritime Section.

### History

It was known that the Phoenician traders who brought cloth and other commodities to Cornwall and took away tin ore visited the port of Truro. Similarly the Romans occupied sites on the banks of the Fal and there is evidence to show that they dredged for oysters in the Fal Estuary.

It is on record that King John in about the year 1200 gave the Mayor of Truro jurisdiction over the whole of the Truro River and Fal Estuary, which included the whole of the Falmouth Harbour.

Unfortunately the citizens of Truro backed the losing Parliamentary cause in the Civil War, for which their punishment was a reduction in their customs income resulting from a new restriction in the port boundaries. In addition Charles II gave a new customs house to Falmouth. This division in the administration of the Port and the resultant loss of income caused quite a furore in Truro at that time. It became necessary in 1703, during the reign of Queen Anne, to set up a commission to properly identify the new boundary. This was finally fixed in 1709 as being a line joining Messack Point on the north side of the St Just inlet on the east bank of the Carrick Roads and Penarrow Point on the west bank just below Mylor. These points still mark the current southern port limits and are identified by each having a granite pillar with the date and TC (Truro Corporation) engraved upon them.

The Port authority continued to be under the control of the Truro Corporation which later became Truro City Council.

Harbour Orders dated between 1883 and 1928 enact most of the 1847 Harbours, Docks and Piers (Clauses) Act as well as bringing in some local legislation.

Penryn, one of Cornwall's oldest towns was once a flourishing seaport and grew to become one of the principal ports on the coast. Sitting upon the head of its own river it was, before Falmouth, the major port of the south west of England and the harbour carried a fair amount of trade due to the natural expanses of deep water. There was a tannery near the quay and hides were imported from the Americas, together with fruit, vegetables and coal.

The development of Cornish tin and copper mining in the 17th Century resulted in many exports of tin being handled together with granite from the local quarries. Indeed, Penryn became known as the "Granite Port" and large quantities of stone were shipped out for the construction of dockyards and other works both home and abroad.

The Port Authority was under the jurisdiction of Penryn Town Council and Harbour Orders dated between 1870 and 1920 enact most of the 1847 Harbours, Docks and Piers (Clauses) Act as well as bringing in some local legislation.

In 1974 following local government reorganisation the municipal authority is now Carrick District Council, one of six districts within the County of Cornwall.

## **Carrick Harbours Board**

The Truro Harbour Orders (1883-1928) and Penryn Harbour Order (1870-1920) did not restrict how the previous city and town councils could organise the running of their respective Harbour Authorities responsibilities. By virtue of local government reorganisation in 1974 there is no restriction on how Carrick could organise the running of its Harbour Authority duties for the Ports of Truro and Penryn.

By virtue of Sections 101 and 102 of the Local Government Act 1972 a local authority can arrange for the discharge of its functions by a committee or sub-committee or officer of the authority and similarly a committee may arrange for the discharge of any of those functions by a sub-committee or officer. Provided that such a committee or sub-committee is not a committee or sub-committee for controlling or regulating the finance of the Local Authority of their area, it may include persons who are not members of the Local Authority. There is now no limit upon how many members of such a Sub-Committee need to be members of the Local Authority. In the context of Carrick District Council only the Policy Committee would be prohibited from having non-authority members.

By virtue of the Local Government and Housing Act 1989 members of such a sub-committee are generally treated as non-voting members of such a sub-committee. However, in the special case of a sub-committee discharging the function of a Harbour Authority, the members of such committees, whether or not members of the Local Authority may have voting rights.

In May 2006 the Government produced the document entitled 'Opportunities for Ports in Local Authority Ownership: A Review of Municipal Ports in England and Wales'.

This was a joint effort by the Department for Transport and the Department for Communities and Local Government and it followed on from work previously undertaken on the Trust Port Review which indicated that many of the issues raised by that review around accountability, governance and finance were shared with the municipal sector.

As a result of this Municipal Ports Review, Carrick District Council has formed a Carrick Harbours Board, which as a full committee of the Council will have delegated authority, through a Memorandum of Understanding (MOU), to manage the Ports of Truro and Penryn provided they are within the Councils budget and policy.

The Board consists of 10 members, five councillors and five co-opted members. The co-opted members are appointed following a skills audit, advertisement, short listing and interview.

The most important constraint upon the Board is that they are only able to vote when they are considering issues pertaining to the function of a Harbour Authority. This has particular significance for the District Council because the Maritime Section are not only responsible for the two statutory Harbour Authorities of Truro and Penryn but also look after Beach Safety within the District, administration of the oyster fishery, responsibilities for pleasure piers and a non-statutory harbour together with other marine related functions.

The Harbour Board with its co-opted members is therefore unable to consider these topics, as they do not relate to the function of a Harbour Authority.

However, the Board may take on the responsibility for Portscatho and the Prince of Wales Pier at a later date.

The Board will consult with stakeholders through the Harbours Forum.

## Terms of Reference of the Board

*(The Constitution -  
Article 18 - The Carrick Harbours Board)*

### 18.1 The Carrick Harbours Board

The Council will establish the Carrick Harbours Board as a Committee of the Council.

### 18.2 Composition

#### Membership

The Carrick Harbours Board will be composed of ten Members selected as follows:

- 5 Councillors appointed on a Political Proportionate Basis;
- 5 Co-opted Members appointed via advertisement in one or more local newspapers in accordance with the Skills Audit as set out in the Carrick Harbours Board Guidance Notes.

#### Co-opted Members

Co-opted members will be entitled to vote at meetings;

#### Chairing the Committee

The meetings shall be chaired by a Council Member.

#### Quorum

Quorum for a meeting of the Committee would be five save that at no time shall there be less than three Council representatives present at any meeting of the Board.

#### Meetings

The Committee shall hold 6 Ordinary Meetings per year.

### 18.3 Role and Function

The functions of the Council conferred under the Constitution:- (Functions within the definition of a Harbour Authority in Section 57(1) of the Harbours Act 1964 (Function as Harbour Authority for the Port of Penryn and the Port of Truro, in accordance with Ports of Truro and Penryn under the Harbours Act 1964 and the

#### Port of Truro

- Pier and Harbour Orders Confirmation (No. 1) Act, 1883
- Pier and Harbour Orders Confirmation (No. 6) Act, 1903
- Pier and Harbour Orders Confirmation (No. 2) Act, 1909
- Pier and Harbour Orders Confirmation (No. 2) Act, 1920
- Pier and Harbour Orders Confirmation Act, 1928

#### Port of Penryn

- Pier and Harbour Orders Confirmation Act 1870 (No. 1)
- Pier and Harbour Orders Confirmation (No. 2) Act, 1900
- Pier and Harbour Orders Confirmation (No. 1) Act, 1920

Functions arising out of any Byelaws made by the Council under the above Acts including the determination of any fees and charges. (In relation to the determination of fees and charges such are to be recommended to Council).

That the discharge of these functions within any policy and budget approved by Council be delegated as set out in the Memorandum of Understanding between the Carrick Harbours Board and the Council.

## **maritime**

Those functions that fall within the duties of a Harbour Authority would include:

- (a) Dredging to maintain charged depths
- (b) Provision of buoyage, beaconage and lighting to mark the navigable channel
- (c) Hydrographic Surveying (to review from time to time the whereabouts of the navigable channel and to check charted depths)
- (d) Removal of wrecks and other dangers to navigation
- (e) To maintain river patrols for the protection and regulation of navigation
- (f) To issue Notices to Mariners warning of any potential danger or obstruction to navigation
- (g) To enforce Harbour Byelaws for the protection and regulation of navigation

To manage the harbours within the limits of the respective orders and legislation relating to harbours which would include (by way of example) management and regulation of moorings, beach berths (including numbers, locations, specifications, waiting lists etc.) and zoned areas so as to enforce the protection and regulation of navigation. To review charges as made under Section 26 of the Harbours Act 1964, in relation to the use of the Harbour by its users.

In addition the Harbours Board may discuss environmental and planning issues together with the promotion of the commercial facilities.

## **Harbours Forum (Truro and Penryn) Constitution**

The Harbours' Forum provides formal representation of the views of the estuarial users, and others affected, to the Harbours' Board on matters related to the development, management and operation of the Ports of Truro and Penryn.

### **Membership**

1. The Harbours' Forum shall consist of 9 members. The members shall provide representation for the following groups:
  - Marine Leisure (2)
  - Commercial Shipping
  - Aquaculture
  - Fisheries
  - The wider community at Penryn
  - The wider community at Truro
  - Environmental management (2)
2. No member of the Forum may also be a member of the Board. Any member of the Forum that should become a member of the Board during his/her term with the Forum shall be considered to have resigned from the Forum.
3. The Forum shall elect a Chair and a Vice Chair. The Chair should propose procedures for conducting meetings.
4. Forum members will have an equal vote. In the event of voting being equal on any issue the Chair will defer any resolution to a subsequent meeting. In the event that voting then still remains equal on the same issue, the Chair's vote at that subsequent meeting shall be counted as two votes.
5. In the event that a Forum member does not attend any meetings of the Forum for a period of 6 months from the date of his or her last attendance, that member ceases to be Forum member unless the Forum specifically gives its authorisation for such absence.

## Appointment

1. The Forum will put in place such arrangements as are appropriate to enable its members to be appointed by individual user/interest communities. It will seek to put in place a pyramid structure, whereby issues and view can be progressively fed to the Forum member for an individual user community.
2. A member's term of appointment shall be three years from the date of appointment unless the member shall die, or resign or be disqualified.
3. Members shall be appointed for a maximum of 2 terms and, exceptionally, 3 terms.
4. A member may resign his office at any time by notice in writing given to the Chair.
5. Forum members will represent the views of their individual communities, but will co-operate with others to achieve effective governance of the Forum as a whole.

## Transitional Arrangements

The first meeting of the New Forum shall comprise the co-opted members of the Old Forum. It will prepare a time bound action plan for the appointment of new members to the New Forum.

## Meetings

1. The Forum shall meet 6 times a year
2. The quorum for meetings shall be 5
3. Meetings shall take place 2 weeks prior to the meetings of the Carrick Harbours Board
4. The Agendas shall be:
  - Approve the minutes of the Forum's previous meeting
  - Consider the minutes of the previous meeting of the Forum and comment as required
  - Raise new issues for consideration by the Board
5. The Forum will always act in unison and no comments will be forwarded to the Board without unanimous approval of the Forum
6. Meetings will be attended by the Harbour Master and a Board Member who will act as observers only for the purpose of providing clarification and feedback.
7. The Forum will take minutes and present its views clearly to the Board no later than one week before the date of the next Board Meeting.

There will be an annual meeting between the Board and the Forum

*'The Harbours Forum aims to be a respected, independent, knowledgeable body representing the interests of the many and varied users of the estuarial waterways, creeks, foreshores, etc, within the area administered by the Truro and Penryn harbour authority:*

*and, to help ensure that the management of the local harbours is excellent, fair and well balanced and is aware of and takes account of the interests of local users, to advise and consult the managing Harbours' Board routinely and as and when appropriate'*

## **Administration of the Harbours**

The District Council is headed by a Chief Executive (CE) and a Chief Executives Management Team consisting of the CE and two Strategic Directors.

- Chief Executive
- Strategic Director (External Services)
- Strategic Director (Internal Services)

In addition there is a Corporate Management Team (CMT) consisting of the above and a further 10 Section Heads.

The Maritime Section is responsible directly to the Chief Executive and as well as being responsible for the Ports of Truro and Penryn it also encompasses Piers and Quays, Oyster Fishery, Licensing of Boats and Boatmen, Byelaw enforcement for certain coastal areas, Beach Safety and the smaller harbour of Portscatho within the Carrick District.

Therefore all the Maritime functions of the District Council are found within one section which is directly answerable to the Chief Executive. This has not always been the case as previous to 1997 the Maritime Section was within the Environmental and Community Services Department, which has since been fragmented into the other Departments previously mentioned.

Because of its diversity, the Maritime Section includes not only the Head of Maritime Services, who is also the Harbour Master for the statutory ports of Truro and Penryn, but also 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 - Part time)
- Senior Maritime Assistant (Moorings Officer)
- Senior Maritime Assistant (Environment & Safety/Beach Safety Officer)
- Maritime Assistants (3)
- Patrol Officers (6) (Seasonal - Part time)

The Council's 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.

Whilst most of the day to day running of the Maritime Section is run directly from the Harbour Office at Truro there is a need for services such as Personnel, Legal, Financial, Property Services and Information Technology to be considered. These services are "bought in" by the Maritime Section from other Departments within the Local Authority by way of Service Level Agreements (SLA's).

These SLA's are made between officers of the various sections about what the proposed level of service, together with the cost will be for each financial year. These costs together with other charges and bills balanced against income from fees and charges are monitored on a day to day basis.

Within the Maritime Section this is entered onto a corporate financial management system in order to ensure that budgets are kept to.

## Financial Background

Most municipal harbour authorities will, like other departments of the council, make a call on the General Fund of the Local Authority. They will have to therefore effectively bid against other services including housing needs, tourism & leisure, planning and corporate services to name but a few. Any income derived from the harbour authority functions would then go back into this general fund to be used to service the needs of the District. This however can, and, it is suggested, does (in some municipal ports) have its downside. If, for example, a municipal port makes a profit then this money could be used to finance other Council services totally alien to harbour management. By the same token if it makes a loss then it could therefore be 'bailed out' by the District Council population through the council tax system.

This has been addressed by the Municipal Ports Review which considers that municipal ports would benefit from the introduction of 'assured accounts'. Furthermore the Review believes that prudent and adequate provision should be made for capital asset replacement and future development and that local authorities should allow ports to undertake capital expenditure financed by unsupported borrowing where the port can show that it can afford to service the debt.

Trust Ports however are under a statutory requirement to use funds raised for the sole purpose of managing their respective harbours. In the case of private ports this is very much a matter for the company to decide where the funds are spent or what return is given to shareholders.

The Ports of Truro and Penryn are in a unique position in that their respective harbour orders have always stated that they are to have 'ring fenced' accounts.

Put simply, when the Port of Truro or Penryn makes a profit, any excess revenue is put into a fund balance to be used for extra services or to create a buffer, should the ports be in a deficit position in any year. This simple measure means that these particular municipal ports are in considerable control of their own destiny as statutory port undertakings and are, quite rightly, able to call on their own funds whenever needed.

The Local Authority would also have to cover the port costs if the harbour authority were running at a loss with no port funds to cover its expenses. However, it would no doubt become a serious contender for privatisation if this were the case but this of course would be entirely dependent upon the political make up of the Council at that time or whether it is seen as a community asset for all to enjoy, which is the case in a number of municipally controlled estuarial harbour areas.

An improvement to the management of the Harbours, in light of the Municipal Ports Review, has been the setting up of a new Harbours Board. This Board now has the authority to make decisions regarding the running of the harbours, provided they are within the overall policy and budget of the Council. If the Board wished to make a departure from the existing policy or budget then this would have to be agreed by the full Council.

## Activities within the Ports

The Ports around the UK are very diverse, not only in terms of ownership and physical size, but also in terms of income and trade. Truro and Penryn are neither totally commercially driven nor totally leisure orientated. The make up of the business includes:

- (a) laid up moorings for vessels up to 219 metres in length (Truro)
- (b) commercial coasting facilities for vessels of up to 2000 tonnes dead-weight (Truro)
- (c) moorings for leisure craft (c. 1,800) (Truro and Penryn) (There are more leisure craft berths and mooring in Truro and Penryn than in any other port in Cornwall & The Scillies)
- (d) moorings and alongside berths for fishing vessels and other commercial craft (Truro and Penryn)
- (e) small passenger carrying craft and ferries
- (f) other leisure based activities including water skiing, diving, jet skiing, angling, windsurfing, gig racing, regattas etc.
- (g) Marinas, boatyards and other Maritime related businesses.

**(a) Laid up moorings**

The geological nature of the River Fal is that of a 'ria' or sunken river valley. This effectively means that there is a natural deep-water channel of between 12-15 metres. For many years the Harbour Authority has used it to their advantage by allowing vessels to be moored for periods of laying up. The area was particularly busy during the 1930's when world-wide shipping was in decline. After the Second World War the Ministry of Transport (as it was then known) decided to introduce a PEP (Port Emergency Plan) mooring system at many ports around the UK coast, including Truro, to provide for vessels bringing food to the country in times of war. These moorings were upgraded in the mid 1980's to 3 ½" ground tackle capable of handling vessels up to 219 metres in length. The length restriction has been put in place owing to the limitations in turning vessels, not because of any draft restrictions.

From the time that the Ministry of Transport originally laid the mooring tackle an agreement was struck whereby the maintenance costs were met by the Ministry whilst the Harbour Authority gleaned the income from their use when not being required by the Government. However in the late 1980's the PEP mooring system was considered inappropriate owing to a thaw in east/west relationships, cost of maintenance and the fact that they were no longer needed because the UK was a net producer of grain and would not need to 'feed the nation' in times of war.

The Harbour Authority was therefore left with the problem of either seeing them lifted with the resultant loss of income or purchase and maintain them in order to receive the fees from laid up vessels. The latter course of action was chosen and the moorings continue to be available for the berthing of vessels awaiting scrap, sale or simply 'resting' between charters.

**(b) Cargo Handling**

The Port of Truro, at the head of the Fal Estuary, had a number of small wharves located in the centre of the town. However, as in a number of other ports, these have either been allowed to fall into disrepair or have been redeveloped for office accommodation or in the case of the most northerly quay, filled in to create a car park.

Cargo handling in the city effectively ceased in the early 1960's when the small coasters bringing limited amounts of cargo such as timber, animal feed, grains, fertiliser and cement came to the end of their life. Ships were getting bigger and the port effectively relocated 1½ kms downstream to Lighterage Quay, a 330m 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. Clearly, the present fortunes and facilities of the Harbour Authority owe much to the Ministry of Defence for the provision of infrastructure. The quay has now been extended to around 370 metres following derelict land improvement works that have been undertaken.

For the last 40 years the facilities have been utilised by shipping bringing in cargoes such as coal, fertiliser, animal feed, scrap metal, calcified seaweed, building materials, sand, roadstone and grain. Truro's hinterland is devoid of a heavy manufacturing base requiring sea transport and Cornwall has a small scattered population centred in a number of small settlements covering a wide area. However as can be seen by the cargo base, the farming, quarrying and building industries continue. Indeed only recently the port has undergone a renaissance with nearby land being leased to companies requiring import / export facilities.

Much work has been undertaken with the different agencies to promote the port and encourage the use of seaborne freight by dealing with the local authorities to ensure that 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 the heavy cranes and cargoes. Whilst it is accepted that the port is tidal it has a number of advantages in that it has:

- 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

The years of background work are now bearing fruit in that settled alongside the quay there are dedicated facilities for the handling of scrap metal exports and the import of bulk cement. The quay itself has been utilised for the storage of building materials (concrete blocks, slabs and coping) and sand for export to the Channel Islands. Other cargoes are being considered which again reflect the current businesses within the port's hinterland.

One port customer is currently investing considerably in building four dedicated silos for the import of cement. Another 'first' for the port in 2002 was the first ever import of bulk china clay into Cornwall.

However, as well as the loss of mining, and the zinc and copper ore by-products that were also shipped out from Truro, maerl (calcified seaweed) extraction has now also ceased and this could have severe 'knock-on' effects for the Port of Truro, as there is not enough cargo to support a dedicated stevedoring company in the area.

Whilst Truro will never be a major player in terms of port traffic it is felt that the beneficial use of short-sea-shipping can lead to a modest increase in traffic. Already bulk cargoes are shipped to the near continent

"British Shipping - Charting a new course" (DETR) states that:

"Greater emphasis, too, is being placed on coastal and short-sea shipping as a sustainable, environmentally friendly alternative to road transport."

The White Paper on the "Future of Transport - A new deal for Transport" published in July 1998 states that one of its intentions is to:

"Facilitate shipping as an efficient and environmentally friendly means of carrying on trade."

These policies are similarly reflected in County and District Council Plans by ensuring that the local planning officers understand the needs of ports.

It can therefore be seen that the Port of Truro is playing its part to a small degree. 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 of scrap from Truro, this has been reduced by 190,000 miles to only 10,000 miles per year which is very much in accordance with the Governments wish to protect the environment by utilising the most environmentally sustainable means of transport (White Paper on the future of Transport - 1998).

Like most other small ports the Harbour Master has to undertake the duties of a port manager and promote the commercial cargo handling.

### **(c) Moorings for leisure craft**

The entire Fal estuary holds approximately 4,700 moorings, 1,500 of which are located within the port of Truro and about 350 in Penryn. (There are a further 800 moorings and pontoon berths at Mylor Yacht Harbour and Falmouth Marina). 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. In most cases the mooring license is let to the holder to place their tackle on the seabed. As the Harbour Authority owns the seabed no rental is paid to the Crown Estate Commissioners or others. 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 of course be utilised for the conservancy functions of the Harbour Authority.

Truro and Penryn have over the last forty years experienced an increase in the leisure market and income from moorings represents a significant part of the Harbour Authorities budget. It has been fortunate that this transition has been able to be made as the importance of the upper reaches for commercial shipping has declined both at Truro and Penryn.

A well-established moorings policy is published which aims to restrict moorings to local people and seeks to limit the total amount until such time as shoreside facilities can cater for the existing number. These facilities would include car parking, WC facilities and dinghy storage. The moorings policy was reviewed in 2003.

## maritime

Within the Port of Truro there is one marina located at Mylor together with three other smaller boat yards that lease seabed. The former manages a total of 450 swinging moorings together with forty pontoon berths in addition to the 1500 licensed by the Harbour Authority. This 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. This will of course mean an increase in the tariff but the advantages are that it ensures moorings are correctly laid and looked after without the owner having to do much else.

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 outhauls and Dinghy Park spaces. However there are a significant number of marinas and boatyards within the harbour including Falmouth Yacht Marina, Ponsharden Boatyard, Islington Wharf, Ponsharden Boatyard, Challenger Marine, MacGregor Yachts, Penryn Bridge Boatyard and Falmouth Yacht Brokers

In 1875 the Bishop of Exeter conveyed the entire seabed (fundus) and foreshore to the Penryn Town Council and in 1946 the Truro City Council also had the vision to purchase the entire seabed and some foreshore from the Duchy of Cornwall. The net result is that no rental is paid to any other authority for their use and therefore any income generated is paid directly to the relevant Harbour Authority.

This is of significant importance, as the seabed is normally held by the Crown Estate Commissioners, Duchy of Cornwall or the Duchy of Lancaster and a rental income is paid to them by the Harbour Authority.

Another result of the seabed ownership is that local clubs, associations and businesses are encouraged to take out a lease of the seabed in order to run the moorings themselves. The advantages to the Harbour Authority are that whilst getting a guaranteed income they are also only dealing with one contact point in that organisation and not, say, 50-plus mooring holders. The club or association gain through being able to charge their own members for the moorings (which include club fees) and enables them to have some feeling of security and control over their own particular mooring area. Clubs 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

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

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.

### **(d) Moorings for fishing vessels**

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 net bins have been purchased by the Harbour Authority for fishermen to use.

### **(e) Small passenger craft**

There are a number of passenger craft, which use the Harbour, with a seasonal (April - October) service operated by a local company with three 160-passenger craft linking Falmouth to Truro. In addition a number of 'tripping' boats will use the area, again operated from the Prince of Wales Pier at Falmouth.

New facilities include a new landing pontoon at the National Trust Trelissick Gardens and the 'park and float' facility at Penryn.

New routes continue to come into, and at times out of, service but all are promoted wherever possible.

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. Whilst years ago there were simple passenger carrying pleasure craft this has now grown to encompass sailing schools, self-drive hire, yachtsmen taking out tourists and even 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. In addition, Falmouth Harbour Commissioners have now ceased issuing boat and boatmen's licences.

**(f) Other leisure based activities including water skiing, diving, jet skiing, angling, windsurfing, gig racing, regattas etc.**

All forms of 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.

**(g) Marinas, boatyards and other maritime related businesses**

The Harbour Authority is keen to promote the many marine related businesses in the area, which include everything from locally based "maerl" extraction through to marinas for pleasure craft. There are a number of boatyards and repair facilities for small craft together with yacht storage and craneage facilities.

**(h) Aquaculture**

The Port of Truro was the first port in England to allow 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 is a great success with a waiting list for new businesses wishing to locate here.

## Conservancy functions within the Ports

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 basically relates to those operations which are required to ensure navigational safety and include the following in the Port:

- (a) Hydrographic Surveying
- (b) Buoyage and Lighting
- (c) Dredging
- (d) Pilotage
- (e) Communications, including local notices to mariners and VHF
- (f) General port safety including byelaws
- (g) Wrecks and wreck removal

The Harbour Authority approaches these in similar ways to any other port but of course the scale will differ to a greater or lesser extent.

### **(a) Hydrographic Surveying**

A cursory glance at the local navigational chart (No. 32) issued by the Hydrographic Office will show that hydrographic surveying in the Fal estuary up until 1991 was limited to a full survey of the main part undertaken by the Royal Navy in 1974-76 with lesser areas being surveyed in the 1960's and in the case of the lesser navigable creeks nothing since 1853-90. 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 those smaller creeks. We await the results with interest as a time span of over 100 years will no doubt show that a considerable amount of siltation will have taken place as a result of industry and farming practices.

As the Royal Navy no longer undertakes surveys in the estuary it has been the practice to appoint hydrographic survey teams who now utilise DGPS using the GLA broadcast differential corrections for horizontal control with depths measured by Raytheon digital echo sounder, calibrated by the bar-check method. Vertical datum is Chart Datum at Falmouth using tides measured at nearby locations to the surveys. Results of all surveys are immediately passed on to the Hydrographic Office at Taunton for inclusion in new editions of the chart when published. In addition copies are passed to the local pilots so that they are aware of the soundings.

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.

### **(b) 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. The Harbour Authorities have like others the power to carry out harbour operations consisting of the marking and lighting of the harbours or any part of it either within their areas or on harbour land (Section 201 Merchant Shipping Act 1995 (as amended)).

Up until 1985 the majority of buoyage (23 buoys) were constructed of steel which meant a task similar to painting the Forth Road Bridge. A stock of 23 were kept in reserve, duly painted up and put out on station every year. The 'incoming' set was then cleaned, maintained and painted prior to go on station 12 months later. Since 1985 some of the buoys have been replaced by a GRP/Plastic design and the remainder by plastic beacons. This has resulted in a considerable amount of time saved in their maintenance, a stock of spares reduced to three and a higher standard of buoyage. In addition three larger steel buoys in the main body of the estuary have been replaced by a polymer design impregnated with the colouring thereby resulting in minimum maintenance. Using the savings that have ensued, a policy of lighting the buoyage was commenced and completed in the spring of 1999. Initially the costs of solar panel battery and lights were considered expensive for the finances of a small port, but the advantages to enhanced safety of navigation were significant. Indeed the last eight navigational buoys to be lit were done so with what can only be described as a 'throw-away' self-contained light and mini solar cell which gives adequate lighting for the estuarial waters.

There are 52 navigational buoys, beacons and lights within the Ports, of which 38 belong to the Authority with the balance of 14 being the responsibility of a variety of agencies. These include the local electricity, gas and water companies together with British Telecom, the Environment Agency and those in private ownership (boatyards, private mooring pontoons etc). Liaison is maintained with these agencies to ensure the navigational aides are maintained.

### **(c) Dredging**

Siltation of the upper reaches of Truro has been a problem over the years caused mainly in the past by the waste from the nearby china clay and tin mining industries together with agriculture run-off which over the years has entered the estuary, choking the river system. This had in the past been addressed by the Harbour Authorities' small grab dredger "Tolverne". This was sold, however, in 1948 and a new dredger commissioned in 1953. With the demise in traffic using the upper reaches of the port in these years, so came a further increase in siltation. The cargoes of timber, grain, potatoes and cement no longer came in small coasters to the upper reaches of the estuary into the City and in 1961 these commercial operations effectively ended here and moved 1½ kilometres down-river to Newham.

The dredged spoil was used either as an infill on the nearby council operated landfill tips or for river bank reinforcement. It was simply dumped on the site without any form of treatment, or placed alongside existing man-made riverbanks to reclaim some inter-tidal mudflats or prevent erosion. The reason for this preferred method was simply that the dredger was of an unsuitable design to take the limited quantities (about 40m<sup>3</sup> per load) the 12 nautical miles out to sea to the nearest dumpsite.

In 1991 the decision was taken to lay up the dredger "Reclaim" which was by then 38 years old, in an effort to reduce costs. The other reasons were:

- It was felt that contract dredging by specialised companies (some based locally) would be able to offer a more cost-effective service.
- Problems were being experienced with the dredger as it was getting older and required extra funds spent on it in order to maintain and insure.
- Costs were escalating owing to the introduction of dumping fees at the nearby land infill site.
- Staff resources were required to be utilised elsewhere in the Department and not spent on dredging operations.

It soon became obvious that we were spending significant amounts of money, not on the physical operation of dredging but also the disposal costs associated with it. This included license fees, haulage, craneage and dumping costs if disposed of inland or at sea.

It was estimated at this time that within the Port of Truro 33% of costs went on dredging whilst 67% of costs went on inland transport and dumping fees.

Prior to obtaining the first license to dispose of the dredged spoil to sea in 1999 a number of trials attempting to mix the spoil with sand (the waste product of the nearby china clay industry) and other additives to make a topsoil substitute for use on derelict land reclamation programmes were undertaken. There were a number of reasons why this was attempted and it is still considered advantageous provided a nearby derelict land site is identified. However:

- The estuary has recently become a candidate Special Area of Conservation under the EC Wildlife Directive and it is felt that the dumping of dredged spoil at sea should be avoided if possible.
- Within the Port's Environmental Management System the positive points of actively promoting beneficial uses of dredged spoil are highlighted.
- The financial savings by not dumping at sea or at inland locations could be in the order of 60%
- Cornwall has the second highest amount of derelict land in the UK and can therefore benefit from such a reclamation programme.

Whilst the trials have been effective there is now no nearby land and now consideration has to be given to undertaking a small annual 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 well have to be given to dredging some of the leisure mooring areas within the port to continue to provide deep-water yacht mooring space. The main advantage of dredging in Truro is that because it dries at low water in the upper reaches the results are easily checked. There has been a limited amount of dredging in Penryn alongside Exchequer Quay. Falmouth Yacht Marina and Challenger Marine have also undertaken dredging. In addition a capital scheme was undertaken in 2005 to enable all tide access to and from the Park and Float pontoons.

The Harbour Authority also became pro-active in 2006 by becoming one of only three 'pilot ports' for producing a 'Baseline Document' for maintenance dredging within Special Areas of Conservation (SAC). This pilot project was concluded in 2007.

### **(d) Pilotage**

The Pilotage function under the 1987 Act is met by the provision of a tripartite agreement between the three Competent Harbour Authorities within the District. These are:

- Falmouth Harbour Commissioners (Falmouth)
- Carrick District Council (Ports of Truro & Penryn)
- A&P Falmouth (The Docks)

These three Competent Harbour Authorities form the Pilotage Management Committee who are the responsible authority, which is run on a day-to-day basis by the Falmouth Harbour Commissioners.

Pilotage is non-compulsory for vessels under 65 metres. There is an agreement with the Falmouth Harbour Commissioners to provide the service to the Ports and five pilots fulfil these duties.

Regular contact is kept with the pilots through operational meetings, 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.

### **(e) 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. 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. The difference between the two is simply that the former is something of a temporary nature whilst the latter is permanent, generally requiring a change to the chart.

In addition, hand held VHF sets and mobile telephones are also available particularly when single man operations are undertaken.

- Harbour transport consists of the following craft / vehicles:
- Workboat: locally built 8.5m GRP craft. 90hp Ford Sabre Diesel with 1.5t Hiab crane.
- 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.
- Patrol Craft: 6.9m GRP catamaran, powered by 170hp Yanmar diesel connected to a hydraulic jet-drive.

### **(f) General Port Safety including byelaws**

Whilst byelaws for the protection and regulation of navigation have been updated (November 1997), their 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 compared to the winter months.

Patrol Officers are employed for periods between May - September and cover daily, weekend and some evening times. Risk assessment of staff duties has been undertaken together with relevant training.

### **(g) Wreck 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.

Consideration should also be given as to whether a vessel is a wreck or an abandoned vessel and whether or not the obstruction is a danger to navigation or does not obstruct navigation. Section 56 (1847 Act) refers to wrecks which obstruct navigation and allows the Harbour Master to remove it. However this power is used only when the wreck is required to be removed urgently and does not allow the vessel to be destroyed. Expenses for the removal are the responsibility of the owner and if they do not comply with the demands then the Harbour Master may sell the wreck, pay the expenses and return the balance to the owner.

The second wreck removal power, contained in Section 252 of the Merchant Shipping Act 1995 refers to any vessel which has been sunk, stranded or abandoned in a harbour or in or near any approach thereto in such a manner as in the opinion of the Harbour Authority to be, or to be likely to become, an obstruction or danger to navigation. This is therefore a committee or board decision and not part of any delegated authority to the Harbour Master. However the Harbour Authority can under these powers take possession of and raise, remove or destroy the whole or any part of the vessel in question. They may also light or buoy the vessel until it is raised, removed or destroyed.

Finally Section 57 (1847 Act) provides that no vessel which shall be laid by or neglected as unfit for service shall be permitted to be within the limits of the harbour. If it does so lie in the harbour then the Harbour Master may remove it at the expense of the owner. However the Harbour Master is only authorised to remove it from the harbour and for it to be "laid on any part of the strand or seashore or other place where the same may without injury to any person be placed". Again the Harbour Master cannot destroy the vessel under this Section.

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. Prior to any wreck being broken up the current owner is contacted and their permission sought to destroy the vessel. If this proves impossible then local advertisements are carried in the press outlining the Harbour Authorities intentions. It is generally fair to assume that most of these vessels are destroyed not necessarily because they are an immediate danger to navigation but that they could pose a threat, if submerged, to other vessels using the foreshore berths. They could also eventually break up and sections float away endangering navigation, but in the majority of cases it is simply because it is an eyesore.

### **(h) Port Security**

Under new Regulations the Port of Truro has to conform to the International Ship and Port Security legislation by virtue of having vessels engaged on international voyages that are over 500 GT.

This is a new initiative and has had to be undertaken with existing resources and involves the physical security that may be required on premises, signage, the appointment of a Port Facility Security Officer (PFSO) and a Port Facility Security Plan together with training. The Port Facility Security Plan is being revised in 2007.

## Environmental Management

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

The Harbour Authorities recognise the need to conserve the natural environment of the estuary and waters under their control through sound environmental management. 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.

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

However prior to this 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 bilge's, assessing dredging requirements, assessing suppliers energy consumption and water consumption all have detailed work instructions in order to lessen any deleterious effects.

The Harbour Authority is also a relevant authority within the SAC management group and has a management agreement with Natural England over a Site of Special Scientific Interest in the upper reaches. As like other Harbour Authorities the Port of Truro and Penryn has a duty to exercise its 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 practice 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.

Environmental management is challenging but it does bring benefits. 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 to walk on, less noisy when walked 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.

## Plans and Policies

The Harbour Authority is involved in a number of initiatives which include:

### Oil Pollution Plans

Since 15 May 1998 the UK Government has enforced the International Convention on Oil Pollution Preparedness, Response and Co-operation (1990) (International Maritime Organisation) and brought in the Merchant Shipping (Oil Pollution, Preparedness, Response and Co-operation Convention) Regulations 1998.

The Port of Truro is required to abide by these Regulations as it is classified as:

- (b) Any Harbour or any oil handling facility offering berths alongside, on buoys or at anchor, to ships over 400GT or oil tankers over 150GT.

The Port of Penryn is not covered but it is considered prudent to include it as an extension to Truro and Falmouth. These regulations effectively require that a response plan, compatible with the National Contingency Plan, must be submitted to the Maritime and Coastguard Agency for approval. In addition there is a requirement for ports, harbours and oil handling facilities to report all oil spills using the well established CG77 POLREP form together with the ability for a port or harbour authority to respond immediately to cope with any identified operational (Tier One) oil spills within its own resources. A stock of equipment together with the relevant training and exercising is also required, and finally 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.

Like most other harbour authorities there has been a plethora of consultants willing to assist the Port in drawing up the relevant plans, supply equipment and provide a guaranteed response. The Harbour Authorities at Truro, Penryn and Falmouth have long collaborated over the provision of an oil pollution plan and following a round of meetings have now included A&P (Falmouth) at the Docks within a new response plan. A preferred agency has been nominated to draw up the plan and stocks of equipment have already been purchased to cater for a Tier One response. All three Competent Harbour Authorities will have similar equipment so that it can be utilised together in the event of a more serious spill. Indeed it is hoped that a multi-harbour authority response will be capable of providing for a Tier 2 oil spill instead of requiring payment of a retaining fee to another organisation.

Harbour Authorities will still 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

Ports now have to become more aware to safety and the Code introduces Formal Safety Assessment to ensure that risks follow the ALARP (as low as reasonably practicable) principle. This involves a safety management system, risk assessments together with applying best practice found in the 'Good Practice on Port Marine Operations' publication.

### 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 which are;

*The Dangerous Substances in Harbour Areas Regulation 1987 (Regulation 26, 27 and 28)*  
*Control of Industrial Major Accident Hazard Regulations 1984*

## **maritime**

The objectives of the plan are to:

1. To identify the inherent risks (Emergency Scenarios) that may occur within the Fal estuary limits.
2. 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.
3. 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.
4. 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**

As from January 1998 the Merchant Shipping (Port Waste Reception Facilities) Regulations 1997 require ports, harbours, terminals, installation, marinas, piers and jetties in the UK to 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 available facilities include "wheelie-bins" placed on visitors' pontoon systems with a daily collection service undertaken in the summer months by harbour staff. It has become clear that such facilities serve a useful purpose and waterborne litter has decreased since they came into use. 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.

The current legislation to implement the Governments Policies is found in the Animal Health Act 1981 and The Rabies (Importation of Dogs, Cats and other mammals) Order 1974 as amended by the Rabies (Importation of Dogs, Cats and other mammals) (Amendment) Order 1977 and 1984.

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.

Additional assistance such as boat transport is given should the need arise.

### **Liaison with other agencies**

Liaison with the following organisations is maintained in order to provide assistance wherever necessary:

<b>H M Customs &amp; Revenue</b>	Memorandum of understanding with regard to the illegal importation of Drugs. Cargo Import / Export. (Customs approval - Section 24 and 25 of Customs and Excise Management Act 1979)
<b>Maritime and Coastguard Agency</b>	Liaison with regard to emergencies, port state control and oil pollution.
<b>H M Forces</b>	Assisting in facilitating arrangement for ad hoc exercises.
<b>Police</b>	Emergencies, theft and other illegal activities, together with provision of marine craft if required together with the maintenance, monitoring and reporting required by the local Boatwatch Scheme.

<b>Fire Brigade</b>	Emergencies and facilitating exercises on board vessels together with provision of marine craft if required.
<b>Truro and Falmouth Port Health Authority</b>	Assistance with collection of water and shellfish sampling, provision of marine craft for inspections. Liaison with regard to environmental health complaints and licensing arrangements for certain cargoes.
<b>RSPCA</b>	Provision of marine craft if required.
<b>Environment Agency</b>	Liaison with regard to oil pollution and river floods. Waste Management Authority. Assistance to fishery officers with regard to fishing and poaching.
<b>County Council and District Council</b>	Liaison with regard to Planning Authority, Highways, Beach Safety Officer/Senior Maritime Assistant have an impact on the operations of the Harbour Authority.
<b>Marine and Fisheries Agency</b>	Applications for dredged spoil disposal licenses and assisting fishery officers.
<b>Department for Transport</b>	Various plans and policies together with Coast Protection Act consents. (Section 34 Coast Protection Act 1949). Port Security
<b>Trinity House</b>	Consents for navigational buoyage, beacons and lighting. (Sections 199 (2) and 201 Merchant Shipping Act 1995).
<b>Natural England</b>	Site of Special Scientific Interest - Site Management Statement.

As a local authority harbour there will also be links with Parish Councils, clubs, associations, private landowners, National Trust and others.

## Other Responsibilities

As earlier stated the Maritime Section of the District Council is responsible not only for the Statutory Ports of Truro and Penryn, but also the following:

### (a) Oyster Fishery

The District Council administrates the Port of Truro Oyster Fishery under the Truro Port Fishery (Variation) order 1967, and the Truro Port Fishery Order 1936. The area extends outside of the statutory port limits and partially into the jurisdiction of the Falmouth Harbour Commissioners. It is believed to be the world's largest oyster fishery still fished by traditional means. Local byelaws restrict the vessels that dredge for oysters to sail boats and to the 'haul tow' method. The former work in the lower more open part of the estuary, whilst the latter work the more confined upper reaches or into the larger area if there is no wind. The native oyster (*ostrea edulis*) is dredged and generally 95% is exported to France. The work involves providing a member of staff in order to ensure that the regulations governing the size and hours of fishing are maintained. There is regular liaison with the local Oyster Fishermen's Association and oyster merchants through the Oyster Fishery Management Group. In addition, there is regular contact with Cefas and Port Health officials especially with regard to public health, water quality and shellfish quality.

### (b) Piers and Quays

The upper quays around Truro are no longer used for commercial shipping and have been taken over by leisure craft and car parks. The maintenance of the quay surface and walls is undertaken to ensure public safety and provide an income for the Local Authority.

Within Falmouth Harbour is a large amenity, the Prince of Wales Pier (Falmouth Quays Corporation Orders 1878-1952) which provides berthing for the numerous passenger carrying pleasure craft that use the estuary. There are all year round passenger services from Falmouth to Flushing and Falmouth to St. Mawes. In the summer a Falmouth to Truro link is brought into service together with fishing trips and pleasure cruises. These services have been expanded with a landing stage link to a National Trust garden at Trelissick. In addition, there is a 'park and float' pontoon system at Ponsharden where motorists can leave their car and arrive in Falmouth by boat.

## maritime

Portscatho on the nearby Roseland Peninsula is a small non-statutory harbour which provides shelter for small craft both local and visiting. A small boatman's hut, jetty and winch-house are maintained in the Harbour together with Byelaws made under Section 76 of the Public Health Act 1961 being enforced to prevent excessive speeding off nearby tourist beaches and to prevent water skiers and jet skiers clashing with bathers. The seasonal harbour master has use of a 14 foot craft powered by a 15hp outboard motor.

Together with these passenger links the Prince of Wales Pier is used by many hundreds of thousands of people annually who simply wish to walk up and down the pier or sit down and have a look around the harbour. Seasonal Piermasters are on duty from April to October to ensure byelaws are maintained and to assist the public with regard to first aid provision and tourist information.

### (c) Beach Safety

The Council, under the Cornwall County Council Act 1984 used to provide professional lifeguard cover on:

- Perranporth
- Perran Sands
- Porthtowan
- Holywell Bay
- Chapel Porth
- St Agnes
- Gyllyngvase

Being seven of the most popular bathing and surfing beaches within the District. Beaches are guarded between 1000hrs and 1800hrs, seven days a week from mid-May until the third week in September.

However, as from 2002 the Council entered into a partnership agreement with the RNLI who now provide the Beach Rescue service. The Council still maintains all the public rescue equipment, undertakes school talks etc. and makes a significant donation to the RNLI.

### (d) Licensing of Boats and Boatmen

All boats which are hired out for financial gain carrying fewer than 12 passengers have to be licensed. This is undertaken by the Harbour Master to ensure that certain standards of safety equipment, seaworthiness and machinery (if carried) are maintained.

Similarly, Boatmen are also examined and licensed to ensure that a level of competence is reached before they can take passengers out on boats.

## Summary

It is clear that the port industry is diverse. Within the UK there is a vast range of physical size, ownership, type and tonnage of traffic, which may or may not include fishing interests or leisure craft. With these ports there is a host of legislation as well as new initiatives being considered from time to time. Local Authority or municipal ports have to not only consider and abide by these but also has to have regard to the local government system with all that that entails.

Whilst the Trust Port Review, Pilotage Review, Oil Spill Contingency Planning, Ports Policy Paper and Guide to Good Practice for Port Marine Operations will affect all ports, municipal ports will have to also consider these in addition to topics such as Best Value, Agenda 21, Municipal Ports Review and Local Government Reform.

Small municipal ports such as Truro and Penryn have, it is felt, a lot to offer. They are available to the entrepreneur who may wish to ship out a single cargo, whilst at the same time available to those who wish to make a greater commitment. There are deep-water facilities for laid up vessels yet it also operates the world's largest traditional oyster fishery. There are a significant number of moorings, together with marinas and boatyards all within a Special Area of Conservation. They are truly multi-functional and whilst being 'small' ports of 2500 acres and 100 acres they still have to abide by all the rules, regulations and legislation covering not only ports but local government as well.

## For help and advice contact:

Harbour Office, Town Quay, Truro TR1 2HJ

Tel: **01872 224231** or **01872 272130**

Fax: **01872 225346**

email: [abrigden@carrick.gov.uk](mailto:abrigden@carrick.gov.uk)

Web: [www.portoftruro.co.uk](http://www.portoftruro.co.uk)

(weekdays between 08.30 - 17.30)

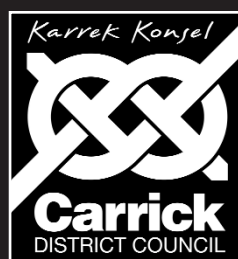
Tel: **01872 224400** (out of hours)

*If you require this document in a different format, for example large print, audio tape etc, please contact **01872 224231**.*

*Please be aware that providing these formats will incur a short delay.*

## Other useful contacts

Penryn Harbour Office, Exchequer Quay, Penryn TR10 8LS



### Carrick District Council

Carrick House, Pydar Street Truro TR1 1EB

Tel **01872 224400**

Fax **01872 242104**

email [comment@carrick.gov.uk](mailto:comment@carrick.gov.uk)

[www.carrick.gov.uk](http://www.carrick.gov.uk)