

Agenda Item 12c)



Hayle Town Council  
Hayle Community Centre  
58 Queensway  
HAYLE  
TR27 4NX

**Your ref:**  
**My ref:** SJM/MJP/000277  
**Date:** 19 February 2010

Dear Sirs

**Coast Protection Order November 2008**

As you will be aware the current Licence to conduct dredging operations in Hayle Harbour expires in May 2010. The Council has now received a request from Hayle Harbour Management Limited to renew the dredging Licence and in some areas such as moving dredging operations towards Dynamite Quay extend the area that is dredged.

At this stage of the application, I have forwarded the request to the environmental consultees which are the RSPB, Environment Agency, Natural England and our own Maritime Department within the Council for their comments and would be grateful for your comments on the application.

I will of course keep you informed as comments are received in particular from the environmental consultees and should you have any concerns regarding the application or wish to be kept informed on a more regular basis, please do not hesitate to contact me. I am also happy to meet with you on a one-to-one basis if required.

Yours faithfully

**Simon JR Mansell MBE**  
Principal Legal Officer Corporate Governance  
F.Inst.L.Ex

Legal Services  
Tel: 01736 336716  
Email: [simon.mansell@cornwall.gov.uk](mailto:simon.mansell@cornwall.gov.uk)

cc **Tom Flanagan, EP&E**  
**Andy Brigden, Maritime**  
**John Coombe, Councillor**  
**John Pollard, Councillor**

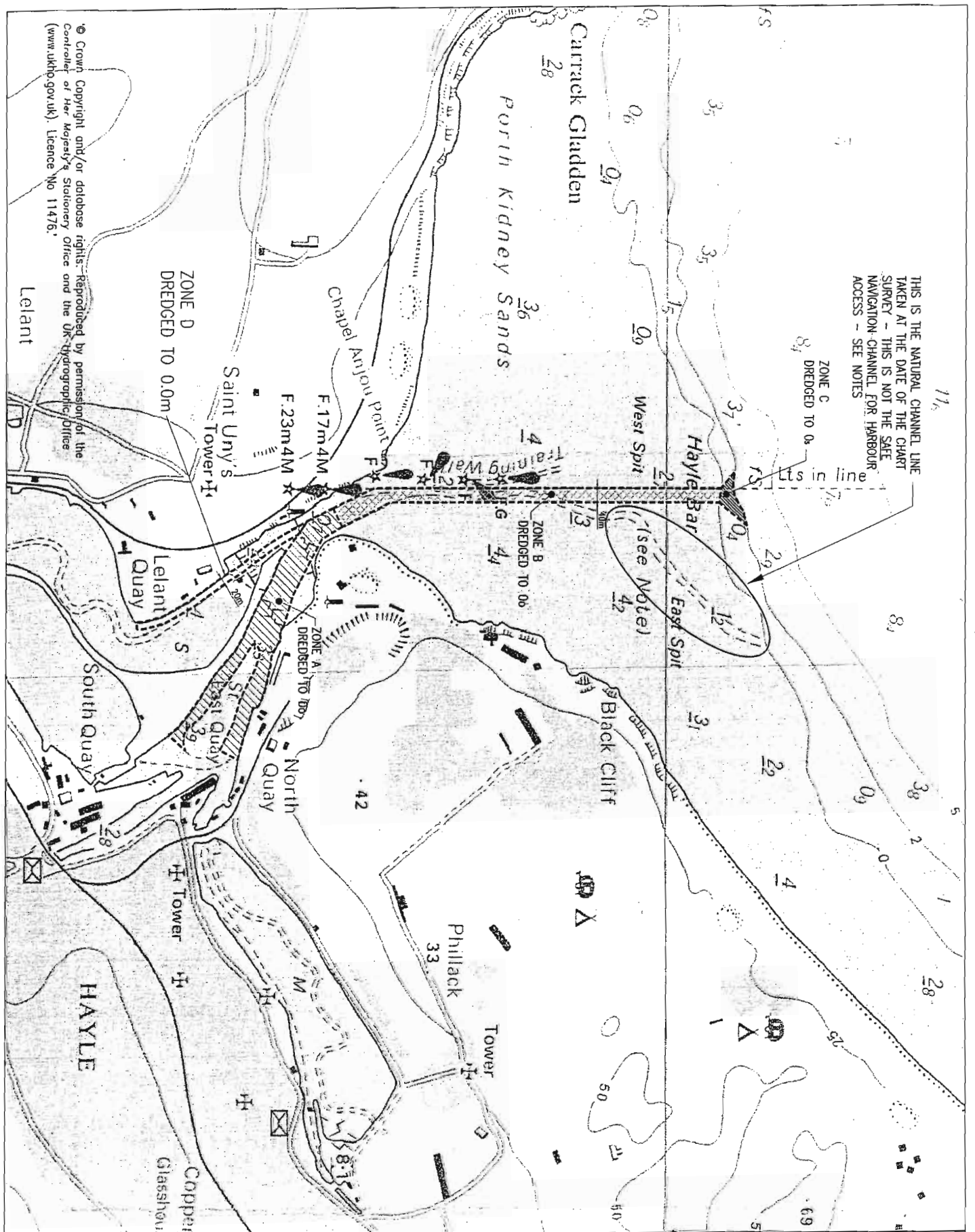


The Cornwall Council does not accept service of any legal proceedings or process via email or other electronic device






Cornwall Council, Penzance Offices, St Clare, Penzance, Cornwall TR18 3QW. DX 144380 Penzance 3

Tel: 0300 1234 100 [www.cornwall.gov.uk](http://www.cornwall.gov.uk)

THIS IS THE NATURAL CHANNEL LINE TAKEN AT THE DATE OF THE CHART SURVEY - THIS IS NOT THE SAFE NAVIGATION CHANNEL FOR HARBOUR ACCESS - SEE NOTES



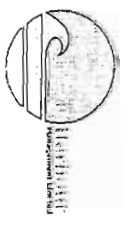
© Buro Happold Limited or its group companies. All Rights reserved. Buro Happold and its group companies accept liability otherwise agreed in writing that rights under s.77 to 83 of the Copyright, Designs and Patents Act 1988, DO NOT SCALE THIS DRAWING.  
 Notes  
 DREDGING ZONES AS REFERRED TO IN CORNWALL COUNCIL DREDGE LICENCE

-  ZONE A INNER HARBOUR
-  ZONE B HARBOUR ENTRANCE
-  ZONE C BAR
-  ZONE D OTTAWITE QUAY
-  DREDGE LIMITS ALLOWING FOR SIDE SLOPES

02 UPDATE FOR NEW 10/2/10 KC/WA CC LICENCE

01 NAV CHART REPLACES O/S MAP FOR IMPROVED DETAIL  
 21/4/08 MP/WA  
 Date Description DW/CK

**INDICATIVE**



Project **Hayle Harbour**  
 Dig Title MAINTENANCE DREDGING  
 ZONES A, B, C & D

Scale: A3 1:10000  
 Drawn by MP  
 Checked by WA  
 Date FEBRUARY 2010

Job No. 025961 (BURO HAPPOLD)  
 Dig No. CSK009  
 Rev 02

© Crown Copyright and/or database rights. Reproduced by permission of the Controller of Her Majesty's Stationery Office and the UK Hydrographic Office (www.ukho.gov.uk) Licence No 11476.



RECEIVED  
By Cornwall Council  
Legal Services  
16 FEB 2010

15 FEB 2010  
Planning and Development

Simon Mansell, MBE  
Principle Legal Officer Corporate Governance  
Legal Services  
Cornwall Council – Penzance Office  
Council Offices  
St Clare  
Penzance  
Cornwall  
TR18 3QW

Subject: **Hayle Harbour – Maintenance Dredging Licence Application** Date: 9<sup>th</sup> February 2010

Dear Mr Mansell

Hayle Harbour Management wish to apply for a licence to maintenance dredge the outer and inner navigational channel.

The current dredging licence issued by Penwith District Council (PDC) under the Coast protection Act 1949 and the St Ives Bay Protection Order 2003 is due to expire at the end of April 2010.

As the original granting body no longer exists Hayle Harbour Management Ltd has been advised that a new licence is required from Cornwall Council.

Our comments in regards to any proposed changes to the existing PDC licence are as follows:

#### **Area and Purpose of Dredging**

You will be aware from previous correspondence that the need to dredge the navigation channel in order to preserve the safety of vessels entering or leaving the harbour is a statutory requirement under the Hayle Harbour Act 1989.

HHML would wish to add the channel to the front of Dynamite Quay to the list of zones for dredging and this has been discussed previously with the dredging committee. A revised zoning plan is attached to this letter.

#### **Method and Timing of Dredging**

Prior to the present dredging programme the state of the channel had become critical and HHML was instructed at that time by the MCA and Trinity House that work should commence without delay, since then 38000 tons of sand from the licensed 53000 tons pa has been removed from the navigable channel to which a significant improvement can be seen.

There remains however a requirement to continue with the programme to straighten the outer channel which does not follow the navigational aids that should indicate its true position and the heading required to enable a safe transit into the harbour. As a result there was an incident last year when a visiting yacht following these aids ran aground.

The Old Customs House, Hayle Harbour, Hayle, Cornwall TR27 4BL

T 01736 754043 F 01736 756632

E [hayleharbourml@btconnect.com](mailto:hayleharbourml@btconnect.com)

Hayle Harbour Management Limited

Registered in England and Wales No. 04906053

HHML wishes to continue with its current year round maintenance dredging programme and would seek a minimum 5 year licence with an option for that to be extended in the future provided that no alterations were required. It is intended that the works will be undertaken using a combination of methods that will include both suction and mechanical dredging, as currently provided.

With regard to the licence conditions it was proposed at a recent meeting of the dredge committee that the licensed tonnage of 53000 tons be reduced by at least 20% and that the agreed figure should incorporate the replenishment volume i.e it is left on the seabed rather than provide for a costly operation to return it from where it was taken. HHML would seek a minimum figure of 38,000 tons per annum to ensure the safety of the channel is maintained and gradually improved where it is needed.

#### **Monitoring of the Removal of Dredged Materials**

Experience has shown that the costs involved with the replenishment of the required 20% of sand to the sand cell and those associated with its sampling are in excess of £20,000 pa therefore HHML are looking to considerably reduce this figure.


It is proposed that the current format and frequency of sand testing is reduced when sand is being extracted from particular areas. Both the Environment Agency and the Cornwall County Council testing laboratory have also advised that the number of tests carried out on samples could be reduced as those taken have indicated the sand to be of a good quality. HHML would therefore work with the EA to agree a revised testing suite and frequency to include in any new licence.

#### **Use of Dredged Materials**

As noted above, HHML would seek to reduce the costs associated with re-use by reducing the amount of dredging being undertaken. HHML remain committed to searching for other funding opportunities that will allow the investigation of and deposit into St Ives Bay. This can not be done without external funding as income from harbour dues is not sufficient and income from sand sales is needed to support the dredging operations.

No other significant changes are proposed to the terms and conditions of the existing licence. Please contact the undersigned should you need any further clarity on the issues discussed above.

Yours sincerely



P M Haddock  
Deputy Harbour Master