

***Pwyllgor Ymgynghorol Harbwr  
Aberdyfi  
Harbour Consultative Committee***

*19 October 2010*

***Maritime and Country Parks Unit Report***

**1- Navigation and Moorings**

- 1.1** In accordance with statutory requirements and in compliance with public expectation and the Port Marine Safety Code, all the Aids to Navigation leading to Aberdyfi Harbour were inspected by the officer from Trinity House on the 21<sup>st</sup> September 2010. The inspector has confirmed that all the Aids to Navigation at Aberdyfi are compliant with the standard set by Trinity House. A detailed administrative audit of all Aids to Navigation throughout Gwynedd was also undertaken by Trinity House on the 16<sup>th</sup> September 2010 and confirmation has been received that the monthly monitoring of all Aids to Navigation are also to the required standard.
- 1.2** Despite the un seasonally severe weather that was experienced on certain days during the summer, all the navigation aids have remained consistently on station. This reflects on the benefit gained from investing in suitable and appropriate ground anchors. General maintenance work will need to be completed on all navigational aids during the autumn and winter period and the Harbourmaster and Maritime Officer Harbours will have prepared a comprehensive programme for the maintenance of the navigation aids for this period. It is expected that weather permitting, most of the maintenance work will have been completed before Christmas.
- 1.4** The moorings which are allocated for visiting vessels and all permanent moorings in the Council's ownership were inspected and maintained prior to the start of the season. Craft exclusion zone and speed restriction zone marker buoys were positioned on the beach by harbour staff. Harbour staff will inspect and maintain the moorings and there will be a requirement to ensure that the moorings are secure over the winter period. The Harbourmaster and the Maritime Officer Harbours will distribute a detailed copy of the mooring service record for 2010 at the meeting.

**2 – Proprietor's and Boatman's Licenses**

- 2.1** In 2010 the Maritime Unit issued one 'Proprietor and Boatman's Licence' for the ferry that operates in Aberdyfi and the authority issued four 'Proprietor's Licences' and seven 'Boatman's Licences' for the vessels operating in Abermaw. Both harbour areas are defined as Categorized Waters under MSN-1776 (Merchant Shipping Notice.)
- 2.2** Members of Abermaw Harbour Consultative Committee have expressed concern regarding the level of qualification and experience required for a navigator to hold a Boatman's License and it was requested by Members that the Maritime Unit undertake further work to ensure that the basis for issuing a 'Boatman's' Licence' was clear and unambiguous. There was also a requirement for the Maritime Unit to ensure that the requirement with regard to the issuing of 'Proprietor's Licenses' was also clarified.

In order to clarify the position, it was necessary for the Maritime Unit to submit the proposed amendments to each of the Harbour Consultative Committee whereby a section of the harbour falls within the definition of 'Categorized Water' therefore the opinion of the Aberdyfi Harbour Committee with regard to the final licensing proposal is also required.

2.3 The concerns of Abermaw Harbour Committee have been discussed at length with the Marine Surveyor and it has been categorically stated that the number of passengers to be carried on board a licensed vessel was to be clearly stated on the License and also on the survey form that is to be completed by the marine surveyor. This ensured that there would be no ambiguity regarding the number of passengers that were granted by the surveyor to be carried on board the vessel. Consistency with regard to the type of safety equipment that was required to be on board the ferry and that the safety equipment was to be inspected by the maritime surveyor and also the requirement for the equipment to be available on board the vessel at all times was also clarified.

2.4 As will apply to each vessel operating within the Categorized Waters in Gwynedd, (which includes the Menai straits except for the Swellies) the definition of 'Favourable Weather' is based on the following statement that is included in the MCA Code of Practice for commercial boats:-

***'Favourable Weather' means wind, sea and visibility conditions which are deemed by the skipper to be safe for a small vessel to operate within the limits applied to it; or, in any other case means conditions throughout a voyage or excursion in which the effects either individually or in combination of swell, height of waves, strength of wind and visibility cause no hasard to the safety of the vessel, including handling ability.***

***In making a judgement on favourable weather, the skipper should have due regard to official weather forecasts for the service area of the vessel or to weather information for the area which may be available from the MCA or other coastal safety organisations or Harbour Authority.***

As noted in the aforementioned statement issued by the MCA and the Committee of the YDSA (Yacht Designers and Surveyor's Association) who are also authorised by the Maritime and Coastguard Agency, it is clear that the Skipper of the vessel is responsible for making judgment as to whether the weather conditions at the time of the intended voyage is safe for the vessel to proceed on its journey. The safety of passengers is of paramount importance and each Skipper should be in no doubt whatsoever that the prevailing conditions at the time are favourable for the journey that is to be undertaken.

2.4 The period whereby a ferry service can be undertaken is restricted to daylight hours only i.e. one hour before sunrise and one hour after sunset. Operating a licensed vessel outside these hours is not authorised by the License and is therefore not permitted.

2.5 A copy of the current 'Proprietor's Licences' and the current list of Safety Equipment has been appended to this report and the views of Members regarding the wording of the revised licence and revised equipment list which will apply in 2011 is requested. These documents will need to be continued to be exhibited on board a licensed vessel at all times when operational in the categorised waters.

2.6 As Members will note from the appended draft application form for 2011, the following evidence will need to be presented:-

- RYA Powerboat Level 2 (minimum) with logged evidence of 12 months relevant experience
- Valid First Aid Certificate
- VHF Restricted License
- Sea Survival Certificate
- MCA ML5 Certificate of Medical Fitness (adapted for local license)

It is proposed that the Council issues an amended equivalent of the MCA ML5 application form as the completed form will not be required to be presented to the MCA/RYA.

For those not able to provide logged evidence, then the Maritime Unit will undertake an independent assessment of the competency of the applicant.

- 2.8 During the early part of 2010, the Maritime and Coastguard Agency invited interested parties to provide comment on their research into the existing 'Boatmaster's Licenses'. The Maritime Unit responded to the proposal and a full copy of the responses will be available to Members by request. It is anticipated that the MCA will consider introducing a new 'Level Two Boatmaster's Licence' in the near future.

### 3 – Harbour Statistics

- 3.1 As will be noted from the table in the appendix, **965** Personal Watercraft registered with Gwynedd Council in 2010. This compares with **892** for the same period in 2009, an increase of **73** in 2010. A total of **1389** Powerboats were registered with Cyngor Gwynedd with the majority of vessels, a total of **714**, registering through direct correspondence with the Maritime Office.
- 3.2 As noted in the table, only **37** Powerboats and **27** Personal Watercraft registered with Aberdyfi harbour in 2010. It was not possible to launch at Tywyn due to the construction work and therefore no vessels were registered at Tywyn. The registration fee for powerboats and Personal Watercrafts is identical to the previous year with no increase incurred in 2010 to take account of annual inflation. The registration permit fees remained at **£15.00** by postal application or alternatively, the applicant could register directly at the beach for an increased fee of **£20.00**. The launching fee remains at **£12.00** a day or **£130.00** for the season.
- 3.3 It is noted from the table in the appendix that **97** pleasure boats moored in the harbour this year and this is in comparison with **102** in 2009. This means that **80%** of the moorings were occupied in 2010, a slight decrease in comparison with 2009. Of these moorings that were occupied, **44%** were occupied by local residents who live in Gwynedd on a permanent basis, and **56%** were occupied by persons who live out-of-county.
- 3.4 Given the VAT increase from 17.5% to 20% in January 2011, it is anticipated that the fees will have to be increased although the increase will not affect the net income generated for Gwynedd Council. The Additional Duty payable on Red Diesel increased on the 1<sup>st</sup> October 2010 to .4701 pence per litre and will further increase to .4762 pence per litre in January 2011. The Additional Duty is payable on each litre of fuel that is used for propulsion. There is no Additional Duty payable on Red Diesel used by commercial vessels.

### 4.0 Harbour Budgets

- 4.1 Attached, for Members' information, is the harbour's final budget report for the financial year of **2009/10**; also the financial situation up to the 31<sup>st</sup> August 2010, together with the harbours' expenditure budget and income targets for the **2010/11**. Members will note that there was a surplus of **£6,548** in comparing the income against expenditure at Aberdyfi in 2009/10. However, Members will note that the income heading on Rent exceeds the target by approximately 7K and such income may have been allocated to the incorrect heading. Members will also note the under expenditure of £11,783.91 against the budget allocated, albeit temporarily, for maintenance (Maritime.)
- 4.2 Due to the most unfavourable weather that was experienced during the main summer month of August this year, it is very likely that the Maritime Unit's income headings will not reach their income target during the current financial year.

There will be a need to exercise extreme caution during the coming months in order to ensure that the service does not commit funding beyond the budget. The Harbourmaster and the Maritime Officer Harbours will be providing a detailed maintenance programme for the autumn in order to identify expenditure priorities in Aberdyfi harbour for the remainder of 2010/11.

4.3 There are concerns regarding the harbour activities income target for Aberdyfi harbour once again this financial year. Members will note in the appendices that the income target for the current financial year is **£39,270**. The Aberdyfi harbour income thus far has reached **£24,552** namely a deficit of **£14,717** short of the required target. It is not anticipated that there will be a substantial addition to the harbour income between October 2010 and March 2011 other than for winter storage fees.

## 6.0 Harbour Committee Meetings

6.1 A request has been submitted to Cyngor Gwynedd by Aberdyfi Community Council requesting that Gwynedd Council considers introducing one additional Harbour Committee meeting to the calendar of all Council committee meetings that are already scheduled. Aberdyfi Community Council is requesting that the additional harbour committee meeting be a joint meeting of representatives of all Harbour Committees and would be convened at a mid way point between the existing Committee meetings either during the summer, or at the end of December/early January.

6.2 Members are reminded that representatives from other Harbour Committees are already co opted on to each of the Harbour Committees and that this initiative was introduced by the Maritime and Country Parks Unit in order to ensure that information relating to each harbour was being shared between the Harbour Committees. The representatives from other Harbour Committees are invited to attend with the intention that information to be filtered directly to those Harbour Committees which they represent.

6.3 The views of Members as to the proposal by Aberdyfi Community Council to establish a joint meeting of all Harbour Committees in addition to the existing half yearly Harbour Committee meetings is requested. The Maritime and Country Parks Unit is of the opinion that the present system functions in accordance with the Municipal Ports Review and allows for Members to be updated and to be able to contribute and comment on the relevant harbour's Port Marine Safety Code.

6.4 During the next few months, it is anticipated that the Maritime Unit will be reviewing the constitution that is relevant to each Harbour Consultative Committee with a view to presenting a draft constitution to each of the Committees in 2011. A new constitution will need to be considered for the harbours of Aberdyfi, Abermaw and Pwlheli. Membership of the Porthmadog Harbour Consultative Committee is stated in the Porthmadog Harbour Revision order.

## 7.0 - Bathing Water

7.1 The bathing water quality at Aberdyfi in 2009 reached the required Mandatory Standard and therefore, despite not achieving the standard required for the International Blue Flag Award the beach was awarded with the Resort Beach Award in 2010. The bathing water quality at Aberdyfi beach for 2010 is border line thus far, however, we will have to wait until all the results have been published before they can analyse the bathing water quality for 2010.

7.2 In 2015, the new European Bathing Waters Directive will come into force and meeting the Bathing Water criteria in 2015 will be challenging. From initial discussion with officers from the Environment Agency and given the fluctuating standard of bathing water at Aberdyfi over the last five years, it is possible that the Bathing Water for Aberdyfi beach could be classified as being of a poor standard under the new directive in 2015.

- 7.3 In order to ensure that local residents and visitors to Aberdyfi are in a position to be directed towards the most favourable bathing water in the locality and to decide on their chosen area for bathing, consideration needs to be given to the possibility of ‘identifying’ an alternative bathing water beach in the vicinity. From initial discussion with officers from the Environment Agency, preliminary testing on the alternative bathing water could commence in the very near future.
- 7.4 Two ‘candidate’ bathing beaches have been considered and the long term potential for each candidate bathing beach has been explored. The most favourable and realistic option is the beach known locally as ‘Cemetery Beach’. If the aforementioned beach was identified as a Bathing Beach in the near future, given the rural location of the beach it would be most likely that the beach would be considered as a Green Coast Award beach. The Green Coast Award recognises rural beaches that achieve the highest quality of bathing water standard during the bathing season. There is very little infrastructure associated with rural beaches and there is no requirement to provide facilities as would be available on resort beaches.
- 7.5 The existing Bathing Water at Aberdyfi is used extensively by watersports enthusiasts. An identified Bathing Beach only takes account of the number of individuals actually swimming in the water. The criteria for identifying a Bathing Beach is not required to consider the number of people participating in any form of watersports in the designated area even though the sport could involve becoming immersed in the water.
- 7.6 In order to ensure that members are fully aware of the implications of the new directive in 2015, it is proposed that the Environment Agency be invited to the next meeting of the Harbour Consultative Committee which is scheduled for February/March 2011.
- 7.7 Looking positively towards 2011, should the overall quality of the bathing water at Aberdyfi reach the required standard in 2010, then the Maritime Unit will submit an application for the Seaside resort Award in 2011. We are of the opinion that such a prestigious award does have a positive impact on the local economy and enables the Council to measure the quality and standard of beaches in Gwynedd against other beaches within the UK. It must however be emphasised that the Maritime Unit does not have a budget for beach applications as the budget was identified as a saving in expenditure in 2008.

The results of the Bathing Water for 2010 is appended for information although it must be emphasised that further samples will be taken during the remainder of the season and the final overall Bathing Water standard will be announced by the Environment Agency in November.

## **8.0 Quay Wall**

- 8.1 In March 2010 a specialist Structural Engineer conducted a detailed survey of the sheet piling that supports the quay wall at Aberdyfi. The report investigated the current condition of the sheet piling and was following on from previous further studies that were undertaken in 2006 by Bureau Vitas Consulting Ltd and a study that was conducted by Possford Duvivier in 1998. A copy of the 2010 report is appended for information.
- 8.2 The report concludes that the remaining lifespan of the sheet piling is approximately six years and such calculations used by the consultant are based on the assumed corrosion rate on the effective life for the ‘Frodingham’ sheet piling that is used at Aberdyfi.
- 8.3 Cyngor Gwynedd will be considering all available options as the quay wall is of significant importance to the operation of the harbour and also supports the foundation for Canolfan Dyfi, the visitor Centre and the Aberdyfi Yacht Club. Enquiries are being made as to whether the quay wall would be classed as a coast protection structure or as an amenity quay wall. The definition of the purpose of the wall could determine the level of funding that may be forthcoming when the sheet piling is replaced.

**8.4** As members are aware, a very positive proposal had been made to position a pontoon and gangway onto the quay wall. The proposal involved the positioning of a pontoon that would extend from the most eastward point on the quay wall for a distance of approximately eighty meters. The western extent of the proposed pontoon would be in line with the most eastern point of the jetty.

Unfortunately, due to the present condition of the quay wall the proposal has been delayed. It is anticipated that the proposal will receive further attention during the design stage of the new quay wall and it is anticipated that the proposed improvement to landing facilities for visiting vessels will have a positive impact on the harbour.

## **9.0 Dinghy Storage Area**

**9.1** In 2009 the Maritime Unit positioned a Yacht Tender storage rack at the top of the slipway which situated in the dinghy storage area. The purpose of the storage rack is to enable those with a mooring in the harbour to secure the yacht tender close to the launching area. Unfortunately the storage area is being increasingly used for the storage of kayaks. To date, a total of 24 kayaks are secured to the storage rack. Whilst welcoming kayaking activity in the harbour, the storage of kayaks limits the overall storage area that should be made available to those that have a mooring in the harbour. During the next few months, the Harbourmaster will be ensuring that the kayaks are moved from the storage area and that the rack is used exclusively for the storage of yacht tenders.

Of recent, a storage container has been positioned in the dinghy storage area without authorisation. The owner has been identified and a directive has been issued for the container to be removed from site with immediate effect. Whilst trailers that are used for securing and storing windsurfing equipment are stored in the area, these trailers are moveable should there be a need to access the area. It is proposed that the trailers be charged a storage fee as from the 1<sup>st</sup> April 2011.

**9.2** The post supporting the security barrier to the dinghy storage area has been damaged beyond repair and therefore it has not been possible to manage the area effectively during the latter part of the summer. It is essential that the post is replaced as soon as possible and this work has been identified as requiring attention before December.