

Maldon Harbour Improvement Commissioners

NOTES OF THE 8TH ANNUAL JOINT RIVER SAFETY MEETING HELD ON THURSDAY 23 MARCH 2017, 7.30 pm AT THE BLACKWATER SAILING CLUB

Present

Gerry Courtney (Meeting Chairman, MHIC)	Insp Brad Dickel (Essex Police)
Ben Brown (MDC)	Sp Officer Toby Speller (Essex PMU)
Richard Holmes (MDC)	Andrew Rudge (Marine Coastguard Agency)
A St Joseph (Cllr)	Jeremy Littlewood (HM Coastguard)
Nigel Cardy (MHIC)	Grant Everiss (Heybridge Basin Lock Keeper)
David Patient (MHIC)	Henry Bexley (National Trust)
Ian Hiner (MHIC)	R Salvidge (Top Sail/Thistle)
J Howorth (MHIC)	K Greenhalgh (George Smeed)
Richard Pusey (Blackwater SC)	C Greenhalgh (George Smeed)
G Wass (Blackwater SC)	Clint Swann (CRS Marine)
J Leary (Blackwater SC)	Mandy Chapman (Stone Watersports Club)
J Payne (Blackwater SC)	V Long (Stone Watersports Club)
S Woods (MLSC)	D Ayre (Stone SC)
P Woods (MLSC)	P Marshall (Maldon YC)
A Norris (MLSC)	D Fox (Heybridge Basin SA)
J Stuchbery (Clerk, MHIC)	I Wilson (Blackwater Marina)

Apologies were received from Councillors, Members of the Barge Operators' Group and representatives of MDC who had to attend alternative meetings, also from other river users who were unable to attend.

The meeting was chaired by Gerry Courtney, Commissioner.

1. Welcome and Introductions

Gerry Courtney welcomed everyone to the meeting and thanked the Blackwater Sailing Club for providing the venue. This was followed by round-the-table introductions.

2. Essex Police Marine Unit

Inspector Brad Dickel provided the background to developments in the Unit. There had been a move back to patrolling. They had a range of equipment at their disposal including dogs, helicopters and drones. They have special Officer, Toby Speller, with nautical knowledge. The base was at Burnham under Operational Command. There was a move to raise the number of officers and specials, with 3 specials and 1 police officer joining, the complement would be 5 full-time marine officers. Their remit included Kraken, antisocial behaviour and crime, and working with the Border Force. They were looking to invest in 5 boats in tandem with the Border Force.

The Marine Unit were responding to public opinion, raising the visibility of policing. There would be events during the spring to continue to raise public awareness of their role and that the MU was now much more back in the mainstream of policing.

A dedicated mobile number was being set up. Out of office hours it would connect through to the main contact.

3. Maritime and Coastguard Agency

Andrew Rudge, Maritime and Coastguard Agency, reported that there was a restructuring with a view to opening an office in Colchester with other locations closing.

Near misses were on the decrease. The majority of incidents were with overseas vessels.

There had been changes to legislation. Training and watchkeeping standards had been amended as of 31 December 2016. Boatmasters' Licences (BML) had been amended. Standards in Training Certification and Watchkeeping for Seafarers (STCW) qualification needs to be redone every 5 years. Ballast water management regulations came into effect this year.

The Tall Ships Festival would be in the Thames at Greenwich and Woolwich over Easter. An announcement regarding a new bridge over the Thames was on its way.

As of June 2015 the old Thames Coastguard went into a new network which was currently bedding in. Dover Coastguard operations room was the contact for the Maldon area. A new, faster helicopter was based at Lydd which was approximately 10 – 15 minutes flying time to the Maldon area. The contact for this was the Dover Coastguard. Dover covers the area from the Deben to Beachy Head. North of the Deben is covered by the Humber Coastguard.

There was discussion regarding the use of Dover and possible confusion caused. The Thames Coastguard call sign was being withdrawn. At peak times calls could be handled nationwide eg Shetland. There was some unease about this, for example in the recognition of local names. Yachts should be as specific as possible about their location.

4. Natural England – Coastal Path

The Chairman read notes from Darren Braine, Senior Advisor (England Coast Path, Essex Hub) National Operations Team, Natural England, which were as follows:-

“Natural England are delivering the England Coast path in two stages (stretches) in the Maldon area.

The stretch from Maldon to Salcott is in its final proposal stages, hoping to go to public consultation before the end of March. If we cannot deliver this consultation before April, purdah means we will have to postpone its release until late May.

The stretch from Burnham to Maldon, we have scheduled a publication date of late June.

We are sufficiently advanced on both these stretches to indicate to the members of the River Safety Meeting, that the line of the National Trail will over the majority of its length follow the existing public footpaths along the seawall and frontage.

Aside from a few areas of beach currently well used by the public, much of the foreshore and tidal areas of saltmarsh and mudflat will be subject to a year round exclusion from the coastal access rights. This exclusion does not remove any on-going established use of these areas.

The island of Osea will be proposed to be excluded from access rights, as will the causeway servicing to it.

Public access under the coastal access rights to the island of Northey is still being discussed with the National Trust. At the time of writing Natural England has not ruled out the potential for the island to be included in coastal access spreading room. Because of the brent goose use of the island, we are likely to consider a winter exclusion for access but have not determined the extent of this restriction.

The coastal access rights will apply to the front of the seawalls as the land between the Trail and the mean low water is subject to coastal access rights (spreading room). The expectation is that use of this area will be no more than it is at present. With no reason to be drawn off the onward trail (as the mudflats and saltmarsh are unavailable for access), there is little expectation that the public will exercise their right of access over areas away from the Trail.

At specific locations Natural England are proposing to support Essex County Council to erect enhanced signage and information boards explaining the limitations of access and the dangers posed by the saltmarsh and mudflats, as well as some information on the wildlife interest.

A guiding principal of Coastal Access is that visitors should take primary responsibility for their own safety when visiting the coast and for the safety of any children or other people in their care and should be able to decide for themselves the level of personal risk they wish to take. In line with this principle land subject to coastal access rights benefits from the lowest level of occupiers liability known under English Law.

I wish to thank those members of the meeting that have already engaged with the England Coast Path process and supplied information that has been used in the development of our proposals.”

The issue of “spreading room” was raised. M Chapman, Stone Watersports stated that this needed clarification and that those with the Coastal Path near their property should seek advice. The point was made that the general public might not understand the representation on maps.

There was an enquiry as to whether the Coat Path signage would have unique emergency identification numbers to assist emergency services finding the location.

Darren Braine responded by email:-

“In relation to spreading room, Natural England are required, under the Marine and Coastal Access Act, to propose all land between the line of the England Coast Path Trail, and the mean low water is included in spreading room. The Act, works in conjunction with other legislation, notable the Countryside and Rights of Way Act. This Act has specific areas of land that are excepted from public access rights.

These specific areas are detailed in Figure 1 of the hyperlink <http://publications.naturalengland.org.uk/file/5439156247330816> or as attached, which is taken from our guide <http://publications.naturalengland.org.uk/file/5352294828736512> (which is 13mb so I have not attached).

Slipways etc would not be automatically excepted under the legislation, but as proposals are developed for each stretch of the England Coast Path, specific site issues can be discussed with the Natural England officer and if it is agreed access will require a specific limitation

this can be proposed. If a limitation is not proposed initially, then one can still be subsequently discussed after the route has been confirmed.

There would still be the ability to temporarily control public access to launch ramps whilst launching (or similar) operations were being undertaken. The current health and safety at work legislation would continue to apply in respect of preventing harm to others on site, be they employees, volunteers or visitors etc.

The England Coast Path and the spreading room, will confer the lowest owner liability known in English law. In many cases this will be lower than it is now. Whilst I appreciate it may be a minor consideration, it is one that I would encourage site specific discussion around. This aims to reduce the issues around public health and safety as a liability. The Acts also expect that all those taking advantage of their coastal access rights take responsibility for their own safety, and requires no special measures to be put in place by land owners.

In relation to signage, I believe there are two issues.

We will be working with Essex County Council as we propose and establish routes to determine where large information boards and specific waymarker type signage may be necessary. Again owners can erect their own if they so wish. The aim of this type of signage is to provide on the ground direction to the public.

In relation to specific post identifiers this would be for Essex County Council to consider. It isn't something I have heard of, but can see the merit and it may be something to research further. For most of the Essex coastline, the discussions have been around using existing waymarker posts, and attaching the National Trail Acorn signage to this. This means, that unlike the system used on motorways, markers are not evenly spaced or standardised."

5. Update from Maldon District Council re Hythe Quay and Visitors' Pontoon and 6. River Safety

Ben Brown, MDC provided the following report:-

"Tollesbury Pier South Cardinal Mark – A new mark was installed during the Autumn of 2016 following erosion of the inter tidal part of the north bank of the River Blackwater which has led to the exposure of the footings for Tollesbury Pier. The footings were surveyed and found to be more than two feet high in some areas which constitutes a danger to navigation that needed to be addressed. Given that the buoy is so far away from the main navigation channel it was felt to be un-necessary to light it. This will be monitored periodically and if a light is needed the River Bailiff will revise his decision.

Thirstlet Buoy – A replacement Thirstlet buoy was installed during the latter part of January. It is physically larger than its predecessor because there had been comments made about it being lost against the back drop of houses as vessels came into and up the Blackwater. A new brighter light with greater range will be fitted shortly.

Goldhanger Spit buoy – Following the loss of the Goldhanger Spit buoy during a gale recently. The River Bailiff has decided to replace it with the former Thirstlet Buoy and to add a light, the buoy has recently undergone a period of refurbishment and will display its new name. A Notice to Mariners to this effect will be promulgated shortly.

Doctor – Following the loss of the light on top of the Doctor buoy last week, our contractor has been given instructions to replace it as a matter of urgency. Investigations show that the light had been unbolted from its beds. If anybody has any information regarding this matter please contact the River Bailiff or Essex Police.

Hythe Quay – It has been reported that one or two of the water outlets installed as part of the refurbishments have been affected by frost and are leaking. This has been passed on to our maintenance team who have scheduled it to be rectified shortly.

Enforcement – The Enforcement Team that I reported last year became a reality during April 2016 with the delivery of two new Sea-Doo Personal Water Craft. Training was undertaken and enforcement patrols were started in May and went through until October 2016. I am pleased to report that there were seven successful court prosecutions last season, with fines including costs ranging from £240 to £960. More than twenty river users were stopped and given verbal warnings of behaviour likely to cause offence to other river users. The identity of offenders is particularly important and body worn cameras have been purchased to meet the courts requirement to provide evidence of identity and offence. It is probable that verbal warnings will decrease and prosecutions rise as recorded evidence of offences is submitted to the court.

THANKS - The River Bailiff would like to extend his thanks to Matt Kingston of Millbeach Seaside Resort for his financial donation towards the running costs of the Enforcement Team. And to Stone Water sports Club for their continued support in the use of their premises, training and launch facilities without which there is every likelihood the Team couldn't be on the water as much as they have been. Thanks also to Paul Rawson and the team at Burnham Police Station whose support last season was invaluable. It should also be mentioned that three of the prosecutions would not have been possible with Police support."

Visitors' Pontoon arrangements continued as before. The lack of lighting on the pontoon was raised. B Brown explained that there had been informal consultation which indicated concern that lighting the pontoon might attract people from the pub. MDC were monitoring the situation.

7. Update from Maldon Barge Operators' Group

Barges were being made ready for the season and there was optimism for a good season.

8. Update from Maldon Harbour Improvement Commissioners

I Hiner, Commissioner, stated that 2 buoys had sustained unreported damage. Buoy No 15 had been found in a sinking condition and was condemned. Buoy No 11 had been hold above the waterline and would be repaired. The Merchant Shipping Act made provision for reporting such damage and fines. It would be helpful if damage would be reported.

Buoy No 19 was new and lit. An Isolated Danger buoy was available as and when required. MHIC carried out regular checking and maintenance. Costs were approximately £800 for a new buoy and light, excluding tackle and pennants.

It was proposed to move Buoys 17 and 19 about 4 metres and a Notice to Mariners would be issued. Repairs at the Granaries by contractors BAM Nuttall were expected to run between April and the end of August.

There had been discussion with MDC regarding possible future modification to the Visitors' Pontoon.

9. General Issues for Discussion

- a) Jet skis – M Chapman, Stone Watersports, reported good feedback for behaviour from the River Bailiff patrols. Training is being carried out. Stone members wanted training for all new members. All Stone craft carried identification number stickers and they asked that any misbehaviour be reported to admin@stonewatersports.net or the River Bailiff river.bailiff@maldon.gov.uk.
- b) Blackwater Sailing Club reported that there had been a collision between a barge and a dinghy with no damage. The incident had been investigated. The dinghy had not followed protocol.
- c) N Cardy, Commissioner, reported that during the Club week, the Cadets' behaviour had been excellent.
- d) C Swann, CRS Marine, raised the matter of drinking and speed boats. Insp Dickel responded that police would act firmly. There was discussion regarding the reporting of over-limit (alcohol) behaviour. Insp Dickel said it would be helpful evidence if it could be filmed or photographed.
- e) Light pollution from the football ground – This has been reported to MDC who will report back at the next MHIC/MDC Liaison meeting. P Woods, Maldon Little Ship Club would check the situation.
- f) Sea Plane, Osea island – There was no further news and it was reported that it was unlikely to go ahead.
- g) Northey Island - H Bexley, National Trust, stated that there were concerns about the disturbance to birds caused by jet skis crossing the salt marsh at high tide. There was also a danger to the craft due to posts and other items sticking out. He appreciated the work done by the River Bailiff and Stone Watersports to reduce dangerous behaviour. The River Bailiff had been active in the area with a result that some individuals had been taken to court.

The flyer produced by the National Trust for Northey Island is attached to these notes.

It was suggested that warning notices could be placed over the marshes.

- h) Heybridge Lock – Grant Everiss, Lock-keeper, stated that the lock would be open from 1 April 2017 with the two wooden gates in use. It would then close from 2 October through to Christmas 2017.

10. Events for Information

Mud Race – 7 May 2017

Maldon Yacht Club Open Day – 28 May 2017

Stone Watersports Club Cadet week – last week in May

Maldon Barge Match and Osea Picnic – 17 June 2017

Burnham Regatta - 25 June 2016

Marconi East Coast Piers Race – 2 July 2017

Heybridge Basin Regatta - 8 – 9 July 2017

National Trust Castaway on Northey Island - 7 – 9 July 2017

Blackwater SC Cadet week Regatta – 23 – 27 July 2017

Stone Watersports Club week – first week in August 2017

Stone Watersports Club Cadet Open 9 – 10 September 2017

Barts Bash – 17 September 2017

Maldon Town Regatta – 23 September 2017

Row4aReason – 24 September 2017

Stone Watersports Club event - 30 September – 1 October 2017

75 mile trail walk – 7 – 8 October 2017

Dyers Cup - 8 October 2017



Northey Island is fragile



Northey at high tide, Terry Joyce.

**It is home to rare birds such as Brent Geese.
They live here because it is peaceful and isolated
and will disappear if there is too much disturbance.**



Brent Geese on Northey Island, Justin Minns.

**Please don't take jet skis near the salt marsh,
at any state of the tide, any time of year.
Byelaws apply to wildlife disturbance.
You will be photographed, identified and prosecuted.
Call 07824 891420 to report an incident.**

Thank You

*National
Trust*

Northey Island

The National Trust is an independent registered charity.