



## **LOCAL NOTICES TO MARINERS 02/11**

**Valid from: 01 February 2011**

**Expires on: 31 July 2011**

### **KITESURFING WITHIN THE JURISDICTION OF HAYLE HARBOUR AUTHORITY**

1. Hayle Harbour Authority is committed to complying with the Port Marine Safety Code (PMSC). Accordingly, it will strive to manage all risks associated with marine operations to As Low As Reasonably Practicable (ALARP).
2. Having formally assessed the risks associated with kitesurfing (insofar as they relate to marine operations) kitesurfing will be permitted within the jurisdiction of Hayle Harbour Authority provided all kitesurfers comply with the Code of Conduct for Kitesurfing at Hayle Estuary (the KKC Code) as amended by this Notice. All kitesurfers must carry third party liability insurance of at least £5M.
3. For the purposes and duration of this Notice the KKC Code has been amended. The major amendment is that the following restriction is omitted-

No kitesurfing within 3 hours of High Water (as given by the UKHO for St Ives).

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

Registered in England and Wales No. 0406053. VAT 830919327

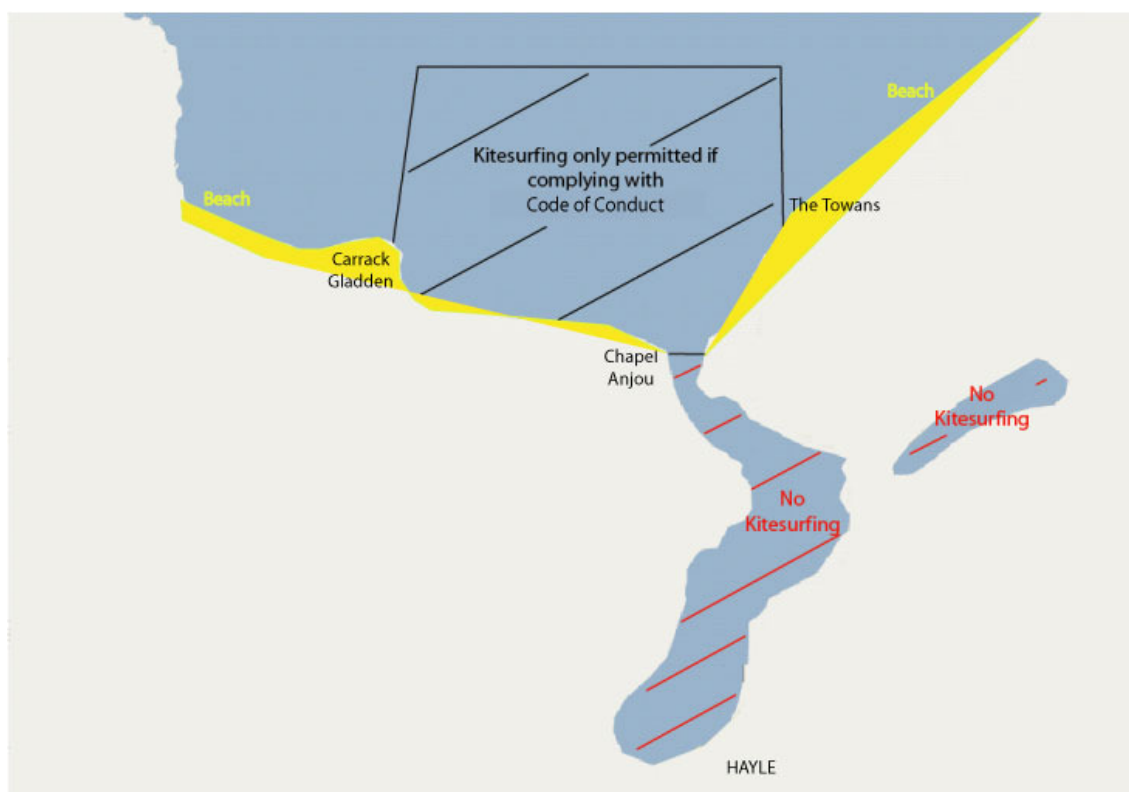
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4. For the purposes and duration of this notice the KKC Code has been amended and will prescribe:

- The area in which it applies:



- Any person kitesurfing within the jurisdiction of the Hayle Harbour Authority must be in possession of a current colour coded compliance tag purchased from the Kernow Kitesurfing Club or a recognised retail outlet. Every kitesurfer must display the tag on his/her harness.
- No kitesurfing at any time south of Chapel Anjou where there is a large 5 knot speed restriction sign.

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- All kitesurfers must be at intermediate level or above; no learning or teaching.
- All kitesurfers must comply with the International Regulations for Preventing Collisions at Sea (COLREGS). In particular, a kitesurfer must not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway and a kitesurfer shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can navigate only within such channel or fairway.

**Accordingly, all kitesurfers MUST keep at least 100m away from AND turn away from all vessels using the channel.**

- Kitesurfers involved in a near miss or any safety related incident must report it to Hayle Harbour Authority as soon as possible by using the incident report form on [www.hayleharbourauthority.com](http://www.hayleharbourauthority.com) or in person at the harbour office.
- Any kitesurfer that observes another kitesurfer not complying with this Code of Conduct is requested to bring that fact to the attention of the non-compliant kitesurfer as well as suggesting to them that non-compliance may result in kitesurfing being banned for all. Members of BKSA and the Kernow Kitesurfing Club are asked to report all infringements of the Code to club officers.
- All kitesurfers are responsible for their own safety and for the safe conduct of their board and kite.
- Safety afloat is a team effort and it is in everybody's interest that all marine operations in the harbour are conducted safely.

5. Hayle Harbour Byelaw 7 imposes a 5 knot speed limit throughout the jurisdiction of the Hayle Harbour Authority. However, the Harbour Master may grant his permission to exceed this speed limit. Such permission will only be granted provided the risks can be managed in accordance with the requirements of the PMSC.

6. By this Local Notice to Mariners the Harbour Master grants permission to exceed the speed limit to all kitesurfers that comply in full with all of the requirements of the KKC Code. The Harbour Master reserves the right to revoke this permission without notice at any time.

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7. Kitesurfers that do not comply with the KKC Code as amended and that exceed 5 knots may be prosecuted. The maximum fine is £1000.

8. This Local Notice to Mariners and kitesurfing within the jurisdiction of Hayle Harbour Authority is subject to constant review and risk assessment. The permission the Harbour Master grants under section 6 of this Notice will be revoked immediately if incident reports indicate that the risks associated with kitesurfing are not being managed to As Low as Reasonably Practicable. Consequently, the time limit may be restored or kitesurfing may be prohibited.

9. All users of the Harbour are encouraged to report all incidents involving kitesurfers to the Deputy Harbour Master whenever it is safe to do so and by whichever means are available including the telephone.

Capt. Mark G. Capon  
Harbourmaster  
Hayle Harbour Authority

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