



Falmouth Harbour Commissioners

- Statement for West Briton -

On Friday June 2 2010, Truro Crown Court dismissed an appeal against guilty verdicts handed down by magistrates earlier this year relating to an incident in the Penryn Channel on June 27 2009, involving a 16ft rib and 26ft yacht.

The incident took place at about 01:00 hours on Saturday June 27 2009 after the vessel hit a navigation buoy, and the helmsman was thrown from the rib. Still under power, the rib then went on to collide with a moored yacht, causing significant damage.

Falmouth Harbour Commissioners, the RNLI and the police were called to attend the scene. The police and Crown Prosecution Service took the case forward.

Roger Gates, of Trevisome, Flushing, who was in charge of the rib, was found guilty by Truro Magistrates in March this year of contravening collision regulations 5 and 6 and bylaw 44, which relates to people being in charge of a craft while under the influence of drink and or drugs.

In finding against Mr Gates, magistrates emphasised that had he been wearing a "kill-cord" engine safety cut-out, the vessel would not have caused such significant damage as the engine would have stopped immediately after he was thrown overboard in the initial collision.

At Truro Crown Court, an appeal by Mr Gates against the magistrates' ruling was dismissed and Mr Gates was fined £600 and ordered to pay £400 costs.

Falmouth Harbour Master, Captain Mark Sansom said: "We hope this case, and the courts' ruling, deters other harbour users from considering drinking before operating their vessel and also serves as a more general reminder to all our harbour

users of the need to consider safety before taking charge of any craft, regardless of its size or means of propulsion.

“Luckily no one was seriously injured in this incident, however it highlights the need for proper regulation and enforcement of the rules, regulations and laws regarding being in charge of a vessel. It also emphasises the importance of wearing a kill-cord when operating this type of craft.”

Ends

July 05 2010

Notes to Editors:

Falmouth Harbour, including the Carrick Roads, is reputed to be the third largest natural harbour in the world. Falmouth Harbour Commissioners are a statutory port authority with responsibility for the Inner Harbour at Falmouth (excluding Falmouth Docks), the Penryn River up as far as Boyers Cellars, the southern part of the Carrick Roads and a large part of Falmouth Bay. As well as providing regulation of its Harbour Area the Commissioners provide small craft facilities for residents and visitors.

Falmouth Harbour Commissioners is a statutory port undertaking created by an act of parliament in 1870. It operates as a trust port and has a board of eight commissioners who act as trustees. Falmouth Harbour Commissioners are committed to operating the harbour in an open and accountable manner and welcome feedback from harbour users.

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