



Falmouth Harbour
Commissioners

***** MEDIA RELEASE *****

OIL SPILL CONTINGENCY PLAN TO PROGRESS AND ENVIRONMENTAL STATEMENT TO BE COMMISSIONED

A meeting of all statutory consultees who have provided feedback on the joint Oil Spill Contingency Plan (OSCP) produced by Falmouth Harbour Commissioners, Carrick District Council and Falmouth Docks and Engineering Company have given their support to the plan's progression for approval by the Maritime and Coastguard Agency (MCA); with reference to ship to ship transfers removed.

Previous consultation with the statutory consultees had indicated that they were generally satisfied with the OSCP except where it related to ship to ship transfer (STS) operations and a considerable number of comments had been made on this section of the plan and these were discussed at the meeting.

As a result of these discussions the consultees indicated that they were generally content with the risk assessment and risk mitigation measures proposed for STS, but requested further detail of the proposed management and spill mitigation measures, including modelling, to forecast oil landing times should a spill occur.

The joint OSCP is a statutory requirement that covers the whole of the Fal estuary and harbour areas of the Bay, it must be reviewed every five years.

Speaking on behalf of Falmouth Harbour Commissioners Harbour Master Mark Sansom said "It was agreed that there was insufficient time for modelling elements to be addressed prior to submitting the plan to the MCA by the required renewal date in August.

References to STS operations should be removed from the current version of the plan so the consultees could sign it off and it can be submitted for approval.”

The section of the plan relating to STS would be amended as required as a result of modelling and then consulted again as a major change to the plan should the Commissioners decide to allow STS to proceed.

Statutory consultees at the meeting were also informed that the Ports Division of the Department for Transport had written to the Falmouth Harbour Commissioners supporting their proposal to voluntarily progress the production of an environmental statement. This will be the next step in finding an appropriate way forward in determining Fendercare’s request to conduct ship to ship operations in Falmouth Bay.

The proposal from the Commissioners was made in recognition that national guidelines relating to ship operations do not include public consultation which has led in some cases to a suspicion of lack of openness. There are a number of applications for ship to ship transfers to take place around Europe and the Falmouth Harbour Commissioners are keen to ensure proper local community and stakeholder engagement, to ensure that their decision making process is fully informed.

Falmouth Harbour Master Mark Sansom confirmed “we have had a very positive meeting with the Department of Transport who have welcomed our seeking their guidance and wholeheartedly support the Commissioner’s commitment to an open and transparent process.

We are now progressing to the first step in the drafting of an environmental statement, which is the preparation of the scoping remit for the statement. This will be carried out in consultation with our statutory consultees to ensure best practice at every level.”

“The remit of the environmental statement is to evaluate all elements of the risk and benefit scenario” explains Captain Mark Sansom “looking primarily at the potential impact on the natural environment”. It is anticipated that consultants will be appointed to draw up a detailed scoping proposal which will be widely consulted with stakeholders before the Statement is produced.

Topics which should the Department of Transport have indicated should be addressed include:

- Water quality
- Natural Heritage
- Traffic (road/rail)
- Air Quality
- Noise and Vibration
- Socio-economic issues including employment, tourism, human health
- Cultural heritage
- Landscape
- Navigation
- And proposed measures to monitor impacts and mitigate any significant effects

Should the scoping exercise itself highlight issues which are clearly irreconcilable or financial costs which cannot be met, the Commissioners may take the view that the approach from Fendercare is not feasible for Falmouth Bay and will not progress to producing an environmental statement. If they do progress, the environmental statement it will ensure the fullest possible range of information is available to commissioners faced with taking a difficult decision on the request to allow ship to ship transfers.

The planned timescale on the exercise is to complete scoping this summer and to have an environmental statement available for public consultation during the winter, with time to factor in comments from the public consultation before the final environmental statement is made available to Falmouth Harbour Commissioners by early 2007.

Ends

May 2006

Editor's notes:

- The Maritime Coastguard Agency requires Falmouth Harbour Commissioners to submit an Oil Spill Contingency Plan every five years, this is a statutory responsibility under the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation) Convention Regulations 1998.

- Falmouth became a Trust Port in 1870. Its constitution was recently overhauled by a Harbour Revision Order in 2004.
- The Trust Port Review defines two distinct tiers of stakeholders:
 - Beneficiary stakeholders – who are entitled to benefit from the use of trust facilities. These would include users of the harbour who pay a commercial rate (owners of cargo, passengers, operators of ships etc) and others who derives direct benefit from the trust (employees, those with a direct commercial interest in the port’s operation – traders and their employees).
 - Non beneficiary stakeholders representing the broad range of those with an indirect interest (but without the specific statutory entitlement of users) in the port and its accountable and effective operation (local authorities and the community at large, trades unions, the Government, partners, investors, lenders and creditors, the national and regional economy, specific interest groups covering environmental, conservation and transport matters amongst others)
 - Trusts are run for the benefit of all their stakeholders. Any surpluses are ploughed back into the operation of the Trust. All Trust Ports have a duty to maximise the benefits available to their stakeholders.

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