

Port Marine Safety Code Health Check Trends 2017



Maritime &
Coastguard
Agency

For all UK Harbour authorities and other marine berths, terminals or jetties

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Table of Contents

Introduction	1
Executive Summary	3
Observed Enhancements	7
Duty Holder	7
MSMS	9
Designated Person	13
Conservancy	15
Duties & Powers/Legislation	155
Consultation and Information Dissemination	177
Risk Assessment	17
Management of Navigation	20
Safety Plan	22
Pilotage	233
Marine Services	244
Emergency Preparedness	266
Training of Port Marine Personnel	277
Accident/Incident Reporting	299
Communication	299
Helicopter Operations	299
Observations	30
Enhancement Trend Graphs	31
Observed Best Practice	344



Table of Contents

MSMS.....	344
Risk Assessment.....	34
Duty Holder.....	355
Consultation and information dissemination.....	366
Marine Facilities.....	366
Pilotage and Passage plans.....	366
Management of Navigation.....	377
Emergency Preparedness.....	377
Communication.....	388
Best Practice Trend Graphs.....	388
Conclusion.....	40



Introduction

“The Port Marine Safety Code (the Code) is applicable both to statutory harbour authorities and to other marine facilities which may not have statutory powers and duties. It is strongly recommended that organisations or facilities which are not a statutory harbour authority should seek a proportionate compliance with this Code”

Port and Harbour authorities in the UK vary between Trust, Municipal and Private with significant differences in size, volumes and types of traffic but they all have common legal duties relating to safety of people who use harbours and their property and for the wellbeing of the port environment and its' community. To help meet these duties the government introduced the Port Marine Safety Code (PMSC) in 2000. Its development was prompted by a review of the Pilotage Act 1987 in 1998 and following the aftermath of the Sea Empress disaster of 1996.

The PMSC was intended to set a national standard for port marine safety across the UK. Its evolution has matured as a voluntary code since then and it is now applicable to both harbour authorities and other marine facilities.

In conjunction with the PMSC, the Guide to Good Practice on Port Marine Operations (GTGP) underpins this ethos by providing guidance and examples on best practice which are written by, and agreed with, industry. The Code and GTGP exist to assist the industry in promoting and executing safe, efficient and accountable port marine operations based on best practice.

The Maritime and Coastguard Agency (MCA) seeks to undertake eight 'health checks' annually, aiming to visit a range of different types of organisation across all parts of the UK. A visit may be triggered by: evidence of a problem (or potential problem) at a harbour or facility; self-reported non-compliance or a request for assistance. A health check is intended to identify where things are working well but also areas where improvements could be made to strengthen compliance; it is not a formal inspection or enforcement action.

Future health checks will continue to have an emphasis on supporting smaller harbours, ports or marinas, particularly under municipal ownership, whilst also including a number of larger ports.



Exposure from PMSC compliance failure:

The following extract is from a successful prosecution of a harbour authority which was found to fail in their duties to adequately implement four foundational elements of PMSC compliance. This case demonstrates the importance that courts may place on authorities/organisations adopting 'industry best practice' and the exposure that they may face if they fail to take adequate steps towards compliance. The harbour authority was subsequently fined for contraventions under section 3(1) of the Health and Safety at Work Act 1974:

The charge related to the Port Authority's duty under the Health and Safety at Work etc. Act 1974, Section 3, to conduct their undertaking in such a way as to ensure, so far as was reasonably practicable, that persons not in their employment who may be affected by the conduct of the Harbour Authority's undertaking were not exposed thereby to risks to their health or safety.

Part of the indictment noted that:

"You failed to provide a safe system of work in that you did fail to provide a Safety Management System to reduce to a level as low as reasonably practicable the risks associated with marine operations in the Harbour Area, in terms of the Port Marine Safety Code, and failed to appoint a suitable individual or individuals to share the function of 'Designated Person' to provide you as the duty holder with independent assurance that your Safety Management System was working effectively and to audit your compliance with the Port Marine Safety Code."



Executive Summary

'As a result of the eleven health checks conducted during 2017, 3 organisations were found not to be fully compliant and will receive return visits during 2018 to verify that issues have been addressed'

This report is designed to provide stakeholders with insight into emerging trends in PMSC compliance. It also provides examples of enhancements and best practice that have been observed whilst conducting the latest health check visits.

During 2017, the MCA conducted eleven PMSC health checks throughout the UK at the following type of facilities:

- 3 x Private;
- 4 x Municipal; and
- 4x Trust.

As a result of these visits, three organisations were found not to be fully compliant and will receive return visits during 2018 to verify that the issues identified have been addressed.

There are a number of perennial issues identified in successive Health Check Trend Reports suggesting that these should be an area of particular focus for facilities:

- **Duty holder;**
- **Designated Person;**
- **Risk assessment;**
- **Marine Safety Management System (MSMS);**
- **Duties and Powers;** and
- **Consultation and dissemination of information.**

Other concerns highlighted during 2017 health checks included:

- **Conducting proper consultation or stakeholder engagement;**
- **Information dissemination;**
- **Management of navigation;**
- **Conservancy; and**
- **Pilotage & Marine Services.**



The following summarises some of the issues related to the above six adverse trends identified during 2017 health check visits:

➤ **Duty Holder – issues observed**

- Duty holder awareness of roles & responsibilities under PMSC
- Formal & documented streams of reporting to duty holder
- Responsibility to publish safety plan once every 3 years
- Duty holder not correctly identified
- PMSC Training for duty holders

➤ **Risk Assessments - issues observed**

- Harmonised assessment of dry and wet risks
- Identify ranked hazards and use of ALARP principle
- Review risk assessment post incident / accident report
- No stakeholder engagement when reviewing risk assessments

➤ **MSMS – issues observed**

- Harmonisation of operational procedures and MSMS
- Incomplete MSMS
- Internal and external audits under MSMS
- Inclusion of emergency plan and navigation risk assessment
- Staff awareness of MSMS
- Staff roles and responsibilities not defined (including Harbour Masters)

➤ **Designated Person – issues observed**

- No formal identification
- Independent nature of operational responsibility
- Clear information flow and exchanges with the Duty Holder

➤ **Duties and Powers – issues observed**

- Periodical review of Byelaws
- Review of general directions to capture current practices



➤ **Consultation and Information Dissemination
– issues observed**

- No consultation during risk assessments
- No user group to help build a consensus on safe navigation
- ALRS Volume 6 entry not updated
- No marine / navigational guidance to users

Observed best practices noted were:

➤ **MSMS**

- Harmonisation and alignment of procedures to PMSC/GTGP
- Clear commitment to safety through continued progress
- Encourage a 'just safety culture' through reporting of laps
- Risk-based way of daily/weekly/monthly record keeping

➤ **Risk Assessment**

- Usage of software to develop comprehensive risk assessment
- Building good relationship with users and stakeholders in addressing the issue of weighted heaving lines
- Structured review of risks and assessment of risks
- Encourage prohibition of weighted heaving lines

➤ **Duty Holder**

- Risk-based way of record keeping
- Highlighting of risks in harbour's annual report to the duty holder
- Periodical output/operational trend analysis by the harbour

➤ **Consultation and information dissemination**

- Incorporation of commercial fishing sector
- New approach to planning stakeholder meeting



➤ **Management of Navigation**

- Commitment to provide safe berth/depth through dedicated dredger
- Human centred approach to enhance visibility
- Variable operating heights for VTS work stations
- Hydrographic survey coverage and dissemination of information

➤ **Pilotage and Passage Planning**

- Use of comprehensive handbook and passage plan
- Use of electronic media/iPad to cross check p/plan

➤ **Marine Facilities**

- Use of structured process and check-list for marine facilities

Overall compliance showed improvement from 71% in 2016 to 80% in 2017.

The MCA would encourage the industry to review their policies and procedures in light of the above issues and enhancements and would welcome any feedback on application or new best practice which might be suitable for inclusion in the GTGP.



Observed Enhancements

The following are the enhancements which were observed during 2017 health checks:

Duty Holder

‘Organisations must have a “duty holder” who is accountable for their compliance with the PMSC and their performance in ensuring safe marine - operations’

‘Serious consideration should be given to appointing a member to the board who has relevant maritime experience and who can act as the initial point of contact for the designated person.’

- *A local council has delegated the responsibility of the harbour to an employed Deputy Head to manage overall safety. The Deputy Head has also been given the responsibility of the Duty Holder. As a non-elected member, they are responsible only to the council for their actions. An employed Maritime Officer oversees the operation of all harbours under the Deputy Head. In accordance with the PMSC, a member of the management team or Board can be the Duty Holder having public accountability for compliance with the PMSC. It is understood that the Deputy Head is not an elected council member and therefore does not have direct public accountability. While council members can collectively (and individually) sign up to the PMSC, they may consider forming a core committee to take up the responsibility of the Duty Holder or nominate a council member to act as the Duty Holder. The Duty Holder can then be assisted by the appointed Deputy Head.*
- *Duty holder (council member) are to have adequate PMSC refresher training which is now being planned (in progress). Last noted training was in 20xx. If the council so desires the external auditor can provide overarching training to the leader of the council.*
- *Currently this harbour’s operational aspects are dealt with by a Harbour Project Group that passes on information to the Duty Holder for action.*



'All duty holders should take time to gain an appropriate insight and understanding of their organisation's port marine activities, MSMS and supporting policies and procedures.'

'The duty holder should also ensure that appropriate resources are made available for discharging their marine safety obligations.'

'a safety plan for marine operations should be published at least once every three years.'

While council members can collectively (and individually) sign up to the PMSC, they may consider forming a core committee to take up the responsibility of the Duty Holder or nominate a council member to act as the Duty Holder. The Duty Holder can then be assisted by Harbour Project Board. The MCA health check team felt that there was a need to identify a small working group of councillors to oversee Harbour/port MSMS and activities; and to look after all ports. The Designated Person and Harbour Master should have direct access to this group.

- *The harbour should consider providing the Duty Holder with an annual report containing information which would enable the Duty Holder to 'Publish a safety plan showing how the standards in the PMSC will be met', at least once every 3 years. It is also the responsibility of the Duty Holder to hold regular meetings to discuss PMSC items and publish a yearly report.*
- *PMSC-related training should be provided for the suggested core committee.*
- *Duty Holder accountability SOP – the council's internal auditor had already noted that the relevant section needed to be reviewed. Relevant MSMS sections may be aligned with this SOP to indicate how the duties/accountability are discharged. It is recommended that SOP be reviewed along with relevant sections of the MSMS to reflect the correct and current nature of undertakings by the duty holder.*
- *The harbour should consider providing the Duty Holder with an annual report containing information which would enable the commissioners to*



'An MSMS – which manages the hazards and risks along with any preparations for emergencies – must be developed, implemented and maintained. This should be operated effectively and revised periodically.'

'The MSMS should also: - confirm the roles and responsibilities of key personnel at the organisation'

'Publish plans and assessments against their performance in meeting the obligations against the PMSC at least once every 3 years'. These reports should contain safety information such as reportable incidents and near misses which would allow for year on year comparisons and highlight any emerging trends.

- *When the harbour authority is content that they comply with the PMSC they should send a letter to the MCA. This has not been done since 20xx.*
- *A report is to be presented to the Duty Holder to facilitate the compilation of a Safety Plan. It is recommended that suitable Key Performance Indicators are to be identified while preparing the Safety Plan.*
- *Duty Holder (Board members) have appropriate PMSC training. This training is currently being undertaken. It is suggested that the Board chair should also be part of that process. However, the DP may provide overarching training to the Board chair as an alternative.*

MSMS

- *The Harbour Authority has opted to use their Operations Plan as its MSMS. The document needs to be reviewed to reflect the correct roles and responsibilities of the Duty Holder. The current Operations Plan also needs to be formalised into MSMS. The Harbour Authority can use a common MSMS and each port can then develop risk-based system to address port-specific operational risks.*



- *In accordance with the GTGP, an external audit should be carried out every 3 years. The Peer Review that was carried out was titled as an internal audit. The Harbour Authority is urged to review this and correctly identify appropriate internal and external audits at the next available opportunity.*
- *The Authority covers a number of ports and harbours and uses a common Marine Operational Procedures Manual supplemented by facility-specific manuals which detail separate procedures. It is recommended that all Operational Procedures Manuals should be harmonised and integrated with the MSMS for smooth operations and ready reference.*
- *It is recommended that roles and responsibilities of the Duty Holder and other key marine operational staff be reflected in more detail in the MSMS (or Annex) as an ongoing revision work.*
- *The harbour has recently developed a MSMS and standard operating procedures. However, the Harbour Master is reviewing and updating the MSMS to reflect current operational practices. With reference to Designated Person's report, the MSMS should include: Reference to Emergency Plan, Oil Spill Plans, navigational risk assessment review process, arrangement in place for handling the regular freighter. This process should be expedited to ensure appropriate implementation of MSMS and Standard Operational Procedures. This will also assist with PMSC visibility at Duty Holder level.*



'The harbour should place a high priority in publishing the MSMS and other related documentation in order to initiate the move from informal custom and practice to formal risk assessed port marine operations based on standardised processes and procedures'

- *In order to enhance safety and risk awareness the Harbour may consider providing annual or bi-annual QMS/MSMS awareness sessions for marine & ops key personnel.*
- *In accordance with the GTGP, an external audit or peer review should be carried out every 3 years. The Harbour has reinstated an external Designated Person to carry out audits. While an audit by the Designated Person can be counted as an external audit Harbour may consider reviewing the role of the Designated Person to opt for an external peer or a Board member or another responsible/trained staff who is not involved in an operational management function.*
- *It is recommended that an organogram of key personnel is included in the MSMS documentation.*
- *It is recommended that the current MSMS incident reporting procedure should capture the reporting of incidents on board vessels (i.e. collision between crafts, etc.).*
- *There is no reference to bunkering procedures in the current SOP. It is recommended that bunkering procedures be developed and included in the MSMS.*
- *No record was found of any internal audits which should be carried out at least once a year.*



'The harbour should place a high priority in publishing the MSMS and other related documentation in order to initiate the move from informal custom and practice to formal risk assessed port marine operations based on standardised processes and procedures'

- *Harbour should ensure close out of any outstanding findings of the internal audit carried out by the Designated Person.*
- *Visiting health check team could not find any evidence of an internal audit being carried out by the Harbour Authority. In accordance with the GTGP, the harbour should review the internal and external audit process and conduct regular internal audits in accordance with the GTGP.*
- *In accordance with the GTGP, an internal audit should be carried out once a year. Last audit was done in April xxxx. This should have been carried out within the current financial year before the external verification.*
- *No record was found of any external audit. External audits should be carried out at regular intervals.*
- *Arrangement should be made for the external auditor to attend at least one management meeting at which the Duty Holder is present.*
- *The Harbour Authority has established a system to carry out yearly internal audits by the DP. The last external audit was carried out in 20xx. The harbour should conduct external audits at 3 yearly intervals. It is recommended that the Harbour Authority undertakes an external audit or peer review by 20xx.*
- *There were no records of any audits being carried out by the DP in accordance with the GTGP. There was no evidence of any report being*



submitted to the Duty Holder or to the governing body. The DP should submit a monitoring report to the Duty Holder and the management board.

- *In accordance with the GTGP, the harbour should arrange to carry out an internal audit every year and an external audit or peer review at least every 3 years.*
- *According to the MSMS the Harbour Master is responsible for implementing the PMSC. The facility should employ a Harbour Master to oversee the implementation of both the MSMS and PMSC.*
- *Any outstanding recommendations made as a result of external audits should be addressed.*

Designated Person

- *The Harbour Authority has recently appointed a qualified Designated Person. This appointment has not been officially finalised. The Designated Person appointment therefore needs to be formalised through documentary evidence.*
- *The Harbour Master is currently the PMSC Designated Person. They are well qualified to act in this capacity. Their role as a Harbour Master directly involves assessing and controlling the risks to navigation as well as overseeing the operational aspects of MSMS. The benefits of having a Designated Person who is independent of operational responsibilities is*



well articulated in the PMSC & GTGP and mirrors the similar arrangement for ships and shipping companies in the ISM Code. The current arrangement is a departure from conventional structures and we would recommend its continued effectiveness is monitored.

The harbour should arrange for clear access, flow of reporting and information directly from the Designated Person to the Duty Holder and vice versa.

- *The harbour should arrange for clear access, flow of reporting and information directly from the Designated Person to the Duty Holder and vice versa. This should include the Designated Person meeting the Duty Holder to provide regular feedback and be able to attend harbour management group meeting as detailed in GTGP.*
- *The current arrangement with the general manager performing the task of Designated Person is not working as audits cannot be carried out. The Harbour Authority should identify a duly qualified Designated Person who will not have management responsibility to be able to carry out annual audit and provide independent report to the Duty Holder.*
- *Currently the Designated Person is providing his audit reports & findings directly to the Board Chair and has not met with other members of the Board (who act collectively as Duty Holders) or attended any Board meetings. It is recommended that the external audit report is presented to the Board by the Designated Person, ensuring that they are suitably visible to Board members.*



Conservancy

- *The Harbour Authority should obtain a letter from the relevant General Lighthouse Authority (Trinity House) once all outstanding conservancy works have been carried out.*
- *The Harbour Authority has completed all outstanding Aids to Navigation findings in the recent General Lighthouse Authority inspection. It is recommended that the Harbour Authority obtain a final letter from the General Lighthouse Authority for the current period.*
- *The Harbour Authority should obtain confirmation letter from the General Lighthouse Authority (Trinity House) once all outstanding maintenance is complete.*
- *The Harbour Authority has been carrying out regular dredging of outer and inner harbour. It is recommended that the Harbour send the latest depth survey to the UK Hydrographic Office so that BA chart BA16xx can be updated with the latest data.*

Duties & Powers/Legislation

- *Byelaws will be reviewed to capture current practices. It is recommended that efforts to expedite the process of review and implementation be made. At the same time an assessment to be done as to whether powers of general direction (Harbour Revision Order) under the relevant Harbour Act are appropriate or necessary.*



'Harbour authorities have a range of statutory and non-statutory duties and powers relating to marine operations; other organisations may not have access to the same range of powers but still have duties under general legislation and non-statutory provisions'.

'For a harbour authority, these duties include a duty of care to those using the harbour which means they have an obligation to conserve and facilitate the safe use of the harbour.'

- *General Directions and Harbour Revision Orders are being reviewed internally to capture current practices prior to consultation stage. Harbour Byelaws are also being reviewed & awaiting legal clearance. It is recommended to make efforts to expedite the process and clear those for implementation.*
- *The Harbour Authority should arrange to review Byelaws to conform to current best practice and harbour operations as appropriate.*
- *The port's general byelaws have undergone a review and are currently awaiting legal clearance. This has delayed a review of General Directions on which it is dependent. It is recommended that efforts should be made to clear the byelaws and pave the way for the review of the General Directions as soon as possible.*
- *Harbour Byelaws 1990 are due for review and currently awaiting legal clearance. It is recommended that efforts should be made to review and clear the byelaws for publication.*
- *The byelaws were last issued in 200x. Their review is currently under consideration to ensure they reflect the latest trends and requirements of the port's operation.*
- *Byelaws are currently awaiting legal clearance prior to public consultation. It is recommended that efforts are again made to expedite these. It is also recommended that the Harbour Authority should develop an interim policy to address enforcement procedures until such time that byelaws are in force.*



'Notwithstanding the duties and powers an organisation may have, it should seek to maintain a consensus about safe navigation in its harbour or facility with users and service providers as far as possible'

'The process of assessment is continuous so that both new hazards to navigation and marine operations and changed risks are properly identified and addressed. Where appropriate organisations should publish details of their risk assessment.'

Consultation and Information Dissemination

- *It is recommended that the Harbour should establish a list of approved contractors who can demonstrate compliance with MSMS, insurance liability and Health and Safety procedures.*
- *It is recommended that the Harbour Authority should establish a health and safety committee forum to which all port employees have access. This would also provide a platform to enable staff to receive MSMS awareness training.*
- *It is recommended that the Harbour Authority should establish a list of approved contractors who can demonstrate compliance with MSMS and health and safety procedures.*

Risk Assessment

- *The Harbour Authority should make arrangement to complete relevant risk assessment for the safe operation of the harbour.*
- *The risk register currently lists damage to the lock gates as a wet risk. However, damage causing prolonged lack of access to the basins would also present a risk to the business model; it is recommended that this risk be explored further.*



'All risks need to be reviewed; higher ranked risks should be reviewed more frequently than those ranked lower and will require greater management time and attention'

- *A major fire in berth or onboard ship is currently has limited coverage under the MSMS for oil tanker/cargo operations. Similar overarching coverage for ship & berth should also be extended to address major fire incident in other areas within the harbour.*
- *According to the report from the Designated Person, a Navigational Risk Assessment should be discussed and agreed with relevant stakeholders. These stakeholders need to be consulted to ensure they have visibility of the Assessment, have the opportunity to comment and understand its implications for their operations. In view of periodic transit of ship (Designated Person's report) under pilotage, a detailed Navigational Risk Assessment is to be conducted to ascertain whether a pilotage service is required. Berthing and shifting movements at commercial (bulk) berth are to be kept under review to take account of any hazardous situation during low tide. The Harbour Authority should risk assess this to ensure safety. There should be an ongoing review of navigational risks inclusive of input from accident/incident (near misses) investigations either internal or external (e.g. Marine Accident Investigation Branch reports and recommendations).*
- *Prolonged closure or lack of access to vital berthing areas due to lock gate damage may pose both safety and business risks. Specific evaluation and assessment of the risks to lock gate infrastructure is therefore recommended.*



'The aim of assessing and managing marine operations in harbours is to reduce risk as low as reasonably practicable (ALARP)'

- *Activities within the harbour may be affected by the gradual deterioration and or collapse of adjacent old harbour walls. It is recommended that this regularly feature in the risk assessment.*
- *Activities within the inner harbour greatly depend on the operation of the swing bridge. The proposed wind farm activity at the wharf will be even more dependent on the reliability of the bridge which is very old. It is recommended that this features regularly in the risk assessment.*
- *A recent survey of the harbour area is showing a gradual reduction of depths. It is recommended that the survey work of Harbour area be a regular feature of harbour risk assessment with possible undertaking of dredging in the near future.*
- *Activities within the harbour may be affected by the gradual deterioration and or collapse of adjacent old harbour walls. It is recommended that this regularly feature in the risk assessment and to initiate measures as would be appropriate.*
- *Prolonged closure of the harbour bridge could significantly hamper leisure operations in and out of the marinas and yacht moorings. This should be included in the Harbour's risk assessment and should be regularly revisited.*
- *In accordance with the GTGP the Harbour Authority should consider creating a stakeholder group to review its risk reviews or assessments.*

'Risk assessment reviews are best conducted by utilizing user groups or representatives who use the harbour or facility regularly'



'The Code also describes the various powers likely to be available for statutory regulation of navigation in a harbour. These may be in the harbour authority's statutes, in bylaws, in the power to give directions, or in general directions. General Directions are rules which apply to all ships within the harbour area'

- *There are anomalies in scheduled review dates of some of the vital risk assessments due to the transfer of data to a new software system. Review dates should be revisited to align those to correct review schedule. The Harbour Authority may consider reviewing the process to coordinate & have a central system of assessing those for marine and navigational risks.*
- *It is recommended that risk assessments should be visible to stakeholders and all operational staff. The suggested employee health and safety forum would provide an appropriate opportunity to take this forward.*
- *Recent survey of the harbour shows a gradual reduction of depths. It is recommended that the survey and dredging of the harbour area be established as a standard harbour risk assessment.*

It is recommended that the health and safety audits should encompass 'dry' as well as 'wet/marine work' activities around the harbour including moored vessels (e.g. welding activities on fishing vessels when alongside). Copy of such audit reports should be given to the Harbour Master to assess the waterborne aspects of health and safety.

Management of Navigation

- *The Harbour Authority should consider what appropriate licensing or regulation arrangements may need to be introduced for some of the unlicensed domestic passenger or ferry boats which are currently trading*



within the harbour (further guidance is available from section 8.2 of the GTGP).

- *It was explained that staff currently work a 9 -5 regime but that consideration was being given to a tidal working pattern. The Harbour Authority should consider reviewing the working pattern and to introduce a consistent approach to all ports within its limits.*
- *Currently there is no guarantee of tug services for emergency deployment. It is recommended that this be re-considered in the context of the port's overall risk assessment.*
- *The Harbour Authority, being a Competent Harbour Authority, should develop a generic port entry passage plan which would provide guidance as required by vessels of more than 50m LOA (passenger vessel).*
- *The Harbour Authority should develop a generic port entry passage plan which would provide clear guidance required by vessels of more than 40m LOA.*
- *The Harbour Authority should arrange to risk assess restricted visibility operations.*
- *It is recommended that the formal risk assessment for Vessel Traffic Services is reviewed for the following reasons:*
 - *the imminent transfer from INS to TOS; and*



- *the requirement for a Radar station at point xx.*
- *Existing bollard arrangements are insufficient with some vessels using access ladders as mooring points. It is understood that this is currently being addressed.*
- *It was observed that the approach channel into the harbour continues to silt up. This has significantly reduced the width of available water in the most critical area of the harbour approaches. The limiting factors preventing adequate dredging should therefore be addressed.*
- *The port should consider disseminating hydrographic survey results to users and stakeholders.*

Safety Plan

- *The Harbour Authority should consider publishing a 3 yearly Safety Plan in accordance with the PMSC showing how the standards will be met.*
- *The Harbour Authority should publish a safety plan and report (annual), at least once every 3 years, in accordance with the PMSC showing how the standards will be met.*
- *The Harbour Master and his deputies have initiated a significant number of improvements to assist compliance with the PMSC, however, there is*



no comprehensive safety plan available to cover the recommended 3 year period.

- *It is recommended that suitable Key Performance Indicators are identified towards preparing the safety plan, following publication of the annual report.*

Pilotage

- *Whilst it was not envisaged that hours of rest for pilots was currently an issue at the harbour, it was felt that this is something that should be monitored.*
- *The Harbour Authority should regularly review and reassess the requirement of Comprehensive Harbour Authority status as pilotage is no longer a regular feature.*
- *Training and assessment process should be included in the procedure for new pilots and for 5 yearly renewal of Pilotage Certificates. The Harbour Authority is not able comply with this as there is no opportunity to conduct practical assessments of pilots under current circumstances.*
- *The Harbour Authority should assess pilotage arrangement for visiting tall ships or training ships as a contingency measure.*
- *The Harbour Authority is currently reviewing its pilotage procedures to capture current practices and to update quality assurance criteria. The review process should be expedited to ensure smooth operations.*

‘CHAs must issue pilotage directions if they decide, based on their assessment of the risks, that pilotage should be made compulsory.’



'The harbour should determine what code or licensing regime their work boat should fall under as well as prescribing what qualification / experience coxswains operating the boat should hold'

Marine Services

- *The current software programme used for routine maintenance of harbour crafts failed to synchronise with running hours. Marine Services is therefore reviewing the current system to adopt a structured and planned maintenance system. This should be completed to facilitate monitoring of routine maintenance.*
- *The visiting health check team was not able to see a systematic process or procedure for certifying and licensing of harbour boat. There should be a system of certification and licensing of the harbour launch. A similar system should be introduced for the harbour water taxis. Licensing could follow the current process used by the council for water taxi licencing. The MSMS should list and define documented process or procedures related to the full regime of licensing activities, e.g. boat men, etc. However, a certifying body (or an authorised entity) may certify the fitness annually with a 3-yearly survey of the crafts.*
- *It is recommended that the Harbour Authority should obtain 'fit for purpose' certification for their harbour craft and also have a procedure to ensure contracted-in craft are appropriately certificated or coded.*
- *Flexibility, accessibility, safety and efficiency of pilot boat operations would be greatly improved with the proposed mooring pontoon and boat facilities located next to the Vessel Traffic Service centre.*
- *The MSMS should list and define documented process or procedures related to the full regime of licensing activities.*



- *The current recording system is proving onerous for detection as the personnel file contains very old records of those who have left the organisation, etc. These should ideally be archived. The Marine Services Division has undertaken a systematic approach to create simpler computerised system of record keeping and for ready reference. It is recommended to expedite the review process to facilitate appropriate record keeping.*
- *The Harbour Authority's Marine Services Division is currently reviewing their work practices to address some of the shortcoming in terms of providing crafts to the Harbour Master on time with qualified personnel. This can be addressed through coordinated approach from all areas.*
- *A review of resources required to handle day to day vessel mooring requirements is recommended.*
- *Currently, tenders and provision of other port marine craft have been outsourced. The Harbour Authority should consider periodical audits of xxx at least once or twice in a year to ensure compliance with SOP.*
- *The system is showing several overdue maintenance items. The Harbour Authority should revisit the maintenance schedule to address this.*



'a safety management system should make preparations for emergencies – and these should be developed implemented, maintained, operated effectively and revised periodically.'

'all persons involved in the management and execution of marine services should be qualified and trained to the appropriate national standards.'

Emergency Preparedness

- *The Harbour Authority is working towards preparing an emergency plan. This process should be expedited to ensure preparedness for emergencies.*
- *The Counter Pollution Plan is currently in draft form and in discussion with the MCA. This process should be expedited to ensure timely completion of the Plan.*
- *Oil Spill and OPRC procedures in MSMS/SOP should take account of possible informal arrangement with neighbouring ports to deploy Tier 2 recovery kits.*
- *It is recommended that the Harbour should ensure that the requirement of bunker spill kit/equipment to be kept at the bunkering point is effectively managed by the external contractor.*
- *It is recommended that the Harbour Authority should develop and publish a port Emergency Response Plan in consultation with the emergency services and harbour stakeholders.*
- *As per the MSMS, the Harbour Authority is to conduct yearly emergency exercises. The last exercise was done in March 20xx. It is recommended to conduct yearly exercise in 20xx and every following year.*



Training of Port Marine Personnel

'Harbour authorities should adopt a training strategy that develops a shared understanding of their safety management system and promote the involvement of port users in training programmes.'

- *Staff training arrangement could be improved using a structured training matrix. The Harbour Authority has plans to move towards providing a structured training plan for marine staff.*
- *The Harbour Authority has a training & qualification matrix in place for operational staff. Outstanding training is identified with arrangement being put in place to address shortfalls within xxx financial year. The Harbour Authority should endeavour to update the training status of operational staff.*
- *The Harbour Authority should arrange to set standards, the level of qualifications and develop performance measuring methods and competency standards for those responsible for the safety of marine operations as well as prescribing what qualifications and experience the skipper of its harbour boat and water taxis should hold. The Harbour Authority should have a system of monitoring staff development and training. This could be in the form of training matrix. A list of pre-requisite qualifications and on-the-job training required for all harbour marine staff should be included. Qualification (copies of qualifications) and training records should be rigorously maintained.*
- *It was agreed that the compilation of a staff training matrix and associated training plan would be beneficial and therefore needs to be completed.*



'It is, therefore, essential that the Safety Management System addresses the potential for incidents to occur and to provide instruction and guidance on any investigations that may be required as a result.'

- *In the absence of a structured training regime, the Harbour Master has drawn up a training framework/matrix for all key and marine personnel. It is recommended that the proposed training structure be reviewed and implemented by the management.*
- *In accordance with the GTGP, the Harbour Authority should consider providing a framework for existing personnel who are undertaking port marine activities and interested in career development and advancement.*
- *The Harbour Authority has a training & qualification matrix in place for operational staff. This should be reviewed to remove anomalies.*
- *The harbour vessel's master currently holds a valid foreign CoC. The Harbour Authority should initiate measures to obtain a UK CEC from the MCA at the earliest opportunity.*
- *Copies of the Designated Person's current & relevant qualification should be kept on file for ready reference.*
- *The Harbour Authority should consider developing a training matrix to monitor staff training and competence.*
- *The Harbour Authority should arrange to set standards, the level of qualifications and develop performance measuring methods and*



competency standards for those responsible for the safety of marine operations i.e. the Harbour Master, Designated Person, VHF operators, etc, as well as prescribing what qualifications and experience the skippers of sightseeing boats should hold.

Accident/Incident Reporting

- *Current incident/accident reporting procedures only cover on-shore dry activities. The Harbour Authority should make provision to include both dry & waterborne incidents/accidents. This should be done through stakeholder consultation.*

Communication

- *The Harbour Authority should consider a system for communication for boats arriving and/or leaving during unmanned hours and for emergency situations. The Harbour Authority should carry out a risk assessment towards that requirement (Telephone,LPS or VHF).*
- *The Harbour Authority should consider dissemination of notices and information through a web-based facility. This could further be extended with a published commitment to the PMSE on its web site.*

Helicopter Operations

- *From time to time helicopters are given permission to land on a marked area within the port. This practice benefits all parties but should be accompanied by an appropriate procedure in the MSMS.*

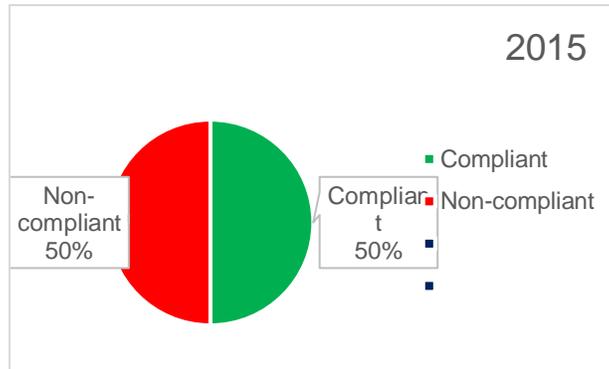


- *It is recommended that the regular liaison with HMCG is extended to discussions on potential helicopter rescue/recovery operations.*

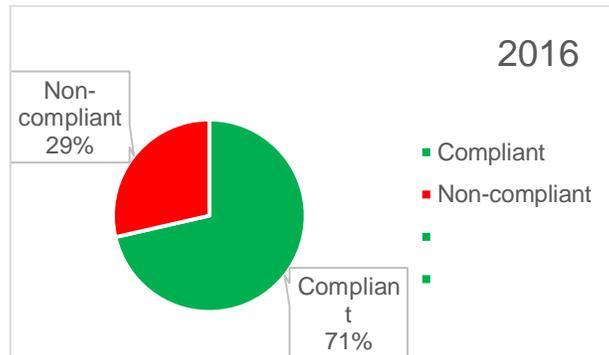
Observations

- *The Harbour Authority may consider initiating steps to complete period targets 5 and 6 of MS Report 20xx.*
- *In view of regular maintenance works being undertaken at quayside by harbour users, the Harbour Authority should consider establishing control of public access to the quays.*

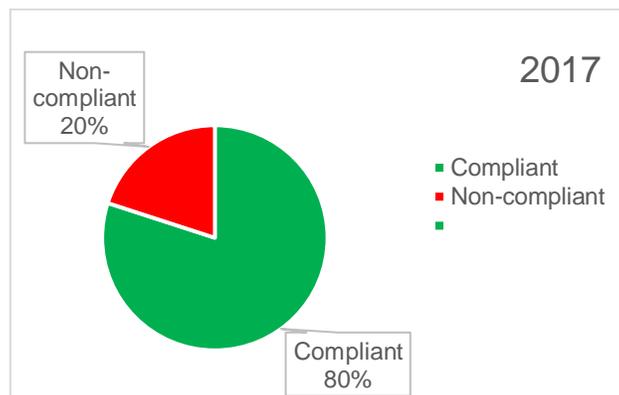




Total Number of Ports Visited in 2015: 8



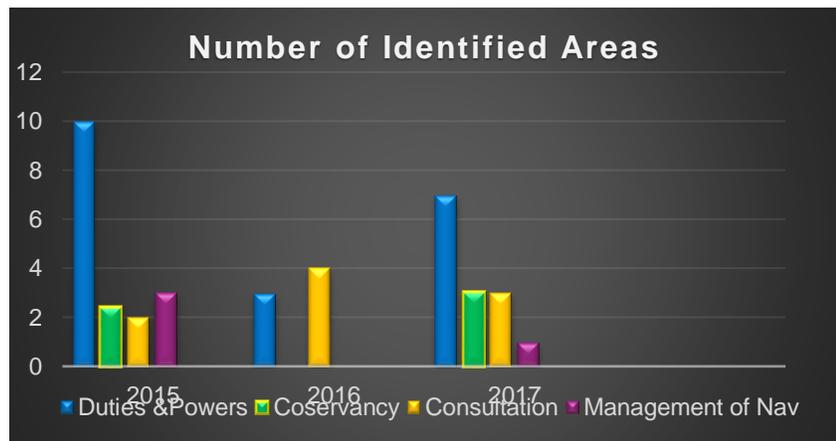
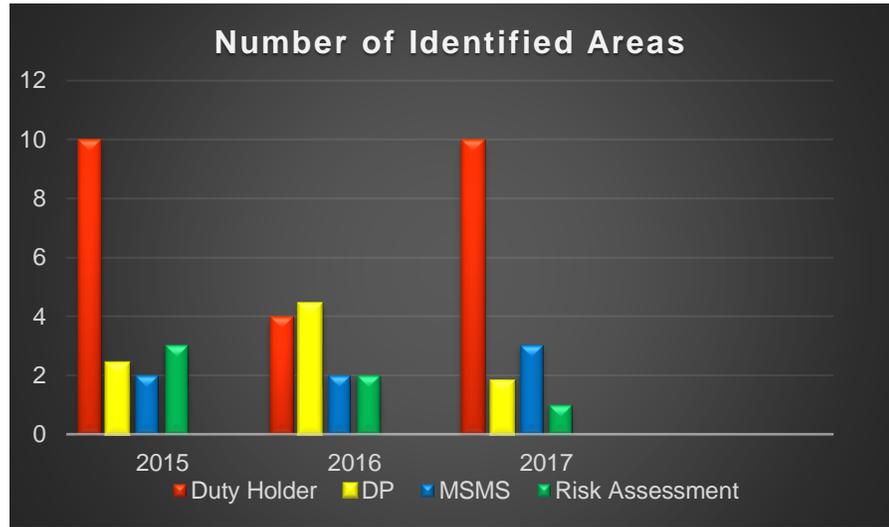
Total Ports Visited in 2016: 7

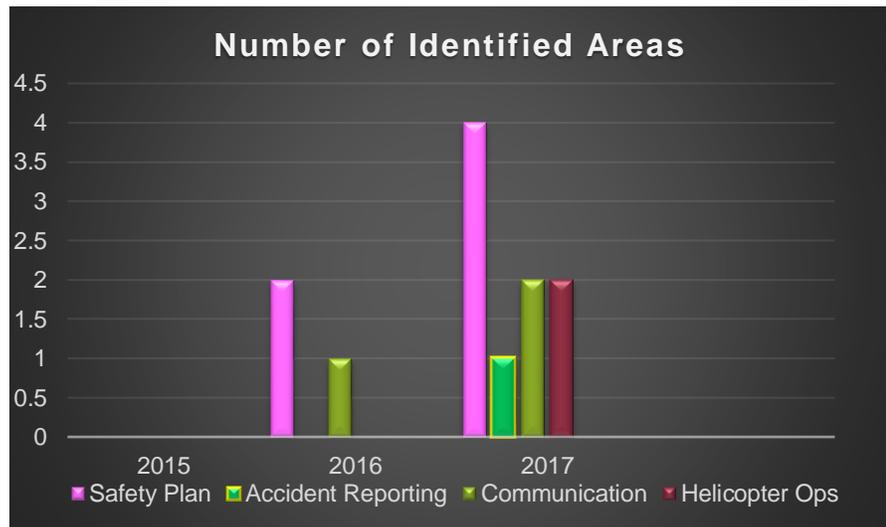
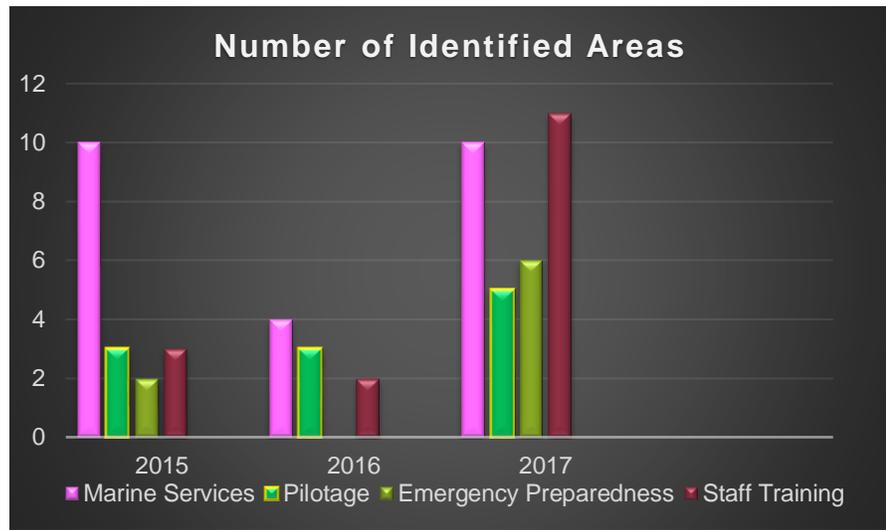


Total Ports Visited in 2017: 11



Enhancements





Observed Best Practice

A number of examples of best Practice were observed during health check visits during 2017:

'The port enjoys a good working relationship with a line handling company. Between them they have built a relationship with vessel masters and shipping companies to ensure that the use of inappropriately weighted heaving lines is minimised.'

MSMS

- *The highlighted text provides a useful reference to the relevant PMSC section in the Marine Operational Manuals. This is helpful in tying the procedures to the PMSC.*
- *The MSMS introduced in 20xx has become established and records were available which show a clear commitment to safety within the port. It is evident that there is an ongoing and significant programme of improvement to infrastructure and procedures.*
- *A 'just safety culture' - reporting of safety laps and identification of hazard mitigation on personal level is rewarded by the management.*
- *The Harbour Authority's risk-based method of record keeping including daily, weekly and monthly activities was an example of good practice.*

Risk Assessment

- *The use of specialised software in assessing various operational and other risks.*



- *The port enjoys a good working relationship with a line handling company. Between them they have engaged with vessel masters and shipping companies to ensure that the use of inappropriately weighted heaving lines is minimised. They recognised the limitations of some of the visiting vessels with regard to design of mooring deck and provide line handling boats where appropriate. Incidents where inappropriately weighted lines have been used are investigated to understand their root cause.*
- *All the ports visited with the Harbour Authority maintained well-structured risk assessments.*
- *The port, in co-operation with the line handling company, has taken proactive measure to ensure the prohibition of weighted heaving lines. The Harbour Authority has developed good relationship with vessels and companies to eliminate the use of inappropriately weighted heaving lines.*

Duty Holder

- *The Annexe to the Duty Holder's Annual Report and input from the Harbour Master clearly showed the risks elements of the Duty Holder for non-actions.*
- *Periodical Trend Analysis done by the Harbour Authority was seen as an example of good practice*



'Approach of the management in planning stakeholder meetings and engagement was seen to be well thought out and executed, utilising a simple annual planner listing all the various stakeholder meetings and when they would be scheduled.'

Consultation and information dissemination

- *The incorporation of the commercial fishing sector into Harbour Consultative Committee meetings was a positive step forward and the availability of EFF funded Mullion PFDs for local fishermen should be explored further.*
- *The management approach to planning stakeholder meetings and engagement was seen to be well thought out and executed, utilising a simple annual planner listing all the various stakeholder meetings and when they would be scheduled.*

Marine Facilities

- *The facilities at port were comprehensive and accompanied by well-structured checklists and procedures. Of particular note were the anchoring weights made from concrete and fitted inside tyres which could be wheeled into place.*

Pilotage and Passage plans

- *The Pilot Handbook and Passage Plan documents were seen to be comprehensive and very useful.*
- *There is a system of cross checking of Passage Plan between operational room and pilots as well as their easy accessibility to iPads*



(touch screen tablet PC). This has been a forward-thinking initiative and seen as a good practice.

Management of Navigation

- *The Harbour Authority's procurement & maintenance of a permanent dredger clearly shows its commitment to provide safe berths to visiting ships, leisure crafts & fishing vessels.*
- *The visibility of harbour areas under control of Vessel Traffic Services and Dockmaster was excellent. Both centres provided operators with the ability to visually reinforce electronically observed vessel movements and this was seen as an example of good human centred design.*
- *The workstations were variable in operating height which gave operators the option of standing or sitting which was also seen as an excellent design feature.*
- *The current system of survey coverage and dissemination of information to pilots and other users was seen as an example good practice.*

The harbour's procurement & maintenance of a permanent dredger clearly shows the commitment of the harbour to provide safe berths to visiting ships, leisure crafts & fishing vessels.'

Emergency Preparedness

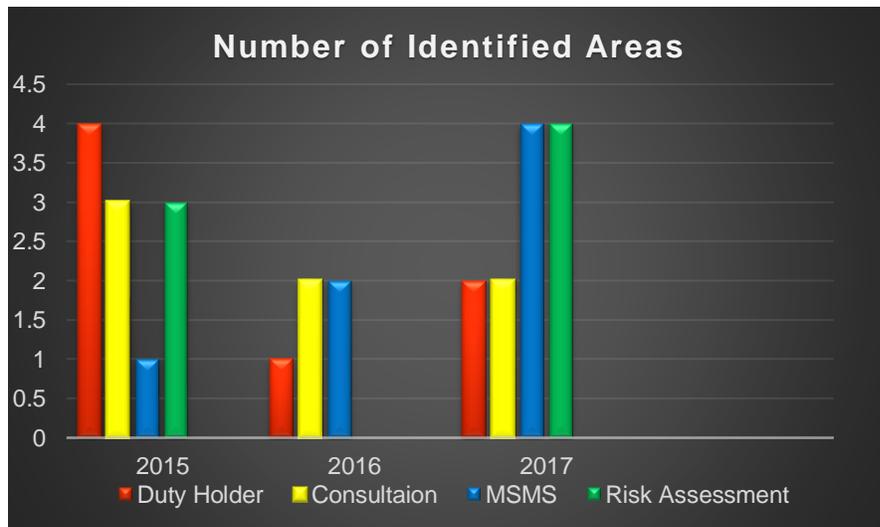
- *The Harbour Authority has developed a good working relationship in sharing Oil spill resources in advance of Tier 2 Oil Spill equipment arriving.*

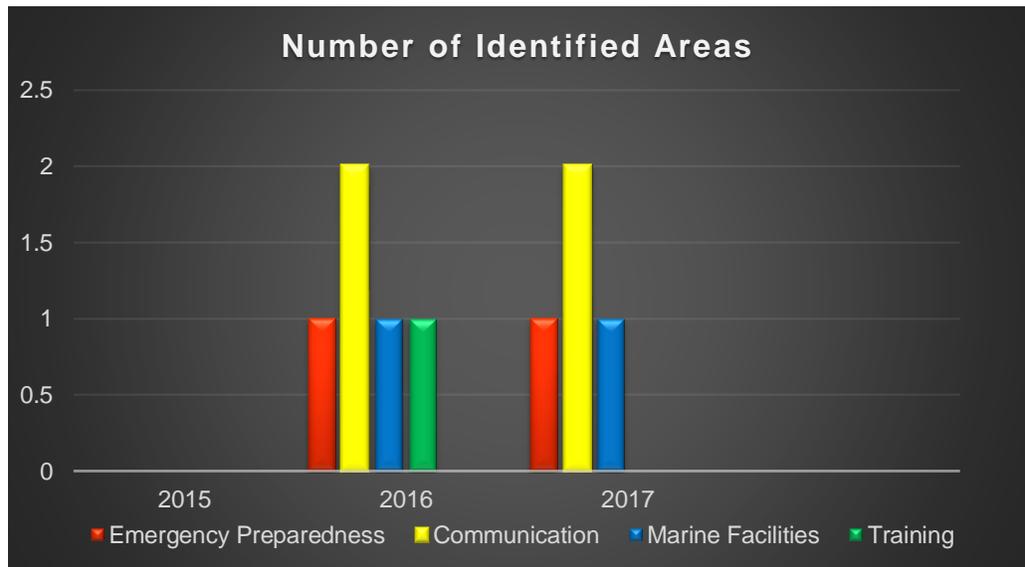
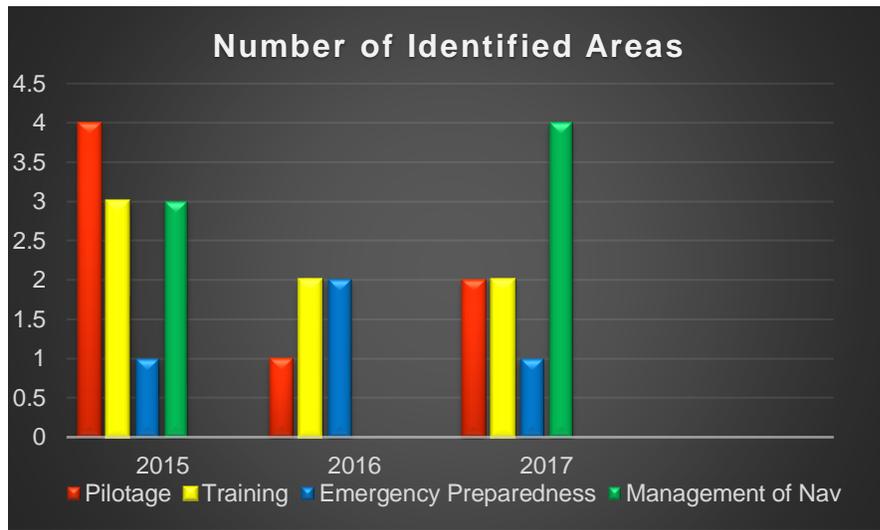


Communication

- Both harbours operate 24/7 LPS watch system from the operations room overlooking their respective harbours.
- On line availability of a welcome information leaflet (containing key requirements) provided for port users is seen to be comprehensive and very useful.

Best Practices





Conclusion

The MCA would encourage the industry to take account of the issues highlighted and enhancements mentioned in this report and consider if any might be applicable to their organisations. Best practice can similarly be shared among ports to enhance overall safety, productivity and efficiency.

Any further enquires or comments related to this report should be directed to :
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