



Port Marine Safety Code Health Check Trends

2018

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

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"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"

Introduction

The Port Marine Safety Code (PMSC) sets a national standard for port marine safety across the UK. Its development was prompted following a review of the Pilotage Act 1987, completed in 1998, and in the aftermath of the Sea Empress accident in 1996. Compliance has been voluntary since its introduction in 2000 and its primary function remains to assist the industry in ensuring the ports, harbours and other facilities to which it applies to ensure that safety can be enhanced for everyone who uses or works in the UK marine environment.

The involvement of industry representatives in the on-going development of the PMSC has been critical from the outset and we will continue to work in partnership with the sector to ensure that both it, and the related Guide to Good Practice on Port Marine Operations (GTGP), remain current and reflect the latest best practice.

We recognise that port, harbour and marina authorities in the UK vary significantly in size, volumes and types of traffic. This diversity means that a one-size-fits all approach to safety standards would be disingenuous but there are common legal duties relating to the safety of people who use these facilities and for the wellbeing of the port environment and its community. For this reason, the PMSC is specifically designed to enable users to scale its application in a pragmatic way which is proportionate to the risks. The GTGP, which is designed to be read in conjunction with the PMSC, underpins this ethos by providing guidance and examples of best practice which are written by, and agreed with, industry. The PMSC 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 PMSC 'health checks' annually, aiming to visit a range of different types of facility across all parts of the UK. A visit may be triggered by evidence of a problem (or potential problem); 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.



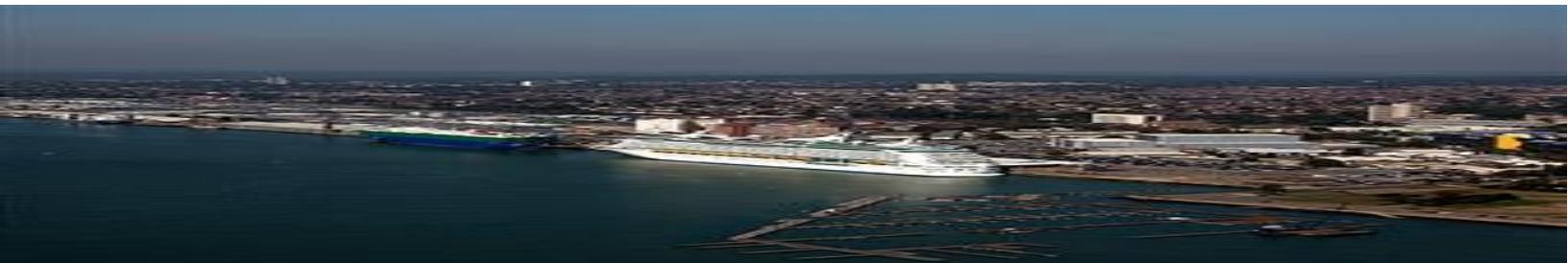
Exposure from PMSC compliance failure

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 health checks conducted during 2018, two organisations were found not to be fully compliant and will receive return visits during 2019 to verify that issues have been addressed'

This report is designed to provide stakeholders with an insight into emerging trends in compliance identified during the MCA's health check visits during 2018. It also provides examples of enhancements and best practice that have been observed whilst conducting the latest health check visits.

During 2018, the MCA conducted seven PMSC health checks throughout the UK at the following types of facility:

- 3 x Private;
- 2 x Municipal;
- 1 x Trust; and
- 1 x Duchy.

As a result of these visits, two organisations were found not to be fully compliant and will receive return visits during 2019 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.**

Other concerns highlighted during 2018 health check visits include:

- **Information dissemination;**
- **Conservancy;**
- **Pilotage; and**
- **Marine Services.**



The following summarises some of the issues related to the above six adverse trends identified during 2018 health check visits:

➤ **Duty Holder – issues observed**

- Roles & responsibilities under PMSC;
- Access and flow of information;
- Responsibility to publish safety plan once every 3 years;
- Duty holder not correctly identified; and
- PMSC training for Duty Holders.

➤ **Risk Assessments - issues observed**

- Assessment of risks;
- Identification of hazards;
- Risk review; and
- Stakeholder engagement.

➤ **MSMS – issues observed**

- System development;
- Operational Procedures under MSMS;
- Internal and external audits under MSMS;
- Navigation risk assessment;
- Staff awareness of MSMS; and
- Roles and responsibilities of key staff.

➤ **Designated Person – issues observed**

- Formal identification and engagement;
- Independent nature of operational responsibility; and
- Clear information flow and exchanges with the Duty Holder.

➤ **Duties and Powers – issues observed**

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



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

- Lack of consultation during risk assessments;
- Consensus on safe navigation;
- Stakeholder engagement; and
- No marine/navigational guidance to users.

Observed best practice included:

➤ **MSMS**

- Clear commitment to safety through continued progress;
- well-documented Management System featuring clear policies and reflecting clear chain of responsibility; and
- 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 issues;
- Structured review of risks and assessment of risks.

➤ **Duty Holder**

- Bi-monthly interaction with designated person;
- Easy access to e-learning resources for training; and
- Monthly video-conferencing with Harbour master.

➤ **Communication**

- Availability of comprehensive guidance for harbour users;
- Existence of open management ethos with staff and customers



➤ **Accident and Incident Reporting**

- *Use of Yammer to disseminate near miss and incident information*
- *Use of software to capture incident information*

➤ **Marine Services**

- Effective monitoring and active supervision of tenders transiting from visiting cruise vessels.

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Observed Enhancements

The following enhancements were observed during 2018 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.'

- The Harbour Authority is to formally identify and designate the Duty Holder, whose members will be individually and collectively accountable for compliance with PMSC and their performance in ensuring safe marine operations in the harbour and its approaches.
- Current organogram of harbour authority may not allow direct feed/access from vital operational staff to the duty holder. Harbour Authority is recommended to review the current organogram to allow direct access to the Duty Holder.
- The Duty Holder has the responsibility to ensure publication of annual report in publicly reporting the Harbours performance; and 3 yearly publication of safety plan & assessments in accordance with PMSC. There is a requirement to publish commitment to the Code. Harbour Authority is recommended to expedite this in order to conform to PMSC. This would be to 'Publish plans and assessments against their performance in meeting the obligations against the Code 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.
- Organisation should consider having PMSC as an agenda in one of their Periodical Board meetings during the year.



'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'

- *The Duty holder has the responsibility to ensure publication of annual report in publicly reporting the Harbour's performance and three yearly publication of safety plan & assessments, in accordance with PMSC. There is a requirement to publish commitment to the Code. Harbour Authority has plans to complete and publish those in early 2019. It is recommended that this work be treated as priority item.*
- *According to PMSC "all Duty Holders should familiarise themselves with the Code". Hence it is expected that the Duty Holders will receive PMSC training from time to time.*

MSMS

- *Current overarching system document is designed to provide a common framework for all the harbours managed by the Authority. It lacks specific policies and procedures that would assist the harbour master and staff to safely manage the harbour on a day to day basis. It is worth noting that the Designated Person has undertaken steps to assist the Principal Harbour Officer and others in developing policies and procedures for an effective safety management system within the current financial year.*
- *Organisation is currently developing Standard Operating Procedures for relevant marine operations which are scheduled to be completed and fully in place by the end of January 20xx. Organisation is advised to expedite this process and incorporate those in the system document with a view to create a more harmonious Safety Management System.*



'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'

- Currently the Harbour Management has health and safety policy in place as their Safety Management System. Authority is recommended to incorporate operational procedures along with health and safety and, may consider to re-title the current document as 'health, safety and operational policy' to create an effective Safety Management System.
- Although the authority already has a formal written procedure for passengers boarding Angling Charter Vessels, it is recommended that this is incorporated into the forthcoming Standard Operating Procedures when those are adopted.
- Harbour Authority has embarked in reviewing some of the operational procedures such as arrival, departure, contractor agreements/guidance, MAIB reporting procedure, record keeping & communication logs. Harbour Authority is recommended to notify the MCA once those are completed.
- Harbour Authority has developed a PMSC document for several harbours within its authority. However, the document appears not to reflect many policy elements, procedures and monitoring mechanism. Harbour Authority is reviewing and updating the MSMS to reflect current operational practices. The view of the visiting health check team is that MSMS should clearly state marine operational policies and operating procedures, as has been identified by the Designated Person. 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.
- Current MSMS is titled as "Navigational SMS" which has greater focus on navigational risks and aspects. Harbour Authority should consider reviewing the MSMS in line with PMSC & GTGP with a view to capturing risks such as life, environment, business(reputation) and damage (port & shipping) and take steps to create comprehensive Harbour-based MSMS.



'The Harbour have appointed a designated person in line with the PMSC. It was felt that the individual appointed to this role could take more of an active role in some of the tasks prescribed in the SMS, especially regarding audit activity'

- *The job description of the Harbour Master dates back to 2013. This should be updated.*
- *Evidence was seen of good reporting of ship related defects to MCA. It was felt that a documented procedure should be produced to prescribe what the process is and who is responsible.*
- *Harbour Authority currently has operational practices for bunkering within the harbour. It is recommended that formal procedures be developed for bunkering at various locations within the harbour. It was explained that this work is in hand.*
- *It is recommended that an organogram of key personnel is included in the MSMS documentation.*
- *Harbour Authority is recommended to develop an effective SMS after relevant consultation that should be based on formal risk assessment and refers to an appropriate approach to incident investigation.*

Designated Person

- *Harbour Authority currently does not have a regular Designated Person, but it has plans to deploy a Marine/Port consultant as their Designated Person to establish the effectiveness of the system. Harbour Authority is to find a permanent solution to arrange an appropriately qualified Designated Person to provide an independent evaluation of the system and to feed that back to the Board/Duty Holder. Harbour Authority should identify a duly qualified Designated Person who will not have*



management responsibility and be able to carry out system audit and provide independent report to the Duty Holder.

- *Harbour Authority to ensure close out of any outstanding findings of the internal audit carried out by the Designated Person.*
- *Harbour Management is recommended to share the Designated Person's report with the Board.*
- *Designated Person's use of MCA template for reporting is acceptable. It is suggested that a summary document be furnished and provided to the Duty Holder highlighting priority areas, gaps and concerns.*
- *A 'Designated Person' should be appointed to provide independent assurance about the operation on the Marine Safety Management System. Once identified they must have direct access to the Duty Holder.*

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

Internal/External Audits

- *Harbour currently does not have a clear structure to carry out systematic internal and external audits. Harbour Authority should plan and structure internal and external audits. H/A should ensure regular monitoring of the system through audits as stated in GTGP section 5 and ensure regular feedback to the Duty Holder. No record was found of routine internal auditing. It is recommended that the Harbour Authority should carry out internal and external audits in accordance with GTGP 5.2.1.*



- *In accordance with GTGP, an external audit or peer review should be carried out by the Harbour Authority. Harbour Authority has a system of using an internal Designated Person to carry out audits in line with his duties as the Designated Person. Harbour Authority should also consider having an independent external audit or a peer review at least once every 3 years.*
- *Visiting MCA team was not able find audit reports such as annual, external and Designated Person audits. Harbour Authority is to ensure regular monitoring of the system through audits as stated in GTGP section 5 and to provide regular feedback to the duty holder. In accordance with GTGP section 5 the Harbour Authority should arrange to carry out an internal audit every year and an external audit or peer review at least every 3 years.*
- *Visiting MCA team felt that the reference to the MCA fulfilling the role of external auditor should be removed from SMS as the MCA Health Check*

regime has to be target based and may not always involve the same visiting port.

- *In accordance with GTGP an external audit should be carried out every 3 years. The external audit that was carried out in 20xx was termed as an enhanced internal audit. Harbour MSMS should provide more clarity about the external audit. It is therefore recommended that an external audit should be carried out at the next available opportunity.*



'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'

- No record was found of routine internal auditing. It is recommended that the Harbour Authority should carry out an internal audit at least once a year.
- Harbour Authority is recommended to monitor, review and establish a system of external and internal audits of MSMS on regular basis.

Risk Assessment

- Activities within the harbour including the risks from visiting ships such as anchor dragging, stranding and the consequent risk of pollution and or due to major engine break-down or major fire damage to such vessel; present a risk to the business model. The other factors are that of non-availability of any tugs within the harbour to assist during emergency situations and the lack of pilotage service to assist vessels entering/leaving the harbour.
Harbour Master is currently reviewing the Risk Assessment to ensure that all routine and non-routine risks associated with marine operations have been formally identified and mitigating measures are put in place. Currently this work is in progress. It is recommended that the risks mentioned, and the reputation side of the risk be explored further & effective mitigating measures are considered.
- Considering an incident of fatality to a lone operator at a harbour, the Authority is recommended to review their risk assessment with respect to lone night watch-keeper.



- Visiting team observed live insulated electrical cables running at several places, from distant power distribution boxes to the boats in repair yard. Although this is standard practice within the facility and similar industry, the Authority is recommended to re-assess this risk to ensure safe operation.
- Newly appointed Harbour Master is currently reviewing the Risk Assessment to ensure that all routine and non-routine risks associated with marine operations have been formally identified and mitigating measures are put in place. Currently this work is in progress.
- Harbour's risk assessments are not complete and may not have captured/identified all routine and non-routine risks. There should be an ongoing review of navigational risks inclusive of input from accident/incident (near misses) reports/investigations either internal or external (MAIB).
- With reference to a fatality involving a lone watchkeeper at a harbour, the harbour management is recommended to review their risk assessment with respect to lone night watch-keeper at LPS station.
- Activities within the inner harbour depend on the availability of main berth space for ferry and cargo vessel. Prolonged non-availability of berth due to major engine break-down or major fire damage to a vessel present a risk to the business model; it is recommended that this risk be explored further to ensure appropriate mitigations are in place.
- Risks from visiting cruise ships such as anchor dragging, stranding and the consequent risk of pollution needs to be included in the current risk assessment matrix.



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

- Whilst the sample of risk assessments examined during the audit were seen to be in date and regularly reviewed, some of those had contradictions. It was explained that further review and rationalisation is currently underway. The focus on this review should be maintained in order to identify and remove any duplications or contradictions contained in risk assessment entry details.
- Good examples of stakeholder cooperation and engagement were observed. It was felt that this could be further enhanced by including the subject of risk assessment review as part of port user group meetings. The involvement of stakeholders in risk assessment review should then be captured in risk assessment records.
- During a port tour, it was observed that the old Pier was in a poor state of repair. This can pose risk to smaller & other crafts navigating near the pier. It was explained that the pier is currently out of commission and well outside of the main channel with markers in place. Visiting team suggested that an assessment should be carried out to identify any further appropriate mitigations that could help to safeguard port marine safety around the structure.
- Harbour Authority must ensure that all routine and non-routine risks associated with marine operations are formally assessed and identified and; are eliminated or reduced to the lowest possible level. Powers, policies, plans and procedures should be based on a formal risk assessment of hazards and risks and mitigating measures are put in place in accordance with good practice.



General Directions and Bye laws

'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.'

- Currently Harbour Authority is not able to exercise powers due the absence of any Bye Laws or General Directions that would reflect current practices. Harbour Authority is recommended review the existing legislative powers with a view to develop General Direction, Byelaw or HRO to exercise legislative controls within the harbour.
- Harbour Authority has undertaken the task of reviewing existing Bye Laws to conform to current practices and harbour operations. Harbour Authority to expedite this process.
- Currently Harbour Master may not be able to exercise powers to prosecute legitimate offenders not covered under Bye Laws. Harbour Authority is recommended to carry out a need analysis to develop General Directions.
- Harbour Authority Byelaws date back to 1963 and those should be reviewed to ensure that current practices are reflected.
- Harbour Authority to expedite the consultation process regarding the Bunkering safety at Harbour and initiate directives under the existing Byelaw or General Direction.
- Currently Harbour Authority is not able to exercise powers due the absence of any Bye Laws or General Directions that would reflect current practices. Harbour Authority should review the existing legislative powers with a view to develop Generl Direction, Byelaw or HRO to exercise legislative controls within the harbour.



- *In a discussion with Harbour Authority it was noted that Harbour Authority has concerns about exercising powers particularly regarding recreational navigation. Harbour Authority should consider gaining more power through General Direction to regulate speed and or other movements within the harbour. In this respect, Harbour Authority may also refer to section 8.11 of the Guide to Good Practice*

Accident/Incident Reporting

'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.'

- *MSMS to include procedures for reporting wet incidents/accidents to the MAIB. Harbour should also develop procedures for reporting deficiencies on vessels to the MCA*
- *There is no mention of reporting to MAIB (GTGP Section 13) regarding incident/accident reporting. Similarly, HSE should be notified of land-based accidents. MSMS Incident/accident reporting procedure should be extended to cover reporting to MAIB/HSE.*
- *Reporting Procedure - Evidence was seen of good reporting of ship related defects to MCA. It was felt that a documented procedure should be produced to prescribe what the process is and who is responsible.*



Conservancy

- Harbour Authority should review & re-assess the deployment of existing aids to navigation in light of the visiting cruise & passenger vessels. This should be done in consultation with General Light House Authority. Harbour Authority should keep UKHO informed about relevant information in order to update ALRS & other publications & charts.
- Attending representative from GLA expressed his deep concern regarding the maintenance of existing lights, the absence of appropriate aids in general and a lack of lighted aids to approach the harbour during the hours of darkness. Harbour Authority is recommended to comply with the GLA directives in this matter and supply information & returns as required.
- The Harbour Authority should obtain a letter from the relevant General Lighthouse Authority once all outstanding conservancy works have been carried out.
- Harbour Management is recommended to include navigational aids in their monthly maintenance list.
- It is recommended that Harbour Authority should clearly indicate the interval of survey in MSMS or in associated documents. Harbour Authority is advised to share survey findings with the UKHO to facilitate updating of charts for the area.



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

- *Harbour has recently carried out hydrographic survey. Harbour Authority is recommended to share the survey finding with stakeholders/users and the UKHO.*
- *It was noted that the Harbour Authority currently has a system of licencing of harbour owned moorings. The licence does not provide clarity to repair and maintenance of underwater parts of the moorings at regular intervals. Harbour Authority may consider making this clear in the licences issued to the users. The same should be reflected in harbour's operating procedure.*

Duties & Powers/Legislation

- *Harbour Authority should comply with the duties and powers under existing legislation, as appropriate, including the conservancy duty as detailed in the PMSC.*
- *Current Duty Holders should review and be aware of their existing powers based on local and national legislation, in order to promote safe navigation.*

Consultation and Information Dissemination

- *Harbour Management is advised to re-asses the dissemination of vital information to users via promulgation of notices (Notices to Users).*
- *The Harbour Authority is recommended to consider conducting regular safety committee meetings.*



- *Harbour Authority is recommended to consider formalising a documented process with respect to discussions surrounding vital safety related issues/items.*
- *Harbour Authority is recommended to carry out a need analysis for user-group forum.*
- *Harbour Authority currently has a system of consulting with port users at regular intervals. However, cruise vessel representatives are unable to attend those due to the remote location of the harbour.*

Harbour Authority is recommended to consider using skype or other media means to encourage cruise agents to attend User Group meetings.

- *Harbour Authority is recommended to consider using user group session to discuss safety elements & activities and use the forum to cover safety committee items.*
- *Currently Harbour does not have a port specific safety committee to discuss & review related issues. Harbour Authority is to review their current practice with a view to discuss port specific safety issues with relevant stakeholders.*
- *Currently Harbour is not sharing(promulgating) vital information such as survey findings with relevant stakeholders/users. Harbour is recommended to issue Notices to Mariners to disseminate relevant information as and when required.*



'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.'*

- *Marinas within Harbour Authority jurisdiction - It was noted that there are a number of marinas within the Harbour/port limits. It was suggested that marinas within the port that are not currently invited to port user groups should be invited to attend in the future, to further enhance engagement between the Statutory Harbour Authority and marina operators as well as understanding any scope and the complementary nature of each other's SMS / procedures.*
- *Harbour Authority is recommended to consider discussing with marina operators within the harbour to persuade them to align their operational procedures & practices to SMS, to enhance navigational safety. This is in respect of PMSC guidance 4. It is worth mentioning here that harbour authority has regular meetings with neighbouring stakeholders & users.*
- *Currently harbour is not promulgating vital information such as survey findings to relevant stakeholders/users. Harbour is recommended to issue Notices to Mariners to disseminate relevant information as and when required.*

Emergency Preparedness

- *Oil Spill Contingency Plan - In accordance with OPRC, Harbour Authority to prepare Oil Spill Response Plan and obtain approval from the MCA. Harbour Authority is recommended to expedite this process.*
- *Harbour Authority is known to have undertaken the work of preparing an Emergency Preparedness Plan. This work is currently in progress. Harbour Authority to expedite the completion of Emergency Preparedness plan.*



- *Oil Spill Response Plan – The Harbour Authority has submitted an updated plan and is currently in discussion with the MCA counter pollution team. The Harbour Authority should continue to expedite this process and obtain necessary approval from the MCA.*

Pilotage

- *Harbour Authority is advised to review and assess the current status of the port as Competent Harbour Authority and initiate appropriate measure to address the applicability of Competent Harbour Authority status.*
- *Pilotage Authorisation - Since authorisations are subject to two yearly revalidation, Harbour Authority should consider issuing a time-based authorisation to pilots to align those to PEC (Pilotage Exemption Certificate) authorisations.*
- *Pilotage Training and certification - There are anomalies in the records of training and certification of pilots including re-authorisation & examiner identification. The Harbour Authority should adhere to the procedure or reassess the pilotage procedures to reflect the current practices.*

Safety Plan

- *Publication of Safety Plan: Management is recommended to consider publishing an internal 3-yearly safety plan in accordance with PMSC & GTGP.*
- *Safety Plan and publication of organisational performance report: Harbour Authority is recommended to develop a safety plan as well as a report in accordance with PMSC 2.26, at least once every 3 years.*



'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'

- Harbour Authority is recommended to publish a safety plan showing how the standards in the PMSC will be met and produce a report assessing performance against that plan at least every 3 years.

Marine Services

- Harbour Craft/Marine services - The Harbour Authority should consider code vessel certification for the two of the harbour RIBs currently used as workboats within the harbour.
- The Harbour Authority should consider what appropriate licensing may need to be introduced for some of the unlicensed boats which are currently trading within the harbour.

VTS

- With increasing size and volume of vessels transiting through the waterway Harbour Authority may consider re-assessing the current capability to match the need.
- It is recommended to conduct drills with remote operation VTS communication emergency packs at the next available opportunity
- Communication coverage & manning – the Harbour Authority's communication service has not been made clear, even though it is providing LPS service to vessels using the harbour. This should be taken into consideration while carrying out the risk review. Harbour Master's office is currently manned from 12 midnight Sunday to 10pm Friday. There is only interrupted emergency coverage from 10pm Friday to 12 pm Sunday. Harbour is to risk assess the current arrangement and consider measures that would address out of hour arrivals/departures as well as to address wide ranging concerns from users.



- *In line with MGN 401, Harbour Authority should carry out risk assessment to assess whether the current level of service is adequate.*

Training of Competent Personnel

- *Harbour Authority is reviewing the current training practices & job descriptions for the operational & admin staff. This work is in progress. Harbour Authority may consider developing a training matrix to enhance and continuously improve staff skill-set. Trainings on Risk Assessment may be included. Harbour Authority should also consider having refresher training for the Duty holders.*
- *Harbour Authority should appoint appropriately qualified Harbour Master and other key personnel to safely manage the operations within the harbour, in accordance with the guidance given in the PMSC.*
- *Duty Holder training: According to PMSC “all Duty Holders should familiarise themselves with the Code”. Hence it is expected that the Duty holders will receive PMSC training from time to time.*

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

Observations

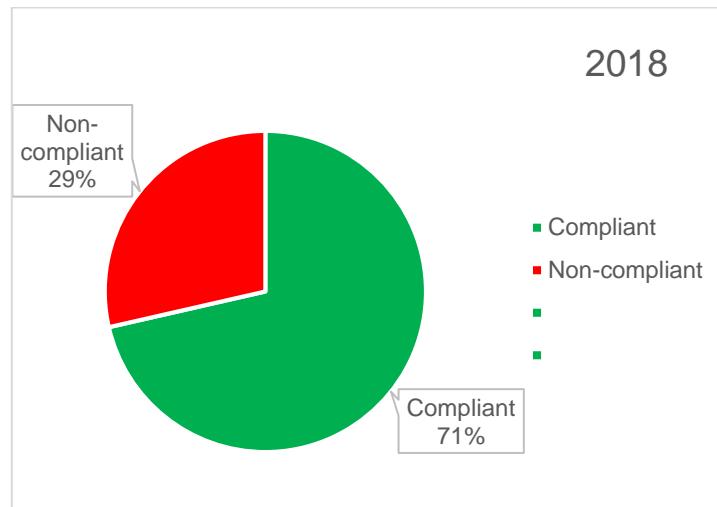
- *Buoy Marking - The Council has exercised their jurisdiction over the colouring of the harbour yacht mooring buoys from yellow to green. They should be made aware that this could cause confusion with navigational buoyage.*



- Succession Planning - Provision of the next generation of marine staff including pilots is a challenge. Some ports are addressing these concerns through a “Harbour apprenticeship” scheme. Harbour Authority may consider taking initiative along those lines.
- It is recognised that the remote location from the mainland presents few opportunities for exchange of best practices. This has been observed elsewhere in the UK on other PMSC visits and the team suggested that the Harbour Master may wish to explore discussions with a similar profile port.
- The visiting team was made aware of an on-going Boat Master Licensing issue involving the use of ship's tenders for passengers visiting the port. This is currently being dealt with by the local MCA Marine Office, MCA's Training & Certification Branch, Boat Master Association and Local Authority of the Council.
- Visiting team spoke to two serving pilots. One of the senior pilots expressed his view that the time between working shift and the work of pilot boat crew may further be risk-assessed to address any fatigue issue.



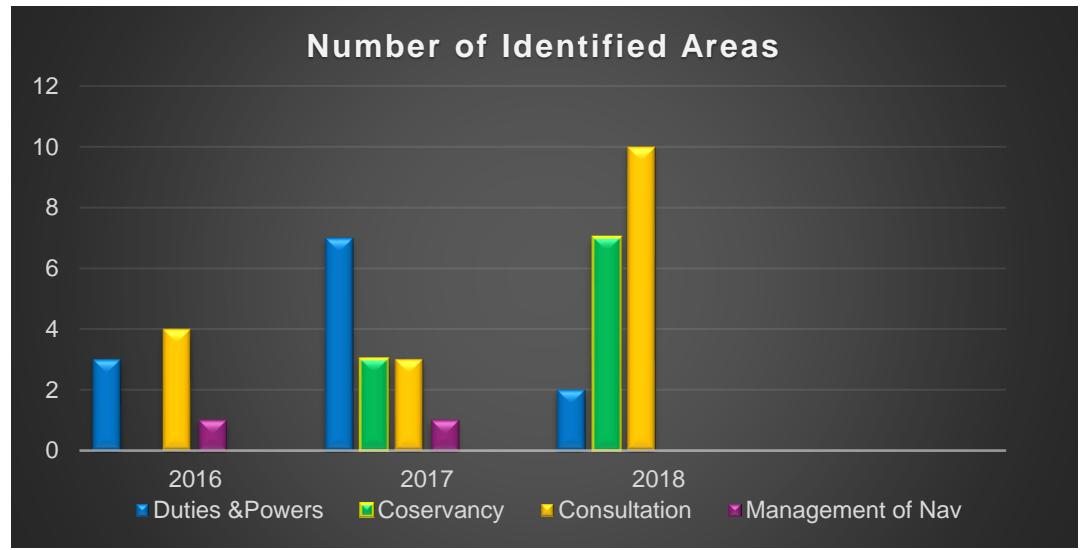
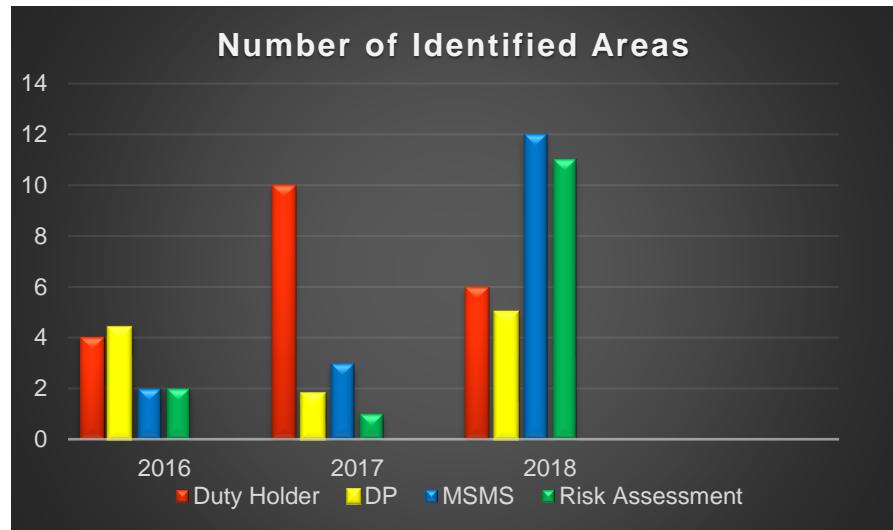
2018 Health Checks

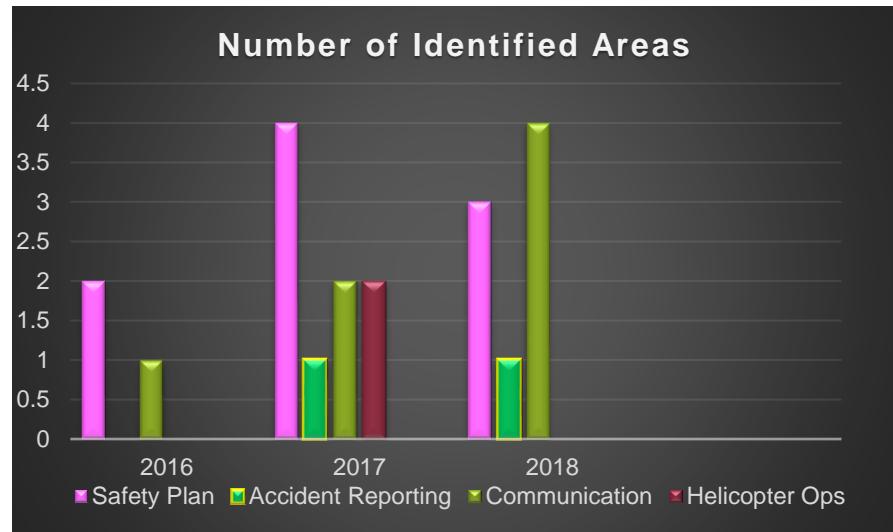
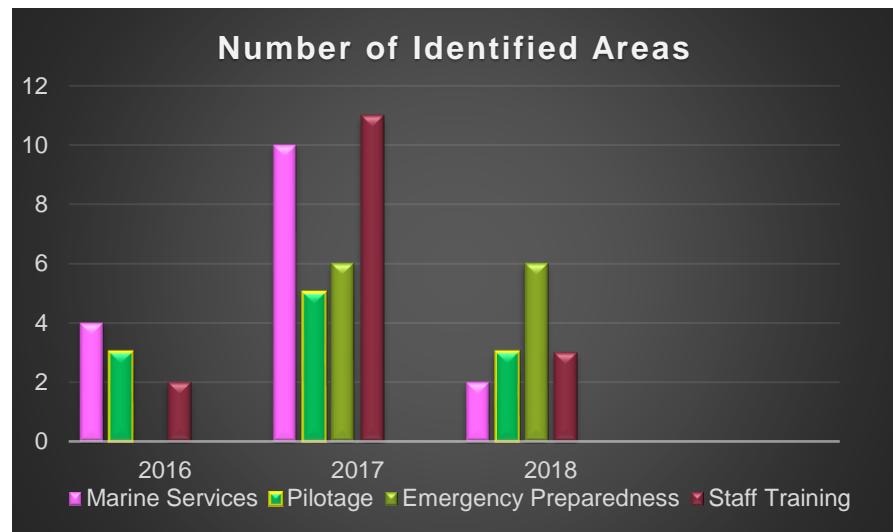


Total Ports Visited in 2018: 7



Enhancements





Observed Good Practice

A number of examples of Good Practice were observed during health check visits in 2018:

Maritime Safety Management System

Harbour has a well-documented Health and Safety Management system featuring clear policies and reflecting clear chain of responsibility.

- *This year also saw the introduction of Harbour Assist – a new harbour management software system that allows the harbour to have greater freedom and flexibility in dealing with and invoicing customers. Harbour Authority has introduced a system of recording weekly staff meeting. Those were also seen as good practice. All managers attend a 6 monthly forum to share good practices and other safety information.*
- *Harbour has a well-documented Health and Safety Management system featuring clear policies and reflecting clear chain of responsibility.*

Training and Development

- *Steps taken by the Harbour Authority to enhance professional training of pilots through ECDIS training was seen to be an example of good practice.*
- *Mentoring Scheme for new staff and following that through was considered good practice.*
- *The Harbour Authority's risk-based method of record keeping was an example of good practice.*



Incident/Accidents - Reporting

Clear safety signages around the harbour appears to promote safety and considered as good practice.

- Use of Yammer to disseminate information and providing feedback as and when needed, regarding near misses and incidents.

- Visiting team was impressed with the electronic capturing of non-marine incidents that can be instantly transmitted to relevant officials. Consideration should be given to capture PMSC issues/incidents in a similar manner.

Risk Assessment

There is an open management ethos and communication with staff and customers that is proactive and effective.

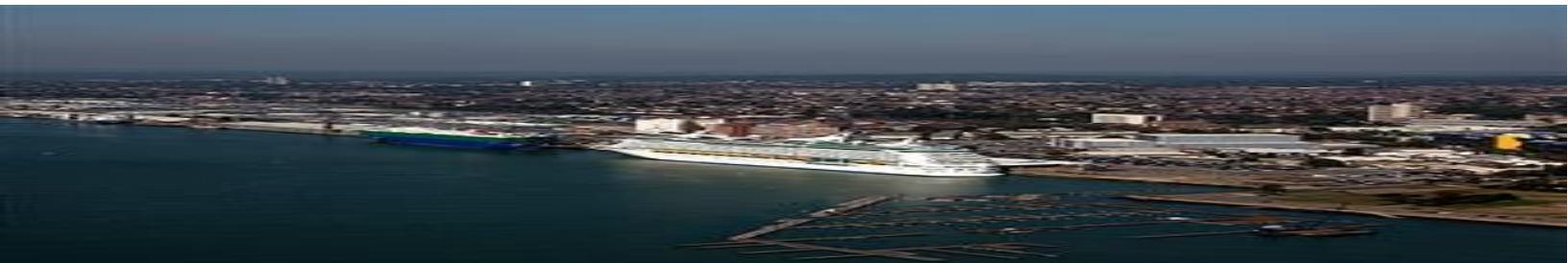
- The use of specialised software in assessing various operational and other risks was seen as good practice.

- Clear safety signages around the harbour appears to promote safety and considered as good practice.

Communication

- Harbour has published informative guidance such as the terms & conditions, Contractor information and trawler berthing leaflet. It also has 24/7 watch arrangement to help and assist users.

- There is an open management ethos and communication with staff and customers that is proactive and effective.



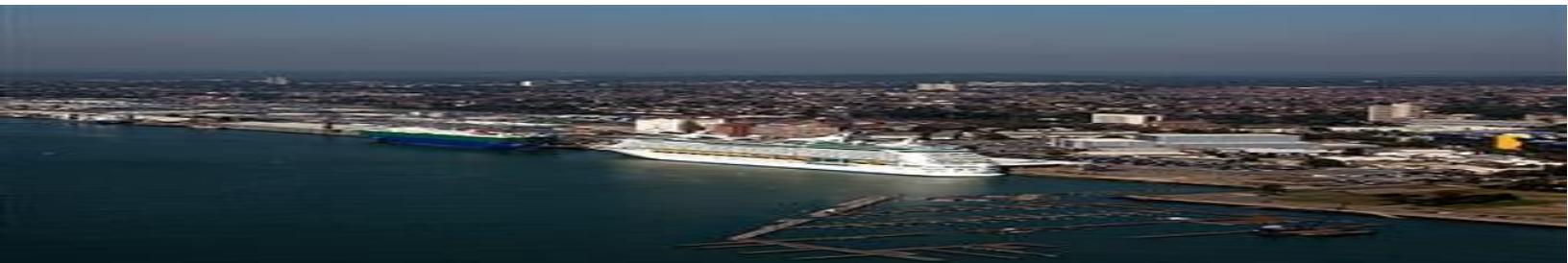
Duty Holder

Bimonthly reporting and interaction of Designated Person to the Duty Holder was seen as good practice.

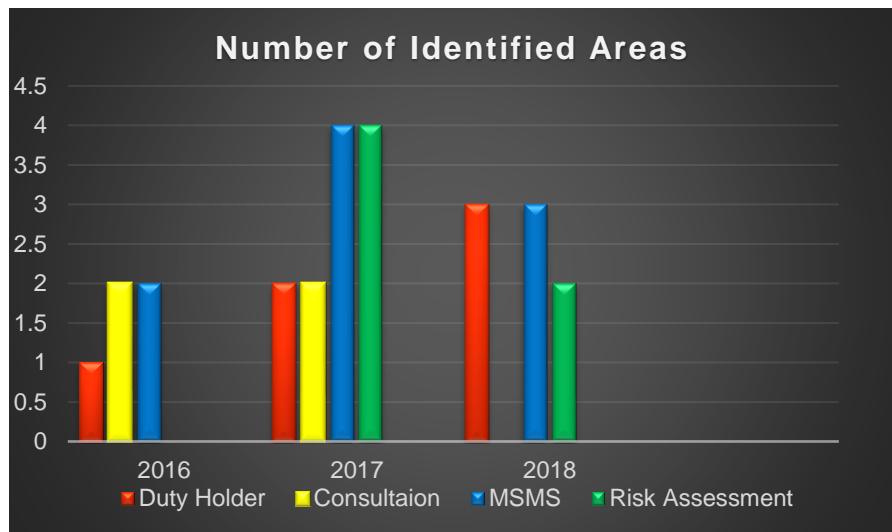
- Harbour Master has a monthly tele/video conferencing with the Duty Holder. This is a good example of better communication between the harbour and the Duty Holder.
- Bimonthly reporting and interaction of Designated Person to the Duty Holder was seen as good practice.
- The recent development of e-learning resources to support training covering an introduction to the PMSC and the roles and responsibilities of the Duty Holder was seen as a good example that will help the port to consistently promote awareness and understanding of the PMSC.

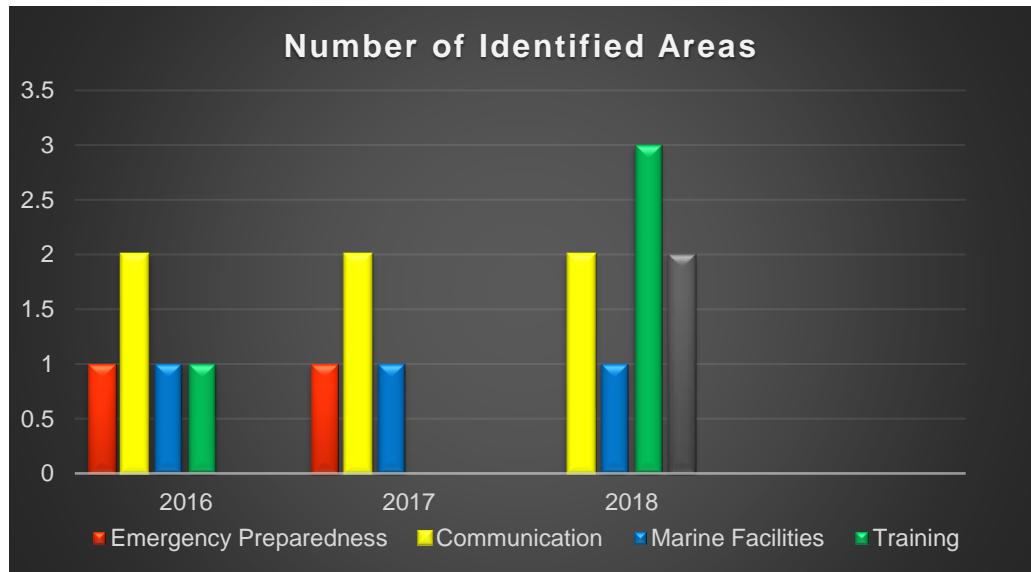
Marine Facilities

- Harbour's effective monitoring & personal supervision of tenders transiting from cruise vessels during the peak period as well as providing initial escort was seen as good practice.



Good Practices





Conclusion

The MCA encourages 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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