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**PORT MARINE SAFETY CODE UPDATE**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 This report provides a further update on ongoing initiatives to ensure compliance with the Port Marine Safety Code (PMSC); it follows on from last report presented to the Harbour Board in January of this year.
- 1.2 The PMSC applies to all harbour authorities in the UK that have statutory powers and duties; it establishes the principle of a national standard for every aspect of port marine safety; it sets out to enhance safety for those who use or work in our ports. The Council is responsible for 41 marine structures; of these, 7 are considered to be Statutory Harbour Authorities:- Campbeltown, Dunoon, Oban, Rothesay, Craignure, Port Askaig and Carradale. The Code is not statutory, but it has a relevance and moral force that means it is obligatory.
- 1.3 Argyll & Bute Council appointed Marico Marine to provide an independent Designated Person (DP) service, as described in the PMSC. The DP has highlighted a need to undertake a number of specified works that have been identified through recent audits. The status of actions arising from the recent audits is provided in the appendix to this report; this provides details of works required to be carried out in order to complete the SMS document and 'close-out' audit findings.
- 1.4 A draft Safety Management System (SMS) document has been produced and work is progressing to ensure full compliance with the PMSC. Additional resources are being allocated to assist with the timely completion of this task.
- 1.3 User Group meetings are being arranged at all main ports to take place in April.
- 1.4 The new database using specialist marine software (Marni's) has been set up at all our main ports and further training to all harbourmasters is to be provided in April.

**2.0 RECOMMENDATIONS**

- 2.1 That Members note this report and, in particular, the planned 'next steps' identified in section 5.4 of this report.

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**2.0 INTRODUCTION**

- 2.1 This report provides a further update on ongoing initiatives to ensure compliance with the Port Marine Safety Code; it follows on from last report presented to the Harbour Board in January of this year.
- 2.2 It was explained in previous reports that the Council has appointed 'Marico Marine' to provide an independent "Designated Person" (DP) service, as described in the Port Marine Safety Code (PMSC), on a three year contract which expires in December 2017. The PMSC states that each harbour authority must appoint an individual as the DP to provide independent assurance to the duty holder that the marine safety management system is working effectively; it describes the DP as 'independent', with direct access to the Board. Prior to cessation of the existing contract, the position of DP will be re-tendered.

**3.0 RECOMMENDATIONS**

- 3.1 That Members note this report and, in particular, the planned 'next steps' identified in section 5.4 of this report.

**4.0 BACKGROUND**

- 4.1 As a 'Statutory Harbour Authorities' (SHA), the Council has specific obligations set out in national legislation (notably the Harbours Act 1964). All SHAs are subject to the Port Marine Safety Code (PMSC). The Code is not statutory, but it has relevance and moral force that means it is obligatory.
- 4.2 In order to comply with the Code, the Council must develop and operate an effective marine 'Safety Management System' (SMS). Each harbour authority must appoint a DP to provide independent assurance directly to the "Duty Holder" that the marine Safety Management System (SMS) is working effectively. Their main responsibility is to determine, through assessment and audit, the effectiveness of the Marine SMS in overall compliance with the Code.

## 5.0 DETAIL

5.1 Audits have now been carried out by the Council's DP at the following locations:-

- Rothesay – Audited in January 2015
- Oban – Audited in April 2015
- Oban Times Slip, Port Beag Slip, Crinan Ferry Slips and Crinan Harbour Quay – Audited in April 2015
- Campbeltown harbour – Audited in January 2016

The findings and actions arising from these audits are attached to the appendix to this report, along with their current status.

5.2 The following work has now been completed:-

- Following work-group meetings with Piers and Harbours staff and user group meetings with relevant users of our main ports, Navigational Risk Assessments (NRAs) have been completed for the following locations:-
  - Craginure
  - Oban North Pier
  - Dunoon
  - Port Askaig
  - Campbeltown
  - Rothesay
- A draft Safety Management System (SMS) structure / framework document, for application to all piers and harbours, has been compiled and this document is now being progressed.

5.3 The following work is ongoing:-

- User group meetings are being arranged at the following locations to allow interaction between key stakeholders:-
  - Rothesay Harbour
  - Oban North Pier
  - Dunoon Pier
  - Campbeltown Harbour
- A database using specialist marine software (MarNIS) has been installed for use by key marine staff. All NRA's will be moved onto the MarNIS database. In future, monthly reports produced by Piers and Harbours staff will be filed on the new system ensuring consistency in reporting. Further training of port staff has been arranged for early April of this year.

#### 5.4 The next steps:-

- User Group meetings at four main ports to be arranged for April and a programme of meetings going forward to be agreed.
- Work on compilation of appendices to the SMS document for main piers and harbours to continue.
- Once documentation has been produced for the main piers and harbours, a similar exercise will be carried out for the less strategic ports.
- Following the initial 'User Groups' for all main ports, further meetings at lesser ports to be arranged.

#### 5.5 Resources:-

Additional resources are being allocated to assist with the above task. The Rothesay Harbourmaster will be working solely on PMSC-related business with a view to compiling appendices for each specific port and completing the overall document. Plans are also in place to recruit external assistance in the form of a specialist marine consultant. Currently, the document and all outstanding actions, as highlighted in audits carried out by the DP, are expected to be complete by late autumn of this year.

### 6.0 CONCLUSION

6.1 Work on the compilation of the SMS document continues. Stakeholder meetings will be held in April. Actions to address issues raised by the DP in previous audits are either complete or ongoing – as identified in the attached schedule to this report. Actions from the audit on Campbeltown Harbour have been added onto the appendix of this report and updates on progress will be provided to, this and future, Harbour Boards. A number of further related-actions have been identified and these will be progressed over forthcoming months, with update reports being provided to the Harbour Board. As indicated in the appendix to this report, a number of actions are targeted for completion over the spring and summer months, with final completion programmed for October of this year.

### 7.0 IMPLICATIONS

7.1	<b>Policy</b>	None directly arising from this report
7.2	<b>Financial</b>	The appointment of Fisher Associates and ABPmer was met through operational budgets.
7.3	<b>Legal</b>	Any failure to implement the PMSC may have legal consequences in the event that there should be a marine incident.
7.4	<b>HR</b>	None

<b>7.5</b>	<b>Equalities</b>	None
<b>7.6</b>	<b>Risk</b>	The Council is undertaking to carry out actions to minimise risk to Council as a result of the operation of our Ports and Harbours
<b>7.7</b>	<b>Customer Services</b>	Having a completed Port Marine Safety Code in place will assist port customers with the use of our Ports and Harbours and Council staff with their safe operation.

**APPENDICES – Port Marine Safety Code – Actions Update**

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**APPENDICES**

Appendix 1 – PMSC Actions Update