

PORT MARINE SAFETY CODE

1.0 EXECUTIVE SUMMARY

- 1.1 As the Harbour Board was previously advised, Argyll & Bute Council appointed Marico Marine to provide an independent Designated Person (DP) service, as described in the Port Marine Safety Code (PMSC). The DP has highlighted a need to undertake a number of specified works that have been identified through recent audits.
- 1.2 Members are asked to note that the PMSC applies to all harbour authorities in the UK that have statutory powers and duties. The PMSC represents good practice, as recognised by a wide range of industry stakeholders. In order to comply with the Code, harbour authorities must publish a comprehensive safety plan, along with a regular assessment, showing the authority's performance against the plan.
- 1.3 The Safety Management System (SMS) document has now been published on the Council's web site.
- 1.4 The latest round of 'User Group' meetings has taken place at the Council's main ports.
- 1.5 The actions from harbour audits carried out by the Designated Person are attached to the appendix to this report, along with their current status - changes since the last report have been highlighted in bold type.
- 1.6 It is recommended that Members;
- a) note this report; and
 - b) endorse the draft Marine Safety Plan which is attached to 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 the last report presented to the Harbour Board in January 2017.
- 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.

3.0 RECOMMENDATIONS

- 3.1.1 Members are asked to;
- a) note this report; and
 - b) endorse the draft Marine Safety Plan which is attached to 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 endorsed by the UK Government and representatives from across the maritime sector and, whilst the Code is not mandatory, these bodies have a strong expectation that all harbour authorities will comply.
- 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 As reported previously, audits have been carried out by the Council's DP at the following locations and dates:- Rothesay (January 2015), Oban (April 2015), Oban Times Slip, Port Beag Slip, Crinan Ferry Slips and Crinan Harbour Quay (April 2015), Campbeltown harbour (January 2016), and Dunoon (September 2016). The actions from all audits are attached to the appendix to this report, along with their current status – as before, changes since the last report have been highlighted in bold type.
- 5.2 The Safety Management System (SMS) document has now been published on the Council's web site under 'Piers and Harbours'. The PMSC states that Statutory Harbour Authorities must publish a safety plan showing how the standards in the Code will be met and produce a report assessing performance against that plan at least every 3 years. The Council's draft Marine Safety Plan is attached in Appendix B to this report and Members are asked to endorse this report prior to its formal issue.
- 5.3 The next round of 'User Group' meetings has taken place at Rothesay, Oban, Dunoon and Campbeltown. The Campbeltown meeting was arranged as a joint meeting for users of both Carrdale and Campbeltown harbours - this meeting was very well attended. Both the Rothesay and Oban User Group Meetings have elected Chairs. A separate meeting took place with Argyll Ferries in January to discuss PMSC-related issues. A request for a meeting with the Waverley Trust has been issued and, to date, a response has not been received; officers will continue to pursue this issue.

6.0 CONCLUSION

- 6.1 The Council's Marine Safety Plan has been completed and is attached to this report for endorsement by Members prior to issue. The next round of User Group meetings has taken place at our main ports. 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.

7.0 IMPLICATIONS

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| 7.1 | Policy | None directly arising from this report |
| 7.2 | Financial | The appointment of Marico Marine as 'Designated Person' has been met through operational budgets. |
| 7.3 | Legal | Any failure to implement the PMSC could have legal consequences in the event that there should be a marine incident. |

7.4	HR	None
7.5	Equalities	None
7.6	Risk	The Council is undertaking to carry out actions to minimise risk to Council as a result of the operation of our Ports and Harbours
7.7	Customer Services	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.

APPENDIX A – Port Marine Safety Code – Actions Update

APPENDIX B – Draft Marine Safety Plan - 2017 to 2020

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