

**PORT MARINE SAFETY CODE**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 This report provides an update on progress being made towards compliance with the Port Marine Safety Code (PMSC). The Designated Person's Briefing Report (August 2021) is attached in Appendix A of this report.
- 1.2 The Port Marine Safety Code uses ten key measures as a baseline with which to compare compliance. Two of these key measures were identified by the Designated Person as not being met. This report will address the measures taken to eradicate the deficiencies.
- 1.3 The Duty Holder training carried out by the Designated Person in May 2021 is noted.
- 1.4 The first scheduled external Audit planned by the Designated Person is on 23 September 2021 at Dunoon, Kilcreggan and Helensburgh Piers. After which a detailed assessment of the Authorities compliance will be provided.
- 1.5 Internal Audits by Harbour Masters specifically for PMSC compliance have commenced with Dunoon on 23 July with no nonconformances.
- 1.6 Members are asked to consider this report and to consider a Development Day on site at Craignure, Mull.

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**2.0 INTRODUCTION**

- 2.1 This report provides an update on the progress being made towards compliance with the Port Marine Safety Code (PMSC).
- 2.2 The PMSC (the code) sets out a national standard for every aspect of port marine safety and identifies ten key measures as a benchmark against which successful high-level implementation of the code can be compared.
- 2.3 A Designated Person (DP) must be appointed to provide independent assurance regarding the operation of the Marine Safety Management System and this position was awarded to ABPmer in November 2020 with Monty Smedley appointed as DP.
- 2.4 Close liaison is maintained between the Marine Management, Harbour Masters and the DP to facilitate real time compliance and advice.
- 2.5 The Designated Person's Report of August 2021 is attached in Appendix A as reference is made to findings.

**3.0 RECOMMENDATIONS**

- 3.1 Members are asked to consider this report and to consider a Development Day on site at Craignure, Mull.

**4.0 DETAIL**

- 4.1 On May 14<sup>th</sup> 2021, the DP carried out training for the Duty Holder and other officers and Members. Certification was supplied as a record of the training.
- 4.2 The PMSC sets out a national standard and identifies ten key measures as a benchmark against which successful high-level implementation of the code can be compared. The ten key measures identified in the code are as follows:
1. Duty Holder
  2. Designated Person
  3. Legislation

4. Duties and Powers
5. Risk Assessment
6. Marine Safety Management System (MSMS)
7. Review and Audit
8. Competence
9. Plan
10. Aids to Navigation

4.3 The DP report found that the following measures were not being met:

4. Duties and powers
7. Review and Audit

4.4 Advice from the DP is being closely followed and internal audits carried out to eradicate the deficiencies. These actions will be evaluated only during the external audit process which commences in September 2021.

4.5 External Audits by the DP will commence with Dunoon, Kilcreggan & Helensburgh piers on 23 September 2021, followed by a general Harbour Master Meeting in Oban Harbour on 24 September.

4.6 An internal audit at Dunoon was carried out 23 July with no non-conformances. A formal schedule for internal audits is being developed to assist in planning the Harbour Master's audit visits as well as standardising the checklists and reporting forms used. This will enable a uniform product which can be presented to the DP, Duty Holder and Members.

4.7 A detailed assessment of the Authorities compliance will be provided to the Duty Holder and the Harbour Board by the DP following the first external audit in September 2021.

4.8 An onsite visit of the Harbour Board members to Craignure or other suitable location is recommended for consideration for 24<sup>th</sup> September to coincide with the Designated Person visit to the area.

## **5.0 CONCLUSION**

5.1 This report provides Members with an update on the progress towards full compliance with the PMSC. Further updates will continue as the auditing process continues.

## **6.0 IMPLICATIONS**

6.1 Policy - None directly arising from this report.

6.2 Financial - None arising from this report.

6.3 Legal - Failure to comply with the PMSC could have legal consequences following a marine incident

6.4 HR - None.

6.5 Fairer Scotland Duty:

6.5.1 Equalities - protected characteristics - None directly arising from this report.

6.5.2 Socio-economic Duty - None directly arising from this report.

6.5.3 Islands - Compliance with the PMSC will help ensure safe and effective port operations.

6.6. Risk - Compliance with the PMSC will minimise the risk of port operations.

6.7 Customer Service - Compliance with the PMSC will assure customers and port users; and assist council staff with safe operations.

**Executive Director with responsibility for Roads and Infrastructure**

Kirsty Flanagan

**Policy Lead for Roads and Infrastructure**

Cllr Rory Colville

July 2021

**For further information contact:**

Scott Reid, Marine Operations Manager Tel: 01546 604 696

Jim Smith, Head of Roads and Infrastructure Services Tel: 01546 604 324

**APPENDICES**

Appendix A Designated Person Report August 2021