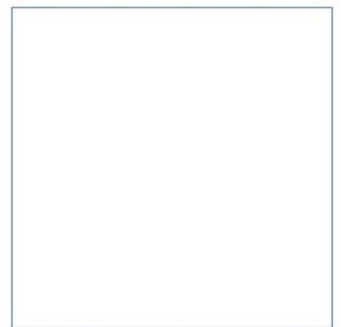
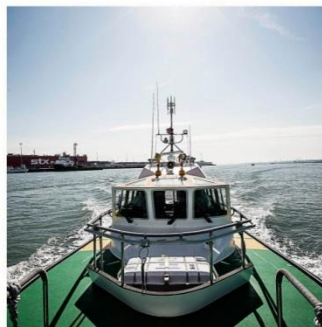
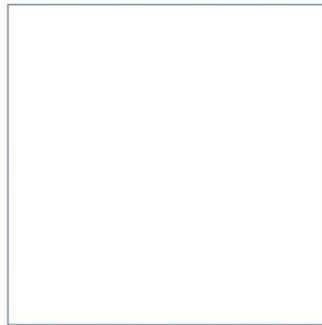


Argyll and Bute Council

Designated Person (PMSC)

Annual Report 2026

February 2026

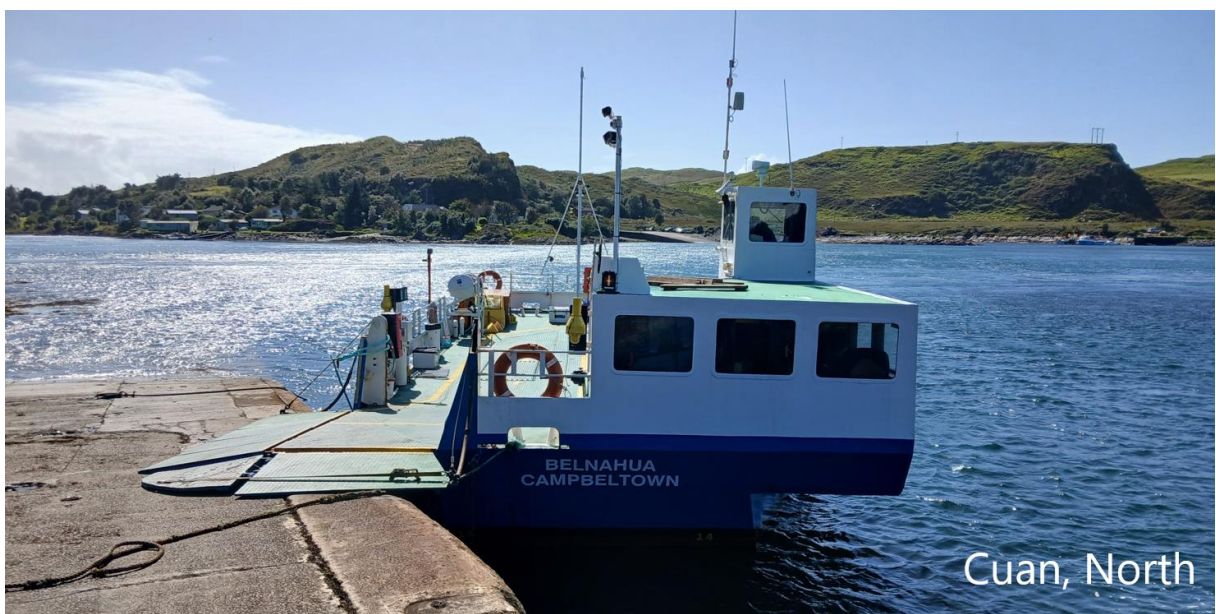


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February 2026



Document Information

Document History and Authorisation		
Title	Designated Person (PMSC)	
	Annual Report 2026	
Commissioned by	Argyll and Bute Council	
Issue date	February 2026	
Document ref	R.5160	
Project no	R/4952/02	
Date	Version	Revision Details
24 February 2026	1	Issued for client review

Prepared (Designated Person)	Approved (Quality Manager)	Authorised (Project Director)
Monty Smedley	Capt. Trevor Auld	Gordon Osborn

Suggested Citation

ABPmer, (2026). Designated Person (PMSC), Annual Report 2026, ABPmer Report No. R.5160.
A report produced by ABPmer for Argyll and Bute Council, February 2026.

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1 Introduction

This report is provided by ABPmer to Argyll and Bute Council and is written to inform the Harbour Board and Duty Holder of their current status in respect of compliance with the Ports & Marine Facilities Safety Code (PMSC) published by the Department for Transport (DfT) and regulated through the Maritime and Coastguard Agency (MCA). The Ports & Marine Facilities Safety Code (DfT, 2025) is referred to within this report as 'the Code' and the accompanying 'A guide to good practice on port and marine facilities' is abbreviated to 'the GtGP' (MCA, 2025). This report summarises activities carried out by ABPmer as the supplier of Designated Person services between 01 January 2025 and 31 December 2025.

2 Ports & Marine Facilities Safety Code

The Code sets out the national standard for every aspect of port and marine facility safety (DfT, 2025). The aim of the Code is to enhance safety for everyone who uses or works in, ports, harbours, marinas and other marine facilities. In order to successfully implement the requirements of the Code, ten key measures are identified as relevant for all Harbour Authorities, these are shown in Table 1.

Table 1. Port Marine Safety Code Ten Key Measures

No	Ten Key Measures Required for Successful Implementation of the Code	
1	Duty Holder	Formally identify and designate the Duty Holder, whose members are individually and collectively accountable for compliance with the Code and their performance in ensuring safe marine operations.
2	Designated Person (DP)	A DP must be appointed to provide independent assurance about the operation of the Organisation's marine safety management system. The DP must have direct access to the Duty Holder.
3	Legislation	The Duty Holder must be aware of, and review the Organisation's legal powers, duties and responsibilities, based on applicable national and local legislation and seek additional powers if necessary to improve marine safety.
4	Duties and Powers	Organisations must comply with any statutory duties and responsibilities they have.
5	Marine Risk Assessment	Organisations must ensure that risks are formally assessed and are eliminated or reduced to the lowest possible level, so far as is reasonably practicable, in accordance with good practice.
6	Marine Safety Management System	Organisations must operate an effective MSMS which is based on formal risk assessment and incorporates custom and practice into procedural instructions.
7	Review and Audit	Organisations must review and audit performance against applicable requirements of the Code.
8	Competence	Organisations must use people who are appropriately trained, qualified and experienced to manage marine safety.
9	Plan	Organisations must publish a 'Marine Safety Plan' showing how the standards in the Code will be met, and report performance against that plan at least every three-years.
10	Conservancy Duty	Organisations must ensure their harbours and marine facilities are fit for purpose and recognised their duty of reasonable care to ensure vessels can use them safely.

2.1 Argyll and Bute Council and the Code

Argyll and Bute Council is a **Statutory Harbour Authority** at eight locations and a **marine asset owner** at a further 28 marine facilities located throughout the Council area; in total that accounts for 36 ports, harbours, piers and marine facilities. The Council's Statutory Harbour Authorities are namely:

1. **Bruichladdich Pier**, by virtue of the 'Islay Piers Order, 1904'.
2. **Campbeltown Harbour**, by virtue of 'Campbeltown Harbour Acts and Orders 1846 to 2011'.
3. **Carradale Harbour**, by virtue of the 'Pier and Harbour Orders Confirmation (No 3) Act, 1901'.
4. **Craignure Harbour**, by virtue of the 'Argyll County Council (Arinagour and Craignure Piers, etc) Order 1961'.
5. **Dunoon Harbour**, by virtue of 'The Pier and Harbour Orders Confirmation Acts 1895 to 1906'.
6. **Oban North & South Pier**, by virtue of the 'Oban Pier and Harbour Orders 1862 to 1988'.
7. **Port Askaig**, by virtue of the 'Port Askaig Acts and Order 1904 to 1975'.
8. **Rothesay Harbour**, by virtue of the 'Rothesay Harbour Acts and Orders 1831 to 1937'.

The Council is the marine asset owner and, in most cases, operator of 28 piers, wharves and slipways. Some of these marine assets are located within the jurisdiction of another Statutory Harbour Authority (for example, Kilcreggan and Helensburgh Piers are located in Clydeport's harbour). Others are located outside of Harbour Authority boundaries (for example, Iona and Fionnphort). In all situations, the Council is responsible for marine safety and must manage these facilities in compliance with the requirements of the Code.

2.2 Assurance audits

The primary role of the Designated Person is to provide independent assurance about the operation of the marine safety management system. This is achieved through assurance auditing at ports, harbours, piers and other marine facilities. The following audits were conducted during 2025:

- 06 August 2025: Dunoon Harbour.
- 07 August 2025: North Cuan Slipway, South Cuan Slipway, Easdale and Ellenabeich Harbours.

3 Audit Outcome

The following section provides the outcome of the audits as a comparison against the Code's ten key measures. The following colour coding is used:

	A red identifies a non-compliance with the requirements of the Code or a breach of legal obligations, which may also compromise marine safety, environmental safety or presents a significant reputational risk.
	An amber is an Opportunity for Improvement, such as an update to information, procedural change, or a non-conformity with local operating instructions; addressing these items may improve the overall system standard.
	A green indicates an area of the Code which is delivered satisfactorily.
	Areas of best practice have also been identified as part of the audit outcomes.

Table 2. Dunoon Harbour 2025

No	Ten Key Measures Required for Successful Implementation of the Code		RAG
1	Duty Holder	The Council has a Duty Holder and a Harbour Board. Amber: Not all members have completed Duty Holder Training. Amber: The last Duty Holder harbour tour was in Sept 2021.	
2	Designated Person	Argyll and Bute Council has an appointed Designated Person. The Designated Person provides an annual briefing to the Duty Holder and Board.	
3	Legislation	The MSMS lists local Acts and Orders. Amber: Dunoon Harbour limits are not charted. Amber: The breakwater and ferry berth are outside of SHA limits.	
4	Duties and Powers	Delivery of marine services, and use of Direction Powers checked. Amber: No process for checking commercially operated vessels. Amber: The (electronic) emergency plan needed updating.	
5	Marine Risk Assessment	Marine Risk Assessment are in place and fully reviewed. Amber: Whilst Council staff are engaged in risk assessment reviews, there is limited evidence of wider stakeholder input.	
6	Marine Safety Management System	The Council issues an MSMS covering all ports, harbours and piers Amber: No formalised Bridging Documents (i.e., with Clydeport). Amber: Last minuted stakeholder consultation was February 2024.	
7	Review and Audit	The Council has an external audit structure in place. An internal audit was carried out at Dunoon in July 2025. Results of audits are report to the Duty Holder.	
8	Competence	Training records are held centrally in MHR iTrent. A&BC uses a dedicated harbour training matrix which identifies the skill sets. Amber: Consider adding additional Harbour Master qualifications.	
9	Plan	The 'Marine Safety Plan' was approved for issue by the Harbour Board on 21 March 2024 and is included as an annex to the Board minutes. The Marine Safety Plan is hosted on the A&BC's website.	
10	Conservancy Duty	Surveys are conducted. For Aids to Navigation, the Council meets and exceeds the availability criteria: Category 2 = 99.76% (target is 99.0%), Category 3 = 100% (target is 97.0%).	

Items of best practice noted during the Dunoon audit include the following topics:

- Provision and maintenance of Aids to Navigation is recognised as an area of best practice with a 100% availability for Category 3 and 99.76% for Category 2 Aids.
- The Council conducts exercises of the Port Security and Oil Spill plan as a combined exercise, this includes an emergency situation. The exercise cycle covers each port on a rotation basis, the 2024 exercise was conducted at Oban Bay (North Pier) as a multi-agency. This is considered to be a best practice approach.

Table 3. Cuan Slipways, Ellenabeich and Easdale Harbours 2025

No	Ten Key Measures Required for Successful Implementation of the Code		RAG
1	Duty Holder	The Council has a Duty Holder and a Harbour Board. Amber: Not all members have completed Duty Holder Training. Amber: The last Duty Holder harbour tour was in Sept 2021.	Amber
2	Designated Person	Argyll and Bute Council has an appointed Designated Person. The Designated Person provides an annual briefing to the Duty Holder and Board.	Green
3	Legislation	The MSMS lists applicable National Legislation. As these locations are Marine Facilities, there is no local Acts or Orders relevant to operating the slipways or harbours.	Green
4	Duties and Powers	There are no powers to give Direction at Marine Facilities. Amber: A 'Harbour & Pier Use Policy' is in place, but this does not address specific local use requirements (i.e., mooring locations).	Amber
5	Marine Risk Assessment	Marine Risk Assessment are in place for all audited Facilities. Amber: Some of the Marine Risk Assessments had not been through the scheduled review,	Amber
6	Marine Safety Management System	The Council issues an MSMS covering all ports, harbours and piers Amber: There are no formalised agreements for users of the harbour i.e. at Easdale Harbour.	Amber
7	Review and Audit	The Council has an external audit structure in place. Amber: The internal audit template matches the (previous) GtGP layout of 13 Sections, consider updating this to 10 Sections.	Amber
8	Competence	Training records are held centrally in MHR iTrent. A&BC uses a dedicated harbour training matrix which identifies the skill sets. Amber: Consider adding additional Harbour Master qualifications.	Amber
9	Plan	The 'Marine Safety Plan' was approved for issue by the Harbour Board on 21 March 2024, and is included as an annex to the Board minutes. The Marine Safety Plan is hosted on the A&BC's website.	Green
10	Conservancy Duty	There is no survey requirement. For Aids to Navigation, the Council meets and exceeds the availability criteria. Amber: There is no specific requirement for mooring standards.	Amber

One item of best practice was noted:

- Internal audits are arranged for PMSC and Health and Safety; evidence of the internal audit conducted on 22 July 2025 provided. The internal audit is recognised as an area of best practice for its completeness and coverage.

3.1 Assurance audit outcome

The Dunoon Audit, summarised in Table 2, demonstrates that the standard of the Code was met. Additionally, the Cuan Slipways, Ellenabeich and Easdale Harbours audit, summarised in Table 3, also met the expectation of the Code; it should be noted that proportional compliance is required at these locations as they are identified as Marine Facilities under the Code.

At all locations quayside inspections were carried out. The audit reports identify actions for the Council at each location, relating to water safety equipment (South Cuan), unguarded edges (Ellenabeich), signage and vehicle access (Ellenabeich), water egress ladders (Ellenabeich), and raised slipway sections presenting trip hazards (North and South Cuan).

4 Delivery Plan and Activities

During 2025, the Designated Person has attended the following:

- Meetings: 20 March 2025: Designated Person presentation to the Harbour Board via MS Teams.

The generalised plan for the Designated Person in 2026 includes an annual meeting with the Duty Holder and attendance at Harbour Master meetings. The audit delivery dates are shown below:

- September 2026: Oban Harbour.
- September 2026: Achnacroish Pier and Slip, Lismore Point, Port Appin.

5 Designated Person Summary

The Council is responsible for eight Statutory Harbour Authorities and 28 marine facilities; all of which are required to operate to the standard of the Ports & Marine Facilities Safety Code.

The audits carried out at Dunoon Harbour, Cuan Slipways, Ellenabeich and Easdale Harbours during 2025 have identified through evidence sampled during the audit and onsite observations, that the Council has met the minimum requirement of the Code.

The Duty Holder is advised to confirm its compliance with the Code to the MCA. The reporting window is open between the 01 January 2026 and 31 March 2026. It is recommended that the Council makes its self-declaration statement to the Compliance Exercise before the closure date and will require a signed statement from the Duty Holder.

6 References

Department for Transport (DfT), 2025. Ports & Marine Facilities Safety Code, Department for Transport. 15 April 2025.

Maritime and Coastguard Agency (MCA), 2025. A Guide to Good Practice on Port and Marine Facilities. Maritime and Coastguard Agency, 15 April 2025.

7 Abbreviations / Acronyms

A&BC	Argyll & Bute Council
DfT	Department for Transport
DP	Designated Person
GtGP	Guide to Good Practice
MCA	Maritime and Coastguard Agency
MHR iTrent	Human Resource Software
MS	Microsoft
MSMS	Marine Safety Management System
PMSC	Ports & Marine Facilities Safety Code
RAG	Red/Amber/Green
SHA	Statutory Harbour Authority

Cardinal points/directions are used unless otherwise stated.
SI units are used unless otherwise stated.

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