

Full Council

22 February 2018

Twelve-monthly Review of Compliance with Port Marine Safety Code (PMSC)

For Decision

Briefholder(s)

Cllr R Kosior, Tourism, Culture and Harbour
Cllr F Drake, Community Safety
Cllr I Bruce, Chair Harbour Management Board

Senior Leadership Team Contact:

M Hamilton, Strategic Director

Report Author: Richard Noakes (Designated Person)

Statutory Authority

Department for Transport
Maritime & Coastguard Agency (MCA)
Health & Safety Executive (HSE)

Purpose of Report

- 1 This report outlines the 12 monthly review of Weymouth Harbour including the current status of compliance with the principles of the Port Marine Safety Code (PMSC) and advises members of the Full Council as Duty Holders of any relevant information during the period. This report covers the period of February 2017 to February 2018.

Officer Recommendations

- 2.1 To approve the contents of this report.
- 2.2 That a letter of compliance be sent to the MCA for their 3-yearly reporting requirement be signed by the Chair of the Harbour Management Board.

Reason for Decision

- 3.1 Harbour operations have been reviewed and assessed throughout the period by the Designated Person and as a result compliance with the Code is reported.
- 3.2 Significantly the MCA who are the statutory authority for the Code have undertaken an evaluation of harbour operations this year. Outcomes from their audit have been favourable and bring additional and important assurances of PMSC compliance.

Background

- 4 An assessment of harbour governance and operations confirm:
- a) Port Marine Safety Code
The Port Marine Safety Code (PMSC) was re-issued in November 2016. and the associated Guide to Good Practice in February 2017. PMSC reporting is in February to provide alignment with the 3-yearly compliance reporting requirement to the MCA, due in 2018. The approach of this Designated Person report is mainly based upon the MCA audit template submitted for the MCA PMSC Health Check in November 2017.
 - b) Governance
The governance of the harbour has essentially remained unchanged in this year and has built on the review and amendments completed in 2015. Several Board Members including the Chairman changed as a consequence of Council elections in May 2017.
 - c) Bye laws/Directions/Notices to Mariners
There have been no changes to byelaws in the period. It has been recognised that these are dated and not entirely fit for purpose. The process to gain modern Directions has been started with an HRO application for a number of subjects. Notices to Mariners are issued appropriately and well considered to advise harbour users.
 - d) External Inspections
The MCA made a return visit in November 2017 to conclude their original PMSC Health Check undertaken in 2015. The 12 month return visit was postponed due to MCA staffing issues.

The MCA concluded:

“Whilst some specific amendments were identified, in general it was seen that a substantial and well documented approach had been taken towards drawing up a Safety Management System and associated operating procedures.

A significant amount of work has been undertaken by the harbour to set up an effective Marine Safety Management System, risk assessment and supporting documentation. This is credit to the HM and his team.

In general, from the areas which the Health Check covered, WHA appeared to have policies and procedures in place which supported compliance with the PMSC. It is to be noted that PMSC ‘health check’ was a sampling process and a snapshot of the port as it was found at the time of the visit. There are elements of good custom and practice occurring at the port which should be reflected in the Marine Safety Management System to ensure consistency and accountability”.

The points identified by the MCA can be easily rectified.

- e) Marine Safety Management System (MSMS) including Risk Assessments
Evidence of a well constructed and maturing MSMS is confirmed. The Harbour Master has introduced a meritable system that logically tracks tasks and operational risk through to outflowing control measures and local procedures. This is likely to be effective in supporting safe harbour operations.

Harbour risk assessments were subject to audit in August 2017 as part of a wider review of assessments across Dorset Councils Partnership. Harbour assessments were graded as being of a 'Good' standard passing the industry test of being suitable and sufficient.

- f) Pilotage

There have been 10 acts of pilotage conducted since 1st February 2017. There remains 2 pilots on standby to conduct pilotage duties as required.

- g) Navigational Aids

The local aids to navigation at Weymouth Harbour, under the management of Weymouth & Portland Borough Council, were inspected on 08th February 2017 by an Officer of Trinity House and found to be in good and efficient order. There were no recommendations to complete.

An audit of the records of the availability of the local aids to navigation under the management of Weymouth & Portland Borough Council was satisfactorily carried out on 24th August 2017 by an Officer of Trinity House and everything was found in good order and there were no matters arising which required further comment.

- h) Hydrographic Survey

The annual hydrographic survey of the harbour was completed in December 2017. There have been no significant changes in the depths over the last year.

Opportunities are still trying to be identified to conduct dredging of the most critical areas at a reasonable cost. A marine licence for disposal of dredged material has been granted by the MMO for use over 5 years.

- i) Accidents & Incidents

The following significant accidents and incidents are reported:

- On 11th July 2017 the Harbour Master with legal support attended the Inquest Touching the Death of Louis Oliver Harris, a local young male who went missing in February 2016 with CCTV showing his last sighting being on Custom House Quay. An 'open conclusion' was given to the death by drowning as it could not be determined how Louis had died. Harbour safety and procedures at the night club had been severely challenged during the inquest but no recommendations were eventually given by the coroner.
- A number of boat owners have fallen between their boats and the pontoons at their own individual berths. Advice has been given in newsletters and other e-news about wearing a lifejacket and knowing where the nearest safety equipment including ladders is available.
- In May 2017 a male voluntarily entered the water in the Inner Harbour. After extensive searches by helicopter, boats and shore patrols his body was recovered by police divers the following day.

- The lifeboat was called to a boat at night during the Seafood Festival in July to recover a man to the shore after he fell, hitting his head and causing a significant gash.
- In August 2017 a male fell in to the water from Westwey Road after a medical incident. A passer-by and a boat owner in the vicinity rescued and recovered him to the Town Slipway. The waiting ambulance took the casualty to Knightsdale Road to meet an air ambulance.
- A number of people under the influence of alcohol or drugs have been escorted away from the water's edge. Support has been given to safety campaigns by the RNLI and Weymouth Street Pastors. A further campaign by the RLSS will be supported in 2019.
- Weymouth Harbour provided support to a number of boats that were rescued by the RNLI and brought in to Weymouth.
- There have been several injured people treated at the Harbour Office after falling off bikes due to slipping on the railway lines.
- A number of minor injuries to boat crews and visitors were dealt with by harbour staff. Some of these were from slips, trips and falls.
- There have been a number of vessels caught speeding in the harbour and the crews re-briefed.
- There have been a small number of berthing incidents with boats colliding during the process. No known injuries or significant damage.
- There have been a number of violations of the Weymouth Bay regulations that were dealt with at the time.
- There has been an increasing number of incidents involving Personal Watercraft or Jet-skis with excessive speed being used. Some riders have a tendency to show off their skills causing breaches of safety. Riders have been spoken to to try to educate them.
- There have been numerous instances of youths swimming at the harbour entrance off the Pleasure Pier. The Police have provided assistance on occasions.
- Harbour staff time has been used in dealing with rough sleepers who have abused facilities and made a nuisance of themselves around the harbour.

j) Harbour Consultative Group

The Harbour Consultative Group has met quarterly and discussed any issues.

k) Safety Training & Staffing

The harbour is an integral part of the Councils' Partnership so staff participate in as much training as possible provided by the Partnership. Further training is also taken to maintain qualifications and to prevent skill fade.

All Berthing Officers, Commercial Area Staff and the Beach Manager completed a 2P Oil Response Course in March 2017.

The Harbour Master completed an OPEP Level 3/4 UKCS Responder Refresher Course for oil spill management.

2 Berthing Officers completed their RYA Advanced Powerboat qualification.

All Commercial Area staff completed a Forklift Driver Refresher Course.

A briefing was given to Councillors on the Port Marine Safety Code and its implications in June 2017.

The Chair of the Harbour Management Board, Head of Service and Harbour Master attended a BPA Duty Holder briefing in Exeter.

l) Asset Inspections

The enhanced Safety Management System introduced by the Harbour Master includes a comprehensive number of routine checks around the harbour. This helps to identify asset defects earlier so that repairs can be undertaken in a timely fashion, which helps to enhance safety and minimise costs.

There continues to be improvements in equipment and a considerable number of defects are managed.

m) Harbour Walls

The repair to the harbour wall in the area of the Ferry Steps (Wall D) has been postponed until Autumn 2018 due to the complexities of a solution. An initial proposal was too expensive and had too many risks particularly for adjacent properties during piling. An alternative repair solution is being investigated. The operating limitations imposed in that area in early 2017 have been manageable and the walls continue to be monitored.

The condition of the harbour walls is a collective concern as there are a number of areas that require attention. A funding solution for the works has not yet been found.

Implications

Corporate Plan

There are links to many of the corporate aims and priorities with contributions from the harbour to Economy, Communities, Environment and Performance.

Financial

There are financial considerations with the ongoing work in the harbour. These are being managed through the Business Plan, specific projects and the routine financial approvals process.

Equalities

No direct implication for this report.

Environmental

No direct implication for this report.

Economic Development

No direct implication for this report.

Risk Management (including Health & Safety)

As covered in the report.

Human Resources

As covered in the report.

Consultation

As covered in the report.

Appendices

None

Background Papers

Port Marine Safety Code

Weymouth Harbour Operations Plan (updated September 2015 with corrections in August 2017)

Weymouth Harbour Business Plan

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Report Author: Richard Noakes (Designated Person) in consultation with Keith Howorth (Harbour Master)

Telephone: 01305 838356

Email: rm.noakes@dorset.gov.uk