

Harbours Advisory Committee

7 June 2023

Consultation on General Directions For Recommendation to the Portfolio Holder

Portfolio Holder: Cllr R Bryan, Highways, Travel and Environment

Local Councillor(s): All Councillors

Executive Director: J Sellgren, Executive Director of Place

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Report Status: Public

Brief Summary:

Statutory Harbour Authorities should comply with the Port Marine Safety Code ("PMSC"). One of the recommendations of the PMSC is that Statutory Harbour Authorities without 'general powers of direction' should either secure such powers through a Harbour Revision Order ("HRO") or apply to be designated with powers of harbour direction.

Further to the adoption of the Weymouth Harbour Revision Order 2021 under section 14 of the Harbours Act 1964, a set of General Directions have been prepared for Weymouth Harbour, see Appendix One.

Recommendation:

That subject to any suggested changes, the Harbours Advisory Committee recommend that the Portfolio Holder for Highway, Travel, and the Environment approve the Weymouth Harbour General Directions to go out to statutory consultation.

Reason for Recommendation:

Some harbour authorities have powers, through their local enabling legislation, to give 'general directions' to enable them, after due consultation, to lay down general rules for navigation (subject to certain constraints) and regulate the berthing and movements of ships. These carry the force of law but are often easier to achieve and amend than using byelaws, and thus act as a useful mechanism for managing navigation and furthering safety. General directions procedural provisions involve publication of proposed

directions, in accordance with Section 22 of the Weymouth Harbour Revision Order, but they do not require to be confirmed by the Secretary of State as is the case with byelaws.

The introduction of new General Directions for Weymouth Harbour contributes to the delivery of Dorset Council Harbours Strategic goals - 1. To maintain safe working harbours and provide high quality infrastructure and facilities and 6. To protect Dorset's natural capital by operating best practice in environmental management of the harbours.

1. **Financial Implications**

- 1.1 There are financial considerations with the ongoing work in the harbour which includes ensuring compliance with the Port Marine Safety Code. These are managed through the routine Committee budget setting and monitoring processes.

2. **Natural Environment, Climate & Ecology Implications**

- 2.1 There are no natural environment, climate & ecology implications linked to the subject of this report. However, the Harbours aim to meet the targets adopted by Dorset Council in July 2021, setting out a framework for action to become a carbon neutral Council and the direction of travel needed for a County-wide approach. Harbours have an important role in helping to deliver some of the goals set out within the strategy and will aim to reduce their carbon footprint in line with that of other Council Services.

3. **Well-being and Health Implications**

- 3.1 Much of the focus of the proposed General Directions is on navigational safety and of other activities supporting the health and wellbeing of harbour users. Established safety management systems at the harbours also support the ongoing health and well-being of harbour users and harbour employees.

4. **Other Implications**

- 4.1 None

5. **Risk Assessment**

- 5.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. **Equalities Impact Assessment**

- 6.1 There are no equalities impact issues resulting from the subject of this report.

7. **Appendices**

7.1 Appendix One – Final draft 2022 00 06 General Directions for Navigation

8. **Background Papers**

8.1 None