

PORTLAND HARBOUR AUTHORITY LIMITED



PORT MARINE SAFETY CODE

POLICIES AND COMPLIANCE STATEMENT

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COMPLIANCE STATEMENT

“Portland Harbour Authority Limited is committed to complying with the requirements of the Port Marine Safety Code. Members of the public may have access to the documents relating to compliance by applying to the Harbour Master in writing. These public documents contain the statements of policy and the procedures that have been adopted by Portland Harbour Authority in respect of its duties and powers relating to marine operations. These documents have also been lodged with the Department of Transport, Local Government and the Regions”



SAFETY MANAGEMENT SYSTEM



Overview

The Safety Management System (SMS) for the Port of Portland is codified throughout the numerous procedures and operational files which are maintained within the working environment of the system users. This pragmatic approach has many advantages; the most significant is that the SMS becomes a dynamic entity with a high sense of ownership by those individuals working within the system.

A minor disadvantage is that auditors will not find in one place all of the documents relating to the SMS. It must be stressed that this minor disadvantage is far outweighed by the benefit of having an efficient SMS operating within the spirit of the PMSC.

For the benefit of external auditors the table below details the principal elements of the SMS and an explanation as to how compliance with each element is achieved.

Element required in SMS	Explanation
Policies	Contained within this Manual.
Procedures	Procedures are contained within the Standard Operating Procedures File 53, 53a & b
Risk Assessment	BMT C-Risk Hazard Management Tool
Emergency Response	Portland Harbour Authority Oil Spill Contingency Plan Portland Port Emergency Plan Emergency Action Cards
Incident Reporting	Commercial Incidents File 38 Leisure Incidents File 100
Organisation	Contained within the Port Marine Safety Code Compliance Manual.
Auditing and Performance Monitoring	The auditing function is independently verified by an external Designated Person at intervals not exceeding 6 months. Performance monitoring is by means of proactive methods (continuous appraisals and the monitoring of hardware systems) and reactive methods (analysis of accident reports and incident trends)
Legislation	Statutory Instruments File



PORT MARINE SAFETY CODE

ACKNOWLEDGEMENT OF RESPONSIBILITY OF THE “DUTY HOLDER”

We the undersigned who jointly consist of the board of directors hereby acknowledge severally and collectively the responsibilities as the "duty holder" as required by the Port Marine Safety Code.

We confirm that we have read and understood the Port Marine Safety Code and agree to strive to meet the standards required. We will ensure that the guidance given in the "Guide to Good Practice for Port Marine Operations" is heeded.

We acknowledge that Portland Harbour Authority Limited is accountable for managing operations within the port safely and efficiently and we hold ourselves responsible for ensuring that it does so.

We regard ourselves as under a duty to ensure that Portland Harbour Authority Limited discharges its duties in compliance with the Port Marine Safety Code and has in place an effective safety management system for this purpose.

We appreciate that notwithstanding our ability to appoint professional people to operate the harbour we cannot assign out accountability. Further we appreciate that we may not abdicate accountability on the grounds that we, severally or collectively, do not have particular skills.

Signed (*on original*): **J.M.Langham**

Date: 27th March 2015.

Signed (*on original*): **J.C.Langham**

Date: 27th March 2015

Signed (*on original*): **R.T.Best**

Date: 27th March 2015

Signed (*on original*): **J.M.Langham**

Date: 8th April 2015



HARBOUR AUTHORITY'S OPERATIONAL RESPONSIBILITIES



In fulfilling its duties the harbour authority has an overall responsibility to operate the harbour efficiently and safely. In doing so operational responsibilities need to be assigned to the Harbourmaster and his staff.

The following operational responsibilities are therefore assigned to the named individuals whose signature alongside the responsibility indicates acceptance of accountability for the performance of the responsibility.

OPERATIONAL RESPONSIBILITY	NAME OF PERSON ACCOUNTABLE	SIGNATURE AND DATE
The day-to-day management of the harbour ensuring adherence with the internal procedures.	M. Shipley	<i>(Signed on original10/02/15)</i>
The safety of navigation in the harbour, ensuring co-ordination and regulation of all vessels within the harbour and its approaches.	M. Shipley	<i>(Signed on original10/02/15)</i>
To administer the powers of direction to regulate the time and manner of ship's entry and departure and movement within the harbour.	M. Shipley	<i>(Signed on original10/02/15)</i>
The management of the internal operational infrastructure including the allocation of appropriate resources.	W. Reeves	<i>(Signed on original12/02/15)</i>
To keep under review the legislation applicable to the port to ensure it remains pertinent and relevant and addresses identified risks.	W. Reeves	<i>(Signed on original12/02/15)</i>
The enforcement of byelaws, directions and appropriate national legislation.	M. Shipley	<i>(Signed on original10/02/15)</i>
To ensure that dues are collected.	P. McEvoy C. Spencer	<i>(Signed on original13/02/15)</i> <i>(Signed on original12/02/15)</i>
To manage the pilotage service.	M. Shipley	<i>(Signed on original10/02/15)</i>
To manage the 'Engineering' aspect of floating craft operated by the harbour authority.	C. Spencer	<i>(Signed on original12/02/15)</i>

To manage and regulate leisure activity within the harbour limits.	M. Rowles	<i>(Signed on original 10/02/15)</i>
To manage the provision of Vessel Traffic Services.	C. Spencer	<i>(Signed on original 12/02/15)</i>
To develop, implement and exercise the emergency plan, which includes preparedness and response, and procedures.	A. Hayes	<i>(Signed on original 12/02/15)</i>
To develop, implement and exercise the Oil Spill Contingency Plan which includes preparedness and response, and procedures.	M. Shipley	<i>(Signed on original 10/02/15)</i>
To manage the waste disposal services.	A. Hayes	<i>(Signed on original 12/02/15)</i>
To manage counter pollution measures.	M. Shipley	<i>(Signed on original 10/02/15)</i>
To regulate the transit of dangerous goods on ships.	C. Spencer	<i>(Signed on original 12/02/15)</i>
To manage the provision and maintenance of buoys, markers, beacons, moorings and aids to navigation.	C. Spencer	<i>(Signed on original 12/02/15)</i>
To manage the safety of berths (excluding Dock Jetty)	A. Hayes	<i>(Signed on original 12/02/15)</i>
To manage the safety of Dock Jetty	C. Spencer	<i>(Signed on original 12/02/15)</i>
To manage marine craft operations.	C. Spencer	<i>(Signed on original 12/02/15)</i>
To manage the allocation of berths.	A. Hayes C. Spencer	<i>(Signed on original 12/02/15)</i> <i>(Signed on original 12/02/15)</i>

<p>To manage the conservancy of the port including maintaining channels, any necessary dredging, improvement or maintenance works together with any hydrographic surveys coupled with the dissemination of information.</p>	<p>C. Spencer</p>	<p><i>(Signed on original 12/02/15)</i></p>
<p>To manage and monitor all environmental aspects of the operation of the port.</p>	<p>S. Wilson</p>	<p><i>(Signed on original 12/02/15)</i></p>



HARBOUR AUTHORITY'S ENFORCEMENT POLICY



Portland Harbour Authority Limited as the Statutory Harbour Authority for Portland Harbour has statutory powers to regulate the conduct of vessels within the jurisdiction of the harbour to assist in managing the risks involved in marine operations. To ensure that those risks can be safely and efficiently managed the Harbour Authority recognises that when it exercises its statutory powers there will be occasions when those powers need to be enforced.

The Harbour Authority recognises that its powers to regulate users of the harbour are directly related to the management of risk and any enforcement action will reflect this principle. The Harbour Authority will seek to minimise the cost of compliance for users by ensuring that any action taken is proportionate to the risks.

The Harbour Authority recognises that the effectiveness of legislation managing the risks involved in marine operations depends crucially on the compliance of those regulated. The Harbour Authority recognises that most users of the harbour want to comply with the law but will take firm action, including prosecution where appropriate, against those who flout the law or act irresponsibly.

The Harbour Authority will provide information and advice in plain language on the rules that apply and will disseminate this as widely as possible.

In considering the action to be taken the Harbour Authority will take into account all of the circumstances of the case, the risks involved and the attitude of the operator - if necessary investigating causally where it is in the interests of safety to do so. In general, all reports of incidents that may require enforcement action will be investigated as appropriate.

The Harbour Authority will carry out its duties in a fair, equitable and consistent manner and will liaise with other authorities and enforcement bodies as appropriate.

This statement is approved by the Board of the Harbour Authority and will be reviewed within the next 3 years.

.....
Chairman
(Signed on original)

.....
Date



HARBOUR AUTHORITY'S SUSTAINABILITY & ENVIRONMENTAL POLICY



Portland Port is a privately owned statutory harbour authority, commercial port operator and freehold estate owner. The operation extends across 2400 hectares of water space, 200 hectares of land estate (including maritime business park and 'greenspace') and 5km's of breakwaters.

Portland Port commits to the implementation of a 'Sustainability and Environmental Management System' to manage and improve its environmental, economic and social sustainability performance which:

- *can be integrated with the organisations marine, landside and commercial management systems and business processes;*
- *sets measurable targets and objectives;*
- *delivers continuous improvement in overall performance;*
- *is subject to audit and review.*

In implementing such a system Portland Port further commits to:

- delivering upon statutory, regulatory and competent authority environmental duties and responsibilities
- the application of sustainability and environmental principles to strategic and specific development and operational planning to include:
 - securing the necessary consents for development and operations and compliance with legislation
 - preventing, minimising and reducing operational impacts through a process of risk assessment, method statements, procedures, permits to work, plans, guidance and information appropriately communicated depending on the purpose and requirement
 - pursuing efficiencies in the use of natural resources such as energy and carbon, water and waste so that reductions can be achieved
 - provision of appropriate and relevant training to staff, contractors and users depending on the requirement
 - incident reporting and prompt response to incidents or emergencies
- pro-active and constructive communication and engagement with statutory and non-statutory organisations including regulators, government, industry bodies and local community as examples
- explore and deliver 'GreenPort' initiatives and opportunities across the organisation.

This statement is approved by the Board of Directors and will be reviewed within the next 3 years.

.....
Chairman
(Signed on original)

.....
Date



HARBOUR AUTHORITY'S MISSION STATEMENT



The Harbour Authority will ensure that the Harbour is operated efficiently and safely so as to safeguard the harbour, its users, the public and the environment. It is committed to performing all of its duties and responsibilities in a safe and efficient manner.

The Harbour Authority will comply with all legal requirements of the Port marine Safety Code and will heed the guidance in the Guide to Good Practice on Port Marine Operations. The functions of the Harbour Authority will be conducted openly and transparently and will be in the overall long term interests of the harbour stakeholders and beneficiaries.

In fulfilling its duties, the Harbour Authority is committed:

- To ensuring so far as reasonably practical the safety of all those that use and work in the harbour.
- To preserving the environment and maintaining approved pollution prevention and nature conservation measures.
- To facilitating the safety of navigation in the harbour and its approaches together with safeguarding the navigational access to and from the harbour.
- To the provision and maintenance of viable harbour facilities.
- To providing an efficient pilotage service.
- To regulating the activities of all those that use the harbour and ensuring the applicable laws are enforced whenever appropriate.
- To review formally the Harbour Authority's plans, policies and procedures at intervals not exceeding 3 years.

This statement is approved by the Board of the Harbour Authority and will be reviewed within the next 3 years.

.....
Chairman
(Signed on original)

.....
Date



PORTLAND HARBOUR
AUTHORITY

HARBOUR AUTHORITY'S PROSECUTION POLICY



PORTLAND HARBOUR
AUTHORITY

Portland Harbour Authority Limited as the Statutory Harbour Authority for Portland harbour has statutory powers to enforce relevant legislation and in some circumstances prosecution will be appropriate. Prosecution is a serious step and must be regarded as the ultimate sanction. A prosecution will only be initiated when the alleged conduct has been such that the Harbour Authority cannot impose an appropriate sanction itself and the matter therefore deserves the attention of the court.

The Harbour Authority is committed to assisting other enforcement agencies, including the Police in the pursuance of their statutory duties. The Harbour Authority will liaise with any enforcement agency that may have an interest in any matter being considered for prosecution.

Each case will be considered on its individual merits and a prosecution will only be initiated in accordance with the Harbour Authority's enforcement policy. Having duly considered the Harbour Authority's internal policies due regard will be given to the Code for Crown Prosecutors. Any decision to initiate a prosecution will be recorded in writing and the reasons for initiating the prosecution will be given.

Any investigation carried out by the Harbour Authority will be conducted pursuant to the Police and Criminal Evidence Act 1984 with due regard to the applicable Code of Practice.

The Harbour Authority recognises that once a prosecution has been commenced control of the matter is ceded to the Courts and the Criminal Justice System.

This statement is approved by the Board of the Harbour Authority and will be reviewed within the next 3 years.

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Chairman
(Signed on original)

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Date



HARBOUR AUTHORITY'S SAFETY PLAN FOR MARINE OPERATIONS



This safety plan augments any existing safety policy required by the Health and Safety at Work etc Act 1974 and relates to Marine Operations and the requirements of the Port Marine safety Code.

Portland Harbour Authority Limited as the Statutory Harbour Authority for Portland Harbour is committed to:

- Manage the relevant assets of the authority safely and efficiently.
- Discharge the duties and powers of the harbour authority in relation to marine operations.
- Maintain relevant harbour equipment to appropriate industry standards.
- Recruit and train operational staff to nationally agreed competence levels.
- Ensure that staff are properly trained for enforcement, emergencies and contingencies.

In making these commitments the harbour authority has appointed Captain M Shipley the Harbourmaster & Marine Manger and his deputies as the marine operations safety officers who will be responsible for the following:

- Ensuring all risks are assessed and reduced to As Low As Reasonably Practical
- Reporting, investigating and reporting all accidents and to ensure that lessons learnt are widely disseminated to appropriate persons and bodies.
- Carrying out routine safety inspections on marine operations equipment and reassessing risks as appropriate.
- To form and chair the marine operations safety committee and liaise regularly with all those involved with marine operations and to act accordingly on feedback.
- To review this safety policy and recommend revisions to the Board at least every 3 years.

Additionally:-

Portland Harbour Authority Limited is committed to discharging all of its statutory duties and to remaining open, accountable and fit for purpose. Its plan to manage the safety of marine operations is to comply with all of the requirements of the Port Marine Safety Code and to follow the guidance in the Guide to Good Practice on Port Marine Operations.

In doing so it will, despite commercial pressures,

- Take reasonable care so that all who may choose to navigate in the harbour may do so without danger to their lives or property.

- Conserve and promote the safe use of the harbour.
- Have regard to efficiency, economy and safety of marine operations.
- Take such action that is necessary or desirable for the maintenance, operation, improvement or conservancy of the harbour.

The Harbour Authority will base its powers and policies on a formal assessment of hazards and risks and it will maintain a formal safety management system which will ensure that all risks are managed so that they are as low as reasonably practicable.

The Harbour Authority has appointed an independent Designated Person who will bi-annually audit the Harbour Authority's compliance with the Port Marine Safety Code and who will report directly to the Board. The Designated Person shall assess in his reports the Harbour Authority's performance against its plan of complying with all of the requirements of the Port Marine Safety Code and the accompanying Guide to Good Practice on Port Marine Operations.

The reports of the designated person will be published on the Harbour Authority's website.

This statement is approved by the Board of the Harbour Authority and will be reviewed within the next 3 years.

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Chairman
(Signed on original)

.....
Date



HARBOUR AUTHORITY'S TRAINING POLICY



Portland Harbour Authority Limited, as the Statutory Harbour Authority for Portland harbour, recognises the value and importance of providing opportunities to all its staff, to develop their job related knowledge and skills. It expects that with development and training individual effectiveness will increase and they will make a valuable contribution to the work of their department.

It is the Harbour Authorities policy to provide relevant induction training for all new staff appropriate to their role.

It is the Harbour Authorities policy to provide and support further development and training when required to maintain and enhance the standards of performance over a period of time.

The Harbour Authority will allocate funds to allow for statutory training to be undertaken. Other training funds will be considered alongside other demands on the Harbour Authorities departmental training budget.

This statement is approved by the Board of the Harbour Authority and will be reviewed within the next 3 years.

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Chairman
(Signed on original)

.....
Date



PORT MARINE SAFETY CODE

HARBOUR AUTHORITY'S **EXECUTIVE RESPONSIBILITIES**



The Board of the Portland Harbour Statutory Harbour Authority is committed to implementing; complying and keeping under continual review the requirements of the Port Marine Safety Code.

Performance of this responsibility is assigned by the Board to:

General Manager (Marine) and Harbourmaster

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(Signed on original)

I accept accountability for the performance of this responsibility.



PORT MARINE SAFETY CODE

HARBOUR AUTHORITY'S EXECUTIVE RESPONSIBILITIES



The Statutory Harbour Authority recognises it is responsible for running a cost effective and sustainable harbour operation for the benefit of all users and the wider community and that it has a duty of conservancy. It also recognises that the harbour must remain economically viable and sustain longevity. To fulfil this responsibility the executive will set dues and raise revenue, which adequately fund the discharge of the Harbour Authorities duties.

Performance of this responsibility is assigned by the board to:

Chief Executive

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(Signed on original)

I accept accountability for the performance of this responsibility.



PORT MARINE SAFETY CODE
HARBOUR AUTHORITY'S
EXECUTIVE RESPONSIBILITIES



The executive recognises that in fulfilling its duty it needs to delegate some of its responsibilities to suitably trained and qualified personnel to operate the harbour. Such delegation will be instituted formally and in writing to named individuals and proper records will be kept.

Performance of this responsibility is assigned by the Board to:

Chief Executive

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(Signed on original)

I accept accountability for the performance of this responsibility.



PORT MARINE SAFETY CODE
HARBOUR AUTHORITY'S
EXECUTIVE RESPONSIBILITIES



The Statutory Harbour Authority recognises that it must have due regard to the needs and expectations of all users of the harbour. This applies equally whether the user is a commercial enterprise, a leisure user or a member of the public. In fulfilling this responsibility the executive will operate a no-discrimination policy and all users will be treated fairly and without favour or prejudice.

Performance of this responsibility is assigned by the Board to:

Chief Executive

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(Signed on original)

I accept accountability for the performance of this responsibility.



PORT MARINE SAFETY CODE
HARBOUR AUTHORITY'S
EXECUTIVE RESPONSIBILITIES

The Statutory Harbour Authority will, at least every 3 year, report publicly on the safety of marine operations. This report will include a statement of the aims, roles and duties of the harbour authority and follow the guidance given in the Guide to Good Practice on Port Marine Operations for such a report.

Performance of this responsibility is assigned by the Board to the:

Chief Executive

.....
(Signed on original)

I accept accountability for the performance of this responsibility.



PORT MARINE SAFETY CODE
HARBOUR AUTHORITY'S
EXECUTIVE RESPONSIBILITIES

The Statutory Harbour Authority will, clearly state the policies they adopt and will set and implement written procedures that will reflect the aims, roles and duties of the Harbour Authority. In adopting the policies and implementing the procedures, the Authority will consult with those who work in and use the Port, their representatives and also with all those that have an interest in the Port. The Authority will request feedback from all interested parties on the adopted policies and implemented procedures and will review the policies and procedures in the light of feedback.

Performance of this responsibility is assigned by the Board to:

Chief Executive

.....
(Signed on original)

I accept accountability for the performance of this responsibility.



PORT MARINE SAFETY CODE

APPOINTMENT OF A DESIGNATED PERSON

Pursuant to the requirements of the Port Marine Safety Code (the code) the Board of Directors hereby appoint:-

MARINE ENFORCEMENT LIMITED

To be the designated person required by the Code.

The person named above and so designated is required to have a working knowledge of the Code, any accompanying Guide to Good Practice for Port Marine Operations and any accompanying Competency Standards and is to provide independent assurance to

THE BOARD OF DIRECTORS of PORTLAND HARBOUR AUTHORITY LIMITED

That the safety management system required by the Code is working effectively, and to audit the authorities compliance with the Code.

The designated person will have direct access to the Chief Executive at Portland Harbour Authority Ltd and further the designated person is assured of direct access to the Managing Director of Portland Harbour Authority Ltd whenever the designated person deems it necessary.

Chairman – December 2001

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(Signed on original)

For and on behalf of the Harbour Authority.



PORT MARINE SAFETY CODE

HARBOUR AUTHORITY'S **EXECUTIVE RESPONSIBILITIES**



The Statutory Harbour Authority recognises it has a responsibility to ensure that the designated person appointed under the Port Marine Safety Code has unfettered access to the Board and direct access to the Chairman.

The executive welcomes interaction with the designated person.

Performance of this responsibility is assigned by the Board to:

MARINE ENFORCEMENT

(Capt. Mark Capon)

Marine Enforcement **Date: 11th July 2007**

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(Signed on original)

I accept accountability for the performance of this responsibility.

Marine Enforcement Limited was appointed as Designated Person on 22nd January 2002. Since then MARINE ENFORCEMENT (a trading name of regs4ships Ltd) has succeeded Marine Enforcement Limited.