

Port and Marine Facilities Safety Code Action Plan

December 2025

Director Contact Details

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TORBAY COUNCIL

1. Introduction and Background

The Port and Marine Facilities Safety Code (“the code) sets out the national standard for Port and marine facility safety. Although compliance with the code is not mandatory, ensuring relevant policies, procedures and practices are in place to meet the requirements laid down in the code provides significant assurance that port and marine facilities are being appropriately managed.

In April 2025, the maritime and coastguard agency (MCA) published the latest edition of the code. It is a requirement under the code that the duty holder makes a declaration to the MCA on a 3 yearly basis, confirming their organisation's compliance with the code.

In preparation for declaring compliance with the code, a gap analysis was conducted by Torbay Council's appointed designated person (James Hannon) on Tuesday 2nd December 2025.

In addition to the gap analysis, training was held at Brixham Harbour for members of the Harbour Committee (Duty Holders) by the designated person to ensure members understand the duties, powers and responsibilities of the Duty Holder. We hope members of the committee found the training informative and useful.

The designated person will undertake an audit to check our compliance with the code in early March 2026. After which, he will report to the Chair of the Harbour Committee, his findings and opinion on whether the Harbour authority is compliant with the code.

Based on the findings of the gap analysis, an action plan has been developed by the Harbour Authority to ensure that all findings can be addressed prior to the audit.

2. Action Plan

	Code section	Action	Working Date
1.1	Duty Holder	Ensure all Duty Holders are trained in accordance with the code and certification is held for training within the safety management training.	Before March 2026
1.2	Duty Holder	Ensure all policy statements required under the code are in place, accessible and signed by duty holder.	Before March 2026
1.3	Duty Holder	Submit compliance statement to the MCA.	Before 31 st March 2026
3.1	Legislation	Create Byelaw review Log.	Before March 2026
5.1	Risk Assessment	Create and implement Dynamic risk assessment framework	February 2026

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5.2	Risk Assessment	Review Occupational Risk Assessments	February 2026
5.3	Risk Assessment	Review standard operating procedures	February 2026
5.4	Risk Assessment	Review additional policies (Kayaking, Pilotage)	February 2026
6.1	mSMS	Restructure and review mSMS to align with latest edition of the code	Before March 2026
6.2	mSMS	Identify marine facilities within the three harbours, create bridging document, communicate and educate requirement to facility holders and ensure 100% compliance.	Before March 2026
6.3	mSMS	Undertake Hazard ID workshop with stakeholders.	Before March 2026

6.4	mSMS	Allocate dates for stakeholder engagement forums and workshops.	January 2026
7.1	Review & Audit	Create internal audit schedule for 2026.	January 2026
7.2	Review & Audit	Publish annual performance report.	Before March 2026
7.3	Review & Audit	Ensure previous Designated Person's reports are held within mSMS.	January 2026
7.4	Review & Audit	Undertake review of pilotage provisions as the competent harbour authority	Before March 2026
7.5	Review & Audit	Ensure operational limits for pilotage are defined within mSMS.	Before March 2026
8.1	Competence	Create formal training matrix.	January 2026
8.2	Competence	Update personal training folders of harbour staff and digitise the record keeping.	Before March 2026

8.3	Competence	Identify training requirements of Harbour staff.	Before March 2026
9.1	Plan	Update Port Masterplan	Before March 2026
9.2	Plan	Create Marine Safety Plan	Before March 2026
9.3	Plan	Review and update Oil Spill Contingency Plan – Submit to MCA for approval.	January 2026
9.4	Plan	Review and update Waste Management Plan - Submit to MCA for approval.	January 2026
10.1	Conservancy Duty	Aids to Navigation (AToN) records – Document inspections as local lighthouse authority and ensure GLA records are held	January 2026
10.2	Conservancy Duty	Create survey plan for AToNs and hydrographic.	January 2026