



Nicholsons

Risk Management

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Capt K P Mowat
Director of Marine Services - Harbour Master,
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23 November 2007

Dear Kevin,

Port Marine Safety Code Compliance Audit

Enclosed is the formal audit report.

While carrying out the audit the following issues were examined and noted.

1. **Is the policy statement clear and up to date?**

The policy statement adopted in 2006 is included in full in the PMSC compliance document adopted by Tor Bay Harbour Authority (TBHA) and given to senior managers. It covers the activities of the Harbour Authority, including the provision of pilotage services, anchorages, enclosed harbours, moorings and slipways, for fishing vessels, commercial shipping, recreational/leisure craft and certificated passenger boats/coded vessels.

It also covers environmental issues such as fuel supply and oil spills.

2. **Is there an organisation fit to manage the safety of these activities?**

The management and control of Tor Bay Harbour has been restructured in line with the Review of Municipal Ports. Torbay Council as the Tor Bay Harbour Authority has been awarded "Leading Lights" status by the Department for Transport "in recognition of successful implementation of the Municipal Ports Review and its recommendations for best practice in decision making and accountability, strategy and business planning, and a review of performance and finance."

The organisation and the staffing are well established. Brixham's Security and Dockmaster function was identified as weak last year, but consolidation achieved with recruitment to four staff has now brought about a marked improvement.

Management information is networked on the computer system and is increasingly shared between Torquay, Paington and Brixham.

Training needs are identified through staff appraisals, with records and plans kept on spreadsheets.

3. What accidents and incidents have there been?

The record of accidents, incidents and near misses over the past 12 months cover 51 minor occurrences. The Harbour Authority did not have to initiate any prosecutions.

There were no fatal accidents in the harbour this year. One small boat caught fire when refuelling on the shoreline.

The records include accounts of how 5 casualties had to visit hospital.

4. Are there any new concerns that have been raised?

- Divers resurfacing from drift dives in areas of potential traffic.
- Fire risk in the harbour workshops.

The general concerns remain

- The danger of fast motorboats close to the shoreline.
- Commercial activity on working quays, alongside pleasure boat passengers, tourists and pedestrians.
- Oil pollution.
- The existing infrastructure of Brixham's Fish Market.

5. Are any additional risk assessments needed?

No additions are needed to the set of risk assessments for the harbour drawn up last year. However, risk assessments are now needed for the staff's activities ashore in the stores, workshops and their mess rooms. Clearer fire risk assessments will also be drafted.

A calendar of risk reviews has been planned, so that each risk assessment will be reviewed at least once a year at the bi-monthly Harbour Master's management meetings.

6. What changes in standards expected or in legislation?

Ship Reporting, Consolidated European Reporting System [CERS]:

A port authority will have to pass on to the MCA as quickly as possible the information that a ship is obliged to provide on:-

- Destination, Estimated Time of Arrival, and Estimated Time of Departure.
- How many people on board.
- Any dangerous or polluting goods on board.
- Any accidents.

It has been proposed that in 2008 a law will come into force to apply to non-professional mariners, with certain exceptions, the same alcohol limits and alcohol testing regime that now apply to professional mariners. This will be welcomed by the Marine Accident Investigation Branch and by most harbour authorities.

7. Review the implementation and record of implementation of each risk control

New pumps and refuelling points and interceptors for rainwater run off from the quay have reduced the risk of oil pollution at Brixham.

8. Remove ineffective or introduce new controls?

The calendar of reviews will inevitably lead to an improvement in risk control.

9. Are the “customers” requirements being satisfied?

The Harbour Authority continues to hold quarterly consultation meetings (Harbour Liaison Forums) and it undertakes an annual users' survey. The 2007 survey confirmed the previous year's response of an 82% satisfaction that the harbour was being properly managed.

10. Where actions were identified last year to bring the risks to As Low as Reasonably Practical [ALARP], what has been completed?

- The advice of the Municipal Ports Review has been adopted.
- Issues arising from review of PMSC compliance documentation, Have it better understood by the staff.
Fresh fire risk assessments
- A written procedure for completing and reviewing the accident, incident and near miss report has been established. Reports are tabled at the bi-monthly Harbour Masters meetings, so that lessons learnt at one harbour are shared with the other two.
- Checked that yacht and sailing clubs acknowledge their responsibilities and have assessed risk.
- The resurfacing and refurbishment of the fuel quay at Brixham has now been completed.
- Warnings are now displayed of slipway dangers. Specifically, the safety of the Breakwater Hard slipway has been improved by posting the new RNLI style notices, with management during the peak season.
- E-mailing of Notices to Mariners has started.

- A bigger pontoon has been installed at the bottom of the Paignton Harbour slipway.
- The fenders and ladders at Brixham Harbour have been repaired.
- Disaster plans: - An exercise was held deploying an oil pollution boom across the mouth of Torquay Harbour.
- The Harbour Emergency Plan has been reviewed.

11. Policy of continuous improvement.

The following actions are planned,

1. Structural Improvement.
 - Redevelop the Brixham fish Market site.
 - Manage the construction vehicles involved with work on this site so quays and roads remain safe for pedestrians.
2. Management Systems
 - Produce a Harbour Authority business plan, as suggested by the Review of Municipal Ports.
3. Improve the records providing the Harbour Committee with evidence of continuing due diligence,
 - Implement a calendar of safety checks
 - Maintain records of checks of the safety of Harbour Authority machinery.
4. Implement the reviewed Procedure TBHA/P/001, Pilotage and Navigation Procedure, having taken into account the requirements of CERS.
5. A meeting has been set up for early December to inform passenger craft operators and competitors in sailing club races of the need to navigate safely together.
6. Complete the renewal of fencing round the harbour edge at Paignton.
7. Reduce fire risks in the stores and workshops at Torquay by separating flammables from sources of ignition and by setting up a procedure for obtaining a hot work permit before any welding or burning equipment is used.

Many thanks for helping your Designated Person (“critical friend”) complete this annual task.

Yours sincerely,

Peter Nicholson