

Tor Bay Harbour Authority Marine Safety Plan

2026 - 2029

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Introduction

This Marine Safety Plan (MSP) sets out Torbay Council's strategic commitment to the safe, efficient and responsible management of marine operations across its statutory harbour area, including Torquay, Paignton and Brixham Harbours.

The plan has been developed in accordance with the Port & Marine Facilities Safety Code (PMSC), which establishes the national framework for marine safety management within ports and harbours, and is informed by the principles set out in the Guide to Good Practice on Port Marine Operations.

The MSP provides the overarching governance framework for marine safety and is supported by a comprehensive Marine Safety Management System (mSMS). The mSMS sets out the detailed local arrangements in place within Tor Bay, including operational procedures, formal risk assessments, emergency response arrangements, training and competence requirements and compliance measures.

Together, the MSP and mSMS ensure that marine risks are identified, managed and reviewed in a structured, proportionate and risk-based manner, supporting the Harbour Authority in meeting its statutory duties and maintaining a safe environment for harbour users, employees, contractors and the wider public.

Governance and Accountability

Torbay Council's Harbour Committee fulfils the role of Duty Holder for Tor Bay Harbour Authority in accordance with the PMSC. The Duty Holder is collectively and individually responsible for ensuring that marine safety is properly managed that the Harbour Authority meets its legal and regulatory obligations.

In fulfilling this role, the Duty Holder is responsible for:

- Ensuring an effective and proportionate Marine Safety Management System (MSMS) is in place and maintained
- Appointing a suitably qualified and independent Designated Person
- Providing adequate resources to support safe marine operations
- Receiving assurance on marine safety performance and compliance
- Confirming compliance with the PMSC to the Maritime & Coastguard Agency (MCA) on a three-yearly cycle

This accountability cannot be delegated.

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The Designated Person, appointed in accordance with the PMSC, provides independent assurance to the Duty Holder that the mSMS is operating effectively. The Designated Person has direct access to the Duty Holder and is responsible for offering objective advice, reviewing safety performance, and raising concerns where necessary. The Designated Person is required to have appropriate knowledge and experience of the PMSC and the Guide to Good Practice on Port Marine Operations.

Day-to-day responsibility for marine safety is delegated to the Harbour Master, who is accountable for the operational implementation of the MSMS. This includes managing navigational safety, regulating harbour activities, responding to incidents, enforcing harbour legislation, and ensuring that marine risks are appropriately assessed and controlled.

Marine safety governance is further supported through appropriate council governance arrangements and stakeholder engagement mechanisms, including harbour user and consultative forums. These provide transparency, local insight and feedback to support continuous improvement and informed decision-making.

This Marine Safety Plan is owned by the Duty Holder and supported by the Designated Person and Harbour Master. The Plan is reviewed annually and formally updated every three years in line with the PMSC compliance cycle, or sooner where significant change requires.

Policy

Tor Bay Harbour Authority is committed to the safe, efficient and environmentally responsible operation of its harbours.

In accordance with the Health and Safety at Work etc. Act 1974, the Port and Marine Facilities Safety code and principles of good governance, Tor Bay Harbour Authority will ensure that:

- All harbour and marine operations are conducted in a manner that safeguards the health and safety of harbour users, employees, contractors and the public
- Marine safety risks are identified, assessed and managed through a robust, risk-based Marine Safety Management System
- The mSMS is regularly reviewed, audited and updated in line with best practice
- Stakeholders are consulted and engaged on matters affecting marine safety
- Harbour operations support environmental protection and sustainable use of the marine environment
- Adequate resources are provided to discharge statutory harbour functions safely and effectively

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Standing Objectives for Marine Operations

To achieve continuous improvement in marine safety, Tor Bay Harbour Authority has established the following standing objectives for the period 2026-2029.

Progress against these objectives will be reviewed annually and reported to the duty holder.

| | Objective | Action | Outcome | Responsible |
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| 1 | Plan and Respond to Emergencies | Maintain, review and update emergency plans as part of the annual review and audit schedule. | Emergency response plans remain effective and beneficial. | Harbour Master |
| | | Conduct annual pollution incident exercises on a rotational basis within each enclosed harbour. | Ensure harbour staff can effectively respond to pollution incidents. | Harbour Master |
| | | Establish agreements with MDL Marinas (Brixham and Torquay) to benefit emergency responses. | Improve initial emergency response within Torquay and Brixham Harbours and ensure cross-working ability with Harbour & Marina teams. | Harbour Master |
| 2 | Conservancy: Provide a Safe and Navigable Harbour | Maintain Aids to Navigation to IALA standards. | Ensure safety of navigation within harbour limits. | Harbour Master |
| | | Issue Notice to Mariners in a timely manner and maintain local port information. | Enhance the safety of navigation with statutory harbour limits. | Harbour Master |
| | | Conduct hydrographic surveys within enclosed harbours at required intervals and publish results. | Ensure safety of navigation for vessels and allows Harbour Master to determine dredging requirements. | Harbour Master |

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| 3 | Training and Capability | Host regular operational visits for Duty Holders to each harbour. | Ensure Duty Holder have awareness of harbour operations. | Harbour Master |
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| | | Ensure all harbour staff and duty holders hold suitable qualifications and training for their role. | Competent and qualified staff across all harbours. | Director of Harbours |
| | | Conduct annual reviews of training matrix and staff training requirements | Ensure training matrix is kept up to date with industry changes and best practices. Identify training gaps for harbour staff. | Harbour Master / Deputy Harbour Masters |
| 4 | Resilience | Ensure adequate staffing levels all year round, including the use of seasonal staff during peak season. | Ensure Harbours are staffed sufficiently to run a safe operation. | Harbour Master |
| | | Maintain survey and inspection regime for critical harbour infrastructure and Aids to Navigation. | Ensure up-time and resilience plans are in place for critical harbour infrastructure. | Harbour Master |
| | | Create an asset management plan and planned maintenance system | Ensure service history and inspections of equipment and infrastructure is formally recorded. | Harbour Master |
| 5 | Incident & Accident Reporting and Investigation | Ensure all marine incidents are investigated promptly and all major incidents reported to the Duty Holder within 24 hours. | Control measures to be actioned in a timely manner. | Harbour Master |
| | | Share learning points from incident investigations with harbour staff and stakeholders. | Learning points to be actioned in a timely manner. | Harbour Master |
| | | Encourage the reporting of incidents, near-misses and accidents by Harbour Users. | Track incident trends, resulting in proactive risk management. | Harbour Master / Deputy Harbour Masters |
| 6 | Port & Marine Facilities Safety Code – Review and Audit | Review standard operating procedures and navigational risk assessments annually. | Ensure all risks are documented and control measures in place. | Harbour Master |
| | | Conduct annual external audit of mSMS. | Ensure compliance with PMSC requirements. | Harbour Master |
| | | Review and updated Marine Safety Plan every three years. | Ensure compliance with PMSC requirements. | Harbour Master |

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| 7 | Engage with Stakeholders | Hold regular liaison forum meetings with harbour users. | Regular structured dialogue with harbour. | Harbour Master |
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| | | Conduct annual Hazard ID workshops with harbour users. | Active engagement with harbour users to ensure active risk management. | Harbour Master |
| | | Undertake annual water safety campaign | Active engagement with residents and visitors of Torbay to promote safety on the water. | Harbour Master / Deputy Harbour Masters |
| 8 | Review Legislation and Power | Review statutory powers on an annual basis. | Ensure powers are proportionate for the statutory harbour authority. | Harbour Master |
| | | Start the process for obtaining general directions. | Modernised statutory powers. | Director of Harbours |
| 9 | Enforcement of Regulations | Increase awareness of Harbour Byelaws. | Ensure users are aware of statutory requirements. | Harbour Master |
| | | Review enforcement policies annually. | Ensure policies are applied in a consistent and fair manner. | Harbour Master / Deputy Harbour Masters |