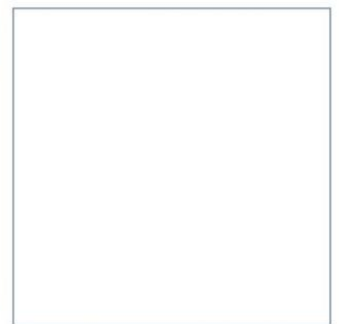
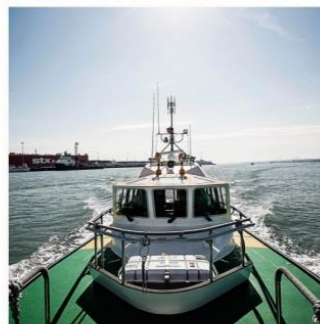


Torbay Council

Ports & Marine Facilities Safety Code

Tor Bay Harbours Audit 2026

March 2026



Innovative Thinking - Sustainable Solutions

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Ports & Marine Facilities Safety Code

Tor Bay Harbours Audit 2026

March 2026



Document Information

Document History and Authorisation		
Title	Ports & Marine Facilities Safety Code	
	Tor Bay Harbours Audit 2026	
Commissioned by	Torbay Council	
Issue date	March 2026	
Document ref	R. 5278	
Project no	5585/2	
Date	Version	Revision Details

Prepared (Auditor)	Approved (Quality Manager)	Authorised (Project Director)
James Hannon	Richard Vaughan	Monty Smedley
JJH	RHV	MJS

Suggested Citation

ABPmer, (2026). Ports & Marine Facilities Safety Code, Tor Bay Harbours Audit 2026, ABPmer Report No. R.. A report produced by ABPmer for Torbay Council , March 2026.

Author

J.J. Hannon

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ABPmer

Quayside Suite, Medina Chambers, Town Quay, Southampton, Hampshire SO14 2AQ
T: +44 (0) 2380 711844 W: <http://www.abpmer.co.uk/>

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Figure

Figure 1.	Harbour limits.....	Error! Bookmark not defined.
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1 The Ports & Marine Facilities Safety Code

The 'Ports & Marine Facilities Safety Code' (PMSC) commonly referred to as 'the Code' sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses or works in the UK port marine environment including those in marinas, boatyards and other marine facilities. It is authored by the UK Government, supported by the devolved administrations and representatives from across the maritime sector. Whilst the PMSC is not mandatory, these bodies have a strong expectation that all harbour authorities and marine facilities will comply. The Code is applicable both to Statutory Harbour Authorities and to marine facilities which may not have statutory powers; these are collectively referred to throughout the Code as 'Organisations' (DfT, 2025).

In reading this audit report, Peel Ports Logistics (PPL) should note the following extract from the Code:

"The Code does not contain any new legal obligations but includes, amongst other things, references to the main legal duties which exist and are relevant to many organisations. Although failure to comply with the Code is not an offence, it represents good practice as recognised by industry stakeholders. An organisation may suffer significant reputational damage if it has publicly stated compliance with the Code and subsequently fails to meet its requirements".

(DfT, 2025)

In order to measure compliance with the Code, the table below sets out the 10 Duty Holder responsibilities, and corresponding cross-references with sections of the Code, which this audit has considered.

No	PMSC Duty Holder Responsibilities		PMSC Section Reference
1	Duty Holder	All organisations must have a Duty Holder which is accountable for compliance with the Code. The Duty Holder, whose members are typically, accountable for compliance with the Code, and their organisation's performance in ensuring safe marine operations.	1.1-1.10
2	Designated Person	All organisations must appoint a suitably qualified individual as their 'Designated Person'. This person provides independent assurance about the operation of the organisation's marine safety management system and must have direct access to the Duty Holder.	2.1-2.4
3	Legislation	The Duty Holder must be aware of and review the organisation's legal powers, duties and responsibilities based on applicable local and national legislation and seek additional powers if necessary to improve marine safety.	3.1-3.18
4	Duties and Powers	Organisations must comply with any statutory duties and responsibilities they have.	4.1-4.46
5	Risk Assessment	Organisations must ensure that risks are formally assessed and are eliminated or reduced to the lowest possible level, so far as is reasonably practicable, in accordance with good practice.	5.1-5.13
6	Marine Safety Management System	Organisations must operate an effective Marine Safety Management System (MSMS) which is based on formal risk assessment.	6.1-6.25
7	Review and Audit	Organisations must review and audit performance against applicable requirements of the Code.	7.1-7.8
8	Competence	Organisations must use people who are appropriately trained, qualified and experienced to manage marine safety.	8.1-8.4
9	Plan	Organisations must publish a marine safety plan showing how the standards in the Code will be met and produce a report assessing performance against that plan at least every 3-years.	9.1-9.7
10	Conservancy Duty	Organisations must ensure their facilities are fit for purpose and have a duty of reasonable care to ensure that any vessel can utilise them safely.	10.1-10.17

1.1 About the Harbour Authority

The Tor Bay Harbour Act 1970 is the primary legislation governing the harbour's operations and management. It outlines the responsibilities of the Harbour Authority, including the regulation of vessel conduct and the protection of the harbour environment. The Act is supported by various policies and bye-laws that detail the Harbour Authority's powers and duties. Torbay Council, as the statutory harbour authority, is responsible for ensuring the harbour's safety, efficiency, and environmental protection. The Harbour Authority's policies and bye-laws are designed to provide a framework for the delivery of services and to maintain the harbour as a comprehensive and effective service.

The Brixham Harbour and Market Act 1896 is the primary legislation governing Brixham Harbour. This act outlines the powers of the harbour master and establishes local laws for the regulation and administration of the harbour. Additionally, Brixham has its own bye-laws, which are local regulations that govern various aspects of the harbour, including navigation and the handling of goods.

Torquay Harbour lies on the North shore of Tor Bay and whilst benefiting from an expanding marine leisure industry, Torquay remains a fully commercial and busy little Devonshire port. The Harbour's also on the fringe of the Town centre giving easy access to shops, restaurants and bars.

Haldon Pier to the South and Princess Pier to the West, form the main breakwaters and give shelter to the enclosed harbour facilities.

Paignton Harbour nestles on the western shores of Tor Bay situated midway between Torquay and Brixham harbours. Its understated beauty and authentic 'fishing haven' feel are often overlooked by visitors to the area and even some locals.

The harbour was established in the 18th Century, and the local Council has managed the harbour since 1935.

Brixham Harbour is located on the southern aspect of Tor Bay and boasts one of the largest fishing fleets in the UK, plus a thriving fish market to support it.

Over 100 fishing boats land and sell their catch at the local Fish Market on the quayside. A visitor viewing platform is conveniently placed so visitors can watch the busy comings and goings of the fishing fleet, made up of large beam trawlers and the smaller day boats.

2 Purpose and Method

2.1 Audit scope

Torbay Council has contracted ABPmer to provide Designated Person services for the Council at Tor Bay and Brixham Harbours. Part of this service includes the provision of annual auditing to establish if the Harbour Authority is compliant with the requirements of the Port Marine Safety Code (PMSC). The scope of the audit includes a review of Harbour Authority performance against the standard laid out within the latest edition of the Code. Any aspects that do not comply with, or fully address, the requirements of the Code will be identified, and recommendations for improvement will be made.

The following definitions are used in the audit report:

Non-compliance: is a failure to adhere to a legal requirement such as an Act, Order or its Regulations. The PMSC requires Organisations to confirm compliance with the requirements of the Code. Therefore, PMSC audits are designed to test the requirements of the Code with any failure to comply identified as a 'non-compliance'.

Non-conformity: is an opportunity for the management system to improve through the identification of a requirement that is not met. Non-conformities are not regulatory but relate to the Organisation's own operational instructions which are not met or fully met. Any non-conformities identified through the audit process are identified in bold text in the report.

Evidence: Non-compliances and Non-conformities are identified through factual evidence sampled during the audit.

2.1.1 Outcomes

The audit report uses the following outcomes:



Non-Compliance: a non-compliance with the requirements of the Code which are a breach of legal obligations or may compromise marine safety, environmental safety or present a significant reputational risk. Recommendations for addressing non-compliances are identified in red.



Observation: refers to an improvement opportunity such as an update to information, procedural change, or a non-conformity with the Organisation's operating instructions. Whilst observations are defined as improvement opportunities, addressing them may improve the overall system standard. Recommendations for addressing observations are identified in yellow.



Satisfactory: a system component that meets or exceeds the requirements of the Code. Items of best practice are identified in bold.

Not applicable: part of the Code that is not relevant to the Organisation being audited.

2.2 Audit date and criteria

The audit was carried out onsite between the 24 March 2026. The benchmarking standard used in this audit is the latest version of the PMSC and the accompanying 'A Guide to Good Practice (GtGP) on Port and Marine Facilities (MCA, 2025). The Appendix tables to this report contain the test questions and evidence, noting down compliance, non-compliance and observational remarks. The Appendix tables also identify the paragraph numbers from the PMSC (DfT, 2025) and relevant sections of the Guide to Good Practice (MCA, 2025), for cross reference purposes.

2.3 Auditors

The following auditor conducted this audit.




Team Member	Initials	Company, Designation
James Hannon	JJH	ABPmer Associate

2.4 Auditees

The following individuals participated in the audit.

Team Member	Initials	Role/Designation
Nick Burns	NB	Harbour Master
George O'Rouke	GO	Deputy Harbour Master (PM only)
Oliver Parker-Ford	OPF	Deputy Harbour Master
CLlr Andrew Strang	AS	Duty Holder

3 Audit Summary

Number	Ten Key Measures for Port and Marine Safety			
1	Duty Holder	0	0	16
2	Designated Person	0	0	4
3	Legislation	0	0	3
4	Duties and Powers	0	1	48
5	Risk Assessment	0	0	12
6	MSMS	0	0	25
7	Review and Audit	0	0	6
8	Competence	0	0	8
9	Plan	0	0	8
10	Conservancy Duty	0	1	19
Total		0	2	149

The summary presented in the above table identifies that, for the ten-point health-check, Tor Bay Council as the Statutory Harbour Authority for Tor Bay and Brixham Harbours is found to be fully compliant with the requirements of the PMSC. The following points of best practice are noted:

- The Council has achieved a consistent and measurable approach to marine safety.
- The newly implemented Marine Safety Management System (MSMS) is extremely well put together, offering ease of use and a detailed level of information and procedure access. It is the view of the designated person, as external auditor, that this MSMS is an example of very high industry good practice and stands out as one of the best audited.

The PMSC audit identified 2 observations relating to improvement opportunities for management consideration, the detailed findings being presented in Appendix A. The following points identify the more significant items:

- Training for pilots to follow IMO A960 – this need to be incorporated into the MSMS and procedures
- Inclusion of the role of the Secretary Of States Representative for Counter Pollution and Salvage (SOSREP) required in section 10 of the MSMS.

4 References

DfT, 2025. Ports & Marine Facilities Safety Code, Department for Transport. 15 April 2025.

MCA, 2022. MGN 401 (M+F) Amendment 3 Navigation: Vessel Traffic Services (VTS) and Local Port Services (LPS) in the UK. Maritime and Coastguard Agency, 22 March 2022.

MCA, 2025. A Guide to Good Practice on Port and Marine Facilities. Maritime and Coastguard Agency, 15 April 2025.

4.1 Websites

<https://www.gov.uk/government/publications/port-marine-safety-code-compliant-ports/port-marine-safety-code-compliant-ports-list>

https://www.humber.com/Estuary_Information/Marine_Information/Towage/Routine_Ship_Towage

5 Abbreviations/Acronyms

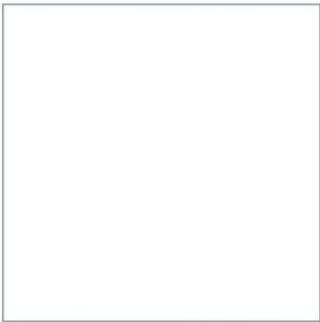
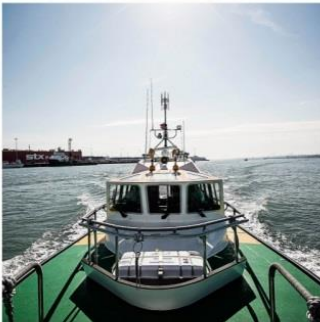
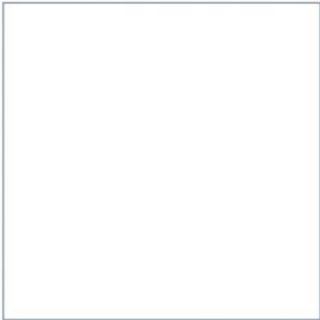
ACOP	Approved Codes of Practice
AIS	Automatic Identification System
ALRS	Admiralty List of Radio Signals
CAT	Category
CCTV	Closed Circuit Television
CERS	Consolidated European Reporting System
CHA	Competent Harbour Authority
DfT	Department for Transport
DRA	Dynamic Risk Assessment
FRA	Formal Risk Assessment
GLA	General Lighthouse Authority
GtGP	Guide to Good Practice on Port Marine Operations
HDPCA	Harbour, Docks and Piers Clauses Act 847
HER	Historic Environment Record
HSE	Health and Safety Executive
IMO	International Maritime Organization
IOSH	Institute of Occupational Safety and Health
ISO	International Organization for Standardization
KPI	Key Performance Indicator
LATON	Local Aids to Navigation
LLA	Local Lighthouse Authority
LOLER	Lifting Equipment Regulations
LPS	Local Port Service
LSE	Lifesaving equipment
M+F	Merchant Shipping and Fishing Vessels
MAIB	Marine Accident Investigation Branch
MCA	Maritime and Coastguard Agency
MGN	Marine Guidance Notes
MSMS	Marine Safety Management System
n/a	Not Applicable
OPRC	International Convention on Oil Pollution Preparedness, Response and Co-operation
OSCP	Oil Spill Contingency Plan
PEC	Pilotage Exemption Certificates
PMSC	Port Marine Safety Code
PPE	Personal Protective Equipment
PSS	Port Skills and Safety
QMS	Quality Management System
RDCO	Registered Dealer in Controlled Oils
RNLI	Royal National Lifeboat Institution
RYA	Royal Yachting Association
SAC	Special Areas of Conservation
SEPA	Scottish Environment Protection Agency
SHA	Statutory Harbour Authority
SIP	Safety in Ports
SOP	Standard Operating Procedure
SOSREP	Secretary of State's Representative
SPA	Special Protection Areas
SSoW	Safe System of Work
SSSI	Sites of Special Scientific Interest

SWL	Safe Working Load
UHF	Ultra High Frequency
UK	United Kingdom
UKHO	United Kingdom Hydrographic Office
VHF	Very High Frequency
VTS	Vessel Traffic Service

Cardinal points/directions are used unless otherwise stated.

SI units are used unless otherwise stated.

Appendix



Innovative Thinking - Sustainable Solutions

A Detailed Audit Findings

A.1 Duty Holder

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
1.1	Duty Holder	Has the Organisation appointed a Duty Holder?	Satisfactory – Andrew Strang – named as Chair		JJH1
1.2	Duty Holder Construct	What is the construct used by the Organisation for its Duty Holder?	Satisfactory – MSMS 1.4 – details the construct for the duty holder are clearly provided		JJH1
1.3	Duty Holder Published	Has the Organisation published who the Duty Holder is and how they can be contacted?	Satisfactory – MSMS – Contact details provided		JJH1
GtGP 1.2	Duty Holder Published	Has the Duty Holder made a clear published commitment to comply with the standards laid down in the PMSC?	Satisfactory – included in the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS,		JJH7
1.4	Duty Holder Responsibilities	Has the Organisation laid out the responsibilities for the Duty Holder (i.e., in its MSMS)?	Satisfactory – included in the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS,		JJH7
		Is the Duty Holder aware of the organisation's powers, duties and responsibilities?	Satisfactory – included in the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS, 1		JJH7
		How does the Duty Holder ensure that a suitable MSMS is in place?	Satisfactory – included in the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS, 1		JJH7
		Has the Duty Holder appointed a suitable Designated Person?	Satisfactory – included in the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS, Section 1		JJH7
Cont. 1.4	Cont. Duty Holder Responsibilities	How does the Duty Holder ensure that competent people are appointed to manage marine safety?	Satisfactory – included in the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS,		JJH7

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
		How does the Duty Holder ensure that appropriate resources are made available for discharging their marine safety obligations?	Satisfactory – included in the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS,		JJH7
		Does the Duty Holder publish a Marine Safety Plan (MSP)?	Satisfactory – included in the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS,		JJH3
		Does the Duty Holder report on the Organisation's compliance with the relevant parts of the Code to the MCA every three years	Satisfactory – Yes – last submission made in 2021 – Tor Bay Harbours duty holder is expected to state compliance 24/03/2026		JJH6
1.5-1.7	Duty Holder Awareness	Has the Duty Holder gained an appropriate insight into the Organisation's marine activities?	Satisfactory –Duty Holder has been and continues to be guided by Marine Team. They have undertaken operational visits which are logged in the MSMS 1.4.		JJH1
		Has the Duty Holder gained an appropriate insight into the policies, procedures and MSMS?	Satisfactory – Yes – evidenced in MSMS 1.4		JJH1
		If the Organisation has a Board, has a member with relevant maritime experience been appointed as the Designated Person's contact point?	Satisfactory – Andrew Strang is the member of the board to have the required experience.		JJH1
Cont. 1.5-1.7	Cont. Duty Holder Awareness	Has the Organisation provided the Duty Holder with awareness training relevant to the role (i.e. Duty Holder Training)?	Satisfactory – Duty Holder training provided by DP in Dec 2025		JJH4

A.2 Designated Person

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
2.1	Designated Person (DP) Appointment	Has the Organisation appointed a DP?	Satisfactory – James Hannon, ABPmer – MSMS 2		JJH1
2.2	DP Assurance Reporting	Does the DP provide assurance directly to the Duty Holder?	Satisfactory – The Designated Person reports directly to the Duty Holders at PPG and PPL		JJH1
2.3	Knowledge and Understanding	Does the DP have a thorough knowledge and understanding of the Code and GtGP?	Satisfactory – The Designated Person is an experienced port professional with highly detailed understanding of PMSC and GtGP.		JJH1 JJH5 - Contract of Appointment and DP CV.
2.4	Independent Assurance	Does the Organisation embody 'independent assurance through auditing and monitoring'?	Satisfactory – The MSMS, Section 13.2.2 details the requirement for the Designated Person to undertake auditing.		JJH1

A.3 Legislation

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
3.1	Legal Duties	Is the Organisation aware of its legal duties and powers relating to its marine operations?	Satisfactory –		JJH1
3.2	Legal advice	Does the Organisation have access to marine/maritime legal representation?	Satisfactory – Yes – Ashford LLP		JJH1
3.3-3.6	National Legislation	Is the Organisation aware of its legal duties under National Legislation?	Satisfactory – National Legislation is listed and noted in policy and process		JJH1
3.7	Harbours, Docks and Piers Clauses Act 1847 (HDPCA)	Does local legislation reference the HDPCA 1847?	Satisfactory – 34 of the 1970 Torbay Harbours Act.		n/a
3.8-3.9	Local Acts and Orders	Is the Organisation aware of its legal duties under local legislation?	Satisfactory – included in MSMS section 3		JJH1
		Is the Organisations area of jurisdiction mapped, clear, and sufficient to manage marine safety?	Satisfactory - included in MSMS section 3		JJH1
3.10-3.12	General and Harbour Directions	Does the Organisation have powers of General Direction or Harbour Direction?	Satisfactory included in MSMS section 4.7		JJH1
3.13-3.14	Reviewing Duties and Powers	Does the Organisation keep under review its legal powers and duties?	Satisfactory Review undertaken by Ashfords LLP – 26 oct 2026 – MSMS – 3.11		JJH1
Cont. 3.13-3.14	Cont. Reviewing Duties and Powers	Does the Organisation's review include the extent of its jurisdiction?	Satisfactory – Review undertaken by Ashfords LLP – 16 Oct 2025 – 3.11		JJH1
		Is there a process in place for identifying new or changed legislation and incorporating it into the MSMS?	Satisfactory – included in MSMS section 3.11		JJH1

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
3.15-3.18	Revising Statutory powers	If the Organisation has statutory powers, duties and responsibilities, when was the last time these were revised?	Satisfactory – HRO submitted to MMO – awaiting approval for.		n/a

A.4 Duties and Powers

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
4.1-4.2	Duty Of Care	Is the Organisation's Duty of Care for users of the harbour, port or facility stated?	Satisfactory – Stated clearly in page 3 of the MSP - TNHA-MSMS-POL 005. – Section 9 MSMS,		JJH7
4.3-4.5	Assessment of Vessel Traffic Management using Marine Guidance Note (MGN) 401 (MCA, 2022)	Has a Formal Risk Assessment (FRA) been conducted into the requirement for a Vessel Traffic Service (VTS) or the level of Local Port Service (LPS) need to manage vessel traffic in the port, harbour or at the marine facility?	Satisfactory – LPS Provision and FRA in line with MGN 401. – included in MSMS section 5.15.		JJH1
4.6	Setting Dues	Process for setting dues.	Satisfactory – Policy – section 8 of the Debt Recovery Policy – Jan 2026		TBH-ADM-001
4.7 GtGP 3.8	Marine Licences	Does the Organisation have powers to licence marine works?	n/a		n/a
		Does the Organisation hold any marine licences or marine licence exemption notifications?	n/a		n/a
4.8	General Lighthouse Authority (GLA) consent	GLA consent to establish, remove or alter an Aid to Navigation (AtoN)?	Satisfactory – March 26 – 99.24% - Section 4.6 All found to be in Good Order..		Audit report reviewed in office.
4.9	Open Port Duty	Is the port or harbour subject to Open Port Duty?	Satisfactory – Yes – incorporated in the 1970 act. Section 2 b		JJH9
4.10	Harbour Master Appointment	Does the Organisation have powers to appoint a Harbour Master and has this power been exercised?	Satisfactory - 1970 act – section 2c incorporates section 52 of the HDPCA 1847		JJH9
4.11	Marine Manager or Superintendent	If the Organisation has no statutory powers to appoint a Harbour Master, is there an appointment of a similar role such as Marine Manager or Superintendent?	n/a		JJH1
4.12-4.15	Byelaws	Does the Organisation have powers to make Byelaws and has this power been exercised?	Satisfactory – 1970 act – sections 45, 45(5), 51 and 53		JJH9

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
4.16-4.17	Special Directions	If the Organisation has Statutory Powers to appoint a Harbour Master, are the Harbour Master's powers of Special Direction shown in the MSMS?	Satisfactory section 3(2)c(ii) of 1970 Act Additional section 3(2)(c)(ii) of 1970 act.		JJH9
4.18	Special Directions Delegation	Have powers of Special Direction been delegated?	Satisfactory – SOP 39 – Delegation of Powers of the Harbour Master.		JJH1
4.19-4.20	General Directions	If the Organisation has Statutory Powers, are powers of General Directions available and have these been exercised?	n/a		n/a
		When were General Directions last reviewed?	n/a		n/a
4.21-4.22	Harbour Directions	If the Organisation is a Harbour Authority, has it applied for Harbour Directions?	Satisfactory included in MSMS section 4.7.		n/a
4.23	Dangerous Vessels	If the Organisation is a Harbour Authority, are powers to issue Dangerous Vessels Directions by the Harbour Master included in the MSMS?	Satisfactory included in MSMS section 4.7.		n/a
4.25	Pilotage Competent Harbour Authority (CHA)	Has an FRA been conducted into the requirement for Pilotage? Is the Organisation a CHA?	Satisfactory - FRA – 2025 – for pilotage.		Reviewed in office
4.26	Pilotage Directions	If the Organisation is a CHA, have Pilotage Directions been issued?	Satisfactory - MSMS 4.2		Reviewed in office
GtGP 4.5.13	Pilotage Directions	Are pilotage directions available and regularly reviewed?	Satisfactory - 16 March 2026 Version 4		Reviewed in office
4.27 GtGP 4.5.19	Authorisation of Pilots	If the Organisation is a CHA, is the process for appointing Pilots detailed in the MSMS?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
		Are procedures and records available for authorisation of pilots?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
4.28	Pilot Training	If the Organisation is a CHA, does the CHA implement the International Maritime Organisation (IMO) Resolution A960?	Observation – Incorporate IMO A960	Recommended – Training for pilots to follow IMO A960 – this need to be incorporated into the MSMS and procedures	n/a
GtGP 4.5.5	Bridge Resource Management (BRM)	Is BRM principles included in pilot training?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
GtGP 4.5.7	Pilot Assessment	Are pilots subject to regular assessment such as peer review assessment?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
GtGP 10.16.4	Master/Pilot Exchange (MPX)	Is a MPX process and template available and used?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
GtGP 4.5.14	Boarding and Landing	Are there procedures in place for pilot boarding and landing operations?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
GtGP 4.5.25	Rostering and Fatigue Management	Are there procedures in place for rostering of Pilots including fatigue management?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
GtGP 4.6.1	Pocket Guide	Is the Pilots' Pocket Guide and Checklist' made available to pilots?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
4.29	Pilot Exemption certificates (PEC)	If the Organisation is a CHA, is there a clear process for the issuing of PECs?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
4.30	Suspension or revocation of a PEC	If the Organisation is a CHA, does the CHA have formal procedures for suspension or revocation of a PEC?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
GtGP 10.16	Passage Plan	Is there a passage describing how vessels or craft would normally be expected to access the harbour or facility?	Satisfactory – Pilot manual – V1.1 March 2026 – section 29 – section 30, 31, 32		Reviewed in office
4.31	Towage Procedures	Have procedures for towage been put in place by the Organisation?	Satisfactor – SOP – 6.6 file.,		JJH10
4.32	Towage Risk Assessment and Consultation	Have towage procedures been risk assessed?	Satisfactory		RA – towage reviewed in office

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
		Are suitable towage guidelines in place via consultation with stakeholders?	Satisfactory		Reviewed in office
GtGP 4.6.6	Towage training	Is training between tug crews and pilots supported?	Not Applicable		n/a
4.33	Non-Routine Towage	Is non-routine towage subject to a specific risk assessment and approval processes?>	Not Applicable no non-routine towage undertaken.		n/a
4.34	Regulation of Tugs and Workboats	Does the Organisation have powers to register, inspect and licence commercially operated craft?	Not Applicable		n/a
		Does the Organisation run a licensing/registration scheme (i.e., voluntary or compulsory)?	Satisfactory - work instruction – HR-TETOFF-50048		Reviewed in office
4.35	Environmental Duty <ul style="list-style-type: none"> ▪ Section 48A of Harbours Act 1964 ▪ Obligations under Habitats Regulations ▪ Environment Act 2021 	Does the Organisation demonstrate that it operates its functions and duties with regards to nature conservation and biodiversity requirements?	Satisfactory – included in the MSMS section 4.15		JJH1
4.37	Emergency Preparedness and Response	Are there clear requirements for declaration of dangerous goods/substances referencing the 'Dangerous Goods in Harbour Area Regulations' (DGHAR)?	Satisfactory		JJH1
		Does the MSMS include the use of powers to prohibit entry of dangerous goods to the harbour area?	Not Applicable		JJH1
		Does the Organisation have an emergency Plan?	Satisfactory		JJH12
		Is the emergency Plan exercised?	Satisfactory		JJH12

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
4.38	Oil Pollution Response	Does the Organisation have a requirement to produce an 'OPRC Plan' under the requirements of the 'Merchant Shipping (Oil Pollution Preparedness Response and Co-operation Convention) Regulations 1998 (OPRC)'.	Satisfactory - OPRC Plan in place – Nov 20206		JJH13
		Is there an OPRC Plan in place for the Organisation, approved by the MCA?	Satisfactory - awaiting MCA sign off.		JJH13
		Is the OPRC Plan exercised?	Satisfactory		JJH13
4.39	Civil Contingencies Act 2004 Duty	If the Organisation is a Harbour Authority, does the MSMS include reference to its obligations as a Category 2 responder?	Satisfactory - included in the MSMS section 4.19		n/a
4.40-4.41	Resilience Forums	Does the MSMS include procedures covering regular contact with Category 1 responders via Local Resilience Forum (LRF) or its regional equivalent?	Satisfactory - included in the MSMS section 4.19		JJH14
4.42	Dues	If the Organisation is a Harbour Authority, does it have a 'list of ship, passenger and goods dues'?	Satisfactory - included in the MSMS section 4.3		JJH
4.43	Setting Dues	If the Organisation is a Harbour Authority, how is the level of dues set to provide sufficient resource to discharge marine safety obligations?	Satisfactory - included in the MSMS section 4.3		JJH1
4.44-4.45	CHA Charges	If the Organisation is a CHA, how are 'reasonable charges' set for Pilotage Services?	Satisfactory - included in the MSMS section 4.3		JJH1
4.46	Other Charges and Tariffs	Has the Organisation set charges for services and facilities?	Satisfactory - included in the MSMS section 4.3		JJH1

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
GtGP 4.8	Diving Commercial	Is there a process for regulation and management of commercial diving?	Satisfactory - included in the MSMS section 4.20		JJH1
GtGP 4.8.2	Diving Recreational	Does the organisation control / regulate recreational diving within its jurisdiction?	Satisfactory - included in the MSMS section 4.20		JJH1
GtGP 4.8.3	Mooring & Berthing	Does the Organisation regulate the provision of mooring and berthing services?	Satisfactory – included in the MSMS section 4.21		JJH1
GtGP 4.9.18	Bunkering	Does the Organisation have processes or procedures in place to control bunkering?	Satisfactory- included in the MSMS section 4.22		JJH1
GtGP 4.9.18	Controlled Works	Does the Organisation have processes or procedures in place to control works (i.e., hot works)?	Satisfactory- included in the MSMS section 4.23		JJH1

A.5 Risk Assessment

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
5.1	Risk Assessment (RAs)	Does the Organisation carry out hazard identification and risk assessment?	Satisfactory – included in the MSMS section 5.1		JJH1
5.2	Risk Controls	Has the risk of marine operations been assessed and a means of controlling it deployed?	Satisfactory – included in the MSMS section.51		JJH1
5.3	Tolerability	Does the Organisation set a tolerability threshold?	Satisfactory – set by committee MSMS5.9		JJH1
5.4-5.6	RA Framework and As Low As Reasonably Practicable (ALARP)	Does the Organisation provide a framework for delivering RAs which includes criteria (i.e., life, environment, port, damage)?	Satisfactory – included in the MSMS section 5.9		JJH1
		Does the Organisation use the As Low As Reasonably Practicable (ALARP) principle?	Satisfactory – included in the MSMS section 5.3		JJH1
5.7	RA Competency	How does the Organisation ensure those undertaking RA are competent?	Satisfactory - included in the MSMS section section 5.3		JJH1
5.8-5.9	Formal Safety Assessment (FSA)	Has the Organisation included options in its procedures to use a cost/benefit approach?	Satisfactory – included in the MSMS section 5.15		JJH1
GtGP 5.6	Occupational H&S Risk Assessments	Does the Organisation have in place Occupational risk assessments for task-based activities?	Satisfactory – included in the MSMS section 5.23		JJH1
5.10	RA Sharing	Does the Organisation share its risk assessments with other operators in the area? (i.e., Terminals and other Marine Facilities).	Satisfactory – included in the MSMS section 5.4		JJH1
5.11	RA Review	Does the MSMS state the review frequency for RAs?	Satisfactory - included in the MSMS section 5.12– Annual review undertaken		JJH1
5.12	RA Stakeholders	Does the Organisation include user groups in RA review?	Satisfactory – included in the MSMS section 5.4		JJH1

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
5.13	Dynamic Risk Assessment (DRA)	Does the Organisation provide a form of DRA complementary to its FRA processes?	Satisfactory – included in the MSMS section 5.16		JH1

A.6 Marine Safety Management System

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
6.1	MSMS Introduction	Does the organisation have a MSMS?	Satisfactory – included in the MSMS section 6.1		JJH1
6.2	MSMS Policy	Are policies in place approved by the Duty Holder?	Satisfactory – included in the MSMS section 6.2		JJH1
6.3	MSMS Demonstrating Best Practice	Can the Organisation demonstrate review of: <ul style="list-style-type: none"> MAIB Reports & Digests Sector/industry alerts MCA Health Checks 	Satisfactory – included in the MSMS section 6.3		JJH1
6.4-6.5	MSMS Operational Procedures	Does the MSMS include standard operating procedures (SOPs) or similar?	Satisfactory – included in the MSMS section 6.6		JJH1
6.6	MSMS Implementation	Does the MSMS: <ul style="list-style-type: none"> Confirm roles and responsibilities? 	Satisfactory – included in the MSMS section 6.8		JJH1
		Does the MSMS: <ul style="list-style-type: none"> Outline procedures for marine safety? 	Satisfactory – included in the MSMS section 6.9		JJH1
		Does the MSMS: <ul style="list-style-type: none"> Measure performance against targets (the organisation must have a database or system to record incidents, including near misses)? 	Satisfactory – included in the MSMS section 6.11		Demonstrated in the office. JJH1
Cont. 6.6	Cont. MSMS Implementation	Does the MSMS: <ul style="list-style-type: none"> Detail how adjoining/interfaces Organisations are interacted with (i.e., a bridging document)? 	Satisfactory – included in the MSMS section 6.4 Bridging Documents in place with other marine facilities,		JJH1
		Does the MSMS: <ul style="list-style-type: none"> Reference relevant emergency response plans? 	Satisfactory – included in the MSMS section 6.6 – 4.8		JJH1
		Does the MSMS: <ul style="list-style-type: none"> Include a provision for internal audits? 	Satisfactory – included in the MSMS section 6.7		JJH1

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
6.7	MSMS Statement	Is a statement about the standard of the Organisation's performance against its MSMS included in the Annual Report?	Satisfactory – included in the MSMS section 9.1.		JH1
6.8	MSMS Accountability	Does the MSMS assign responsibility for Conservancy Duties?	Satisfactory – included in the MSMS section 10		JH1
6.10-6.11	MSMS Accountability Harbour Master	Does the MSMS define Harbour Master responsibilities?	Satisfactory included in the MSMS section 6.8		JH1
6.12	MSMS Accountability Officers	Does the MSMS define the appointment of Officers and their delegated powers, duties and responsibilities?	Satisfactory – included in the MSMS section 6.8		JH1
6.13	Reporting to the Duty Holder	Does an officer with delegated responsibilities for safety attend Duty Holder meetings?	Satisfactory – included in the MSMS section 6.8		JH1
6.14-6.15	Stakeholder Engagement & Consultation	Does the Organisation hold regular stakeholder engagement (i.e., forums).	Satisfactory – included in the MSMS section 6.5		JH1
6.16	Stakeholder Engagement & Consultation	Are other marine facilities situated within the Organisations jurisdiction (if an SHA)?	Satisfactory – included in the MSMS section 6.5		JH1
		Does the Organisation engage with marine facilities to understand their MSMS?	Satisfactory included in the MSMS section 6.5		JH1
6.17	Stakeholder Engagement & Consultation	Does the Organisation declare compliance on behalf of another Organisation?	n/a		JH1
6.18	Stakeholder Engagement & Consultation	If the Organisation is not an SHA and located outside of another SHA, has a risk-based decision process been using to decide if additional powers are required?	n/a		JH1
6.19-6.20	Incident reporting	Does the MSMS address incident reporting (i.e., SOPs, reporting guidance)?	Satisfactory – included in the MSMS section MSMS 5.18		JH1

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
6.21-6.22	Incident Investigation	Does the MSMS define incident investigation procedures (i.e., to determine safety recommendations or for prosecution)?	Satisfactory – included in the MSMS section 5.20		JJH1
GtGP 6.9.10	Incident Investigation Sharing	Are lessons from investigations published and shared within the organisation to preventing a recurrence?	Satisfactory – included in the MSMS section 5.21		JJH1
6.23	Statutory Incident Reporting	Are procedures in place for statutory reporting?	Satisfactory – included in the MSMS section 5.21		JJH1
		When was the last MAIB report?	Satisfactory – Misty – Nov 2025 – submitted to MAIB – fire on vessel.		Anecdotal
6.24	Enforcement Resources	Are adequate resources available for the effective enforcement of policy and procedure?	Satisfactory – included in the MSMS section 6.14.1		JJH1
6.25	Enforcement Policy	Is there clear policy on enforcement and prosecution?	Satisfactory – included in the MSMS section 6.13		JJH1 Enforcement policy

A.7 Review and Audit

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
7.1- 7.3	Review and Audit	Does the Organisation have a regular and systematic process for review and audit?	Satisfactory – included in the MSMS section 7.1.		JJH1
		Does the Duty Holder and the Designated Person have clearly defined roles in the review and audit process?	Satisfactory – included in the MSMS section 7.1		JJH1
7.4-7.6	MSMS review	Does the MSMS incorporate a regular and systematic review of its performance?	Satisfactory included in the MSMS section 7.4 – Audit schedule		JJH1
		Is the performance of the MSMS assessed against internal Key Performance Indicators (KPI)?	Satisfactory – included in the MSMS and MSP – DP audit profile followed.		JJH1

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
		Does the Designated Person (DP) present findings from audits to the Duty Holder?	Satisfactory – External audit findings will be presented to the Duty Holder.		n/a
7.7-7.8	Cyclic review	Is there a cyclic (plan/do/check/act) process?	Satisfactory – included in the MSMS section 7.7		JJH1

A.8 Competence

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
8.1-8.2	Competence (Trained, Qualified, Experienced)	Are National Occupational Standards (NOS) used in recruiting and training?	Satisfactory – included in the MSMS section 8.2.		JJH1
		Is there a methodology for assessing personnel against the set standards?	Satisfactory – Covered in training matrix		Reviewed in office
		Are existing staff reviewed to ensure they meet the standards set?	Satisfactory – Covered in Training Matrix. Note: the required standard for qualification for Harbour Master is met by drawing from all 3 harbour marine team collectively.		Reviewed in office
GtGP 8.10		Is a Marine Training Matrix available that describes all of the organisation's marine personnel and what their training, experience and qualification requirements are (including any refresher training)?	Satisfactory – included in the MSMS section 8.9 – 8.9		JJH1
8.3	Assessing competence	How does the Organisation assess the fitness of persons it has appointed?	Satisfactory – included in the MSMS section 8.9		JJH1
8.4	Policy	Is there a policy on revalidation or maintenance of qualifications in place?	Satisfactory – included in the MSMS section 6.6		JJH1
Cont. 8.4	Cont. Policy	How is Continuing Professional Development (CPD) achieved?	Satisfactory – included in the MSMS section 6.6		JJH1
GtGP 8.10	Records	Are training records maintained and reviewed (course completion certification, on job training etc.)?	Satisfactory – Learning Management System – iLearn – Two examples sighted in the office.		Reviewed in Office

A.9 Plan

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
9.1-9.2	Publication of a Marine Safety Plan (MSP)	Has the Organisation published a MSP?	Satisfactory – this is included in the MSP -		JJH5
		Does the MSP commit the Organisation to regulating marine operations?	Satisfactory – MSP is in place (see above).		JJH5
		Does the MSP commit to regulate vessels and include near miss reporting?	Satisfactory – MSP is in place (see above).		JJH5
		Does the MSP explain how commercial pressures will be managed without undermining the safe provision of services?	Satisfactory – MSP is in place (see above).		JJH5
9.4-9.5	MSP Review	Is the MSP reviewed and is this review published?	Satisfactory – MSP is published and up to date		JJH5
		Is the output of auditing and monitoring included in the MSP review?	Satisfactory – included in the MSMS section 9.3		JJH1
9.6-9.7	MSP Timing	Is the MSP in date and within its three-year period?	Satisfactory – As per 9.2 of this report		JJH1
		Has the Organisation responded to the Code Compliance Self-Certification exercise?	Satisfactory – Historically Tor Bay Harbours have stated compliance – they will be submitting as required under the current compliance round.		Reviewed in office

A.10 Conservancy Duty

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
10.1	Conservancy Introduction	Are the marine facilities in good repair and fit for purpose?	Satisfactory - included in the MSMS section 10.1		Demonstrated and observed JH1
10.2	Harbour Authority Conservancy Duty	Is there a Harbour Authority' recognition of the 'duty to conserve' and/or 'reasonable care' statement?	Satisfactory - included in the MSMS section 10.1		JH1
		Is survey conducted to International Hydrographic Organisation (IHO) standards?	Satisfactory - included in the MSMS section 10.4		JH1
		Is there a survey programme?	Satisfactory - yes - the is annually and included in the MSMS section 10.4		JH1
		Is there a risk-based approach for survey and placing navigation aids?	Satisfactory - yes -		JH1
		Are hydrographic records kept?	Satisfactory yes - sighted		Reviewed in office
10.3, 10.5	Warnings and publication	Is survey information published and warning issued?	Satisfactory - included in the MSMS section 10.3		JH1
10.4	UKHO Update	Is the United Kingdom Hydrographic Office (UKHO) updated with new survey information?	Satisfactory - included in the MSMS section 10.4 LNtM - 1/26 Mussel bed installation.		Reviewed in office
10.6	Aids to Navigation (AtoN).	Is the Organisation an LLA or within an LLA jurisdiction?	Satisfactory -LLA is inspected by Trinity House as the GLA. 99.24% - included in the MSMS section 10.3		JH1
GtGP 10.15	Aids to Navigation (AtoN).	Are there procedures in place to support the maintenance and provision of aids to navigation?	Satisfactory - included in the MSMS section 10.3		JH1
10.7	AtoN Inspection	Is the Organisation inspected by the GLA?	Satisfactory - LLA is inspected by Trinity House as the GLA. - Mar 26		Reviewed in office
10.8	AtoN Consent	Has the Organisation applied to the relevant GLA for consent to establish, remove or alter an AtoN?	Satisfactory - LLA is inspected by Trinity House as the GLA.		Reviewed in office

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
10.9	AtoN Returns	Does the Organisation make returns to the GLA?	Satisfactory – LARS submissions made.		Reviewed in office
10.10-10.12	Wrecks and Abandoned Vessels Policy	Does the Organisation have a policy or process for wreck removal?	Satisfactory – included in the MSMS section 10.5		JJH1
10.13	Dangerous Vessels Directions	Are powers from the Dangerous Vessels Act 1985 recognised?	Satisfactory – included in the MSMS section 4.7		JJH1
10.14-10.15	Wrecks and Abandoned Vessels Additional Powers	Are there any discretionary powers granted to the Organisation, in addition to those available through national legislation?	Satisfactory - included in the MSMS section 10		JJH1
10.16	SOSREP	Is the role of the SOSREP recognised by the Organisation?	Observation – to be included in the MSMS section 4.18 more detail to be included in section 10 of the MSMS.	Recommend – inclusion of SOSREP in section 10 of the MSMS.	JJH1
10.17	Legal advice	Does the Organisation have access to marine/maritime legal representation?	Satisfactory – Legal advice provided by Ashfords LLP		Reviewed in the Office
GtGP 10.19	Event Planning	Is there a process in place for event planning?	Satisfactory – included in the MSMS section 10.10		JJH1
GtGP 10.23	Moorings	Does the Organisation licence, manage or support the provision of moorings?	Satisfactory – included in the MSMS section 10.6		JJH1
GtGP 10.27	Subsea obstructions	Does the Organisation have any subsea pipelines or cables within its jurisdiction, if so, are these recognised in the MSMS with controls to minimise damage identified?	Not Applicable		n/a

Contact Us

ABPmer

Quayside Suite,

Medina Chambers

Town Quay, Southampton

SO14 2AQ

T +44 (0) 23 8071 1840

F +44 (0) 23 8071 1841

E enquiries@abpmer.co.uk

www.abpmer.co.uk

