



**Meeting: Harbour Committee**

**Date: 15<sup>th</sup> December 2014**


**Wards Affected: All wards in Torbay**

**Report Title: Tor Bay Harbour - Local Port Services Policy Statement**

**Executive Lead Contact Details: Non-Executive Function**

**Supporting Officer Contact Details: Kevin Mowat**

**Executive Head of Tor Bay Harbour Authority  
Tor Bay Harbour Master**

 **Telephone: 01803 292429**

 **Email: [Kevin.Mowat@torbay.gov.uk](mailto:Kevin.Mowat@torbay.gov.uk)**

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## **1. Purpose**

- 1.1 To review and endorse the Tor Bay Harbour Authority Local Port Services (LPS) Policy Statement. Our customers and employees will benefit from a clear and concise LPS Policy Statement that demonstrates compliance with the Port Marine Safety Code (PMSC) and is regularly reviewed by the Harbour Committee.

## **2. Proposed Decision**

- 2.1 **That the Local Port Services (LPS) Policy Statement shown in Appendix 1 to this report is approved.**

## **3. Summary**

- 3.1 The Port Marine Safety Code clearly indicates that Harbour Authorities have the power to establish Vessel Traffic Services (VTS) or Local Port Services (LPS) to mitigate risk, enhance vessel safety and to protect the environment.
- 3.2 In the Port Marine Safety Code's Guide to Good Practice on Port Marine Operations it states that control of the port is a function exercised by the harbour master and/or designated deputies. Its function will include the Vessel Traffic Services (VTS) or Local Port Services (LPS), a term covering internationally recognised standards of vessel traffic management.
- 3.3 Every harbour is different, and the requirement to manage navigation varies from one to another. The Guide to Good Practice on Port Marine Operations deals only with general principles of good practice. It recognises that a VTS system is essential in some cases, but is not appropriate in others. A formal assessment of navigational risk, as required by the Code, will determine what management of navigation is required, and to what degree monitoring, controlling or managing traffic needs to be taken in mitigating risk.

- 3.4 In Tor Bay Harbour our formal risk assessments show that a VTS system is not required and Local Port Services (LPS) have therefore been established.
  - 3.5 It is essential that Tor Bay Harbour Authority has a fit for purpose Local Port Services (LPS) Policy Statement. Keeping such a policy under regular review reflects national best practice.
  - 3.6 Statutory Harbour Authorities should review the details of their VTS / LPS on a regular basis. The existing LPS Policy Statement was last reviewed in December 2012.
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## **Supporting Information**

### **4. Position**

- 4.1 Marine Guidance Note MGN 401 (M+F) - Vessel Traffic Services (VTS) and Local Port Services (LPS) in the United Kingdom, as amended, defines the UK's interpretation of VTS and provides guidance for determining the need to establish a VTS. It also defines the responsibilities of those authorities concerned with providing VTS and Local Port Services (LPS) in the UK. In addition it complements the Port Marine Safety Code (PMSC) and the Guide to Good Practice (GTGP) on the management of safety in ports.
- 4.2 Implementing a VTS/LPS allows the identification and monitoring of vessels, longer term planning of vessel movements and the provision of navigational information and assistance. It can also assist in the prevention of pollution, the co-ordination of pollution response and the protection of the marine environment.
- 4.3 Having conducted a formal safety assessment the harbour authority determined that a VTS system was not an appropriate risk control option. The assessment for Tor Bay Harbour identified the need for Local Port Services (LPS) to enhance the safety of shipping, maritime users, members of the public and the protection of the marine environment.
- 4.4 A clear understanding of the distinction between the different service types was fundamental in the choice of service to be provided, its implementation, maintenance and periodic review.
- 4.5 The prerequisites for a VTS are as follows :-
  - Interacts with traffic;
  - Responds to traffic situations;
  - Authorised by the Maritime & Coastguard Agency;

- Staffed by V-103/1 certificated personnel;
- Equipped as appropriate to provide i.e. radar, automatic tracking, data recording, data export, etc.

4.6 The prerequisites for a LPS are as follows :-

- Equipped appropriate to task;
- Staffed and trained appropriate to task;
- Does not require to be authorised by the Maritime & Coastguard Agency.

4.7 Local Port Services are applicable to those ports where it has been identified from their formal risk assessment that a VTS is excessive or inappropriate and does not imply a lower standard or a poorer service to customers. The main difference arising from the provision of LPS is that it does not interact with traffic, nor is it required to have the ability and / or the resources to respond to developing traffic situations and there is no requirement for a vessel traffic image to be maintained. As such, the training requirement for its operators is less comprehensive and the operators are unlikely to be certified to the V-103 standard.

4.8 Appendix 2 shows an Equipment and Capability Table for Local Port Services. The table shows the recommendations for equipment and also what is currently available for Tor Bay Harbour Authority.

4.9 The evaluation of a VTS or provision of LPS should determine if the purpose it was implemented for is still relevant and its objectives are being achieved. This requires auditing and reviewing of performance in accordance with the Statutory Harbour Authorities Safety Management System. The evaluation is intended to ascertain the effectiveness of the VTS in meeting its objectives, with respect to mitigating the risks of collisions or groundings in the VTS area.

4.10 In order to be effective the objectives of the VTS or provision of LPS needs to be kept under continuous review, bearing in mind changes in operations, operational methods, personnel and the availability of technology, to ensure that the objectives set for the provision of LPS remain applicable and are being achieved.

4.11 The overall evaluation of the VTS or provision of LPS should be preceded by an assessment of the effectiveness of the equipment, manning and procedures involved.

## **5. Possibilities and Options**

5.1 To take no action and continue to operate without a review and endorsement of the Local Port Services Policy Statement.

## **6. Preferred Solution/Option**

- 6.1 To approve the Local Port Services (LPS) Policy Statement shown in Appendix 1. (See 2.1 above)

## **7. Consultation**

- 7.1 As Local Port Services are already in operation no further consultation has been undertaken.

## **8. Risks**

- 8.1 The significant risks associated with taking this decision relate to whether a LPS system is sufficient for the level of navigation and marine activity within Tor Bay harbour.
- 8.2 The adoption of a clear Local Port Services Policy Statement will enhance the Council's reputation for transparency and accountability in respect of its function as a Harbour Authority.

## **Appendices**

Appendix 1 Local Port Services (LPS) Policy Statement – December 2014

Appendix 2 Local Port Services – Equipment and Capability Table

## **Additional Information**

The following documents/files were used to compile this report:

Harbour Committee Report No. 297/2010 - Tor Bay Harbour - Local Port Services Policy Statement

Marine Guidance Note MGN 401 (M+F) - Vessel Traffic Services (VTS) and Local Port Services (LPS) in the United Kingdom

[www.dft.gov.uk/mca/mgn401-2.pdf](http://www.dft.gov.uk/mca/mgn401-2.pdf)

Marine Guidance Note MGN 401 (M+F) - Amendment (February 2013)

<https://www.gov.uk/government/publications/mgn-401a-vessel-traffic-services-and-local-port-services-in-uk>

The Port Marine Safety Code – October 2009 (DfT)

[www.dft.gov.uk/mca/pmsc\\_oct\\_2009.pdf](http://www.dft.gov.uk/mca/pmsc_oct_2009.pdf)

A Guide to Good Practice on Port Marine Operations – September 2009 (DfT)

[www.dft.gov.uk/mca/qtgp\\_aug\\_2009.pdf](http://www.dft.gov.uk/mca/qtgp_aug_2009.pdf)