



**Meeting: Harbour Committee**

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


**Wards Affected: All wards in Torbay**

**Report Title: Port Marine Safety Code - Annual Compliance Audit**

**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)**

---

## **1. Purpose**

- 1.1 This report provides Members with details of the annual Port Marine Safety Code compliance audit undertaken for the Council, as the Harbour Authority, by Nicholsons Risk Management Ltd.
- 1.2 The Harbour Committee, on behalf of the Council, is the 'Duty Holder' under the Port Marine Safety Code (PMSC) and Nicholsons Risk Management Ltd are the appointed 'Designated Person'.
- 1.3 The Committee is asked to note the PMSC Compliance Statement for 2014, attached as Appendix 1.
- 1.4 The Committee is asked to note the contents of the PMSC Compliance Audit Report for 2014, including the actions identified for implementation during 2014, attached as Appendix 2.
- 1.5 A table of Accident/Incident Statistics for 2014, as recommended in the PMSC Audit Report 2008, is attached as Appendix 3.
- 1.6 The Committee is asked to note the contents of the revised Tor Bay Harbour Committee Safety Management System, as attached as Appendix 4.

## **2. Summary**

- 2.1 Torbay Council, under their responsibilities as a Harbour Authority, has implemented the requirements of the Port Marine Safety Code as issued by the DETR in March 2000. The code is designed as a standard, to be achieved by Harbour Authorities in carrying out their duties and powers and to promote best practice.

- 2.2 The Port Marine Safety Code serves as a framework for the preparation of policies and plans relevant to the issues of concern in the code. In essence the code requires Harbour Authorities to ensure they maintain corporate governance over the activities entailed in the powers and duties they discharge.

---

## Supporting Information

### 3. Position

- 3.1 The Code states that ***“it is fundamental to an effective safety management system that each harbour authority should assign the functions of a ‘designated person’ to provide independent assurance to the ‘duty holder’ that the safety management system is working effectively and to audit the authority’s compliance with the Code”.***
- 3.2 Nicholsons Risk Management Ltd has been appointed the Designated Person to review the Tor Bay Harbour Safety Management System and annually report on compliance with the Port Marine Safety Code.
- 3.3 The last Port Marine Safety Code Compliance Audit Report was dated 19<sup>th</sup> November 2013 and was presented to the Harbour Committee on 16<sup>th</sup> December 2013.

## Appendices

Appendix 1 - Port Marine Safety Code Compliance Statement for 2014

Appendix 2 - Port Marine Safety Code Compliance Audit Report for 2014

Appendix 3 – Table of Accident/Incident Statistics 2014

Appendix 4 – Tor Bay Harbour Committee Safety Management System – Issue 13

## Additional Information

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

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/gtgp\\_aug\\_2009.pdf](http://www.dft.gov.uk/mca/gtgp_aug_2009.pdf)