

# DART HARBOUR AND NAVIGATION AUTHORITY



## Dart Harbour

### SAFETY MANAGEMENT SYSTEM **POLICY STATEMENT & SAFETY PLAN**

**In compliance with the  
PORT MARINE SAFETY CODE**

Prepared by: R K Giles BEng MNI (Harbour Master)  
01 December 2011

## **Dart Harbour Board Members**

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**DART HARBOUR AND NAVIGATION AUTHORITY - SAFETY MANAGEMENT SYSTEM**

**IN COMPLIANCE WITH THE PORT MARINE SAFETY CODE (PMSC)**

**SUMMARY AND INDEX**

**Policy:** To have a Safety Management System that is structured, cohesive and auditable.

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The Dart Harbour Board (DHB) is responsible for policy. The Harbour Master is responsible for the organisation and the facilities. The staff implements the policy. Together these three categories form the system that puts policy into effective practice.

## 1. **INTRODUCTION**

**1.1. Background** - The Port Marine Safety Code (PMSC) was first published in March 2000 and revised by the Department for Transport in 2009. It aims to establish an agreed national standard for port marine safety and a measurement system by which harbour authorities can be held accountable for legal powers and duties exercised.

**1.2. Dart Harbour and Navigation Authority (DHNA)** - The overarching plans and policies of Dart Harbour are contained in the DHNA Strategic Plan (2008-2010), due to be updated by the end of 2011, complemented by the DHNA Moorings Policy 2010-2015. They aim to discharge the roles and statutory duties which are placed on Dart Harbour by the Harbours, Docks and Piers Clauses Act (1847), the Dart Harbour and Navigation Authority Act (1975), the Dart harbour Revision Order (1992), and the Dart Harbour Byelaws (1998).

As part of the 1975 Act (updated by the Harbour Revision Order), the DHB was constituted, which is the overarching decision making Authority for a Trust Port of this nature.

The terms of reference of the DHB are to administer Dart Harbour in accordance with the 1975 Act and the recommendations of the Harbour Revision Order (2002).

The 1975 Act is based upon the 1847 Harbours, Docks and Piers Clauses Act, that gives the Harbour Master certain statutory powers concerning the management of the Harbour. Additionally, the 1964 Harbours Act provides for the operation to be self-financing with the Authority able to fix its own rates in order to pay for the work to be done.

**1.3. Aim** - The aim of this document is to describe and direct how Dart Harbour complies with the PMSC and how it will continue to do so.

**1.4. Managing Dart Harbour – The Safety Management System (SMS)** - The DHB is a safety conscious board which is accountable to all river users. It is committed to undertaking and regulating marine operations in a way that safeguards the Harbour, its users, the public and the environment.

The DH Board is the designated Duty Holder in accordance with the PMSC.

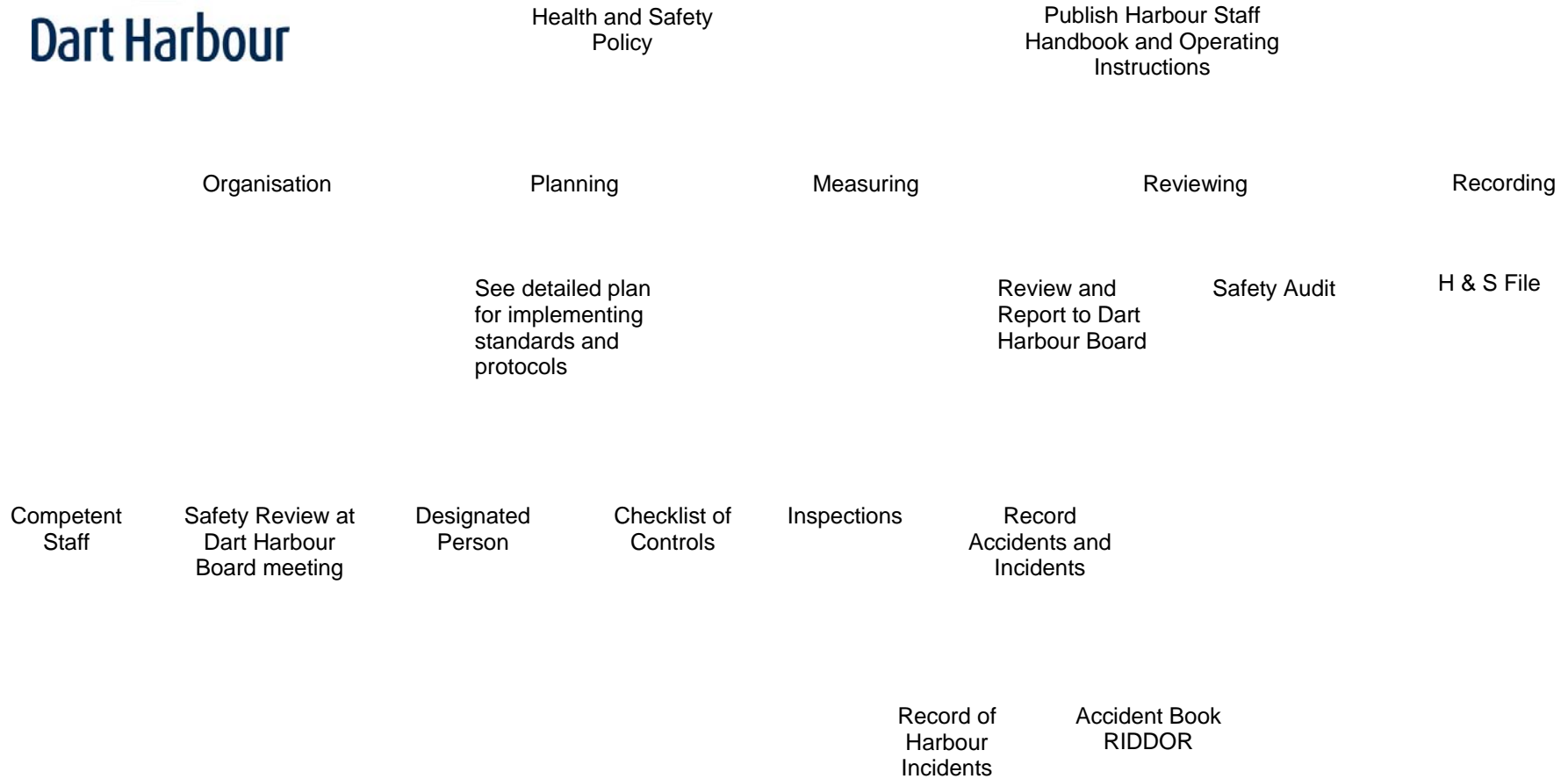
It has an established SMS, the components of which are shown diagrammatically on page 6.

The safety procedures that form the plan to implement the safety system are set out on page 13.

**1.5. Relevant Documentation** - Management of these safety controls and procedures are set out in existing public documents, which, together, form a cohesive web of management. As appropriate, relevant sections of these documents are cross-referenced to PMSC standards:

- Dart Harbour and Navigation Authority Strategic Business Plan (2008-2010)
- DHNA Annual Report (2010)
- River Dart Environmental Management Plan (2010-2015)
- The Dart Harbour and Navigation Authority Act (1975)
- Dart Harbour Byelaws (1998)
- Dart Harbour PMSC Response (circa 2002)
- Local Notices to Mariners and harbour publications, such as the Dart Harbour Guide (2011)
- Dart Harbour Emergency Plan
- Dart Harbour Oil Spill Response Plan (OPRC) and the Estuary Plan (EA)
- Dart Harbour Waste Management Plan
- Admiralty Chart 2253 (2011)

## 2. DART HARBOUR PMSC SAFETY MANAGEMENT SYSTEM



### **3. POLICY – SETTING A STANDARD**

- 3.1.** Dart Harbour is committed to running a safe, efficient and welcoming harbour that caters for the needs of the local communities, visitors and the environment. The six core principles that underpin all the activities of the DH are safety, stakeholder involvement, value for money, environmental stewardship, catalyst for substantial economic development and support for local employment. DH will provide a safe port within the limits of their jurisdiction, which is open to the public for the transportation of passengers and goods. It will enhance the safety of the harbour by exercising statutory conservancy functions to a high standard. It will regulate the use of the harbour by maintaining appropriate byelaws and ensuring that these and other statutory regulations are enforced. DH will ensure such marine services as are required for the safe use of their harbour are available and are maintained and operated to a high standard. DH will ensure that current plans are available to deal with emergency situations and that the resources required to implement these plans are maintained and exercised.
- 3.2.** The policy incorporates input from officers, staff and harbour users as high standards of safety can only be achieved through dialogue and co-operation. Dart Harbour shall identify, quantify and manage the significant marine risks associated with the harbour. This will ensure there is proper control of movements of all vessels by regulating the safe arrival, departure and movement within the harbour. Existing powers shall be reviewed on a periodic basis, to avoid failure in discharging duties or risk exceeding set limits. Plans and reports shall also be published as a means of improving the transparency and accountability of DH, as well as providing reassurance to the users of the port facilities. DH shall consider past events and incidents to recognise the potential dangers and the means of avoiding them.
- 3.3.** Dart Harbour is committed, specifically to:
- 3.3.1. Ensure that the best channels for navigation are determined, marked and monitored.
  - 3.3.2. Monitor lights and marks used for navigation within their jurisdiction.
  - 3.3.3. Provide Hydrographic surveys of the river when required for the maintenance of up-to-date charts (including charts of all moorings).
  - 3.3.4. Have an effective system for promulgation of navigation warnings affecting the harbour.
  - 3.3.5. Consider the effect of weather on harbour safety and promulgate warnings as required.
  - 3.3.6. Carry out all its functions with special regard to the possible environmental impact, protecting the unique character of the River Dart.

- 3.3.7. Consider the effect on the harbour of proposed changes in use or harbour works.
- 3.3.8. Maintain an up-to-date set of byelaws in consultation with port users and enforce them so as to effectively regulate harbour use.
- 3.3.9. Enforce all relevant statutory harbour legislation, health and safety regulations, the Merchant Shipping Act and Harbour Byelaws as necessary.
- 3.3.10. Licence and control all moorings and to designate suitable anchorages within harbour limits.
- 3.3.11. Provide suitable resources to deliver effective marine services such as the provision of harbour patrol craft.
- 3.3.12. Operate efficiently and safely the harbour workshops, machinery, plant, equipment harbour vessels, mooring berths, pontoons and grids.
- 3.3.13. Ensure that suitable plans for emergency situations are maintained and regularly updated and exercised.
- 3.3.14. Keep duties and powers under review.

**3.4.** Dart Harbour shall also:

- 3.4.1. Confirm the roles and responsibilities of key personnel at DH.
- 3.4.2. Outline present procedures for marine safety within the harbour and its approaches.
- 3.4.3. Measure performance against targets, after building a database recording incidents, including near misses.
- 3.4.4. Refer to emergency plans that would need to be exercised.
- 3.4.5. Be audited on an annual basis.

**3.5.** All employees have a duty to:

- 3.5.1. Comply with all harbour safety procedures as laid down by DH.
- 3.5.2. Ensure that marine operations are undertaken in a safe manner.
- 3.5.3. Report hazard, risk accident, incident or near miss to the Harbour Safety Officer.

- 3.6.** Harbour Users operating both commercially and for leisure are responsible for:
- 3.6.1. Their own health and safety and that of other harbour users who may be affected by their acts or omissions.
  - 3.6.2. Complying with byelaws, directions and other regulations aimed at ensuring safe use of the harbour.
- 3.7. Health and Safety Management System** - DH have adopted a SMS in compliance with the principles set out in the PMSC. The SMS includes policies for emergency plans, conservancy, the environment, management of navigation, pilotage and marine services.
- 3.8. Nominated Safety Officer** - The Harbour Master is the Safety Officer. In his absence, urgent safety matters should be referred to the Assistant Harbour Master.
- 3.9. Emergencies in the harbour** - Emergencies where life is in danger must be notified at once to the Coastguard by one of the following methods:
- 3.9.1. Dial 999 from a landline and ask for the Coastguard.
  - 3.9.2. VHF Channel 16.
  - 3.9.3. Dial 112 from a cellular phone and ask for the Coastguard.
- Other emergencies where life is not in danger should be notified to the duty officer by the quickest available means. The duty officer can be reached on the duty mobile 07968 839846.
- 3.10. Reporting of accidents or near misses** - The public are asked to bring matters of safety – all accidents, incidents and near misses – promptly to the attention of the Harbour Master at the Harbour Office on 01803 832337. The reports will be used to help in assessment of the effectiveness of the SMS.

Adopted by the Dart Harbour Board  
March 2012

## **4. ORGANISATION**

### **4.1. Accountability and Responsibility**

- 4.1.1. The Duty Holder - The DHB set the policy and strategy, and as such are collectively the Duty Holder. The Harbour Master and staff provide the means of implementing the policy.

Any decisions taken or policy set must take into account any issues related to harbour safety. The consideration of such issues is to be minuted. DHB are responsible for deciding where risks are to be insured, disclaimers issued and notices displayed. DH staff are responsible for provision of expertise and advice.

The delegation of responsibility is contained in the detailed job descriptions for all harbour staff. The organisation of the harbour staff is shown in the organisation plan at 4.4.

- 4.1.2. Designated Person - The Designated Person as described in the PMSC is Mr Simon Ellyatt.

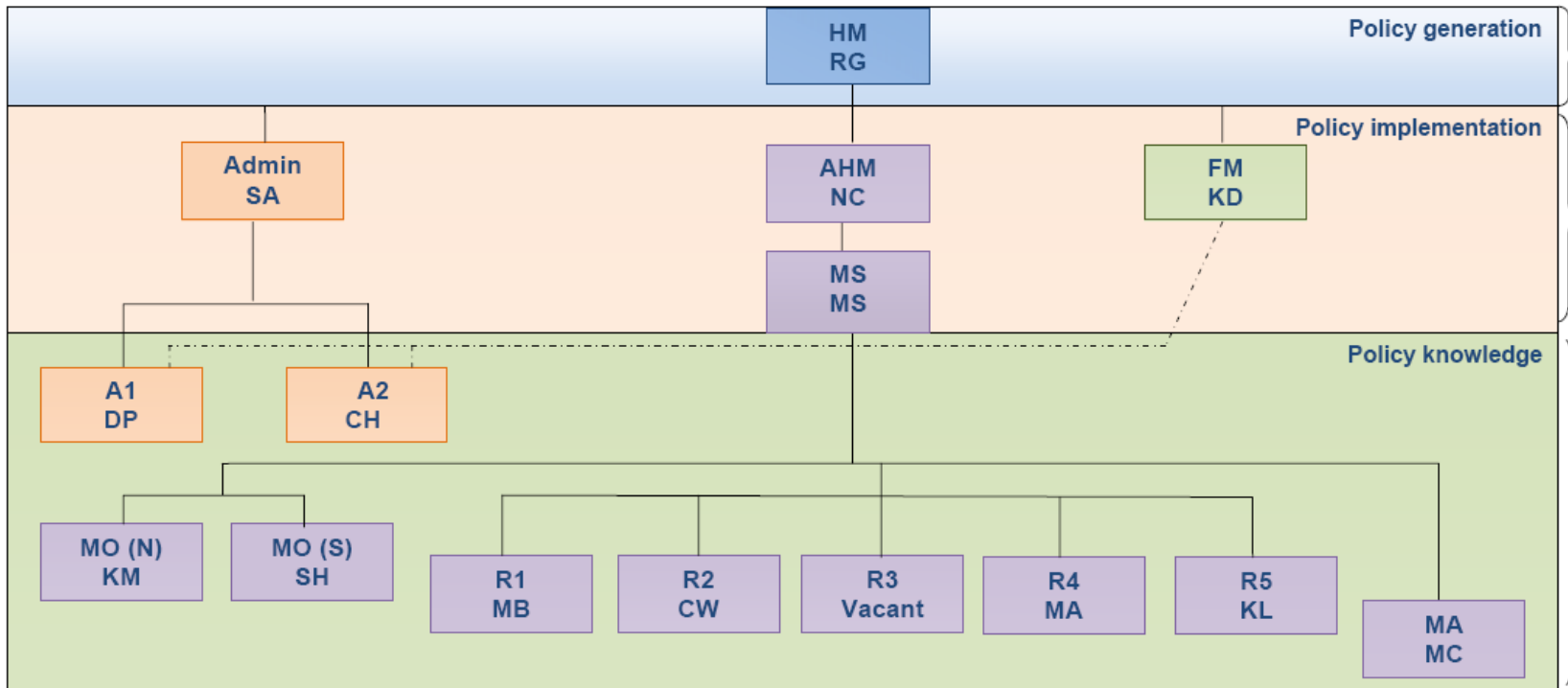
- 4.2. Competence Standards** - DHB will assess the fitness and competence of all persons appointed to positions with responsibility for safe navigation. Employees of the harbour are recruited on their suitability to fill their job descriptions. Employees are appraised annually and, at that time, their job description, performance and training requirements are reviewed. Reports on harbour staff are held in confidential personnel files in the harbour office.

- 4.3. Recruitment** - The Harbour Master recruits suitably qualified staff to fill the roles set out in the following organisation plan.

#### 4.4. Organisational Chart



### Dart Harbour ORGANISATION CHART



Key: ..... Functional Authority  
 ——— Line Management

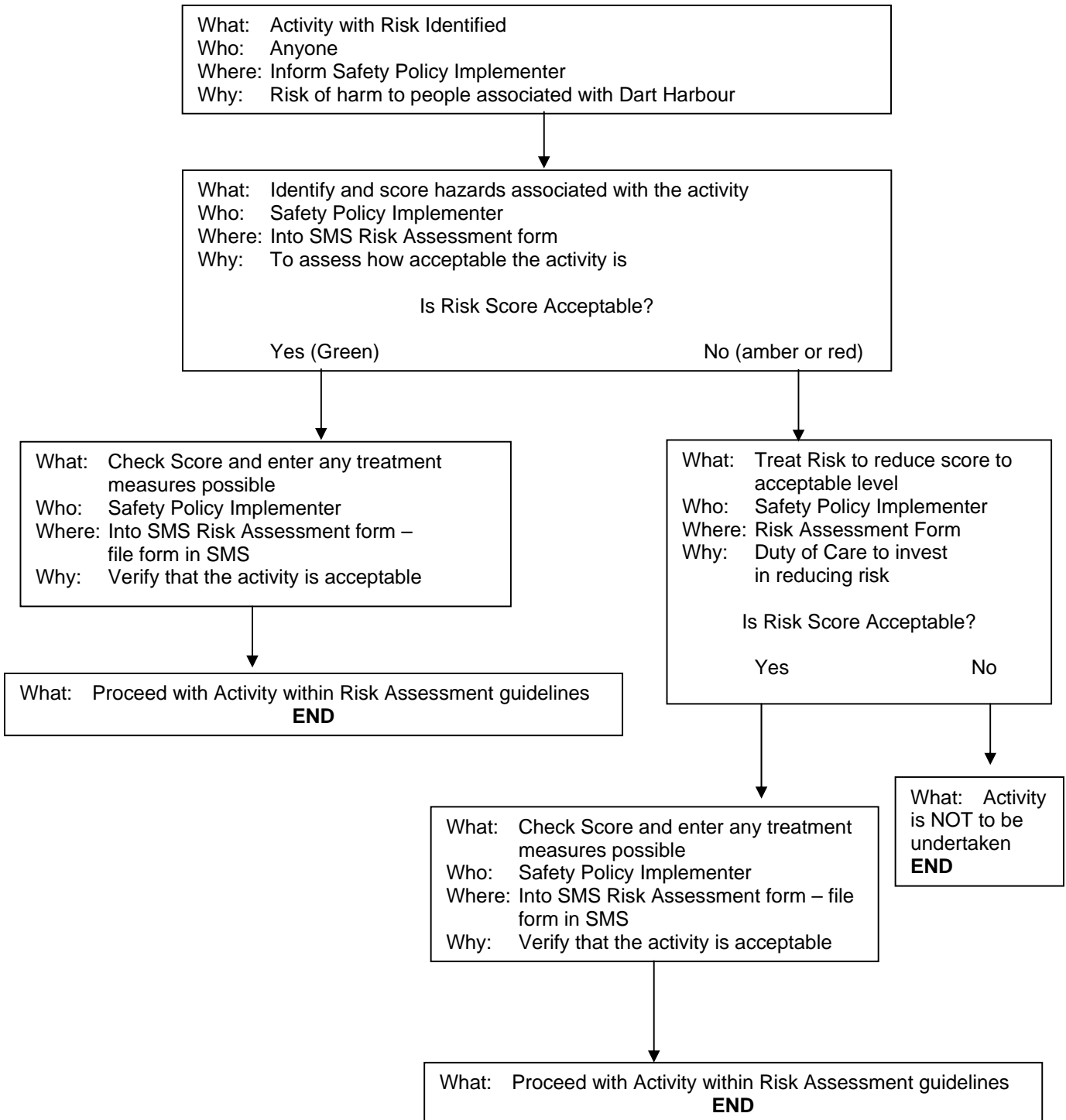
**4.5. Training Policy** - It is recognised that the successful implementation of the DH SMS can only be achieved through a policy of continuous training, with regular reviews of specific training requirements.

- 4.5.1. The training policy is to undertake training where appropriate for all members of staff in order to provide the services required by DH and expected by stakeholders. Officers and staff are to be suitably trained to be competent and qualified up to a minimum national standard to fulfil their roles within the organisation.
- 4.5.2. Safety training is regarded as an indispensable ingredient of an effective SMS and programme as it is with health and safety matters. It is essential that all involved in the safe management and operation of the port will be trained to perform their operations safely.
- 4.5.3. The main training profile for the DH is to ensure that all members of staff are qualified to operate all Dart Harbour vessels and the many items of equipment, such as cranes, used in the daily operation of the harbour. This includes re-validation of these qualifications. Training is seen as continuous to meet the ever-increasing demands made on DH.
- 4.5.4. It is vital that employees are promptly qualified in those areas where deficiencies are recognised. Employees are trained both internally and externally to achieve the requisite level.
- 4.5.5. Due to the seasonal nature of the work undertaken by DH staff, most of the staff perform service delivery duties during the summer months and maintenance operations during the winter. Both aspects require training.
- 4.5.6. Records of training show clearly the type and the date of training received, planned dates, and required dates with no date yet fixed.
- 4.5.7. Newly recruited personnel whose duties require them to go afloat require a minimum qualification of RYA Powerboat Level 2. These personnel will be trained locally to drive DH vessels. This will include the requirement to be qualified as a licensed boatman.
- 4.5.8. There will be induction training for seasonal staff prior to commencing their duties, in line with the requirements of the PMSC.
- 4.5.9. The importance of 'on the job' training in the workplace should not be underestimated as it forms an invaluable part of the overall training requirement.

**4.6. Team Briefing** - Regular team briefs are held to ensure good communications and quality, both in service and in adhering to the SMS.

## 5. PLANNING

### 5.1. Planning – Risk Assessments and Safety Management wiring diagram



**5.2. Consultation** - Consultation with harbour users continues through public meetings and through stakeholder group meetings. Feedback from these groups is presented to DHB as recommended in the Trust Ports Review and the Guide to Good Governance.

5.2.1. Consultation Process - To ensure that DHB has strong and direct links with harbour users, local communities and other external organisations with an interest in the river, a formal consultation mechanism has been set up. Three stakeholder groups have registered their interest to work with the Authority in relation to its future harbour activities:

5.2.1.1. The Commercial Users Group (CUG)

5.2.1.2. The Association of Dart River Users Clubs (ADRUC)

5.2.1.3. The Non-Beneficiaries Group (Non Bens)

The list of groups above is not exhaustive and it is anticipated that further community groups may be recognised and added as time progresses.

Consultation is a continuous and wide ranging process. It includes regular meetings with the South West Regional Ports Association (SWPRA), British Ports Association (BPA), UK Harbour Masters Association (UKHMA), Marine Management Organisation (MMO), South Devon Area of Outstanding Natural Beauty (AONB), the Maritime and Coastguard Agency (MCA).

**5.3. Risk Assessment** - It is the policy of Dart Harbour to have powers, policies, plans and procedures based upon a formal assessment of hazards and risks, and to have a formal SMS. The SMS shall be in place to ensure that all risks are controlled – the more severe risks must either be eliminated or kept “as low as reasonably practicable” (ALARP).

5.3.1. Detailed Risk Assessments - The activities and the responsibilities of Dart Harbour are covered in specified areas, for each of which there is a detailed risk assessment, following the principles laid down by the Health and Safety Executive (Five Steps to Safety) (HSE). Each risk assessment will assess the hazards associated with a specific activity, and assign it a score. The higher the score, the greater the degree of risk. A score of acceptability is set across the board for all hazards, and each score will be compared to the score of acceptability. Scores greater than the score of acceptability are therefore unacceptable and the activity will not normally be undertaken. The current score of acceptability is set at 15.

These comprehensive risk assessments have been revised where necessary and then endorsed by the Harbour Master on 1st December 2011.

The aim of the process is to eliminate risk or, where this is not possible (most cases), to reduce risk scores to as low as reasonably practicable. Formal risk assessments shall be used to:

5.3.1.1. Identify hazards and analyse risks

5.3.1.2. Assess these risks against the appropriate standard of acceptability

5.3.1.3. Where appropriate, consider a cost-benefit assessment of risk reducing measures.

5.3.1.4. Hazard scores are arrived at by scoring the likelihood and severity of any hazard out of 5. The two scores are multiplied together to give the hazard score.

**5.4. Significant Risks** - Significant risks are identified by those activities that attract a hazard score of 12 or more. These risks must be mitigated by the implementation of specific control measures, otherwise the activity will not be permitted.

If for any reason the SMS identifies a control measure that is not effective the activity is to cease until suitable control measures are in place and the risk mitigated to a score as low as reasonably practicable.

**5.5. Risk Controls** - The safety controls for the risks identified are to be reviewed and amended where necessary.

**5.6. Remove Unacceptable Risks** -

5.6.1. The greatest risks identified in the risk assessments.

There is a preferred hierarchy of risk control principles:

5.6.1.1. Eliminate risks by avoiding a hazardous procedure or substituting a less dangerous one.

5.6.1.2. Combat risks by taking protective measures to prevent risk.

5.6.1.3. Minimise risks by suitable systems of working.

No risk was assessed as frequently occurring with the consequence being either serious injury or a pollution incident requiring national assistance.

**5.7. Continuous Improvements** - Notwithstanding the scores arrived at in the risk assessment process, Dart Harbour strives to make continuous improvements. Based upon the risk assessment scores, the priorities identified by the Harbour Master for next year are:

- 5.7.1. Dredging.
- 5.7.2. Berthing improvements.
- 5.7.3. Consultation (e.g. Stoke Gabriel pontoon).
- 5.7.4. Development of Harbour Operations Manual.
- 5.7.5. Analysis of Assets.
- 5.7.6. Gaining of power to give General Directions.
- 5.7.7. Potential reissue of Byelaws.
- 5.7.8. Method statements to be revised and extracted from risk assessment sheets.
- 5.7.9. Improve signage and make it more clearly visible to the public, identifying potentially hazardous areas such as North and South Embankment quays and the scrubbing grids.

**5.8. Management of Safety Controls** – In the process of updating - To Be Issued

**5.9. Emergency Plans**

- 5.9.1. Emergency Policy of Dart Harbour Board - The Safety Management System will include preparations for emergencies and these should be identified as far as practicable from the formal risk assessments. Emergency plans are to be published and exercised.
- 5.9.2. Emergency Organisation and Management Responsibility - The Dart Harbour emergency plans detail the immediate action to be taken by harbour staff and the emergency services in the event of most foreseeable emergencies. They are held by all emergency services and local authorities.
- 5.9.3. The various emergency plans, in addition to the Dart Harbour general emergency plan, comprise:

- 5.9.3.1. The Dart Harbour fire plan.
  - 5.9.3.2. Specific fire plan for the Dart fuel barge, MV Crusader.
  - 5.9.3.3. The Dart Harbour Oil Spill Response Plan (OPRC).
  - 5.9.3.4. Dart Estuary Environmental Management Plan (AONB).
  - 5.9.3.5. Appropriate Maritime and Coastguard Agency (MCA).
  - 5.9.3.6. Appropriate Royal National Lifeboat Institution (RNLI) emergency plans and resources including the inshore lifeboat.
  - 5.9.3.7. Life-saving apparatus located at quays, slipways, boat parks and pontoons (to be issued).
  - 5.9.3.8. For the Harbour Office and Harbour Workshop:
    - 5.9.3.8.1. Fire drill and fire practices.
    - 5.9.3.8.2. Number and training state of First Aiders and First Aid boxes.
    - 5.9.3.8.3. Procedure to call the Emergency Services.
  - 5.9.3.9. Mud Rescue plan.
- 5.9.4. The emergency response relies on the regulated VHF procedures and channel allocation.

## **5.10. Conservancy**

- 5.10.1. Conservancy Policy of Dart Harbour Board.
  - 5.10.1.1. Dart Harbour Board (DHB) recognises its duty as a Competent Harbour Authority (CHA) to conserve the harbour so that it is fit for use as a port, and a duty of care to see that the harbour is in a fit condition for a vessel to use it.
  - 5.10.1.2. DHB will aim to provide users with adequate information about conditions in the harbour.
  - 5.10.1.3. DHB recognises the extent of its duty and powers as a Local Lighthouse Authority (LLA); and specific powers in relation to wrecks.
- 5.10.2. Conservancy Organisation and Management Responsibility.

5.10.2.1. Hydrography - Hydrographic records of dredged and naturally occurring channels in the harbour are maintained by Dart Harbour.

The UK Hydrographic Office (UKHO) receives all Hydrographic information and Local Notices to Mariners (LNTM) produced by Dart Harbour. A formal agreement with UKHO has been signed (Nov 2011).

Any data on new dredging works convened by Dart Harbour will be forwarded to UKHO once the dredging work is complete.

Admiralty Chart 2253 (Dartmouth Harbour) is kept up to date. (See Binder 6 - Chart Outfit details).

5.10.3. Works and Dredging Licences - The harbour has regulations and conditions for the issue and control of works licences. Dredging will not normally be carried out by bodies other than by Dart Harbour or its contractors. A permit to work scheme is in the process of being introduced and is expected to be incorporated within 12 months.

5.10.4. Buoyage and Navigation Aids - Dart Harbour has a comprehensive, well maintained and modern system of aids to navigation based upon risk assessment and installed in consultation with Trinity House. The routine inspection and maintenance regime is laid down and records are kept in Binder 6 Buoyage and Navigation Aids File.

5.10.5. Anchorages - Anchorages are shown on Admiralty Chart 2253 and their operation is subject to risk assessment and review. The anchorages and the areas where not to anchor are promulgated in annual publications.

5.10.6. Prevailing Conditions - The Meteorological Office's inshore waters, shipping forecast and 2 and 5 days forecasts are displayed at the harbour office and updated daily. Information is readily available in the media and on the web.

**5.11. Environment** - DHB recognises its duty to exercise its functions with regard to nature conservation and other related environmental considerations.

5.11.1. Environmental Management Plan - The policy and functional objectives for managing the River Dart within an Area of Outstanding Natural Beauty (AONB) in an environmentally responsible and sustainable way are contained in the River Dart Environmental Management Plan. Goals and targets are further set in the River Dart Moorings Policy 2010-2015. Limits have been set on the total number of moorings and pontoons. The Harbour Authority has adopted a Waste Management Plan. The harbour has an environmental management system. The prospect of a sewage pump out facility for holding tanks is currently being investigated. The harbour authority's Marine Conservation (AONB) Officer maintains good liaison and working links with Natural England and the Environment Agency, who are

consulted on potentially damaging operations before a licence to work is granted. There are several emergency plans drawn up to deal with accidents that might potentially threaten the environment.

- 5.11.2. Education - DH has a Marine Conservation (AONB) Officer with a remit for a programme of environmental education, both formal and informal. This includes a very wide range of awareness raising initiatives, including interpretation boards, information leaflets, illustrated talks and guided walks throughout the river. The Marine Conservation Officer provides close formal links with schools and universities and more informal links with local community and other special interest groups in the area. All known educational activities in the harbour are subject to risk assessments and are led by qualified staff.

## **5.12. Management Of Navigation**

### 5.12.1. Policy for Management of Navigation.

- 5.12.1.1. DH has rules in its Byelaws which every river user must adhere to as a condition of his or her right to use the harbour.
- 5.12.1.2. DH recognises its duty to make proper use of powers to make byelaws, and to regulate all vessel movements in its waters.
- 5.12.1.3. These powers shall be exercised in support of the policies and procedures developed in the DH SMS, and should be used to manage the navigation of all vessels.

### 5.12.2. Management of Navigation Organisation and Management Responsibility

- 5.12.2.1. Port Passage Guidance - There is no standing requirement for any vessel in Dart Harbour to file a port passage plan.
- 5.12.2.2. Patrols - The Harbour maintains a comprehensive patrol presence on the harbour to enforce byelaws and other laws. There is a 24 hour call out system in operation.
- 5.12.2.3. Byelaws - The DHB has byelaws, revised in 1998, that provide effective control measures to manage the hazards identified in the risk assessments.
- 5.12.2.4. Events - The Harbour Master works closely with all sailing clubs and organisations who use the estuary. Special arrangements are made to promote the safety of the events they run.

5.12.2.5. Moorings - The Dart Harbour Authority maintains moorings to a high standard on behalf of the DHB. Procedures are laid down for safe operation of the mooring barges. Conditions for mooring licenses, issued by the harbour, require that all moorings are fit for purpose and are inspected annually.

**5.13. Pilotage** - Dart Harbour and Navigation Authority limits are a compulsory Pilotage District as laid down by Section 1 of the Pilotage Act 1987 defining Dart Harbour as a Competent Harbour Authority( CHA). Vessels over 50m length overall are required to take a pilot in the Outer Zone. Dart Harbour has engaged a portfolio of pilots to meet pilotage tasking. The pilotage file contains details (Binder 7). Pilotage activity is the subject of detailed risk assessments, to minimise risk to vessels transiting within the pilotage zones, and to the harbour and all contained within it.

5.13.1. Pilotage Exemption Certificates (PEC) - For transit of both inner and outer zones using a vessel less than 50m LOA engaged in commercial activity a valid PEC is required for the skipper. DH endorses PECs annually subject to the skipper being suitably qualified. Commercial companies carry out their own method statement and risk assessment work which is reviewed annually by DH prior to an operational licence being issued (Binder 11 - Commercial Operations).

#### **5.14. Marine Services**

##### 5.14.1. Policy for Marine Services

5.14.1.1. DH's Safety Management System shall cover the use of harbour craft and the provision of moorings.

5.14.1.2. The formal safety assessment shall be used to identify the need for, and potential benefits of safety management of harbour craft.

5.14.1.3. DH shall ensure that all vessels or craft which are used in the harbour are fit for purpose, and that crew are appropriately trained and qualified for the tasks they are likely to perform.

5.14.1.4. DH shall ensure that byelaws are available for these purposes.

##### 5.14.2. Marine Services Organisation and Management Responsibility

5.14.2.1. Craft Regulation - MCA Certification is required for commercial vessels, including trip boats, venturing outside harbour limits. Passenger vessels, including ferry boats (under 12 people) require a licence to operate (issued by SHDC). Vessels and skippers of chartered boats venturing outside harbour limits are regulated according to MCA codes of practice. Ferries, trip boats and taxis carrying no more than 12 people must have SHDC boat and

boatman's licences. If part of a company they must also have a valid operating licence. Those carrying more than 12 must have MCA certification.

- 5.14.2.2. Towage - Only those staff who have successfully completed a towage training course are permitted to take vessels in tow.
- 5.14.2.3. Workboats - There are procedures for the safe operation of harbour launches based on the risk assessments.
- 5.14.2.4. Diving - Any diving within the river requires a permit to dive signed by the Harbour Master.
- 5.14.2.5. Dredging - Dredging is only to be carried out by contractors approved by the Harbour Master.
- 5.14.2.6. Salvage - Only suitably experienced staff are permitted to take part in a salvage operation, and strictly only under the direction of the Harbour Master.
- 5.14.2.7. Fuel Barge Afloat - The fuel barge located in the estuary is subject to an annual SHDC or Devon County Council license to sell petrol or diesel. The Harbour Master's approval is required before any licence is issued or renewed.

## **6. MEASUREMENT**

**6.1. Recording Accidents and Incidents - An incident log is maintained in the harbour office.** Records are kept of all accidents, incidents and complaints (Binder 3) that come to the attention of DH. Any follow up action that may be required is recorded. Written complaints and replies are held on file.

**6.2. Safety Inspections and Checklist of Controls -** There is a calendar for the review of safety topics. There is a checklist of safety control measures.

## **7. REVIEW**

**7.1. General** - DH will monitor, review and audit the SMS on a regular basis. Performance of the system will be assessed against internal performance indicators and, where appropriate, by benchmarking against other ports that have adopted good practice. The review will be as follows:-

7.1.1. Monthly - Harbour Master.

7.1.2. Six Monthly - Designated Person.

7.1.3. Annually - DH Insurers.

7.1.4. Annually - DHB.

**7.2. Procedure for Reviews** - The Harbour Master will include both in his staff meetings and in board meetings a review of any accidents, incidents or near misses. Investigations by the Harbour Master of marine incidents have two essential purposes:

7.2.1. To determine the cause of the incident, with a view to preventing a recurrence of that incident (or similar), and

7.2.2. To determine if an offence has been committed. If this is the case then there may be the need for DH to involve the Marine Accident Investigation Branch (MAIB). There is potential in some cases for prosecution through another authority such as the police or the MCA.

By ensuring that a robust, rigorous, independent investigation has been carried out, the DH can be assured that their obligations for compliance have been addressed.

Any conclusions from investigations or lessons learned will be included in the SMS together with measures being taken to prevent recurrence. If appropriate a more detailed report will be submitted to DHB, the MAIB and to any other appropriate authorities by the quickest means possible. Where necessary the MCA may undertake a verification visit. These verification visits are usually arranged following an MAIB investigation into an incident, but could also be triggered by other indicators of non-compliance.

**7.3. Annual Review and Report** - An audit of the SMS will be conducted each year by the chosen Dart Harbour auditor. There will be an overview of accidents and failures during the year, with recommendations for addressing shortcomings. This will be reported to the board each year. Notwithstanding this report, the system will be kept under continuous appraisal and immediate action taken where necessary. The MCA will annually ask the Duty Holder (DHB) to confirm in writing that DH is complying with the PMSC.

## **8. RECORD AND PUBLISH**

**8.1. Records** - Dart Harbour will maintain due diligence records. This Safety Management System is in itself clear evidence of care and commitment. The risk assessments provide considerable further examples of how the safety policy has been put into practice.

**8.2. Publication of Plans and Records** - The safety plan for marine operations will be published every year to demonstrate DHs commitment to maritime safety and ensure the involvement of harbour users. It will be referred to at the annual meeting open to the press and public. The plan will illustrate how the policies and procedures will be developed to satisfy the requirements under the Code. It will commit DH to undertake and regulate marine operations in a way that safeguards DH, its users, the public and the environment. It will refer to commercial activities in the harbour, the efficient provision of specified services and the effective regulation of vessels. It will also explain how commercial pressures would be managed without undermining the safe provision of services and the efficient discharge of its duties. The DHB, as duty holder, will also publish an assessment of the DH performance against the plan. Information gathered from the monitoring and auditing of the SMS will be used to support the analysis and conclusions.