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SOUTH HAMS SALCOMBE HARBOUR BOARD - MONDAY, 4TH FEBRUARY, 2013

Agenda, Reports and Minutes for the meeting

Agenda No Item

1. **Agenda Letter** (Pages 1 - 2)

2. **Reports**

Reports to Harbour Board:

- a) Item 8 - Whitestrand Shower Project (Pages 3 - 6)
- b) Item 9 - Island Cruising Club Fees and Charges (Pages 7 - 10)
- c) Item 10 - Dealing with Unreported Collisions (Pages 11 - 28)
- d) Item 11 - Moorings Policy - clarification of facility capability (Pages 29 - 32)
- e) Item 12 - Port Marine Safety Code (Pages 33 - 74)
- f) Item 13 - Performance Management (Pages 75 - 78)
- g) Item 14 - Opinion Meter Survey 2012 (Pages 79 - 86)
- h) Item 15 - Matters for Future Consideration (Pages 87 - 90)
- i) Item 16 - Moorings Policy Enforcement (Pages 91 - 96)

3. **Minutes** (Pages 97 - 104)

Agenda Item 1

To: Chairman & Members of the Salcombe Harbour Board
(Cllrs R J Carter, M J Hicks, KRH Wingate and S A E Wright)
Co-opted Members – Mr J Barrett, Mr C C Harling,
Mr H Marriage, Mr M Mackley, Mr A Thomson and Mr P Waring)

Our Ref: CS/KT

cc: Remainder of Council for information
Usual press and officer circulation

25 January, 2013

Dear Member

A meeting of the **Salcombe Harbour Board** will be held at **Cliff House, Salcombe** on **Monday, 4 February, 2013**, at **2.30 pm** when your attendance is requested.

Yours sincerely

Kathryn Trant
Member Services Manager

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| <p>FOR ANY QUERIES ON THIS AGENDA, PLEASE CONTACT KATHRYN TRANT THE SENIOR MEMBER SUPPORT OFFICER ON DIRECT LINE 01803 861185</p> |
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A G E N D A

1. **Apologies for Absence;**
2. **Minutes** - to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Board held on 12 November, 2012 (pages 1 to 5);
3. **Urgent Business** - brought forward at the discretion of the Chairman;
4. **Division of Agenda** - to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;
5. **Declarations of Interest** – Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests, they may have in any items to be considered at this meeting;
6. **Public Question Time** – a period of up to 15 minutes is available to deal with questions from the public;
7. **Feedback from Harbour Community Forums** – to receive verbal reports from Board Members who attend the Harbour Community Forums on behalf of the Board;

8. **Whitestrand Shower Project** – to consider a report that updates the Board on this project and requests additional funds (pages 6 to 8);
9. **Island Cruising Club Fees and Charges** – to consider a report in which the Island Cruising Club requests a reduction in their mooring fees (pages 9 to 12);
10. **Dealing with Unreported Collisions** – to consider a report which sets out a range of measures to deal with the problem of unreported collisions (pages 13 to 26);
11. **Moorings Policy – clarification of facility capability** – to consider a report which seeks to clarify the policy on Mooring Facility boat lengths and propose a way forward for dealing with boats that are too big for the allocated facility (pages 27 to 30);
12. **Port Marine Safety Code** – to consider a report which appraises Members of the Harbour Authority's compliance with the Port Marine Safety Code (pages 31 to 68);
13. **Performance Management** – to consider a report which reports the Harbour's performance against agreed Performance indicators (PIs) (pages 69 to 80);
14. **Opinion Meter Survey 2012** – to consider a report which reports the findings of the 2012 Opinion Meter Survey (pages 81 to 87);
15. **Matters for Future Consideration** – to consider a report which identifies matters for future consideration by the Harbour Board (pages 88 to 90);
16. **Moorings Policy Enforcement** – to consider a report which sets out a request for a private pontoon (pages 91 to 95).

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MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

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AGENDA
ITEM

8

SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

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|--------------------------|-----------------------------------|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | Whitestrاند Shower Project |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of Report

To update Board on Whitestrاند Shower Project and request additional funds.

Financial Implications

The project cost is £47,000, to be funded from the Harbour General Reserve.

RECOMMENDATION

That the Harbour Board RESOLVES to recommend to Council an increase in the budget for the Whitestrاند Shower Project to £47,000.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

- 1.1 There has been a long standing aspiration for the Harbour Board to provide shower facilities for the crews of visiting yachts. The provision of showers has been an objective in the last two five year plans (SH62/11).
- 1.2 The Board agreed a budget of £15,000 for the provision of showers in September 2011 (SH 28/11).
- 1.3 Planning Permission was approved in March 2012; however the design was changed to require a pitched roof and natural stone elevation
- 1.4 The project was initially envisaged the District Council undertaking the building work, however due to a shortage of capacity, the project was

tendered commercially in December 2012. The tender closing date was 17 January 2013.

- 1.5 Unfortunately the eventual tender price was more than was originally estimated in 2011, requiring approval for increased expenditure to £47,000. This includes a contingency of £4,500 and all of the design and planning costs.

2. MATTERS FOR CONSIDERATION

- 2.1 The Harbour has struggled for many years to find a way to provide shower facilities for visiting yachtsmen. The lack of showers has regularly featured as the major shortcoming of the Harbour in customer satisfaction surveys.
- 2.2 The original estimate of cost to build the showers was for a much simpler block design with the work being completed by the Council workforce. Following the increased specification to meet the planning requirements and the capacity limitation of the Council's workforce, the project was tendered and the resultant price was much greater than anticipated.
- 2.3 With hindsight the budget estimate should have been re-adjusted prior to the tender process
- 2.4 **Proposals.** As The District Council have identified a suitable contractor who can complete the work by 28 March 2013 and although it is more than originally estimated, the Harbour Authority has the funds available to complete the work it is proposed that the budget be increased to £47,000.

3. LEGAL IMPLICATIONS

- 3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

- 4.1 The project to be funded from the Harbour General Reserve up to £47,000.

5. RISK ASSESSMENT

- 5.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|-----------------------------|-----------------|------------------------|------------|-----------------------------------|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| To delay the project to the | 3 | 2 | 6 | The opportunity exists to |

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| winter 2013/14 would incur further costs and miss the opportunity to provide the facilities visitors expect for another year, missing the opportunity to enhance the Harbour's reputation. | | | | complete this work prior to Easter 2013 so the facility would be available throughout the forthcoming season. |
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| Corporate priorities engaged: | Community Life Economy Environment |
| Statutory powers | The Pier & Harbour (Salcombe) Order Act 1954 |
| Consideration of equality and human rights: | There are no equality or human rights issues with this report |
| Biodiversity considerations: | None |
| Sustainability considerations: | None |
| Crime and disorder implications: | None |
| Background Papers: | SH.28/11 – 2012/13 Budget SH 62/11 – Strategic Business Plan 2012-2017 |
| Appendices attached: | None |

Ian Gibson
Harbour Master

Salcombe Harbour Board
4 February 2012

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AGENDA
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SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

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|--------------------------|--|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | ISLAND CRUISING CLUB – FEES AND CHARGES |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of Report

To consider a request from the Island Cruising Club to reduce their mooring charges.

Financial Implications

A reduction in the ICC's mooring charges similar to that offered to the charitable element of the ICC would cost the Harbour Authority £4,515 in 2013.

RECOMMENDATION

That the Harbour Board RESOLVES to decline the request from The Island Cruising Club for a reduction in their Mooring Charges for 2013/14 for the reasons set out in paragraph 2.3.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

- 1.1 On 28 March 2011 (**SH53/10**), the Board agreed to a proposal from the ICC regarding the moorings allocated to that organisation. The agreement was for the Harbour Authority to withdraw all of the facilities currently allocated to the Island Cruising Club at the end of the 2011/12 season. The Harbour Authority would then subsequently consider separate requests from the Island Cruising Club, the Egremont Trust and ICC Salcombe Ltd in November 2011 for the allocation of mooring facilities for the 2012/13 season. Upon re-allocation, the mooring licences will be changed to harbour serviced moorings.

- 1.2 The serviced moorings used directly by the charity, The Egremont Trust, would be offered at a discounted rate to the normal mooring charge. The allocation of the Egremont's mooring would be subject to adequate provision for the disposal of Egremont in the event that the re-organisation fails. Following discussions with the ICC's management, to ease the financial burden upon the charity during its transition, it was agreed that the charitable element of the re-structured ICC would receive a 75% discount on the charity's moorings in 2012/13, this level of discount would then reduce by 5% annually until a discounted level of 50% is reached, this would be in 2017 when the level of discount would be reviewed again. **(SH 29/11).**

2. MATTERS FOR CONSIDERATION

- 2.1 The Island Cruising Club (ICC) members club have requested a discounted rate for their moorings to assist their finances through the transitory phase, Appendix 1.
- 2.2 The Island Cruising Club has 14 Deep Water Moorings allocated for their Club's use. The cost of these serviced moorings in 2013 will be £6,021.11. To offer the Island Cruising Club a discount similar to the ICC Charitable elements would cost the Harbour Authority £4,515.
- 2.3 As the Island Cruising Club is a members club, it is suggested that it is not appropriate to offer moorings at discounted rates.

3. LEGAL IMPLICATIONS

- 3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

- 4.1 A reduction in the ICC's mooring charges similar to that offered to the charitable element of the ICC would cost the Harbour Authority £4,515 in 2013. This is roughly equivalent to a 1% levy on all other harbour users.

5. Risk Assessment

- 5.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|--|-----------------|------------------------|------------|---|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| The Island Cruising Club cannot afford the moorings they require to accommodate their fleet of boats. | 3 | 2 | 6 | The Island Cruising Club should reduce their moorings requirement to match their financial situation. |
| If a discount is offered to the Island Cruising Club, there will be other Clubs and organisations using the Harbour who may consider | 3 | 3 | 9 | Each request should be viewed on its merits. The principal of the user should pay for the services they receive should be adhered to. |

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| that they should be offered a similar discount. This would place the Harbour Authority into a difficult situation regarding fairness and equitable treatment of all Harbour Users and could put the Harbour Authority into financial difficulties. | | | | |
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| Corporate priorities engaged: | Community Life Economy Environment |
| Statutory powers | The Pier & Harbour (Salcombe) Order Act 1954 |
| Consideration of equality and human rights: | There are no equality or human rights issues with this report |
| Biodiversity considerations: | None |
| Sustainability considerations: | None |
| Crime and disorder implications: | None |
| Background Papers: | SH 53/10 – Restructuring of the ICC SH 29/11 – Fees and Charges 2013/13. |
| Appendices attached: | 1. Request from ICC to consider a reduction in Mooring Charges. |

Ian Gibson
Harbour Master

Salcombe Harbour Board
4 February 2012

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AGENDA
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SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

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|--------------------------|---|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | DEALING WITH UNREPORTED COLLISIONS |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of Report

To consider a range of measures to deal with the problem of unreported collisions.

RECOMMENDATION

That the Harbour Board RESOLVES to implement the measures described at paragraph 2.4.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

1.1 There has been a long standing issue relating to harbour users not reporting minor collisions to the harbour Authority as required by Bye-Law 14 – Notification of Collisions etc.

1.2 The problem was most recently considered by the Harbour Board on 26 September 2011. SH32/11 the Board **RESOLVED**: That the Harbour Board follow the measures set out in paragraph 2.4 of the presented report in an attempt to encourage responsible use of the estuary, where all collisions, no matter how minor, are reported. The actions referred to were:

- Continued education of the requirements to report collisions is required. This can be achieved by:
 - Salcombe Yacht Club to their members and to visitors before open event
 - Island Cruising Club to members and to the dinghy instructor
- Article in the 2011 Harbour newsletter.

- Vigilance of the Harbour Staff whilst afloat

- 1.3 There was a reduction in the incidence of the reporting of minor collisions from 42 in 2011/12 to 21 in 2012/13. This reduction could in part be attributed to different weather conditions; however there have been a number of angry boat owners who have suffered damage and the incidents have not been reported by the perpetrator, there have been 19 such reports over the last 2 years.
- 1.4 Following a question during Public Questions at the Board meeting on 12 November 2012 it was agreed that this subject would be brought back to the Harbour Board on 4 February 2013 after all commercial users, clubs and Harbour Forums have been canvassed; their feedback for consideration is at Appendix 1 and 2.

2. MATTERS FOR CONSIDERATION

- 2.1 The Harbour wrote to all of the clubs, commercial operators and the Harbour Community Forums in October requesting their input on how the issue of unreported collisions could be addressed. The response was disappointing with only seven responses being received.
- 2.2 This is a problem common to many harbours within the region. It was raised by the Harbour Master at a meeting of the South West Regional Ports Group on 12 December 2012. The experiences of many are similar to those experienced in Salcombe. The most constructive feedback was from a harbour that had widely distributed collision/accident report forms to harbour users. This had raised the awareness of harbour users to the requirement to report collisions.
- 2.3 There is no easy fix for the problem of unreported collisions; the large number of ever changing harbour users makes it a never ending educational issue. Gaining the support and understanding of the Clubs and main user groups will aid the education process, but it remains every harbour user's responsibility to act responsibly and report minor collisions, accidents and mishaps to the Harbour Office.
- 2.4 **Proposals.** The following proposals have been made and are could, if embraced, help reduce the problem of unreported collisions:
- 2.4.1 To simplify the accident reporting form. Appendix 3.
- 2.4.2 To distribute accident report forms widely and to highlight the issue at every suitable opportunity.
- 2.4.3 For clubs to disseminate the message to their members that all collisions must be reported to the Harbour Office. This includes participants of events and regattas.
- 2.4.4 It is recommended that all clubs that manage and host racing event to treat moored boats as marks of the course and therefore any contact would invoke a race penalty.
- 2.4.5 To include a note in the Harbour Guide. This will be in 2014 now as 2013 Harbour Guide has been printed.

2.4.6 Hire boat operators to be reminded of the requirement for their customers to report any collisions.

2.4.7 The Harbour Office continues to collect collision and damage data which can be used to inform future decisions.

3. LEGAL IMPLICATIONS

3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).

3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

4.1 There are no new financial implications as a result of this report.

5. Risk Assessment

5.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|--|-----------------|------------------------|------------|--|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| The Harbour Authority is striving to reduce the number of unreported collisions within the Harbour | 3 | 2 | 6 | The Harbour Board, consider a range of measures that raises the profile of the requirement to report all collisions. |

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| Corporate priorities engaged: | Community Life Economy Environment |
| Statutory powers | The Pier & Harbour (Salcombe) Order Act 1954 |
| Consideration of equality and human rights: | There are no equality or human rights issues with this report |
| Biodiversity considerations: | None |
| Sustainability considerations: | None |
| Crime and disorder implications: | None |
| Background Papers: | SH.32/11 – Minor Collisions SH.23/12 – Public Questions – Unreported Collisions |
| Appendices attached: | 1. Feedback on how to address unreported collisions. 2. SYC Letter dated 10 December 2012. 3. Accident Report Form. |

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Feedback from Harbour Community Forums, Commercial Operators and Clubs

The HM wrote on 17 October:

You may or may not be aware that there is considerable concern within the Harbour about the number of unreported minor collisions and the consequent damage to boat's topsides.

Bye-Law 14 requires any collision to be notified to the harbour Authority as soon as practicable after the event. Unfortunately, there must be many harbour users who are either unaware of the Bye-law or chose to ignore them.

The Harbour Board have been considering how best to tackle the problem and would welcome your comments on how your organisation suggests the Harbour Authority tackles the issue. It would be impossible to eliminate all accidents, but it should be possible to find a way of informing and educating harbour users of their responsibility to report collisions so that unsuspecting owners do not constantly have to find damage to their property when they visit their boats.

I am writing to all Harbour Forums, user groups and businesses to enlist their support. The subject will be discussed at the January 2013 Board Meeting, could I therefore request any thoughts you might like to contribute to the debate on this issue by 12 December?

Bye-Law 14

Notification of Collisions etc

14. The master of a vessel which

- (a) has been involved in a collision with any vessel or property or has been sunk or grounded or become stranded in the harbour or
- (b) by reason of accident fire defect or otherwise is in such a condition as to affect its safe navigation or to give rise to danger to other vessels or property or
- (c) in any manner gives rise to an obstruction to a fairway

shall as soon as reasonably practicable report the occurrence to the Harbour Master and thereafter provide the Harbour Master with full details in writing and where the damage to a vessel is such as to affect or be likely to affect its seaworthiness the master shall not move the vessel except to clear the fairway or to moor or anchor in safety otherwise than with the permission and in accordance with the directions of the Harbour Master

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| | Feedback |
| Yeowards | Improved Signage, Instructions in Harbour Guide, Note with all issued Harbour Dues stickers. |
| South Sands Ferry | <p>My thoughts are;-</p> <ol style="list-style-type: none"> 1. Definition of collision needs to be clarified. 2. "Bumps" between 2 boats with owners on board and no damage – no report. 3. " Bumps", no damage, no owner on board – report yes. Damage often not immediately obvious 4. Collision with damage should be reported unless both owners on board and both agree that damage can be easily fixed and no fault. Why escalate and involve SHA? 5. Use a simplified "Accident Report Form" ie not the MAIB form which implies the incident will become an overkill involving the MAIB. 6. Dinghy racing should be banned from the foreshore mooring – too congested, high risk area. 7 If a racing dinghy collides with a moored vessel the dinghy should suffer a penalty (ie 360 degrees). This would make the 'helm' take more care and leave more safety margin. 7. Obviously any collision involving injury must be reported. |
| Member of SYC | <p>I wonder if there is some mileage in the Harbour Master building a map of where the collisions occur, the extent of the damage and the identities of the proven culprits. If repeated occurrences happen in specific locations, perhaps the solution is to move the moorings?</p> <p>Some of the collisions with moored boats that I have heard of are with boats that are moored alongside the</p> |

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| | <p>channel in the bag, and if there is a cross tide these boats are often abeam across the channel.</p> <p>Maybe the density of moorings in the harbour is too high for safe navigation by other harbour users.</p> <p>As the member of SKEA points out, collisions with moored boats is not exclusively the domain of small craft. Incompetence also extends to owners of larger boats who are often insufficiently experienced to control their craft at low speed in our tidal waters. "</p> |
| Member of SKEA | <p>From my own experience it depends on independent observers reporting the incident. Some years ago there was an incident in the Bag when two irresponsible young men on a HobiCat holed a Salcombe Yawl on its moorings. A local fisherman witness the event and reported it to the Harbour Master.</p> <p>On another occasion, a German visiting yacht failed to allow for the tide stream and struck my yacht, a 41 foot long-keel ketch, on its mooring in The Bag and failed to report it. I was informed by the owners on the yacht moored behind me who had witnessed the incident. I went over to the German yacht, which was moored in the entrance to Frogmore Creek. Fortunately for me, there was little or no damage to my boat which was of heavy construction, but it had obviously been a collision of some force, as shown by the damage to the toe-rail and stanchions on the German boat.</p> <p>So as an initial suggestion, perhaps a note in the harbour guide to encourage harbour users to report any incidents that they witness</p> |
| KEBC | <p>Thank you for your request to comment on the issue of minor collisions. The topic was discussed at a recent committee meeting and members were given the opportunity to add any further comment at our last club meeting. The views expressed supported your assertion that this is a significant issue and comment is provided below. The committee asked that I take the opportunity to comment on 2 other issues.</p> <p>Minor Collisions: The club will broadcast to members the need to be aware of Bye law 14 and its contents. The 'Boatwatch' teams will also be asked to keep a special eye open. However, it was felt that many casual users of the estuary are not made aware of the Bye law and should be.</p> <p>The drivers of self drive hire boats were seen as a particular target community who appear to receive a minimum</p> |

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| | <p>amount of instruction but have the ability to go almost anywhere in the estuary with vessels that can inflict significant damage. It was felt that greater oversight of the preparation of the users was necessary. This is considered important to aid prevention and increase awareness of the Bye law to aid reporting. The club is not aware of any minimum requirements for qualification to use any of these boats. The committee felt that these boats should be clearly and individually identifiable from all aspects when in use. It was also questioned whether the number and freedom of these vessels should be restricted in order that areas such as congested trots etc are not available to unfamiliar boat drivers.</p> <p>It was also recognised that during racing the pressures on helmsmen are considerable and this can be a source of both collision and non reporting. Visiting racers should be reminded of the obligations on helmsmen for both safe navigation and collision avoidance.</p> |
| SYC | See Appendix 2 |
| Salcombe Dinghy Sailing | <p>I am quite sure that there must have been occasions over the years, when one of our hire boats has been in a minor incident and it has gone unreported to us or the harbour office. It is very unlikely that this involves any tuition boats, as these nearly always have an instructor in the boat or a rescue boat alongside on a one to one basis.</p> <p>Any occasion where one of our dinghies is seen alongside a moored boat is always checked out. However it is impossible to be everywhere, and it is quite likely that a hirer could do some damage and not own up to it. If there is no damage to the hire boat and nothing was seen, then there is no reason to suspect anything has taken place, All hirers are asked if there is anything to report and if they have had a good sail. There have been several examples of incidents taking place and we have contacted the owner and paid for minor repairs. There have been two or three incidents over 15 years where insurance companies were involved with a more major collision. Last season as far as I am aware was completely trouble free as the weather was generally poor and the novice sailors did not generally venture out. Our hires were well down on previous years.</p> <p>We do take a lot of precautions to try to prevent incidents taking place. All our Wayfarers have double bow puddings on them as one does not necessarily absorb all the impact. Hirers are checked out for their experience and in some cases are limited to a defined sailing area which is in open water. If the conditions are difficult, they have their sailing area restricted. We arrange tows through The Bag and meet crews at the entrance of Frogmore Creek if conditions or hirers look as if they could pose a risk. We rig the boats with small sails if it is windy and sometimes change a hire to a tuition session if we think the hirer is not competent in the prevailing conditions of wind and tide.</p> <p>I think the harbour knows quite well which groups or organisations contribute the biggest problem. Less</p> |

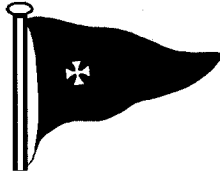
experienced sailors bringing their own boats down for their holidays and sometimes letting their children loose in them should not be overlooked. Certainly we have had to provide assistance to quite a few. However I would suggest that pressure of use is the main issue and that a lot of user groups contribute to the overall problem. The harbour can pose challenging conditions for even the more experienced water users, particularly around half tide. At low tide there is very little by way of water to use and in the summer a lot of people wanting to use it.

One frustrating statistic in the harbour is that a lot of the boats cluttering up the fairways are very rarely used and just sit there taking up space. Not sure how you tackle that one! I've tried to be as honest as possible with your request for feedback. The following are a list of proposals for consideration. I really do feel we go out of our way to reduce the risks as far as we can.

1. As a hirer of boats, it would be very useful information for the harbour to provide a scatter graph of where in the harbour these minor collisions have taken place. Extra precautions can then be taken by everyone with regard to this in these areas.
2. Following on from this it would be very useful to know when the damage is occurring as far as this can be assessed. Regatta weeks??
3. Look into the idea of designated sail training area, like the entrance of Frogmore Creek where anchoring is prohibited between 10am and 5pm so there is always some water to sail on clear of boats.

Keep the fairways as clear as possible so that navigation is made easier through certain difficult parts of the harbour.

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10TH December 2012

Dear Ian

Salcombe Yacht Club

SYC are taking every possible step to reduce incidents between racing boats and other Harbour users. We will continue to work with the Harbour to ensure that dinghy racing continues to take its important role within this Harbour Community.

In October 2012 Dinghy Race Management Structure and Risk Assessment was updated. The Harbour Board has a copy of this. I attach our latest version dated Dec. 2012. No comments have been received from the Harbour Board regarding this document.

It is the responsibility of the Race Officer to decide to run a race. The following is an extract from the above document.

'The decision to allow a race to take place/continue will be that of the OOD, in marginal conditions a flag officer may be consulted and the decision to race will be that of the Flag Officer. The Chain of command is Commodore- Flag Officer-OOD.'

The steps that we have taken are as follows

1. We have introduced a **new rule** that any competing boat that collides with a moored craft will perform a penalty turn may result in disqualification.
2. Safety boat crews are asked to report any collisions they see to the Race Officer
3. Other competitors are asked to report any collisions they see to the Race Officer.

Club Members have been informed of this New Rule and at all events where we have visiting sailors the competitors will be informed of the Rule during the event briefing.

We are taking steps to reduce the number of incidents between racing craft and other Harbour users and we hope other operators within the harbour are doing likewise.

Yours sincerely

pp Julian Meek
Rear Commodore Sailing

Salcombe Yacht Club – Dinghy Race Management Structure and Risk Assessment

Activity Dates: Saturday afternoon club racing, Weekend open meetings, Merlin Rocket week and Yacht Club Regatta.

Assessment by: Julian Meek

Location Salcombe Yacht Club

Watch House grid reference: SX975841

Activity: Competitive dinghy racing

Personnel Involved: Club members, visitors, rescue boat crew and race management staff.

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The club racing operates on Saturday afternoons from the beginning of march until New Year's Day.

The club organise a number of events throughout the year when racing takes place throughout the day.

Racing takes place within Kingsbridge estuary, Salcombe Harbour and the Range.

A suitable race course will be set by the Officer of the Day (OOD)

The decision to allow a race to take place/continue will be that of the OOD, in marginal conditions a flag officer may be consulted and the decision to race will be that of the Flag Officer. The chain of command is Commodore – Flag Officer - OOD

Safety boat cover is provided and will be co-ordinated by the OOD.

| What are the hazards? | Who might be harmed and how | Control measures | Further action required | Action by whom | Action by when | Done |
|---|---|--|--|--|--|------|
| Water | Competitors and rescue boat crew HYPOTHERMIA DROWNING. | Compulsory use of buoyancy aids in strong winds. Safety boats in attendance. Safety boat procedure in place. Procedure for casualty evacuation. Constant vigilance. Careful consideration of prevailing conditions, number of racing craft and harbour users. | Lifejackets flag to be flown. All rescue boats to carry handheld VHF radio Radio checks to be carried out. Dynamic assessment of all conditions | OOD Watch house staff/rescue boat crews OOD | Before the 1 st race start When required | |
| Weather conditions Cold | Competitors and rescue boat crew Prolonged exposure to cold conditions or water immersion HYPOTHERMIA | Be aware of air temperature and wind chill ensure all learners and staff are adequately dressed for the conditions. In marginal conditions be mindful of the effects of the cold conditions and how they affect those exposed. Go ashore in the event of a thunder storm. | Consider shortening the race As considered prudent | OOD OOD OOD | When required When required | |
| Weather conditions Hot/sunny | Competitors and rescue boat crew Exposure to sun SUN BURN HEAT EXHAUSTION | Be aware of the effects of prolonged exposure to the sun and how it could affect water users. | Advise competitors and rescue boat crews in extreme conditions. | OOD | When required | |
| Wind conditions Unsuitable for racing. | Competitors Capsize leading to HYPOTHERMIA. Collision causing injury. BRUISING CUT/LACERATION | Always obtain an accurate weather forecast for the location. Do not run races if weather is unsuitable, consider: Current wind speed and direction, Forecast, Tidal flow, Ratio of competitors to rescue boats and amount of harbour traffic. Go ashore in the event of a thunder storm. | Daily Assess conditions prior to race and dynamically during race, consider abandoning racing if conditions deteriorate. | OOD OOD to consult flag officer in marginal conditions. | Daily during event | |

| | | | | | |
|---------------------------|--|---|---|--|---|
| Entrapment & entanglement | Competitor becomes trapped under boat or sail | Safety boat crews to be vigilant regarding the possibility of such an event. Knives for cutting free to be kept on safety boats | In the event of boats capsizing. | Rescue boat crews | |
| Other water craft | Collision with ferries, yachts, powered vessels, canoes etc. leading to injury or death. | OOD to enforce fairway when practicable Safety boat crews maintain vigilance to prevent competitors colliding with other vessels whenever possible. | Assessed on the day Advice to be given at event briefings. Instruction to be given to competitors by rescue boat crews. | OOD Rear CS to make briefing OOD to make rescue boat crews aware of traffic movements. | At event briefing Daily or when required |
| Wild life | Stings, bites, cuts. Could result in competitors or rescue boat crew going into shock | Minor injury first aid kit to be kept aboard safety boats More serious injury/medical condition to be treated by emergency services CONTACT COASTGUARD CALL 999 | Rescue boat first aid kits maintained OOD aware of emergency procedure Emergency procedure is posted on the wall of the watch house and by the telephone. | Jayne Morris OOD | Following use |

| | | | | | |
|---|--|---|--|---------------------|--------------------------------|
| Visibility | Competitors and rescue boat crews, disorientation DISTRESS | OOD to dynamically assess the conditions and abandon racing if visibility deteriorates. | To be assessed continually by OOD whilst communicating with rescue boats | OOD | Continuously |
| Sailing area | Competitors and rescue boat crew. | Select a suitable operating area be aware of hazards within the area e.g. rocks, shallow water and the movement of other boats. Be aware of state, flow and change of tidal height/depth. | To be assessed prior to setting the race course. | OOD | Prior to race starts |
| Transfer on-off to boat or boat to land | Competitors and rescue boat crew | Give suitable guidance to persons moving between craft/land, when coming alongside sailing dinghy advise persons to be away from the sides of the craft. | Advice to be given prior to transfers. | Rescue boat driver. | Prior to embarkation |
| Rescue boats Underway | Rescue boat crews Struck by another boat, struck by boom, falling from boat DROWNING ABRASION/BRUISE/ CUT/LACERATION | Rescue boat crew crews to be vigilant and to observe all boat in fleet and other water users | Rescue boat coxswains to show due diligence whilst operating craft | Rescue boat crew | Prior to operating rescue boat |
| Outboard Propeller | Competitors and rescue boat crew Persons contacting moving propeller CUT/LACERATION/ AMPUTATION/ FATALITY | Rescue boat drivers to wear kill cord when practicable. Extreme care when approaching a capsized dinghy. Kill engine if anyone is close to the propeller. | Rescue boat coxswains to show due diligence whilst operating craft | Rescue boat crew | Prior to operating rescue boat |

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Salcombe Harbour Accident Report Form

Bye-Law 14 - Notification of Collisions etc

The master of a vessel which

- (a) has been involved in a collision with any vessel or property or has been sunk or grounded or become stranded in the harbour or
- (b) by reason of accident fire defect or otherwise is in such a condition as to affect its safe navigation or to give rise to danger to other vessels or property or
- (c) in any manner gives rise to an obstruction to a fairway

shall as soon as reasonably practicable report the occurrence to the Harbour Master and thereafter provide the Harbour Master with full details in writing and where the damage to a vessel is such as to affect or be likely to affect its seaworthiness the master shall not move the vessel except to clear the fairway or to moor or anchor in safety otherwise than with the permission and in accordance with the directions of the Harbour Master.

| | | | | |
|--------------|--------------------------------|--------|------------------|--|
| Who | Boat name | | Type | |
| | Owner | | Helm | |
| | Address | | | |
| | Telephone | | | |
| | e-mail | | | |
| What | Owner details exchanged | Yes/No | | |
| | What Happened | | | |
| | What Happened | | | |
| | What Happened | | | |
| | Name of other Vessels involved | | Casualty Details | |
| Where | Location of incident | | | |
| When | Date of Incident | | Time | |
| | Name | | Signature | |

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AGENDA
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SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

11

| | |
|--------------------------|---|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | MOORINGS POLICY – CLARIFICATION OF FACILITY CAPACITIES |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of Report

To clarify the policy on Mooring Facility boat lengths and propose a way forward for dealing with boats that are too big for the allocated facility.

RECOMMENDATION

That the Harbour Board RESOLVES to implement the proposals at Para 1.6 immediately and consult the Harbour Community Forums on the proposals at Para 1.7, with a view to implementing them on 1 April 2014.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104).

1. BACKGROUND

1.1 Over recent years the trend has been for boats to get bigger and outboard motors to get longer. All of the harbour's mooring facilities are designed to take a maximum size of vessel and historically this has been largely self regulating. Unfortunately we have now reached the stage where something must be done to check the problem. The problem is at its most acute at Victoria Quay pontoons, with boat and outboard combined length being greater than the overall facility length, that it can be impossible for some customers with inside berths to get in and out of their mooring. There are already indications that this issue is beginning to be a problem at Batson pontoons. Left unchecked this problem could, in time, adversely affect many more areas of the harbour by compromising safety.

1.2 This report seeks to clarify the Harbour Board's strategy on maximum overall boat lengths for Harbour Mooring Facilities, and propose some

measures to initially mitigate the problem and ultimately, in time, to resolve it.

2. ISSUES FOR CONSIDERATION

2.1 Resident Berthing Facilities Summary:

| Mooring Facility | Boat Size | Mooring Contract Period | Remarks |
|--|-------------|-------------------------|---|
| Deep Water Swinging/fore&Aft Mooring | 7.5 - 20m | 12 Months | Deep draft or keel boats \leq 7.5m by special arrangements. Minimum charge for 7.5m |
| Deep Water Pontoon Berths | 7.5 - 20m | 12 Months | |
| South Sands Moorings | \leq 6.1m | May to September | |
| Foreshore Drying Moorings, West Bag, Bowcombe & Southville | \leq 7.5m | 12 Months | Boats moored at Bowcombe to be moved to a more sheltered mooring from 1 November to 30 April. |
| Foreshore Drying Moorings off Salcombe | \leq 6.1m | 12 Months | |
| Foreshore Drying Moorings Batson Creek | \leq 5.5m | 12 Months | |
| Kingsbridge Pontoons | \leq 5.5m | 12 Months | |
| Kingsbridge Wall Moorings | \leq 5.5m | 12 Months | |
| Batson Pontoons | \leq 5.5m | April to October | |
| Shadycombe Pontoon | \leq 5.5m | 12 Months | |
| Victoria Quay Pontoon | \leq 5.5m | April to October | |
| Whitestrاند Tender Berthing | \leq 4.2m | 12 Months | Charges apply in July and August. Consideration to be given to an annual charge for tender berthing. |
| Frogmore & South Pool Pontoons | \leq 4.2m | 12 Months | Prolonged berthing, ie more than 1 tide, on upstream side only. |

1.5 Moorings Policy Clarification:

6.0.20 Length Overall (LOA) means the overall length of the space occupied by the boat including any fore and aft projections, temporary or permanent including pushpits, bowsprits, bumkins, davits, tilted outboards, rudders etc.

1.6 Proposals for immediate implementation:

1.6.1 All boats that berth on any Harbour Facility with an outboard motor which is left in the raised position should cover the propeller and skeg with a bucket or similar device to protect other boats from damage.

1.6.2 Boats on the Harbour's Pontoons, Victoria Quay, Batson, Shadycombe and Kingsbridge that have a LOA of more than the maximum 5.5m but under 6.0m should be given notice that they will have to move to a more suitable facility or change their boat to a

compliant size by 1 April 2016. Boats that are currently allocated and over 6.0m, should have a compliance deadline of 1 April 2014. To implement this, the Harbour Staff will physically measure all existing boats and inform owners. In the mean time, all new allocations will be strictly controlled to be within the 5.5m LOA.

- 1.7 Proposals for further consultation with the Harbour Community Forums with a target date for implementation of 1 April 2014:
 - 1.7.1 There are currently 30 boats on the Coad Cove Pontoons between 6m and 8m in length. Following the introduction of the fingers to the Coad Cove Deep water Residents' Pontoon for boats up to 8m SH 27/12, it is proposed to lower the minimum length on the Residents' pontoons from 7.5m to 6m. The 6-8m boats will normally be accommodated on the Finger berths. This would make good use of the fingers and offers customers, who are prepared to pay a small premium, a deep water berth whilst not adversely affecting the deep water mooring waiting list.
 - 1.7.2 It is proposed that the minimum charge for all deep water mooring facilities be increased from 7.5m to 8m. This would represent a small increase in mooring charges for the smaller boats prepared to pay a premium for a deep water facility.
 - 1.7.3 Tender berthing at Whitestrand, South Pool and Frogmore are becoming more of a problem with customers leaving boats for long periods unattended. The introduction of a charge at Whitestrand for July and August is now well established and the improved summer arrangements work well. It is proposed that the Board should consider the introduction of a small charge for the use of Whitestrand, South Pool and Frogmore Pontoons for the long term berthing of vessels up to 4.2m year round. The additional charge will simply cover the Harbour's administration costs for repeatedly contacting owners to tend to their boats and the frequent requirement to bail boats out.
 - 1.7.4 Should the Kingsbridge Pontoon project be delivered in 2014, it is proposed that existing vessels allocated wall or pontoon facilities between 5.5m and 6m LOA should be accommodated as a legacy vessel until the owner gives up the mooring or changes their boat. Boats of 6m and over will be offered an alternative foreshore mooring.

3. LEGAL IMPLICATIONS

- 3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

- 4.1 The increase in the minimum charge for deep water pontoon berths from 7.5m to 8m will, at 2013 prices for the 30 vessels under 8m, generate an additional £950 income. **Page 31**

- 4.2 The introduction of a year round berthing permit for Whitestrand, South Pool and Frogmore, based on the number of small craft berthed on these pontoons on 7 December 2012, would be £4,000, based on an annual charge of £100.

5. Risk Assessment

- 5.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|--|-----------------|------------------------|------------|---|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| The Harbour's pontoon berths become dangerous and inaccessible for some customers if boat lengths continue to rise more than the design maximum. | 3 | 3 | 9 | More rigid enforcement of the policy. |
| Damage to boats structures from exposed propellers | 2 | 3 | 6 | Introduce the requirement to cover propellers to prevent damage to other boats. |
| Boats left on Whitestrand, South Pool and Frogmore pontoons year around need constant attention to keep them safe. | 2 | 3 | 6 | The introduction of a small charge may make owners think more carefully about the implications of leaving a small boat unattended for long periods. |

Corporate priorities engaged:

Community Life
Economy
Environment

Consideration of equality and human rights:

There are no equality or human rights issues with this report

Biodiversity considerations:

Harbour Board's policies have a bearing on biodiversity.

Sustainability considerations:

The Harbour policies need to consider sustainability.

Crime and disorder implications:

None

Background Papers:

SH 27/12 Deep water Moorings
SH 36/12 Moorings Policy

Appendices attached:

None

AGENDA
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SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

12

| | |
|--------------------------|--------------------------------|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | PORT MARINE SAFETY CODE |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of Report

To appraise Members on Salcombe Harbour Authorities' compliance with the Port Marine Safety Code.

RECOMMENDATION

That the Harbour Board RESOLVES to:

- a. Accept the findings of the Audit at Appendix 1 and 2.
- b. Endorse and publish the 10th edition of the Safety Management System dated 27 November 2012 at Appendix 3.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

- 1.1 The Port Marine Safety Code (PMSC) was published in March 2000 and revised in October 2009 by Department of Environment, Transport and Regions (DETR) Ports Division. Its aim is to establish an agreed national standard for port marine safety and a measure by which harbour authorities can be held accountable for the legal powers and duties which they have to run harbours safely.
- 1.2 To audit Salcombe's compliance and advise on any changes, developments and safety issues, the Harbour Authority has appointed an independent designated person who reported on 27 November 2012 that, in their opinion there is in place a safety management system which, if maintained actively, complies with the requirements of the PMSC, Appendix 1.

2. ISSUES FOR CONSIDERATION

- 2.1 During the Audit a number of issues were raised, these are detailed in the Independent Designated Person's letter at Appendix 2.
- 2.2 The Harbour's Safety management System has been updated to Issue 10 dated 27 November 2012. The complete revised document is at Appendix 3.

3. LEGAL IMPLICATIONS

- 3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

- 4.1 None in the preparation of this report other than officer time although there will be financial implications for the delivery of harbour safety improvements.

5. Risk Assessment

- 5.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|---|-----------------|------------------------|------------|---|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| The Harbour Authority is working towards a safe and improving service to harbour users. | 3 | 3 | 9 | The Harbour Board, considers many routine issues annually, topical items are brought to the Board as they arise. |
| Failure to maintain a safe harbour could result in risk to life, limb and property. | 3 | 3 | 9 | The Harbour maintains a Safety Management System which is reviewed bi-annually by an independent Designated Person. |

| | |
|--|---|
| Corporate priorities engaged: | Community Life Economy Environment |
| Statutory powers | The Pier & Harbour (Salcombe) Order Act 1954 |
| Consideration of equality and human rights: | There are no equality or human rights issues with this report |
| Biodiversity considerations: | None |
| Sustainability considerations: | None |
| Crime and disorder implications: | None |
| Background Papers: | None |
| Appendices attached: | 1. Nicholson Risk Management's Report dated 27 November 2012. 2. Nicholson Risk Management's letter dated 27 November 2012. 3. Salcombe Harbour Board Safety Management System Issue 10 dated 27 November 2012. |

Ian Gibson
Harbour Master

Salcombe Harbour Board
4 February 2013

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Nicholsons

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The Harbour Master,
Salcombe Harbour Office,
Whitestrاند,
Salcombe,
Devon, TQ8 8BU

27 November 2012

Dear Ian,

It was very useful to have a review with both you and the Chairman, John Carter, and I found the dummy investigation of our Safety Management System based on the revised MCA Aide-Memoire quite reassuring. I hope you both did too.

We did find that the exercise showed that there were one or two improvements that could be made to our documentation. Enclosed is the updated Safety Management System, Issue 10.

Also enclosed is a certificate of compliance.

The review did not reveal any changes in the activities in the harbour. There are no changes in safety law or regulation to affect the harbour. There have been no changes in your staff, other than the seasonals.

The Harbour maintains clear accident and incident records. Consideration will be given to publish a summary of them in the annual report. Below are two examples taken from actual annual reports. One shows a detailed analysis with percentage comparisons with the preceding year. The other example is better at showing any trend as it groups accidents and shows data over a four or five year period.

There were no fatalities this year, no fires and no significant environmental accidents or incidents. The crew member of one yacht dislocated his shoulder. The back swing of an anchor by the father hit his son. A member of the public fell into the mud at Kingsbridge Basin and had to be rescued. There was an occasion when racing was run when the wind was so strong it was unsafe to do so, but fortunately there were no serious accidents that day. There were no accidents or injuries to staff that needed to be reported to the HSE under the RIDDOR regulations.

All of the risk assessments have been reviewed this month. There were just a few changes and updates required. Each of the three Assistant Harbour Masters was involved in the risk assessments that related to their area of responsibility with their counter signature added to the risk assessments which fall within their area of responsibility and therefore ownership. For each assessment there was a formal check that the risks are now as low as reasonably practical. Where actions were identified they are recorded below in the list of planned continuous improvements.

The control of risk heavily depends on staff doing what they should; not just to work safely but to implement the controls. There are now 17 Method Statements for Operations in Salcombe Harbour.

It was seen that these are on file and readily available in the workshop mess room. Staff have recorded their awareness and a recent review by signing each Method Statement relevant to their work.

The SHB training programme is a further important measure to affect safe and efficient working. It was seen that the records are up to date. Manual handling training will be provided by the Council's trainer. Attendance at a fire practice will be recorded.

Salcombe Harbour Board attaches great importance in seeing that the "customers" requirements are being satisfied. Consideration is being given to have Salcombe Yacht Club recognised as a member of the Harbour Community Forum. Stakeholder groups have been asked for input from the Board on the problem of unreported collisions, so consideration can be given to their response prior to the 2013 season.

Where actions were identified last year, the following have now been completed,

1. Review Method Statements and amplify the one setting out the definition of lone working and what is required to keep lone working risks as low as reasonably practical.
2. Assess the response that is given by the sailing clubs and other organisations that have been asked to show the Harbour Master their risk assessments and controls.
3. Consider adding training for Sublift to Mastertrain commitment. Revalidate initial training at 5 year intervals.
4. Acquire a suitable vessel for encouragement of good seamanship and enforcement of Harbour Bye-laws.

Initiated and ongoing

- Customers with a mooring licence are being asked to confirm that the mooring tackle has been inspected and maintained where necessary.
- Continuing to enforce the mooring policy allocating moorings to those who are permanently resident within the South Hams.
- Continue to seek ways of informing and educating harbour users on safety issues, such as wearing lifejackets (automatic ones being the lifejacket of choice), life jacket maintenance, don't drink and drown and the dangers of venturing outside the harbour. Continue to press the Yacht Club to require adequate personal buoyancy to be worn by all competitors in boats that might capsize, including those sailing yawls. Advice to call Coast Guard in an emergency, rather Police, Fire Brigade or Ambulance. Publish articles in relevant Magazines and Harbour Guide.
- Continue to monitor safe performance of skippers of trip boats and ferry boats. Enforce the requirement for survey and stability tests.
- Continue to press for the need for "Edge protection where 2m drop". The risk at Whitstrand has been repeatedly raised with H&S committee of SHDC, who own quays.
- Continue to monitor safe performance of ferry boat skippers. Enforce the requirement for survey and stability tests.
- Continue to ask the RNLI to mark their fuel bund displaying notices warning of its flammable contents.

The Safety Management System of the Salcombe Harbour Board includes a policy of continuous improvement to bring the risks to As Low as Reasonably Practicable [ALARP]. Currently this includes the following,

1. Implement the 5 Year Business Plan, with the aim of supplying 21st Century facilities without changing the character of the estuary. Amongst other things the plan includes,
 - Kingsbridge Pontoon and berthing arrangements due for upgrade in 2014, this will remove vertical ladders access requirement with all access being down a bridge.
 - Fish Quay access changes will reduce conflict between fish lorries and public car park. This work was commenced in November 10 by Hyder Consultants on behalf of SHDC, with construction work planned to complete in summer 2013.
2. Salcombe Town Council is developing a Master Plan for the operation of all the Town and District Council's land assets in Salcombe. This will cover inter alia,
 - Fish quay repairs and improvements, to include stabilising, improved access and traffic circularisation, with a reduction in conflict between boat park and fish quay users.
 - Shadycombe Car/Boat parking.
 - Island Street Industrial units
 - Whitestrand car park
 - Jubilee Pier
 - Cliff House Gardens
3. Consider promoting training and refresher courses for those on sailing boats as well as power. It is now a 6th point added to the original 5 safety recommendations made by the RYA and RNLI
4. Incident Comparison: Consider publishing incident data in the annual report so that stakeholders may discern any trends.
5. The Designated Person to be invited to attend the 15 July meeting of the Harbour Commissioners.
6. Publish Notices to Mariners via e distribution, on harbour notice boards and on Twitter.
7. Advise the Yacht Club on the need to have their race officers properly briefed on their safety responsibilities. See an example on Appendix 2.
8. Issue the SHB safety policy (in the Safety Management System) to any contractor that is taken on.
9. When the byelaws are next modified, prohibit
 - Windsurfing in main fairway during July and August.
 - Cruising yachts of 7m and larger from sailing between the Salcombe Harbour Hotel and the Saltstone in July and August.
 - Scrubbing foulings within the estuary that could subsequently pollute the water.
10. Hold fire practices in SHB premises and a desk top exercise to examine action to be taken in various scenarios of fire afloat. Record staff involvement in the training records

Many thanks for your help in completing this annual task.

Yours sincerely,

Peter Nicholson

Examples of Incident Statistics in Annual Reports

Example A.

| Incident Type | 2009/10 | | 2010/11 | |
|-------------------------------------|---------|-----|---------|----|
| | No. | % | No. | % |
| Stranding | 7 | 6 | 2 | 3 |
| Stranded Vehicles | 0 | 0 | 0 | 0 |
| Submerged Vehicles | 0 | 0 | 0 | 0 |
| Grounding | 4 | 3 | 6 | 8 |
| Tender | 9 | 7 | 2 | 4 |
| Mooring | 3 | 2 | 2 | 3 |
| Moored Vessel Sinking | 11 | 9 | 10 | 13 |
| Sunken Vessel | 3 | 3 | 7 | 9 |
| Vessel Adrift | 20 | 16 | 16 | 21 |
| Collision | 2 | 2 | 1 | 1 |
| Other Impact | 4 | 3 | 1 | 1 |
| Near Miss | 1 | 1 | 0 | 0 |
| Obstruction to Navigation, Floating | 2 | 2 | 0 | |
| Obstruction to Navigation, fixed | 0 | 0 | 0 | 0 |
| Capsize with personnel | 1 | 1 | 0 | 0 |
| Mechanical Failure | 31 | 25 | 18 | 24 |
| Fire | 1 | 1 | 3 | 4 |
| Vandalism & Interference & Falls | 23 | 19 | 3 | 4 |
| Trips & falls on pontoon | 0 | 0 | 1 | 1 |
| Swimmers in difficulty | 0 | 0 | 0 | 0 |
| Pollution | 0 | 0 | 3 | 4 |
| | TOTAL | 122 | 75 | |

Example B.

| | <u>2012</u> | <u>2011</u> | <u>2010</u> | <u>2009</u> |
|--------------------------------------|-------------|-------------|-------------|-------------|
| Vessels Aground | 32 | 30 | 23 | 30 |
| Collisions with moored vessels | 7 | 8 | 22 | 27 |
| Collision / Near Miss moving vessels | 12 | 10 | 15 | 6 |
| Broken adrift from mooring | 18 | 20 | 22 | 27 |
| Requiring Tow | 55 | 63 | 51 | 111 |
| Complaints by one user about another | 15 | 13 | 19 | 14 |

Extract of A Yacht Club Briefing For Race Officers

1. SAFETY AND THE DECISION TO RACE

The PRO shall consider:

- the present and forecast weather,
- the adequacy of the support boat cover and support boat crews,
- Tidal conditions and Timings

1.1 Weather

The PRO shall not start racing - or shall abandon races in progress - if the racing environment is, becomes or is forecast to become unsafe.

The wishes of the Class Captains should be canvassed where practical.

This is not a one off decision by the PRO before he/she goes on the committee boat.

Weather conditions and support throughout the day need to be under constant review. As well as direct observation you should obtain weather information broadcast on the web.

1.2 Adequate Safety Cover

It is the responsibility of the PRO to ensure that he has “adequate safety cover”. No rigid rule is practical for defining what is “adequate”. Zonal coverage of the harbour may be used.

You should consider: -

- Do you have the number of support boat teams programmed ?
- The guide is you need one support boat for every 10 dinghies, or one for 8 if beginners and/or under 12 years old are involved. Keelboats are usually allocated a minimum of one RIB and a displacement boat to help tow off the mud if required. The area of greatest danger is when there is a strong ebb tide running.

Short of support

If you are short of adequate or suitable crew for the prevailing conditions, announce to members intending to race that a volunteer is required so that the remainder may race.

It is also a convention that the PRO may call on the Captain of the class to which an absentee support boat crew belongs, and demand a substitute from that class. If it is not possible to obtain this cover, some or all of the racing must be cancelled.

Support for the BRO racing

As the PRO is the Principal race officer, you are responsible for seeing that the BRO is given adequate support boat cover. Where these races involve junior sailors they must take priority for the resources available. It can be helpful for a RIB to monitor specific areas.

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REPORT

To the Salcombe Harbour Board.

As the independent designated person appointed by the Salcombe Harbour Board, we report on the Safety Management System, Issue 9, dated 17^h November 2011 and we have reviewed compliance during the past year.

A few revisions are necessary and we drawn up Issue 10, dated 27^h November 2012, recording compliance with the Port Marine Safety Code and listing the topics in hand for continuous improvement.

In our opinion there is in place a safety management system which - if maintained actively - complies with the requirements of the Port Marine Safety Code and enables the Salcombe Harbour Board to set out their safety policies, their organisation which can put them into practice and their procedures for a planned and systematic approach to policy implementation.

Nicholsons Management Ltd

27 November 2012

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ISSUE No 10, 27th November 2012

SALCOMBE HARBOUR BOARD

SAFETY MANAGEMENT SYSTEM

In Compliance With

THE PORT MARINE SAFETY CODE

Prepared By:

The Harbour Master, with Nicholsons Risk Management

Harbour Board Members

Councillor J Carter - Chairman

Mr C Harling – Vice-Chairman

Councillor K Wingate

Councillor S Wright

Councillor M Hicks

Mr J Barrett

Mr Peter Waring

Mr H Marriage

Mr M Mackley

Mr A Thompson

SALCOMBE HARBOUR BOARD SAFETY MANAGEMENT SYSTEM

IN COMPLIANCE WITH THE PORT MARINE SAFETY CODE

SUMMARY AND INDEX

Page

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

A1. Introduction

Salcombe Harbour Board's constitution, powers and procedures comply with the Port Marine Safety Code 2009 [PMSC] 4

This document describes the Salcombe Harbour Board's [SHB] Safety Management System comprising the 6 essential elements of policy, organisation, planning, measure, review and record.

A2. Outline Chart of Safety Management System 5

1) Policy -adopting health and safety policies which contribute to business performance while meeting responsibilities to people and the environment in a way which fulfils both the spirit and the letter of the law. 7

2) Organisation

2.1 - Establishing a positive organisation or culture which puts the policies into effective practice. 10

2.2 - Organisation Chart, "Family Tree" 11

2.3 - Training will also be an inherent part of Organisation 12

3) Planning

3.1 - Chart of Planning System, for planning, implementation, standards and procedures 13

3.2 - Consultation with Harbour Users 14

3.3 - Assessing risk and then adopting a planned and systematic approach to policy implementation. Risk assessments are the key for judging what safety plans are needed. 15

3.4 Risk Assessments Appendix

3.5 Remove Any Unacceptable Risks 16

3.6 Management & Control of Significant Risks 17

3.7.1 Emergency plans 20

3.7.2 Conservancy, including, with SHDC, licensing 22

3.7.3 Environment 22

3.7.4 Management of Navigation 23

3.7.5 Pilotage 24

3.7.6 Marine Services 25

4) Measuring -measuring health and safety performance against predetermined standards. 27

5) Reviewing - auditing, monitoring and reviewing the performance so that lessons are learned from all the relevant experience and are effectively applied. 27
Training and education are implicit as part of good safety management.

6) Recording and publishing –maintaining a record of due diligence. 28

The Board is responsible for policy. The Harbour Master is responsible for the organisation and the facilities. The Staff implement the policy. Together these three categories form the system that puts policy into effective practice.

A1 - INTRODUCTION

Background.

The Port Marine Safety Code (PMSC) was first published in March 2000 and revised by the Department of Transport in 2009. It aims to establish an agreed national standard for port marine safety and a measure by which harbour authorities can be held accountable for the legal powers and duties which they have to run their harbours safely.

Salcombe Harbour Authority

The overarching plans and policies of the Harbour are contained in the Salcombe Harbour Authority Strategic Business Plan (2012-2017). They aim to discharge the roles and statutory duties which are placed on the Harbour by the Pier and Harbour [Salcombe] Confirmation Act 1954, and which are empowered by the Act.

The Statutory Harbour Authority for the Salcombe/Kingsbridge Estuary is the South Hams District Council. The Council has set up the Salcombe Harbour Board, which is a committee of Full Council and makes recommendations for approval by the full Council.

The terms of reference of the Salcombe Harbour Board are to administer Salcombe Harbour in accordance with the 1954 Act, the recommendations of the Municipal Ports Review (2006) and the policy of the Council, and to advise the Council on riparian matters affecting the Harbour, subject to overall control of staffing and finance by the Council.

The 1954 Act is based on 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.

The Harbour Limits are published in Admiralty Chart 28 and copied in the Harbour Guide.

The Aim of This Document.

The aim of this document is to describe and direct how the Salcombe Harbour Board complies with the PMSC and how it will continue to do so.

Managing Salcombe Harbour - The Safety Management System.

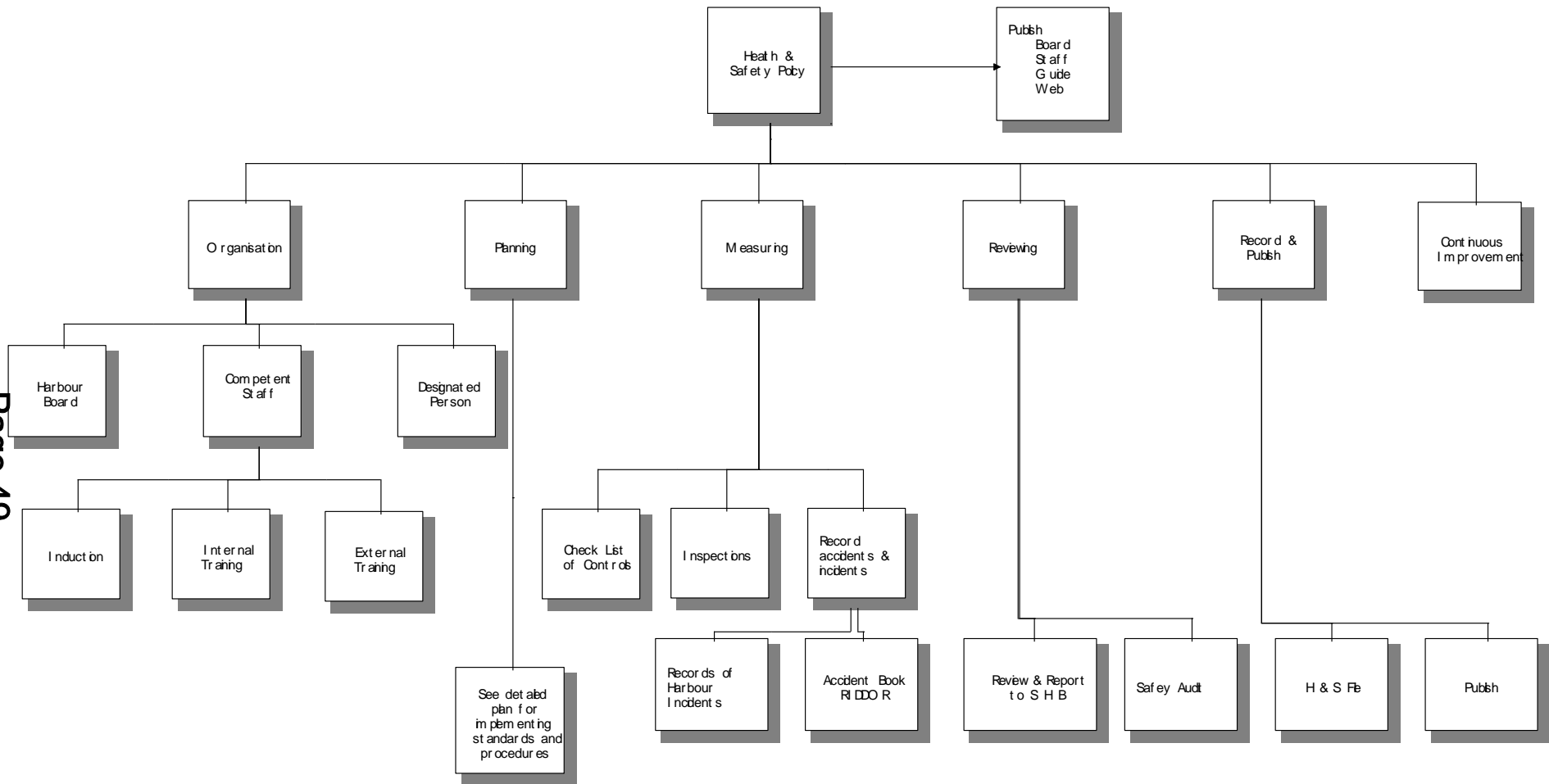
The Salcombe Harbour Board is a safety conscious and a publicly accountable board. It is committed to undertaking and regulating marine operations in a way that safeguards the harbour, its users, the public and the environment

It has an established Safety Management System, the components of which are shown diagrammatically on Page 5.

The safety procedures that form the plan to implement the safety system are set out on Page 4.

A2 - OUTLINE CHART OF SAFETY MANAGEMENT SYSTEM

Page 49



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:

- Salcombe Harbour Authority Strategic Business Plan (2012-2017)
- Salcombe Harbour Authority Annual Report (2012)
- Salcombe Harbour Authority Moorings Policy 2012
- Salcombe/Kingsbridge Estuary Environmental Management Plan (2005-2010)
- The Pier and Harbour [Salcombe] Confirmation Act 1954
- Salcombe Harbour Board Byelaws (2009)
- Salcombe Harbour Health & Safety at Work - Policy, Orders and Risk Assessment (2001)
- Salcombe Harbour Safety Controls (2012),
- Local Notices to Mariners and Harbour Publications, such as the Salcombe Harbour Guide
- Salcombe Harbour Emergency Plan
- The Oil Spill Response Plan (OPRC) and the Estuary Pollution Plan (EA)
- Salcombe Harbour Waste Management Plan
- Admiralty Chart 28 and 5602.10

1. POLICY - SETTING A STANDARD

South Hams District Council and Salcombe Harbour Board are 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 Harbour Board are safety, stakeholder involvement, value for money, environmental stewardship, catalyst for substantial economic development and support for local employment. SHB 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 ensure the safety of their Harbour by exercising their 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. The board 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. The board 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.

The Policy incorporates input from officers, from staff and from harbour users as high standards of safety can only be achieved through dialogue and co-operation.

SHB shall identify, quantify and manage the significant marine risks associated with Salcombe 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 a failure in discharging duties or risk exceeding powers.

Plans and reports shall also be published as a means of improving the transparency and accountability of harbour authorities, as well as providing reassurance to the users of port facilities. SHB shall consider past events and incidents; to recognise potential dangers and the means of avoiding them.

Salcombe Harbour Board are committed, specifically;

- To ensure that the best channels for navigation are determined, marked and monitored.
- To monitor lights and marks used for navigation within their jurisdiction.
- To provide hydrographic surveys of the estuary when required for the maintenance of up-to-date charts (including charts of all moorings).
- To have an effective system for promulgating navigation warnings affecting the Harbour.
- To consider the effect of weather on harbour safety and promulgating warnings as required.
- To carry out all its functions with special regard to the possible environmental impact, protecting the character of Salcombe and Kingsbridge Estuary.
- To consider the effects on harbour safety of proposed changes in use or harbour works.
- To maintain an up to date set of byelaws in consultation with port users and enforce them so as to effectively regulate harbour use.
- To enforce all relevant statutory Harbour legislation, Health and Safety regulations, the Merchant Shipping Act and Harbour byelaws as necessary.

- To license and control of all moorings and to designate suitable anchorages within Harbour limits.
- To provide suitable resources to deliver effective marine services such as the provision of harbour patrol craft.
- To operate efficiently and safely the Harbour workshops, machinery, plant, equipment, Harbour vessels, mooring berths, pontoons, boat parks and the Fish Quay.
- To ensure that suitable plans for emergency situations are maintained and regularly updated and exercised.
- To keep the duties and powers under review.

SHB shall also:

- confirm the roles and responsibilities of key personnel at the harbour authority;
- outline present procedures for marine safety within the harbour and its approaches;
- measure performance against targets, after building a database recording incidents, including near misses;
- refer to emergency plans that would need to be exercised; and be audited on an annual basis

All employees have a duty to;

- Comply with all harbour safety procedures laid down by Salcombe Harbour Board.
- Ensure that marine operations are undertaken in a safe manner.
- To report hazard, risk, accident, incident or near miss to the Harbour Safety Officer.

Harbour users operating both commercially and for pleasure are responsible for;

- Their own health and safety and that of other harbour users who may be affected by their acts or omissions.
- Complying with byelaws, directions and other regulations aimed at ensuring the safe use of the Harbour.

Health and Safety Management System;

The Salcombe Harbour Board have adopted a health and safety management system in compliance with the principles set out in the Port Marine Safety Code.

The health and safety management system includes policies for emergency plans, conservancy, environment, management of navigation, pilotage and marine services.

Nominated Harbour Safety Officer

The Harbour Master is the Safety Officer. In his absence urgent harbour safety matters should be referred to an Assistant Harbour Master.

Emergencies in the Harbour

Emergencies where life is in danger must be notified at once to the Coastguard by dialing 999 or through VHF channel 16.

Other emergencies should be notified to the duty harbour master by the quickest available means. The nearest hospital is South Hams Hospital, Plymouth Road, Kingsbridge, 01548 852349

Reporting of Accidents Incidents and 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, phone 01548 843791

The reports will be used to help in assessment of the effectiveness of the harbour safety management system.

Councillor J Carter - Chairman

Adopted by the Board
4 February 2012

2. ORGANISATION

Accountability and Responsibility - The Duty Holder and the Designated Person.

The Salcombe Harbour Board set the policy and the strategy. 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. The Board are responsible for deciding where risks are to be insured, disclaimers issued and notices displayed.

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 on Page 11.

The Salcombe Harbour Board, as a Committee of the South Hams District Council, is the designated Duty Holder in accordance with the Port Marine Safety Code.

The Councillors are collectively and individually responsible and they cannot assign or delegate their accountability for compliance with the Code on the grounds they do not have particular skills.

The “Designated Person” as described in the PMSC is Nicholsons Risk Management Limited. The Designated Person has direct access to the Harbour Board.

Competence Standards.

SHB shall assess the fitness and competence of all persons appointed to positions with responsibility for safe navigation.

Employees of the Harbour are recruited and selected 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 office staff are held in confidential personnel files in the harbour office.

Recruitment

The Harbour Master recruits suitably qualified staff to fill the roles set out in the following Organisation Plan

2.2 SALCOMBE HARBOUR AUTHORITY – ORGANISATION PLAN

2.3 TRAINING POLICY

It is recognised that the successful implementation of the Harbour's Safety Management System can only be achieved through a policy of continuous training, with regular reviews of specific training requirements.

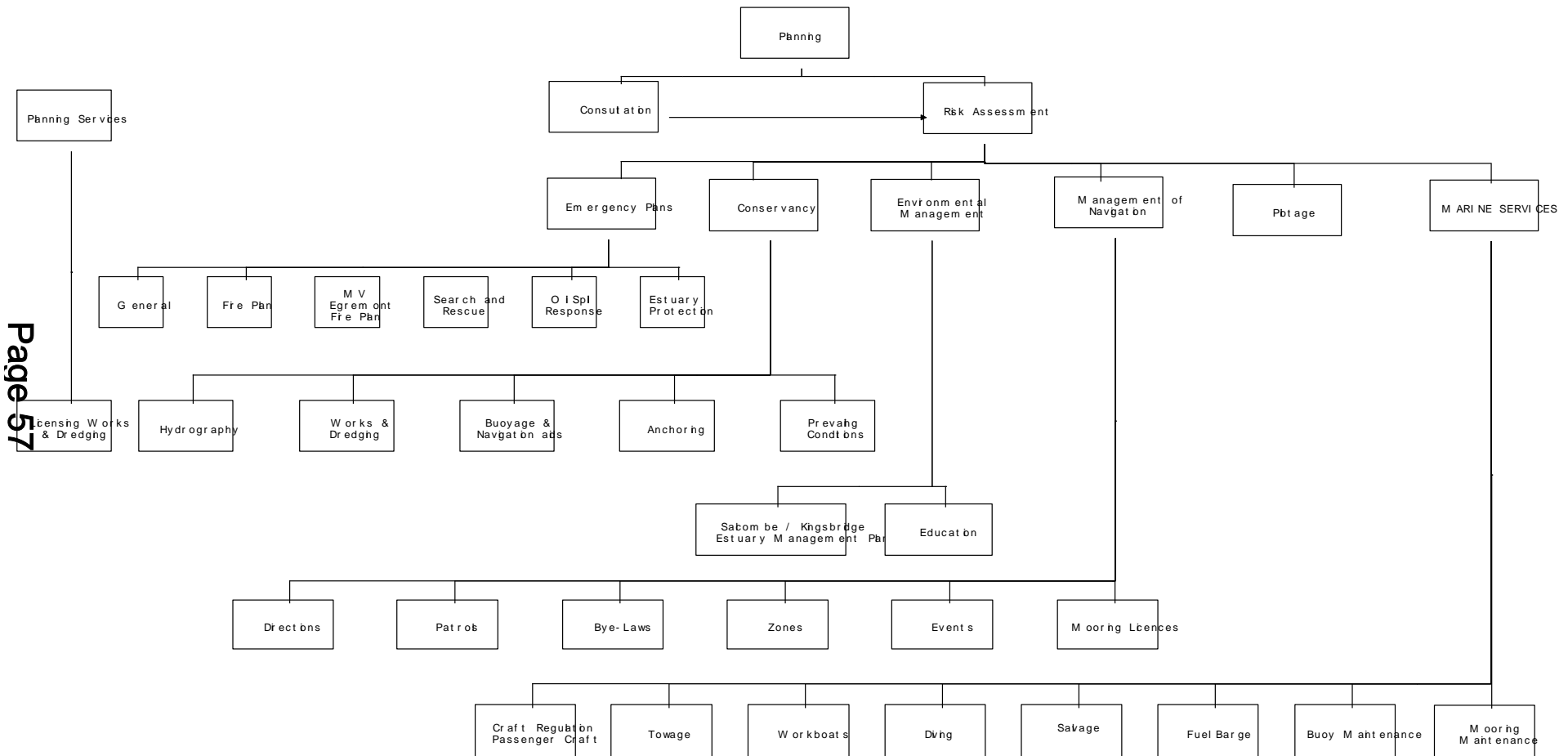
The training policy is to undertake training where appropriate for all members of staff in order to provide the services required by the Authority and expected by the stakeholders. Officers and staff are to be suitably trained to be competent and qualified up to a minimum national standard to fulfil their roles within the organisation.

- Safety training is regarded as an indispensable ingredient of an effective Port Marine Safety Management System 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
- The main training profile for the Harbour Board is to ensure that all members of staff are qualified to operate all the SHB launches and the many items of equipment utilised in the daily operation of the harbour. This includes the re-validation of these qualifications. Training is seen as continuous to meet the ever-increasing demands made on SHB.
- It is vital that new members of staff are promptly qualified in those areas where deficiencies are recognised. Members of staff are trained both internally and externally to achieve the requisite level. Once achieved, the staff member will then be streamed according to the needs of the service centre and his proven skills
- Due to the seasonal nature of the work undertaken by the service centre, most of the harbour staff perform service delivery duties during the summer months and maintenance operations during the winter months. Both aspects require training.
- Records of training show clearly the type and the date of training received, planned dates and required but no date yet fixed.
- Newly recruited personnel whose duties require them to go afloat require a minimum qualification of RYA Powerboat 2. These personnel will be trained locally to drive the vessels operated by the SHA, this will include the requirement to be qualified as a licensed Boatman.
- There will be induction training for seasonal staff prior to commencing their duties, in line with the requirements of the Port Marine Safety Code.
- 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.

Team Briefing

Regular team briefs are held to ensure good communications and quality, both in service and in delivering health and safety.

3.1 PLANNING - RISK ASSESSMENTS AND SAFETY MANAGEMENT



Page 57

3.2 - CONSULTATION

Consultation with harbour users continues through public meetings and through the harbour community forum to members of the Harbour Board who represent those groups as recommended in the Municipal Ports Review and the Guidelines for good governance.

Consultation Process

1. To ensure that the Harbour Board has strong and direct links with both harbour users, local communities and other external organisations with an interest in the Salcombe-Kingsbridge Estuary, a formal consultation mechanism has been set up. Four not-for-profit community groups have registered their interest to work with the Council in relation to its future Harbour activities:
 1. The Salcombe and Kingsbridge Estuary Association
 2. The Salcombe - Kingsbridge Estuary Conservation Forum
 3. The Kingsbridge Estuary Boat Club
 4. The South Devon and Channel Shell Fishermen
 5. Kingsbridge and Salcombe Business Forum
2. The five groups are recognised as ‘Harbour Community Fora’ and form part of a formal consultation mechanism for the Harbour Board.
3. The list of three groups is not exhaustive and it is anticipated that further community groups be recognised and added as time progresses.

Consultation is a continuous and wide-ranging process. It includes meetings with Salcombe Yacht Club, the Forums, notice boards, web page, public meetings, twitter and the Harbour Newsletter.

3.3 RISK ASSESSMENT

It is the policy of the Salcombe Harbour Board to have powers, policies, plans and procedures based on a formal assessment of hazards and risks, and to have a formal marine safety management system. The marine safety management system shall be in place to ensure that all risks are controlled – the more severe ones must either be eliminated or kept “as low as reasonably practicable” (ALARP).

Detailed Risk Assessments.

The activities and the responsibilities of Salcombe Harbour Authority are covered in specified areas, for each of which there were drawn up a detailed risk assessment following the principles laid down by the Health and Safety Executive.

These comprehensive risk assessments have been, revised where necessary and then endorsed by the Harbour Master and his assistants on 23rd November 2012.

The aim of this process is to eliminate the risk or, failing that, to reduce risks to as low as reasonably practicable. Formal risk assessments shall be used to:

- identify hazards and analyse risks;
- assess those risks against an appropriate standard of acceptability; and
- where appropriate, consider a cost-benefit assessment of risk reducing measures.

The level of risk was determined after considering the risk to Life, to the Environment, to Port Operations and, to Port Users

The process of compiling the risk assessments is shown in the flow chart.

Each hazard is given a likelihood rating between 1 and 3; 3 being the more likely.

Against each hazard the severity of harm has then been assessed, both in terms of direct injury to people and environmental damage, again using a scale of 1 to 3.

For personal injury a “score” of 3 represents a major injury or a fatality.

For environmental damage, 3 is given if regional assistance is required.

Significant Risks

Significant risks are identified by those activities that attract a score of 6 or more. These risks must be mitigated by the implementation of specific control measures.

If for any reason the safety management system 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 as low as reasonably practical.

Risk Controls

The safety controls for the risks identified, listed on pages 17 to 20, are to be reviewed and amended where necessary.

3.5 - REMOVE UNACCEPTABLE RISKS

THE GREATEST RISKS IDENTIFIED IN THE RISK ASSESSMENTS

There is a preferred hierarchy of risk control principles

- eliminate risks -by avoiding a hazardous procedure, or substituting a less dangerous one;
- combat risks -by taking protective measures to prevent risk;
- minimise risk -by suitable systems of working.

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

CONTINUOUS IMPROVEMENTS

Nevertheless, the Harbour seeks to make continuous improvements. The priorities identified by the Harbour Master for next year, in addition to various continuing actions already initiated, and now published are:-

1. Implement the 5 Year Business Plan, with the aim of supplying 21st Century facilities without changing the character of the estuary. Amongst other things the plan includes,
 - Kingsbridge Pontoon and berthing arrangements due for upgrade in 2014, this will remove vertical ladders access requirement with all access being down a bridge.
 - Fish Quay access changes will reduce confliction between fish lorries and public car park. This work was commenced in November 10 by Hyder Consultants on behalf of SHDC, with construction work planned to complete in summer 2013.
2. Salcombe Town Council is developing a Master Plan for the operation of all the Town and District Council's land assets in Salcombe. This will cover inter alia,
 - Fish quay repairs and improvements, to include stabilising, improved access and traffic circulisation, with a reduction in conflict between boat park and fish quay users.
 - Shadycombe Car/Boat parking.
 - Island Street Industrial units
 - Whitestrand car park
 - Jubilee Pier
 - Cliff House Gardens
3. Consider promoting training and refresher courses for those on sailing boats as well as power. It is now a 6th point added to the original 5 safety recommendations made by the RYA and RNLI
4. Incident Comparison: Consider publishing incident data in the annual report so that stakeholders may discern any trends.
5. The Designated Person to be invited to attend the 15 July meeting of the Harbour Commissioners.
6. Publish Notices to Mariners via e distribution, on harbour notice boards and on Twitter.
7. Advise the Yacht Club on the need to have their race officers properly briefed on their safety responsibilities. See an example on Appendix 2.
8. Issue the SHB safety policy (in the Safety Management System) to any contractor that is taken on.
9. When the byelaws are next modified, prohibit
 - Windsurfing in main fairway during July and August.
 - Cruising yachts of 7m and larger from sailing between the Salcombe Harbour Hotel and the Saltstone in July and August.
 - Scrubbing foulings within the estuary that could subsequently pollute the water.

10. Hold fire practices in SHB premises and a desk top exercise to examine action to be taken in various scenarios of fire afloat. Record staff involvement in the training records

3.6 - MANAGEMENT OF SAFETY CONTROLS – CHECK LIST

| TYPE OF CONTROL | DETAIL OF CONTROL |
|----------------------------------|--|
| Navigation Buoys Etc | <p>“Conservancy Duties” as implemented through the Salcombe Harbour policies, in compliance with Trinity House guidelines and their software package, PANAR. The annual audits continue. Set and meet Salcombe Harbour Board performance indicators.</p> <p>Local Lighthouse Authority, managing and maintaining 66 marks and beacons to Trinity House standards, checked by annual Trinity House Inspection.</p> |
| Patrol Boats | <p>Salcombe Harbour patrols, backed up by Water Taxi and Night Security Patrol, to give, almost a 20/24 hour coverage in the summer months and 8/24 during the winter.</p> <p>Periodic patrols by police afloat in SHB boat.</p> <p>Police and UK Borders Agency deal with drugs, crime, theft, immigration and customs -. South Devon and Severn IFCA and MMO fisheries patrols..</p> |
| Notices | <p>Notice Board at Harbour Office, including weather forecast.</p> <p>Signs, e.g. “Speed Limit 6 Knots”</p> <p>Byelaws displayed on Notice Boards, on web and at launching locations.</p> <p>Information and warning notices on some quays and pontoons–RNLI format for beach and slipway notices.</p> <p>Information, advice and warnings in RNLI format on launching slipways.</p> |
| Publications | <p>Annual Harbour Guide. Annual Report.</p> <p>Notices to Mariners published on HO notice board, on web, to e-mail subscribers and on YC notice board.</p> <p>Admiralty and other charts, Macmillan Reeds.</p> <p>Web sites www.salcombeharbour.co.uk and southams.gov.uk include papers and minutes of SHB meetings</p> <p>Annual Harbour Newsletter and contributions to those of Yacht Club, Yawls and Rial News.</p> <p>Twitter @Salcombeharbour</p> |
| Personal, Protective Equipment | <p>Life jackets – worn by harbour staff when afloat</p> <ul style="list-style-type: none"> – carried by racing boats as ISAF Rules of Racing – worn as Club rules for all but yawl racing – MCA advice on Safety at Sea, but no legal compulsion – One for each passenger on SHB licensed vessels – Waterproof suits for those working on foreshore moorings. <p>Kill Chords attached to lifejackets for personal use in appropriate boats</p> <p>Workshop hard hats, masks, boots, gloves, goggles and ear defenders. Boots, gloves, wet weather gear and dry suits for environmental work. High visibility jackets.</p> |
| Access and Guards | <p>No requirement for guards of any sort on private pleasure craft.</p> <p>No requirement for inspection of fishing boat or equipment if under 12m</p> <p>Quays are not normally guarded, as this would negate their function as loading and unloading points. Quays are often unlit.</p> <p>Slipways are subject to a routine inspection and are cleaned of weed.</p> <p>. Fencing round boat parks for winter storage.</p> <p>Salcombe Harbour boats equipped for safe operation. Those carrying passengers are licensed by South Hams DC.</p> <p>The workshop machinery has the necessary guards.</p> <p>Fire alarms and fire extinguishers in harbour offices and workshops.</p> <p>Access to some pontoons managed during large events to prevent overcrowding.</p> |
| Inspections of Harbour machinery | <p>LOLA: Six month Inspection by qualified engineer. Twelve month inspection by insurance company</p> <p>PUWER: Power tool inspection – by Insurance Company’s engineers</p> <p>Electrics – Annual Council organised PAT inspection of electrical equipment. The Council’s electrician has in inspected electrical installations of office and workshop in 2009. Regular Legionella inspection</p> |

| | |
|---------------------------|---|
| Hydrographic Survey | As Conservancy Duties and as agreement with the Hydrographic Office. The Bar and the leading line surveyed in 2011 Batson Channel surveyed and dredged in 2011 |
| Qualification Or Permits | <p>No licence or permit required to sail in Salcombe Harbour; payment of harbour dues prior to launching.</p> <p>Powered craft are not subject to any official safety check.</p> <p>Fishermen need no requirement or qualification, training or assessment of ability.</p> <p>Fuel barge subject to licensing by Devon County Council.</p> <p>Any diving within the harbour requires permit granted by Harbour Master.</p> <p>HSE Commercial Diving standards and practices for professionals</p> <p>The general public has no right to shoot over the foreshore, but the Kingsbridge and District Pigeon Shooting Club are given a Council licence.</p> <p>Shotgun Licences.</p> <p>License, conditional on carrying out maintenance, required to lay a mooring.</p> <p>Salcombe Harbour licence required, after MMO Licence, for any work below the MHW on foreshore, private jetties, hards and sea defences. Only granted if the work is within the Environmental Code of Practice. The conditions of the licence will require safe working.</p> <p>No dredging other than by contractors approved by the Harbour Master.</p> <p>MCA Certificate requirements for trip boats venturing outside the Harbour Limits and for boats carrying more than 12 passengers.</p> <p>Ferry boats, trip boats and hire boats (Under 12 people) as HM, acting for South Hams DC, Licence Requirements.</p> <p>Vessels and Skippers of chartered boats venturing outside the Harbour as MCA Codes of Practice.</p> <p>Ferries operating in the Harbour up to 12 passengers must have SHDC Boat and Boatman's licenses.</p> <p>Vessels wanting to dry out must book in advance with the office.</p> <p>Experienced workshop staff, with some formal qualifications.</p> <p>See Training spreadsheet for other courses and qualifications</p> <p>Contractors working on Council land, winter boat storage area, require to be on the approved contractor list.</p> |
| Supervision & Instruction | <p>Responsible Harbour Staff manage the harbour operations, with job descriptions and operating procedures.</p> <p>The public need no qualification, training or ability</p> <p>Responsible organisers such as the sailing clubs and the sailing schools, with responsible race officers, (who may be RYA qualified), as recorded in their risk assessments. Method statement and Risk assessment required for all activities which are not routine, such as regattas and events.</p> <p>Choice of suitable boats; no catamarans, cruisers or sports boats racing in the Fairway.</p> <p>Choice of suitable race areas, particularly for juniors.</p> <p>Safety boats.</p> <p>Kingsbridge and District Pigeon Shooting Club rules.</p> <p>The boatyards in Salcombe Harbour appear to be well and responsibly managed. They must comply with HSE law and regulations.</p> <p>Code of Practice is issued by The Yacht Harbours Association.</p> <p>The skippers of trip boats are responsible and competent.</p> <p>Most of the slipways are supervised in the Summer. Boat park attendant now works all year around to supervise slipway and winter storage operations during winter months.</p> <p>The workshop is managed by the experienced Assistant HM Logistics and Maintenance. Environmental activities and guided walks are managed by the AONB Estuaries Officer, who gives a formal Health and Safety briefing.</p> |

| | |
|------------------------------|--|
| Harbour Operating Procedures | <p>17 SHDC Operating Procedures, reviewed annually. Clothing and equipment. Alder & Allan Ltd retained as Oil Pollution Response Consultants, Oil spill response plan reviewed annually and endorsed by MCA.. Use of SHB vessels - guidance to staff Vessel operating procedures, duty boatman, towing, barge, speed limit enforcement, boat park, lifting, lone working, Maintenance of deep water and of foreshore moorings and pressure washing. Harbour Patrols, Harbour Taxi and Collection of Dues Work experience. Guided Walks & Activities Maintained moorings - record of maintenance cycle. Litter pick up.</p> |
| Command, Control & Coms | <p>Harbour Office monitors channels 12 and 14 during the working day and the Harbour Master is on call by telephone to the MCA 24 hours a day. Tor24 provide out of hours call out procedure and monitoring of lone working. Mobile phones issued to all staff who are not office based. Channel 16 available throughout the estuary, via MCA rebro. Wi-fi available for visitors.</p> |
| Environment | <p>Limits set on swinging moorings and on pontoons. Visitor pontoons piled – reducing seabed scouring. Port Waste Management Plan, MCA approved Sewage pump out facility for holding tanks. Local Planning authority, the Environmental Agency and Duchy of Cornwall are always consulted before a licence to work is granted. SHB environmental management systems implemented through the Environmental Officer. See emergency plans below. Operation of environmentally friendly scrubbing grid which removes pollutants from antifouling scrubbing.</p> |
| OSHH | <p>Paints Strippers, Extractor fan for welding fumes Slipway cleaner (not bleach) Domestic quantities of fiberglass resin and hardener.</p> |
| Law | <p>1847 Harbours, Docks and Piers Clauses Act The Pier and Harbour [Salcombe] Confirmation Act 1954, the 1964 Harbours Act and the Health and Safety law and regulation. HSE Regulations on Diving At Work. International Regulations for the Prevention of Collisions at Sea [IRPCS]</p> |
| Bye Laws | <p>Salcombe Harbour bye laws modified (2008), Including Care & Caution, the 6 and 8 knot speed limits, insurance requirements and permit display. Kite windsurfing and water skiing are never permitted. Windsurfing in July and August is not permitted between the Marine Hotel and the Fuel Barge Salcombe Harbour Nature Reserve bye laws Public Health Act (Amended 1964) re SHDC boat and boatman licensing.</p> |
| Direction | <p>Special, not general, as authorised by the 1954 Act and by Council decisions. Rules of Racing, ISAF. Risk assessments for events agreed with Harbour Master. Numbers for events limited. No swimming permitted in the anchorages or across the harbour.</p> |
| Harbour Policy | <p>SHB's PMSC compliance policy, Strategic Business Plan, Salcombe Harbour Authority Moorings Policy and S & K Environmental Management Plan</p> |
| H & S Policy | <p>Council H & S Policies for Harbour and for staff</p> |
| H & S Management System | <p>Management System Maintenance of premises.</p> |
| Training Programme | <p>Induction and training programme. Training records Continuous development</p> |

| | |
|-----------------|---|
| Emergency Plans | <p>Salcombe Harbour Fire Plan, and specific plan for MV Egremont- reviewed in 2011 with Fire Services and SHB.</p> <p>Salcombe Harbour Emergency Plan – Reviewed 2012</p> <p>The Oil Spill Response Plan (OPRC) and the Salcombe Kingsbridge Estuary Booming (Pollution) Plan (EA) – Reviewed 2012</p> <p>Regulated VHF procedures and channel allocation</p> <p>H M Coastguard and RNLI emergency plans and resources, including all weather Lifeboat and inshore life boat from Union St boathouse, slipway and pontoon</p> <p>Harbour Offices: Fire drill and fire practices</p> <p>First aiders “Emergency First Aid” trained every 3 years and first aid boxes.</p> <p>Life saving apparatus, lifebuoys, fire extinguishers and boarding ladders, located at quays, slipways, boat parks and pontoons.</p> |
|-----------------|---|

3.7.1

EMERGENCY PLANS

Emergency Policy of Salcombe Harbour Board:

The safety management system will include preparations for emergencies – and these should be identified as far as practicable from the formal risk assessment. Emergency plans need to be published and exercised.

Emergency Organisation and Management Responsibility

The Salcombe 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.

The various emergency plans, in addition to the general Salcombe Harbour Emergency Plan, comprise:-

- Salcombe Harbour Fire Plan,
- Specific fire plan for MV Egremont
- The Oil Spill Response Plan (OPRC) and the Salcombe Kingsbridge Estuary (Pollution) Plan (EA)
- H M Coastguard and RNLI emergency plans and resources, now including both an all weather Lifeboat and an inshore lifeboat.
- Life saving apparatus located at quays, slipways, boat parks and pontoons
- Harbour Office and Harbour Workshop:
 - Fire drill and fire practices
 - First aiders and first aid boxes.
 - Procedure to call Emergency Services
- Mud Rescue Plan.

The emergency response relies on the regulated VHF procedures and channel allocation. It has been much improved now that channel 16 can be received in Salcombe Harbour.

Training for Emergencies include Oil Spill Response and Emergency Plan Exercises

The MAIB Safety Digest is used to see if lessons can be learnt for Salcombe from accidents investigated at other harbours, relevant lessons are displayed on the Harbour Office Notice Board and distributed to Fishermen and Sailing establishments and clubs.

3.7.2 - CONSERVANCY

Conservancy Policy of Salcombe Harbour Board:

A. SHB recognises its a duty to conserve the harbour so that it is fit for use as a port, and a duty of reasonable care to see that the harbour is in a fit condition for a vessel to use it.

B. SHB will aim to provide users with adequate information about conditions in the harbour.

C. SHB recognises the extent of its duty and powers as local lighthouse authority; and specific powers in relation to wrecks.

Conservancy Organisation and Management Responsibility

Hydrography.

SHB follows the UKHO Code of Practice on the Provision of Hydrographic Information.

Hydrographic records of dredged channels in the harbour are maintained by the harbour office.

The Hydrographic Office receives all hydrographic information and Local Notices to Mariners produced by the Harbour. A formal agreement with Hydrographic Office is in place.

Admiralty Chart 28 and 5602.10 Salcombe Harbour are kept up to date with Hydrographic Notes. A new edition is being prepared (November 2012).

Works and Dredging Licences.

The Harbour has regulations and conditions for the issue and control of works licences.

No dredging, other than in exceptional circumstances, is undertaken other than by Salcombe Harbour Authority or by its contractors.

Buoyage and Navigation Aids.

The harbour has a comprehensive, well maintained and modern system of aids to navigation based on risk assessment and installed in consultation with Trinity House. The routine inspection and maintenance regime is laid down and records are kept.

Anchorage.

Anchorage are shown on Chart 28 & 5602.10 and their operation is subject to risk assessment and review. The anchorages and the areas where not to anchor are promulgated in annual publications.

Prevailing Conditions.

The Met Office's Shipping Forecast and their European Synoptic Chart are displayed at the harbour office and updated daily. Information is readily available in the media and on the web.

3.7.3 - ENVIRONMENT

Environment Policy of Salcombe Harbour Board:

SHB recognises its duty to exercise its functions with regard to nature conservation and other related environmental considerations.

Environmental Management Plan.

The policy and functional objectives for managing the Salcombe-Kingsbridge estuary as a marine Local Nature Reserve (LNR) and marine Site of Special Scientific Interest, within a designated Heritage Coast and Area of Outstanding Natural Beauty, in an environmentally responsible and sustainable way are contained in the Salcombe / Kingsbridge Estuary Environmental Management Plan.

Limits have been set on the total number of moorings and pontoons.

The Harbour Authority have adopted their Waste Management Plan. The Harbour has an Environmental Management System. There is now a sewage pump out facility for holding tanks.

The Harbour Authority's Marine Conservation Officer maintains good liaisons and working links with English Nature and the Environmental Agency, who are consulted on potentially damaging operations (PDO's) before a licence to work is granted.

There are several special emergency plans drawn up to deal with accidents that might potentially threaten the environment

Education.

The harbour has a Marine Conservation Officer with an ongoing 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 estuary.

The Marine Conservation Officer provides close formal links with schools and universities and more informal links with local community and special interest groups in the area.

All known educational activities in the harbour are subject to risk assessments and are led by qualified staff.

3.7.4 - MANAGEMENT OF NAVIGATION

Policy for Management of Navigation:

- A. Salcombe Harbour Board has rules in byelaws and directions, which every user must obey as a condition of his or her right to use the harbour.**
- B. Salcombe Harbour Board recognises its duty to make proper use of powers to make byelaws, and to give directions and to regulate all vessel movements in its waters.**
- C. These powers shall be exercised in support of the policies and procedures developed in the authority's safety management system, and should be used to manage the navigation of all vessels.**
- D. Salcombe Harbour Board has clear policies on the enforcement of directions, and should monitor compliance.**
- E. If they were appropriate in a particular case, the powers of direction should be used to require the use of a port passage plan.**

Management of Navigation Organisation and Management Responsibility

Local Port Service

SHB regard it as most unlikely that large ships would be able to enter the harbour and assess the risks as not meriting a Vessel Traffic System.

To the extent that there is a Local Port Service this comprises published information in Reeds Almanac, on the Harbour Authority web site and in the annual Harbour Guide.

Plan: Directions and Port Passage Guidance.

There is no standing requirement for any vessel in Salcombe Harbour to file a port passage plan. Special directions are issued when the situation requires such as movement of sail training vessels and others constrained by their draft.

Patrols.

The Harbour maintains a comprehensive patrol presence on the Harbour to enforce byelaws and other directions. There is a 24 hour emergency call out system in operation.

Byelaws.

The Salcombe Harbour Board has byelaws, revised in 2008, that provide effective control measures to manage the hazards identified in the risk assessments. The byelaws have been reviewed and submitted to the DfT.

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.

Moorings.

The Salcombe Harbour Authority maintains moorings to a high standard With all moorings being maintained annually.

Procedures are laid down for the safe operation of the mooring barge.

Conditions for mooring licences, issued by the Harbour, require that all moorings are fit for purpose and are inspected annually.

3.7.5 - PILOTAGE

Policy for Pilotage:

Salcombe Harbour Board has a duty to keep the need for pilotage and any service provided under constant and formal review.

Organisation and Management Responsibility

The Salcombe Harbour Authority is not a Competent Harbour Authority (CHA), but is a Statutory Harbour Authority (SHA). It does not, therefore, have any powers to conduct or require pilotage.

The comprehensive risk assessments now carried out have not revealed the need for Salcombe Harbour Board to seek any powers of pilotage.

3.7.6 MARINE SERVICES

Policy for Marine Services:

A. Salcombe Harbour Board's safety management system shall cover the use of harbour craft and the provision of moorings.

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

C. Salcombe Harbour Board shall ensure that Salcombe Harbour Authority 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.

D. Salcombe Harbour Board shall ensure that byelaws and the power to give directions are available for these purposes.

Marine Services Organisation and Management Responsibility

Craft Regulation

- MCA Certification is required for commercial vessels, including trip boats, venturing outside the Harbour Limits and or carrying more than 12 passengers..
- Passenger vessels, including ferryboats, (Under 12 people) require a South Hams DC Licence.
- Vessels and Skippers of chartered boats venturing outside the Harbour are regulated according to MCA Codes of Practice.
- Ferries carrying no more than 12 people must have SHDC Boat and Boatman's licences. Those carrying more than 12 must have MCA certification

Towage

Only those staff who have successfully completed a towage training course are permitted to take vessels in tow.

Workboats.

There are procedures for the safe operation of harbour launches based on the risk assessments.

Diving

Any diving within the estuary requires a permit to dive signed by the Harbour Master.

HSE Commercial Diving standards and practices for professionals.

Dredging

Dredging is only carried out by contractors approved by the Harbour Master.

Salvage

Only suitably experienced staff would be allowed to get involved in a salvage operation.

Fuel Barge Afloat

The fuel barge located in the estuary is subject to an annual Petroleum Licence issued by Devon County licence to sell petrol and DERV. The Harbour Master's approval is required before any licence is issued or renewed.

The Harbour Masters Permission is required before the Fuel Barge gets underway within the estuary. All movements of the fuel Barge will be escorted by a Harbour work boat.

4.

MEASURE COMPLIANCE

Recording Accidents and Incidents.

An incident log is maintained on the Harbour Office computer. Records are kept of all accidents, incidents and oral complaints that come to the attention of the Harbour Authority. Any follow up action that may be required is recorded. Written complaints and replies are held on file. Major incidents are subject to immediate review to establish cause and to validate control measures.

Safety Inspections and Checklist of Controls.

There is a calendar for the review of safety topics.

There is also a checklist of control measures.

5. REVIEW

SHB will monitor, review and audit the marine safety management system on a regular basis. Performance of the system shall be assessed against internal performance indicators and where appropriate, by benchmarking against other ports that have adopted good practice.

Procedure for Reviews

The Harbour Master will include both in his staff meetings and in the Board Meetings a review of any accidents, incidents or near misses.

Investigations by the Harbour Master of marine incidents have two essential purposes:

- a) to determine the cause of the incident, with a view to preventing a recurrence of that incident (or similar); and
- b) to determine if an offence has been committed: if so, there may be the need on the part of a harbour authority to initiate enforcement action that may lead to prosecution in their own right or through an agency of another authority such as the Police or the MCA.

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

Any conclusions from investigations or lessons learned will be included in the minutes together with measures being taken to prevent a recurrence. If appropriate a more detailed report will be submitted to the Harbour Board, the Council's Health and Safety Officer and/or the MAIB, to the chief inspector and any other appropriate authorities, by the quickest means available.

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 noncompliance.

Annual Review and Report.

An audit of the Safety Management System will be conducted each year by Nicholsons Risk Management and an overview of accidents and failures during the year, with recommendations for addressing shortcomings, will be reported to the Board each year.

Notwithstanding this report, the system will be kept under continuous appraisal and immediate action taken where shown necessary.

Once every three years, the MCA will ask the duty holder to confirm in writing if SHB is complying with the Port marine Safety Code.

6. RECORD AND PUBLISH

Records

The Harbour is careful to maintain due diligence records. This Safety Management System is itself clear evidence of care and commitment. The risk assessments provide considerable further examples of how the safety policy has been put into practice.

Publication of Plans and Reports

To demonstrate SHB's commitment to maritime safety and ensure the involvement of harbour users, the safety plan for marine operations shall be published every year at an SHB meeting open to the press and the public.

The plan shall illustrate how the policies and procedures will be developed to satisfy the requirements under the Code. It shall commit the authority to undertake and regulate marine operations in a way that safeguards the harbour, its users, the public and the environment. It shall refer to commercial activities in the harbour; the efficient provision of specified services and the effective regulation of vessels. It shall also explain how commercial pressures would be managed without undermining the safe provision of services and the efficient discharge of its duties.

The SHB, as duty holder, will also publish an assessment of the harbour authority's performance against the plan. Information gathered from the monitoring and auditing of the marine safety management system, shall be used to support the analysis and conclusions.

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AGENDA
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SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

13

| | |
|--------------------------|--------------------------------|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | PERFORMANCE MANAGEMENT |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of Report

To report the Harbour's performance against agreed Performance Indicators (PIs).

RECOMMENDATION

That the Harbour Board RESOLVES to Note Harbour Performance against agreed Performance Indicators.

1. BACKGROUND

1.1 The Harbour Board endorsed the introduction of a set of PIs and to have them reported as a standing agenda item (SH 26/06).

2. ISSUES FOR CONSIDERATION

2.1 This report of Harbour Performance Indicators covers the period from 1 July to 30 September 2012. The detailed report against the agreed performance Indicators with comments for the period is at Appendix A. Detailed comments below are limited to where targets have not been met or have exceeded by a considerable margin:

2.1.1 SH 5(L) Slipways and steps Inspected and cleaned. **Kingsbridge slipway** is breaking up which makes it difficult for the Harbour Authority to keep the slipway clean and free of slippery weed. Slipway remains serviceable but needs remedial work. **Cliff House Garden steps** were damaged by storms during the winter and finally collapsed on 13 June. The Cliff House Garden steps have been removed by the Harbour Authority and a replacement will be fabricated over the winter ready for next summer.

2.1.2 SH9 (L) Mooring Failures. There were five Mooring failures during this quarter. Two were Harbour Moorings at Newbridge and one at Kingsbridge, which dragged the mooring blocks. The mud at the

head of the estuary is very soft and the fetch, particularly at Newbridge considerable, which makes these moorings vulnerable in storm conditions. All moorings holders who still have boats out have been offered moorings in more sheltered locations for the winter months. The other two failures were mooring licences with tackle maintained by the customer. These two FML failures reinforce a worrying trend, being the sixth and seventh FML failures this year. The weather has been a factor but lack of maintenance is the issue. Customers are required to sign to say that their mooring tackle has been inspected and maintained at annual re-allocation. The failures suggest that the chain that is visible is being changed but not the chain lower down into the mud. The maintenance of these foreshore mud moorings is not easy and, with the passage of time, less people have the expertise or the inclination to maintain mud moorings. Close scrutiny of a percentage of FML by the moorings team will continue in an attempt to identify problems before they occur, but the onus is on the licence holder to maintain their mooring. Following failures of FML, careful consideration will be given to changing the FML into a harbour maintained mooring.

- 2.1.3 SH30(L) Marine Crime. The Harbour Staff and Devon and Cornwall Police pursued proactive crime prevention campaign throughout the season, sending out 37 letters to customers alerting them to “criminal opportunities” presented by their boats and equipment. This may have contributed to this reduction in reported crime for this reporting period.
- 2.1.4 SH34(L) Income from Visiting Yachts. Visiting yacht income for the third quarter was down by 13% on last year’s figures. Overall compared to the same period last year the figures are down by 13%. You have to go back to 2008/09 to see comparably poor figures.
- 2.1.5 SH 35(L) Visiting Yacht Numbers. Visiting yacht numbers for the third quarter are down by 27%. Overall compared to last year’s figures at the same time yacht numbers are down by 19%.
- 2.1.6 SH37(L) Yacht Taxi. The number of passengers carried in the third quarter is down by 78%. To date the overall passengers carried compared with the same period last year are down by 23%.
- 2.1.7 SH43(L) Recycling of Yacht Refuse. The drop in performance this year is attributed to the contamination of the dry recycling, which once contaminated has to go to landfill.

3. LEGAL IMPLICATIONS

- 3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications as a result of this report. This report highlights performance issues which may have financial

implications at a later date. Should this be the case a separate report will be brought forward for the Harbour Board's consideration.

- 4.2 It is forecast that despite the poor performance figures during the wettest year on record, the harbour account will be in balance at the end of the financial year.

5. Risk Assessment

- 5.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|---|-----------------|------------------------|------------|--|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| The setting and monitoring of realistic Performance Targets will enable the Harbour Board to ensure that statutory obligations are met and that there is real improvement in the service offered to users of Salcombe harbour The Harbour Authority is not delivering a satisfactory service to harbour users. Trends and issues can be identified early and policies and strategies developed to address issues. | 3 | 2 | 6 | The Harbour Board, through its contact with harbour Community Forums and by setting and monitoring performance standards will be in a position to amend the Strategic Business Plan ensuring it remains relevant and that Harbour funds are invested wisely. |

Corporate priorities engaged:

Community Life
Economy
Environment

Consideration of equality and human rights:

There are no equality or human rights issues with this report

Biodiversity considerations:

Harbour Board performance and policies have a bearing on biodiversity.

Sustainability considerations:

The Harbour performance needs to be considered regularly to ensure current policies are sustainable.

Crime and disorder implications:

The Report considers reported marine crime within the Estuary.

Background Papers:

Appendices attached:

1. Salcombe Harbour Performance Management Grid.

Ian Gibson
Harbour Master

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AGENDA
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SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

14

| | |
|--------------------------|---------------------------|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | 2012 Opinion Meter Survey |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of report:

To report the results of the 2012 Opinion Meter Survey.

Financial implications:

There are no direct financial implications from this report. However, there may be implications if the Board make changes to harbour infrastructure or policy to address the concerns raised by the survey.

RECOMMENDATIONS:

That the Harbour Board RESOLVES to:

- a. **Note the report;**
- b. **Consider the contents of the report when formulating policy for the future.**

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

1.1 An opinion survey of harbour customers has been undertaken annually since 2007. The purpose of this annual survey is to gauge the opinion of harbour users which can then inform decision making by the Harbour Board.

1.2 The 2012 survey took place in the Harbour Office reception between 20 February and 14 November. There were 323 participants who contributed to the survey.

2. ISSUES FOR CONSIDERATION

2.1 The following table gives a summary report of the survey:

| Question | Answer | n | % |
|---|----------|-----|--------|
| Are you a Resident or a Visitor? | Resident | 67 | 29.9% |
| | Visitor | 157 | 70.1% |
| Have you noticed any improvement in the service and facilities Salcombe Harbour offers to you? | Yes | 155 | 61.85% |
| | No | 69 | 38.15% |
| Do you use the water taxi? | Yes | 113 | 50.4% |
| | No | 111 | 49.6% |
| Have you made use of the water taxi discount tickets? | Yes | 37 | 32.7% |
| | No | 76 | 67.3% |
| Do you consider Salcombe to be a safe harbour? | Yes | 203 | 90.6% |
| | No | 21 | 9.4% |
| Has speeding and anti social behaviour from other harbour users adversely affected your enjoyment of the estuary? | Yes | 46 | 20.8% |
| | No | 175 | 79.2% |
| Have you been the victim of marine crime in the last 12 months? | Yes | 21 | 9.7% |
| | No | 195 | 90.3% |
| If yes, have you reported the crime to the police? | Yes | 8 | 42.1% |
| | No | 11 | 57.9% |
| Are conservation issues important to you? | Yes | 152 | 72.7% |
| | No | 57 | 27.3% |
| Do you consider the Harbour Staff welcoming, friendly and helpful? | Yes | 179 | 87.7% |
| | No | 25 | 12.3% |
| Do you consider Salcombe Harbour offers Value for Money? | Yes | 154 | 76.2% |
| | No | 48 | 23.8% |
| Will you consider using the Harbour again in the future? | Yes | 191 | 94.6% |
| | No | 11 | 13.45% |
| On a scale of 1 to 10 how satisfied are you with the services provided by Salcombe Harbour? (288) | 1 | 6 | 3.0% |
| | 2 | 1 | 0.5% |
| | 3 | 4 | 2.0% |
| | 4 | 3 | 1.5% |
| | 5 | 8 | 4.0% |
| | 6 | 9 | 4.5% |
| | 7 | 8 | 4.0% |
| | 8 | 41 | 20.7% |
| | 9 | 31 | 15.7% |
| | 10 | 87 | 43.9% |

2.2 Customers who scored the Harbour's performance as less than 10 were invited to state what the Harbour Authority should have done to award a 10, the results were as follows:

| Comment | Number of responses for this comment |
|--|--------------------------------------|
| Provide shower facilities | 10 |
| A friendlier welcome | 5 |
| Inappropriate comments | 4 |
| Charge less | 3 |
| Improve Yacht taxi | 2 |
| Harbour too busy | 2 |
| Enforce speed limit byelaws more vigorously | 1 |
| Shopping facilities poor for fundamentals | 1 |
| Provide more tidal information for access to foreshore | 1 |
| Improve Tourist Information services | 1 |
| Provide Canoe rentals | 1 |
| Marine Crime | 1 |
| Cleaner Buoys and fairway buoys in a straight line | 1 |
| Provide a residents tender berthing pontoon at Whitestrand | 1 |
| Do not like not being able to pick up at Whitestrand | 1 |

2.3 Comments on Comments.

2.3.1 Provide Shower Facilities – Work is planned to start early in 2013 with a target date for completion of Easter 2013. This has been a long term aspiration of the Harbour Authority but finding an affordable solution has been difficult. The provision of two public showers will compliment the Yacht Club's facilities to provide visiting yachtsmen with a choice.

2.3.2 A Friendlier Welcome - Improving the Customer Experience has been a goal of the harbour Authority for a number of years. The staff have been working hard to improve the welcome and the level of service provided at Salcombe. Providing the facilities that visiting yachtsmen have come to expect will aid the staff in managing expectations of our customers.

2.3.3 Charge Less - The harbour charges have been kept below the rate of inflation for the past five years. Visiting Yacht charges have been frozen since 2006 with a range of seasonal discounts introduce in 2008. The Harbour Authority is acutely aware of the need to provide value for money but also to ensure that safety is not compromised whilst gradually improving harbour facilities and utilities.

- 2.3.4 Improve the Yacht taxi - Considerable efforts have been made to improve the efficiency of the yacht taxi service. Prices of the yacht taxi have not been increased since 2005 but by more flexible working, more yacht taxi capability has been generated. In 2011/12 the service carried 24,820 passengers.
- 2.3.5 Harbour too Busy - The fact that the harbour is busy is to some extent a function of the Harbour's popularity. Afloat staff are alert to the nuisance that excessive wash causes and spend considerable amounts of time educating harbour users to minimise wash.
- 2.3.6 Enforce Bye-laws - The Harbour Bye-laws have been rigorously enforced over recent years with 4 successful bye-law prosecutions brought in recent years. The Board review the enforcement policy annually and recognise the need to maintain a safe environment for harbour users who chose to spend their leisure time in Salcombe.
- 2.3.7 Cleaner Buoys - The Harbour Mooring buoys are serviced annually and cleaned regularly during the season. The fairway buoys are frequently dragged out of position when small boats choose to tie up to them, in contravention of the Harbour Bye-laws and drag them out of position. This is an ongoing maintenance task to reposition buoys.
- 2.3.8 Provide More Tidal Access Information - Work is ongoing to improve the information on tidal access times to foreshore moorings and public landings on the Harbour's web page.
- 2.3.9 Salcombe Town Landings - Work to improve the Salcombe Town Landings costing £300,000 was completed for the 2012 season. Generally the improvements, which incorporated moving the Town Landing for private craft from Whitestrand to Normandy, have been very well received. It will take several years for infrequent harbour users to become familiar with the changes. Additional signage and staff deployed to the Town Landings should aid this change to be implemented with the minimum of disruption.
- 2.3.10 Marine Crime - Marine Crime is a very difficult issue to tackle. Marine crime has reduced by 17% so far in 2012/13 from the previous year's figures. The Harbour employ a night security patrol and have worked closely with the Devon and Cornwall Police, who now share the Harbour Office, to proactively reduce marine crime opportunities.

2.3.11 Town Facilities - Shopping facilities and canoe rentals are outside of the Harbour Authority's sphere of influence. The Harbour Office works closely with the Tourist Information Office and endeavour to make as much information as possible available to the Public. This includes publishing a free Harbour Guide annually.

2.4 The following table details a comparison of the opinion surveys conducted over the last four years.

| | | 2008 | 2009 | 2010 | 2011 | 2012 | Trend |
|----------|---|------|------|------|------|-------|-------|
| Question | | | | | | | |
| 1 | Have you noticed any improvement in the service and facilities Salcombe Harbour offers to you? | 56% | 83% | 57% | 61% | 69% | ↑ 😊 |
| 2 | Do you use the water taxi? | 46% | 73% | 57% | 48% | 50.4% | ↑ 😊 |
| 3 | Have you made use of the water taxi discount tickets? | 28% | 40% | 14% | 34% | 32.7% | ↓ 😞 |
| 4 | Do you consider Salcombe to be a safe harbour? | 75% | 85% | 100% | 84% | 90.6% | ↑ 😊 |
| 5 | Has speeding and anti social behaviour from other harbour users adversely affected your enjoyment of the estuary? | 54% | 37% | 28% | 26% | 20.8% | ↓ 😊 |
| 6 | Are conservation issues important to you? | 76% | 83% | 100% | 71% | 72.7% | ↑ 😊 |
| 7 | Do you consider the Harbour Staff welcoming, friendly and helpful? | 75% | 83% | 100% | 80% | 87.7% | ↑ 😊 |
| 8 | Do you consider Salcombe Harbour offers Value for Money? | 60% | 75% | 71% | 66% | 76.2% | ↑ 😊 |
| 9 | Will you consider using the Harbour again in the future? | 84% | 90% | 85% | 86% | 94.6% | ↑ 😊 |

Analysis:

2.4.1 Question 1: There has been a small but significant improvement to the number of customers who have noticed an improvement to the services and facilities.

- 2.4.2 Question 2: Despite the fact that the survey suggests that the number of people using the water taxi has increased, the water taxi has just had a difficult year with approx 22% drop in yacht taxi usage.
- 2.4.3 Question 3: The trend is down slightly on last year but the general trend is relatively positive. There is still more work to do to bring the financial advantages of the concession tickets to our customer's attention.
- 2.4.4 Question 4: There has been a positive turnaround from the disappointing poll last year.
- 2.4.5 Question 5: Slowly but surely the trend is moving in the right direction. The Enforcement Policy has been implemented and this summer one successful prosecution was brought for irresponsible boating, not displaying navigation lights at night. The speeding message has been and will continue to be broadcast loud and clear for all harbour users to heed.
- 2.4.6 Question 6: Although there has been a slight improvement in the poll compared to last year, it is disappointing that the percentage number of the poll who is not concerned about environmental issues. Notwithstanding this the Harbour Authority has statutory responsibilities within the Site of Special Scientific Interest.
- 2.4.7 Question 7: There has been a small but significant improvement in the poll since last year. Considerable efforts have been made over successive years to improve the customer experience.
- 2.4.8 Question 8: There has been a small improvement in the number of the poll that consider Salcombe Harbour provides value for money and the trend has been generally improving over the past five years.
- 2.4.9 Question 9: It is reassuring that the trend for customers using the harbour again in the future is moving in the right direction.

4. LEGAL IMPLICATIONS

- 4.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 4.2 There are no other legal implications to this report.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications from this report, however any policy changes or improvements which are implemented as a result of this report will have to be budgeted for.

6. RISK MANAGEMENT

6.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|---|-----------------|------------------------|------------|---|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| The opinion meter survey gives the harbour customers an opportunity to give feedback on a range of issues directly to the Harbour Board. The size of the survey needs to be taken into consideration. | 3 | 3 | 9 | The Harbour Board, through its contact with harbour Community Forums and by setting and monitoring performance standards will be in a position to develop policies that will address the concerns of the harbour customers. The issues that customers are concerned about have been recorded in the survey. |

7. OTHER CONSIDERATIONS

| | |
|---|---|
| Corporate priorities engaged: | Community Life Economy Environment |
| Statutory powers: | Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36). |
| Considerations of equality and human rights: | None |
| Biodiversity considerations: | None |
| Sustainability considerations: | None |
| Crime and disorder implications: | None |
| Background papers: | None |
| Appendices attached: | None |

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AGENDA
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15

SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

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| | |
|--------------------------|---|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | MATTERS FOR FUTURE CONSIDERATION |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of Report

To identify matters for future consideration by the Harbour Board.

RECOMMENDATION

That the Harbour Board RESOLVES to note the report.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

- 1.1 The Harbour Board Constitution states that Matters for Future Consideration should be reviewed by the Board at each meeting.

2. MATTERS FOR FUTURE CONSIDERATION

2.1 Harbour Board Dates

2.1.1 The following dates have been set for Harbour Board Meetings:

- 8 April 2013
- 3 June 2013
- 15 July 2013
- 23 September 2013

2.3.1 Reviewed quarterly with the report for the 4th quarter of financial year 2012/13 being presented on 3 June 2013.

2.4 Year End Budget Report 2011/12

2.4.1 To be presented to the Board in July Annually.

2.5 Revenue Budget and Review of Fees and Charges.

2.5.1 The annual revenue budget for the following financial year will normally be brought to the Harbour Board for consideration in September annually.

2.5.2 The Harbour fees and charges will be reviewed annually and brought to the Board for consideration directly after the Budget in September annually.

2.6 Harbour Annual Inspection

2.6.1 To take place in July Annually. Next year's inspection will take place on the morning of 15 July 2013 before the scheduled Board Meeting.

2.7 Compliance with the Port Marine Safety Code

2.7.1 The Harbour is audited bi-annually by the designated person. A report of the Audit forms part of the agenda of this meeting.

2.7.2 The next inspection will be on 15 July 2013 to coincide with the Annual Inspection.

2.8 Long Term Security of Tenure

2.8.1 The Strategic Business Plan 2012-2017 set out within its key Strategic Objectives task 4.1 - To consider future boating trends and provide suitable and appropriate facilities and Services through an annual Harbour Board Workshop.

2.8.2 A second Harbour Board workshop will be held in October 2013.

2.9 Membership of the Harbour Board

2.9.1 The Board Meeting on 8 April will be the final Board meeting for the following Co-opted Members, they having served two terms:

Mr Kit Harling CBE
Mr Hugh Marriage OBE
Mr Jonno Barrett
Mr Peter Waring

2.9.2 A recruitment process will commence in February which will be complete in time for the new Board Members to be proposed to Full Council on 9 May 2013 for confirmation.

3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).

3.2 There are no other legal implications to this report.

4. FINANCIAL IMPLICATIONS

4.1 There are no new financial implications as a result of this report; however this is not necessarily the case for the work which will follow.

5. Risk Assessment

5.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|---|-----------------|------------------------|------------|--|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| The Harbour Authority is striving to deliver an improving service to harbour users. | 3 | 2 | 6 | The Harbour Board, considers many routine issues annually, topical items will be brought to the Board as they arise. The objective being a better service in a safe environment for estuary users. |

| | |
|--|--|
| Corporate priorities engaged: | Community Life Economy Environment |
| Statutory powers | The Pier & Harbour (Salcombe) Order Act 1954 |
| Consideration of equality and human rights: | There are no equality or human rights issues with this report |
| Biodiversity considerations: | None |
| Sustainability considerations: | None |
| Crime and disorder implications: | None |
| Background Papers: | Strategic Business Plan 2nd Edition dated 26 March 2012. Constitution of the Salcombe Harbour Board (as adopted by Council on 25 June 2009). Harbour Board Constitution (as adopted by Council on 25 June 2009). |
| Appendices attached: | None |

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AGENDA
ITEM

16

SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

16

| | |
|--------------------------|------------------------------------|
| NAME OF COMMITTEE | Salcombe Harbour Board |
| DATE | 4 February 2013 |
| REPORT TITLE | MOORINGS POLICY ENFORCEMENT |
| REPORT OF | Salcombe Harbour Master |
| WARDS AFFECTED | All South Hams |

Summary of report:

To review a request from the residents of The Moorings Kingsbridge for a private pontoon.

Financial implications:

There are no direct financial implications from this report.

RECOMMENDATIONS:

That the Harbour Board RESOLVES to rule on the request in Appendix 1 to this report, in line with the current Moorings Policy.

Officer contact:

Ian Gibson – 01548 843791 (Internal 7104)

1. BACKGROUND

- 1.1 The Moorings Policy was updated in 2012 following an extensive public consultation. The Salcombe Harbour Board (“SHB”) recommended to Full Council on 12 November 2012 that the updated Moorings Policy be adopted (SH36/12).
- 1.2 The proliferation of private pontoon mooring facilities is covered by the Moorings policy paragraph 6.0.12:

6.0.12 *The cumulative effects of a proliferation of walk-ashore jetties or pontoons would represent a loss of foreshore within the Site of Special Scientific Interest (SSSI) and be detrimental to the appearance of the estuary within the Area of Outstanding natural Beauty (AONB). Even when located on private fundus, moored pontoons require a Mooring Licence which will not normally be granted if the pontoon is for private use. Applications for commercial pontoons and pontoons providing public access to the estuary will be assessed on their individual merits and environmental impact. However when and if the commercial activity (and/or the public access) cease the mooring licence will be withdrawn and the pontoon should be removed. In no cases will its use as a private mooring be permitted (SH 5/10).*

2. ISSUES FOR CONSIDERATION BY THE BOARD OR AD HOC SUB COMMITTEE WHICH SHOULD BE TAKEN INTO CONSIDERATION WHEN REVIEWING THE ATTACHED REQUEST

- 2.1 The Moorings Policy states in para 6.0.12 that pontoons for private access will not normally be granted.
- 2.2 It is a particularly sensitive time for pontoon proliferation with the Harbour Authority having to justify the improvements to the berthing arrangements at Kingsbridge to Natural England in order to gain their support for the MMO licence application. Granting this request could potentially damage these negotiations.
- 2.2 The Board are requested to review the request from The Moorings Apartments at Kingsbridge at Appendix 1.
- 2.3 If the Board gives its support to this request, the applicant will still require Planning Permission and an MMO Licence.

3. LEGAL IMPLICATIONS

- 3.1 Statutory Powers: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 3.2 A local authority is entitled to make policies in order to provide guidelines for its own decision-making (whether by members or officers) but it should not regard itself as completely restricted by policy. It must always be possible for the authority to make an exception to policy; if it isn't, the authority will be regarded as having "fettered its discretion" and that is unlawful. However, in order to be fair to everyone, the authority should have good reasons both for making an exception, or refusing to do so.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications from this report.

5. RISK MANAGEMENT

5.1 The risk management implications are:

| Risk/Opportunity | Risk Status | | | Mitigating and Management Actions |
|---|-----------------|------------------------|------------|--|
| | Impact/Severity | Likelihood/Probability | Risk Score | |
| By granting approval for an additional private pontoon, the flood gates would open with numerous similar requests. This would adversely affect the character of the estuary which is within the South Devon AONB. | 3 | 2 | 6 | The Harbour Authority has a policy of not generally approving private pontoons. |
| Granting this request could adversely affect the Harbour Authority's application for an MMO Licences for the Kingsbridge Pontoons. | 3 | 3 | 9 | An MMO licence is required for all pontoon developments. The plan to increase the size of the current pontoons will likely be reliant on a compensating reduction elsewhere in the Estuary. This would be difficult to justify if permission were given for additional private Pontoons. |

6. OTHER CONSIDERATIONS

| | |
|---|---|
| Corporate priorities engaged: | Community Life Economy |
| Statutory powers: | Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36). |
| Considerations of equality and human rights: | None |
| Biodiversity considerations: | None |

| | |
|---|--|
| Sustainability considerations: | None |
| Crime and disorder implications: | None |
| Background papers: | SH 34/09 Moorings Policy SH 36/12 Moorings Policy |
| Appendices attached: | Appendix 1 – Request on behalf of the Residents of The Moorings Kingsbridge. |

Ian Gibson
Harbour Master

Salcombe Harbour Board
4 February 2013

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Agenda Item 3

Salc Harb 04.02.13

These minutes have previously been confirmed by the Council and are included for information purposes only

MINUTES OF THE MEETING OF THE SALCOMBE HARBOUR BOARD

HELD AT CLIFF HOUSE, SALCOMBE ON MONDAY, 4 FEBRUARY, 2013

| Members in attendance | | | |
|-----------------------|----------------------------|-------------------------------|--------------------------------|
| * Denotes attendance | | ∅ Denotes apology for absence | |
| * | Cllr R J Carter (Chairman) | * | Mr J Barrett |
| * | Cllr M J Hicks | * | Dr C C Harling (Vice Chairman) |
| * | Cllr K R H Wingate | * | Mr M Mackley |
| * | Cllr S A E Wright | ∅ | Mr H Marriage |
| | | * | Mr A Thomson |
| | | * | Mr P Waring |

| Item No | Minute Ref No below refers | Officers in attendance and participating |
|------------------|----------------------------|---|
| All agenda items | | Salcombe Harbour Master, Head of Assets and Member Services Manager |

SH.42/12 **MINUTES**

The minutes of the meeting of the Salcombe Harbour Board held on 12 November 2012 were confirmed as a correct record and signed by the Chairman.

SH.43/12 **URGENT BUSINESS**

The Chairman advised that there were no items of urgent business to bring forward at this meeting.

SH.44/12 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, and the following were made:

Cllr S A E Wright, Mr J Barrett, Dr K Harling, Mr M Mackley, Mr A Thomson and Mr P Waring all declared a disclosable pecuniary interest in all related agenda items by virtue of having moorings or paying harbour dues to the Council. As the Deputy Monitoring Officer had previously granted a dispensation under Paragraph 8.1 (c) of the Code of Conduct (minute SH.21/12 refers), all Members remained in the meeting and took part in the discussion and debate on all agenda items.

Mr A Thomson declared a personal interest in Item 16: 'Moorings Policy Enforcement' (Minute SH.56/12 below refers) by virtue of knowing some of the residents involved and he abstained from the vote on this item.

SH.45/12 **PUBLIC QUESTION TIME**

Members of the public were in attendance and advised that they did not wish to utilise the Public Question Time session.

SH.46/12 **FEEDBACK FROM HARBOUR COMMUNITY FORUMS**

The Board received verbal update reports from the Board Members who attended the Harbour Community Forums, during which reference was made to:-

Salcombe Kingsbridge Estuary Conservation Forum

No update was given

Salcombe Kingsbridge Estuary Association (SKEA)

A member of SKEA had asked if the bunting currently being used at Batson pontoons could be removed as it was unsightly. In response, the Harbour Master advised that the bunting was an effective method for keeping the birds away. The pontoons take five working days to clean, so the use of bunting was an effective timesaver. The bunting would only be in place until Easter when the boats would be back on the pontoon. A Board Member confirmed the effectiveness of the tape, having witnessed a number of birds and bird excrement at a point where the tape was not in place. Following a brief discussion the Harbour Master agreed to try to find tape of a different colour.

Kingsbridge Estuary Boat Club (KEBC)

No update was given

South Devon & Channel Shellfishermen

The Harbour Master gave a progress report on the Fish Quay, and advised that weekly reports would now be sent to him which he would forward to the Chairman for information.

Kingsbridge and Salcombe Marine Business Forum

No update was given.

SH.47/12 **WHITESTRAND SHOWER PROJECT**

The Board considered a report which updated Members on the Whitestrand Shower Project and sought to request additional funding.

The Harbour Master introduced the report and advised that the project had started with a letter of intent. There had been miscommunication which had resulted in the project price being higher than expected, as the planning permission had required a change of design and the use of specific materials. He also confirmed that the showers would be cleaned and maintained by the District Council, and water and electricity meters would be in place which the Harbour Authority would pay the bills for. The Harbour Authority would also meet the cost of any major vandalism, however as a preventative measure there would be no charge for using the showers so no money would be held on site.

During discussion, it was asked if the yachtsmen would be given priority usage. In response, the Harbour Master advised that the showers would be accessed by a pin code given to yachtsmen when they arrived. The code would be changed on a weekly basis.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to an increase in the budget for the Whitestrand Shower Project to be funded from the Harbour General Reserve.

SH.48/12 **ISLAND CRUISING CLUB FEES AND CHARGES**

The Board considered a report which outlined a request from the Island Cruising Club to reduce their mooring charges.

The Harbour Master introduced the report, and outlined the subsidy currently given to this organisation. A number of Members felt that there was no justification for further discounts to be given.

Following a brief discussion, it was then:

RESOLVED

That the request from The Island Cruising Club for a reduction in their Mooring Charges for 2013/14 be declined for the reasons set out in Paragraph 2.3 of the presented report.

SH.49/12 **DEALING WITH UNREPORTED COLLISIONS**

The Board was presented with a report that asked the Members to consider a range of measures to deal with the problem of unreported collisions.

The Harbour Master introduced the report, and advised that he had written to commercial users and yacht clubs for recommendations on how to deal with the issue of unreported collisions. The resulting proposals were presented within paragraph 2.4 of the report. Whilst the number of collisions was down overall, there had been a high profile event where problems had occurred. Salcombe Yacht Club had now reviewed their risk assessment and this was appended to the report.

During discussion, the following points were raised:

- A Member felt that collision cluster data would be helpful, and also suggested that the byelaw information should appear at the bottom of the Accident Report Form rather than the top;
- Another Member felt that presented proposals were a step forward and that the collection of data would help to show where further steps needed to be taken;
- Finally a Member asked that the response of Salcombe Yacht Club be noted, and also that boat owners themselves had a responsibility.

It was then:

RESOLVED

That the measures described in paragraph 2.4 of the presented report be implemented by the Harbour Board.

SH.50/12 **MOORINGS POLICY – CLARIFICATION OF FACILITY CAPACITIES**

The Board considered a report that clarified the policy on Mooring Facility boat lengths and proposed a way forward for dealing with boats that were too big for the allocated facility.

The Harbour Master introduced the report, and advised that it was important to tackle the issue of boats getting too big. There were areas where problems were experienced each year as boats became larger, and to address the issues he suggested a two phase approach. He then outlined the proposed way forward.

Members debated this at some length, and the points raised included the following:

A Member agreed that the proposed way forward was sensible, but it would be important to ensure a supply of suitable buckets. He also wondered if a charge should be made for bailing out boats and checking them but another Member felt that this would not be appropriate as there is then an expectation that this service is constantly provided;

Another Member felt that it was important for the Harbour Authority to manage the moorings but there may be a difficulty in the PR aspect of this proposal;

One Member felt that it was a nonsense to expect every moored boat to have a bucket on it's propeller as it would not be possible for all engines to be reached;

A Member asked if the two elements of the proposal were co-dependent. In response the Harbour Master advised that they were two separate issues and it would not involve moving those who already have a deep water mooring to a foreshore mooring. The two waiting lists were quite separate;

In response to a query as to whether it had always been clear that the length overall of a boat included the engine, the Harbour Master advised that this was in the Moorings Policy. Previously, the Harbour staff had accepted a declared boat length, but it was clear that some boats were now considerably longer than others;

A Member suggested that the Harbour Master reorganise boats to fit the pontoons. In response, the Harbour Master advised that he could reorganise to a degree, to enable longer boats to be staggered, but could not take someone from an outside line of a pontoon and move them to an inside line;

Some Members were concerned at bringing in changes to the rules so quickly, but the Harbour Master did confirm that the majority of the proposals would go for consultation to come into force from 1 April 2014;

A Member asked that the changes be clear on a separate slip of paper so that they were not lost with other information given to yachtsmen.

To conclude, the proposed recommendations were slightly amended, to the following:

Paragraph 1.6.1: All boats that berth on Harbour Pontoons with an outboard motor which is left in the raised position should cover the propeller and skeg with a bucket or similar device to protect other boats from damage.

Paragraph 1.6.2: Existing vessels allocated wall or pontoon facilities between 5.5m and 6m LOA should be accommodated as a legacy vessel until the owner gave up the mooring or changes their boat. Boats of 6m and over will be offered an alternative foreshore mooring.

Paragraph 1.7 remained as proposed.

It was then:

RESOLVED

That the proposals at paragraph 1.6 of the presented report be implemented immediately, and that the Harbour Community Forums be consulted on the proposals at paragraph 1.7 of the presented report, with a view to implementing them on 1 April 2014.

[NOTE: in accordance with Council Procedure Rule 15.6, Cllr Simon Wright asked that his vote against the proposal be formally recorded]

SH.51/12 **PORT MARINE SAFETY CODE**

The Board considered a report that appraised Members on Salcombe Harbour Authorities' compliance with the Port Marine Safety Code.

The Harbour Master introduced the report and following a brief discussion it was:

RESOLVED That:

- a) The finding of the Audit at Appendices 1 and 2 of the presented report be accepted; and
- b) The 10th edition of the Safety Management System dated 27 November 2012 and presented as Appendix 3 of the presented report be endorsed and published.

SH.52/12 **PERFORMANCE MANAGEMENT**

The Board considered a report that reported the Harbour's performance against agreed Performance Indicators (PIs).

The Harbour Master introduced the report, and took Members through the areas where targets had not been met.

It was then:

RESOLVED

That Harbour performance against agreed Performance Indicators be noted.

SH.53/12 **2012 OPINION METER SURVEY**

The Board considered a report that outlined the results of the 2012 Opinion Meter Survey.

The Harbour Master introduced the report and advised that the Council no longer had the equipment to undertake these surveys but that he was trying to locate something similar as the survey meter had proved to be a very useful tool over previous years to gauge customer satisfaction.

It was then:

RESOLVED

That the report be noted and its content be considered when formulating policy for the future.

SH.54/12 **MATTERS FOR FUTURE CONSIDERATION**

The Board considered a report that identified matters for future consideration by the Harbour Board.

The Harbour Master introduced the report and highlighted the key points. He asked Members to note that the Chairman had approved to move the date of a future Harbour Board meeting from 3 June to 20 May 2013.

It was then:-

RESOLVED:

That the report be noted.

SH.55/12 **EXCLUSION OF PUBLIC AND PRESS**

It was then:-

RESOLVED

“That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraphs 1 and 1 of Part 1 of Schedule 12A to the Act.”

SH.56/12 **MOORINGS POLICY ENFORCEMENT**

The Board was asked to consider a request from the residents of The Moorings, Kingsbridge for a private pontoon.

Following a discussion, it was then:

RESOLVED

That the request outlined in Appendix 1 of the presented report be denied, in line with the current Moorings Policy.

(Meeting commenced at 2.30 pm and concluded at 4.15 pm).

Chairman