

SOUTH HAMS DISTRICT COUNCIL

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	30 January 2012
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 9th edition of the Safety Management System dated 17 November 2011 at Appendix 3.

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 17 November 2011 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 9 dated 17 November 2011. 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	Issues / Obstacles	Mitigation
The Harbour Authority is striving to deliver an improving service to harbour users.	The Harbour Board, considers many routine issues annually, topical items will be brought to the Board as they arise.	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:	None
Appendices attached:	1. Nicholson Risk Management's Report dated 17 November 2011. 2. Nicholson Risk Management's letter dated 17 November 2011. 3. Salcombe Harbour Board Safety Management System Issue 9 dated 17 November 2011.