

<b>NAME OF COMMITTEE</b>	<b>Salcombe Harbour Board</b>
<b>DATE</b>	<b>4 February 2013</b>
<b>REPORT TITLE</b>	<b>PORT MARINE SAFETY CODE</b>
<b>REPORT OF</b>	<b>Salcombe Harbour Master</b>
<b>WARDS AFFECTED</b>	<b>All South Hams</b>

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### 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 10<sup>th</sup> edition of the Safety Management System dated 27 November 2012 at Appendix 3.

### Officer contact:

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## 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.

<b>Corporate priorities engaged:</b>	Community Life Economy Environment
<b>Statutory powers</b>	The Pier & Harbour (Salcombe) Order Act 1954
<b>Consideration of equality and human rights:</b>	There are no equality or human rights issues with this report
<b>Biodiversity considerations:</b>	None
<b>Sustainability considerations:</b>	None
<b>Crime and disorder implications:</b>	None
<b>Background Papers:</b>	None
<b>Appendices attached:</b>	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