

NAME OF COMMITTEE	Salcombe Harbour Board
DATE	9 February 2015
REPORT TITLE	Port Marine Safety Code
REPORT OF	Salcombe Harbour Master
WARDS AFFECTED	All South Hams

Summary of Report

To appraise the Harbour Board of the Authority's 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 12th edition of the Safety Management System dated 11 November 2014 at Appendix 3.

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1. BACKGROUND

- 1.1 The Port Marine Safety Code (PMSC) was published in March 2000 and revised in 2012 by Department of Environment, Transport and Regions to establish an agreed national standard for port marine safety and be a measure by which harbour authorities can be held accountable.
- 1.2 The Harbour Authority's independent designated person (Nicholsons Risk Management) reported on 11 Nov 14 that, "There is in place a safety management system which - if maintained actively - complies with the requirements of the PMSC". The report is at Appendix 1.

2. ISSUES FOR CONSIDERATION

- 2.1 The Audit resulted in a number of comments, which are detailed in Appendix 2.

- 2.2 The Harbour's Safety management System has been updated to Issue 12 dated 11 Nov 14. See Appendix 3.
- 2.3 All authorities that fall under the PMSC must report their compliance to the MCA every 3 years, which next falls on 31 Mar 15. Appendix 4 is a draft statement of compliance, which the Chair is invited to sign.

3. LEGAL IMPLICATIONS

- 3.1 Statutory: Local Government Act 1972, Section 151. The Pier and Harbour Order (Salcombe) Confirmation Act 1954 (Sections 22-36).
- 3.2 Non-statutory: Port Marine Safety Code (amd 2012).

4. FINANCIAL IMPLICATIONS

- 4.1 Nil.

5. Risk Assessment

- 5.1 The risk management implications are:

Risk/Opportunity	Risk Status			Mitigating and Management Actions
	Impact/Severity	Likelihood/Probability	Risk Score	
Failure to maintain a safe harbour could result in risk to life, limb and property and breach statutory obligations as well as non-statutory guidelines	3	1	9	The Harbour maintains a Safety Management System which is independently reviewed annually.

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:	Port Marine Safety Code Dated December 2012.
Appendices attached:	1. Report dated 11 Nov 14. 2. Letter dated 11 Nov 14. 3. Salcombe Harbour Board Safety Management System Issue 12 dated 11 Nov 14. 4. Statement of Compliance (unsigned).