

**Newport Harbour
Safety Management Plan
2018 to 2020**

Version: DRAFT v0.1

Date: 10.08.18

1. INTRODUCTION

1.1 Newport Harbour authority is the harbour authority for Newport harbour; its jurisdiction is from the Folly Inn south up to Sea Street in Newport. Newport harbour is obliged to comply with national legislation, in particular that concerning Health and Safety. Her Majesty's Government expects that Newport harbour will comply with the Department for Transport's 'Port Marine Safety Code' and the associated 'Guide to Good Practice on Port Marine Operations'.

1.2 This Marine Safety Management Plan encapsulates the key elements of Newport harbour Safety Management System. A more comprehensive overview of the structure, management and maintenance of the harbour's Safety Management System (SMS) and Newport harbour's compliance with the PMSC in support of this plan is contained within the SMS manuals held at the Harbour Office and County Hall.

1.3 The aim of this plan is to provide detail about the management measures in place and to set measurable performance targets. The Code requires the development and maintenance of appropriate policies, plans and procedures. All of Newport harbour's policies, plans and procedures are based upon formal risk assessment in order that risks are eliminated or reduced to a level that is 'as low as reasonably practical' (ALARP).

2. MARINE POLICIES

2.1 Newport harbour has developed several marine policies in support of the management and regulation of marine operations that safeguards the harbour, its users, the public and the environment within harbour limits. These policies will be reviewed by the Newport harbour User Group as part of the formal consultation process.

2.2 Safety is Newport harbour's first priority. The safety management system is based on a continuing, formal assessment and mitigation of risk in consultation with harbour users. Newport harbour ensures compliance with this policy by actively communicating and educating, via various media, which are underpinned by clear and precise rules and regulations.

2.2 A core Newport harbour objective is to set and maintain the highest standards in Health and Safety for Newport harbour's employees and harbour users, as well as protection of the environment within the harbour and its surroundings, whilst maintaining compliance with the standards as set in the Port Marine Safety Code. To this end the Isle of Wight Councils Health and Safety Policy and the Safety and Environmental Protection Policy have been recognized and implemented into the management system of the harbour.

2.3 Newport harbour's Conservancy Policy is to manage effectively the safety and sustainable development of the harbour and deliver continued growth and investment in customer-focused marine services in the interests of all its stakeholders

2.4 Newport harbour's policy for enforcement comprises the promulgation of regulation and guidance, training of staff, effective observation of harbour users, incident investigation and where appropriate formal warning and prosecution. This policy is based on education in the first instance and generally only reverts to prosecution for repeat offenders; for offences bringing significant risk of serious injury or loss of life or when users threaten or abuse our staff members.

2.5 Other policies have been developed in line with the PMSC and 'Guide to Good Practice on Port marine Operations'. These include, but are not limited to;

- Hydrography
- Competence standards
- Consultation

2.6 All policies are included in Newport harbour's SMS and are subject to periodical review.

3. ORGANISATION

3.1 PMSC Compliance

3.1.1 At the last Port Marine Safety code Health check conducted by the Maritime & Coastguard Agency (MCA) on 26 and 27 September 2017 it was concluded that Newport Harbour was not compliant with the PMSC. Whilst progress had been made to comply with the principles of the PMSC the MCA found that there were areas where additional work was required for compliance to be achieved.

3.1.2 The outcomes of the Health Check has been discussed with the Designated Person and a PMSC "Get Well Plan" has been formulated which, when implemented, will ensure that the harbour is fully compliant with the requirements of the PMSC.

3.2. Duty Holders.

3.2.1 The Duty Holders for Newport harbour are the Harbour board, both collectively and individually. The harbour board are obliged to conserve and facilitate the safe use of the harbour and have a duty of care against loss caused by the authority's negligence.

3.2.2 Overall accountability to the Department for Transport for safety matters is retained by the Duty Holders. The Duty Holders will ensure that enough resources are available to discharge their marine safety obligations and set the level of dues accordingly.

3.2.3 The Newport Harbour board consists of seven elected members of the Isle of Wight Council; these will include the following positions:-

- Cabinet member for Resources
- Cabinet member for Infrastructure and Transport
- Cabinet member for Environment and Heritage
- Four other elected members

3.2.4 The Harbour Board will be representative of the political proportionality of the Isle of Wight Council.

3.2.5 To aid the Harbour Board, Council Officers will be requested to attend as required; typically:-

- Head of Commercial Services
- Commercial Services Manager
- Senior Harbour Master

3.3 Senior Harbour Master

3.3.1 The Senior Harbour Master has overall responsibility for compliance of the Harbour Authority's statutory safety duties and the harbour's Health & Safety responsibilities, however, issues or concerns can be escalated to the Harbour board for review and decision.

3.4. Designated Person.

3.4.1 Marico Marine UK has been appointed to be the Designated Person. The Designated Person is required to provide assurance of port safety independent of the harbour board, to determine that the

harbours safety management system is working correctly, and to make any necessary representations on safety matters direct to the harbour board.

3.5 Newport Harbour Project Board

3.5.1 The Newport harbour project board consists of the following officers:

- Head of Commercial Services (Chairman)
- Head of Legal Service
- Commercial Services Manger
- Leisure Facilities Manager
- Health & Safety Advisor
- Senior Harbour Master
- Senior Accounting Technician

3.5.2 The role project board is as follows:

1. To review operational issues and management of the harbour
2. Review external and internal safety audits and respond to recommendations.
3. To review accident statistics.
4. To review and report on safety exercises.
5. To make recommendations to improve port safety.

3.5.3 Newport harbour will report annually on its performance.

3.5.4 The project board meets every two months and minutes of the meeting are forwarded to the Designated Person for review and comment.

3.5 Newport harbour User group

The Newport harbour's User group consists of the following:

Council

- Executive member
- Head of Commercial Services
- Commercial Services Manager
- Senior Harbour Master
- Estuaries Officer
- One representative of the local Isle of Wight Council elected members

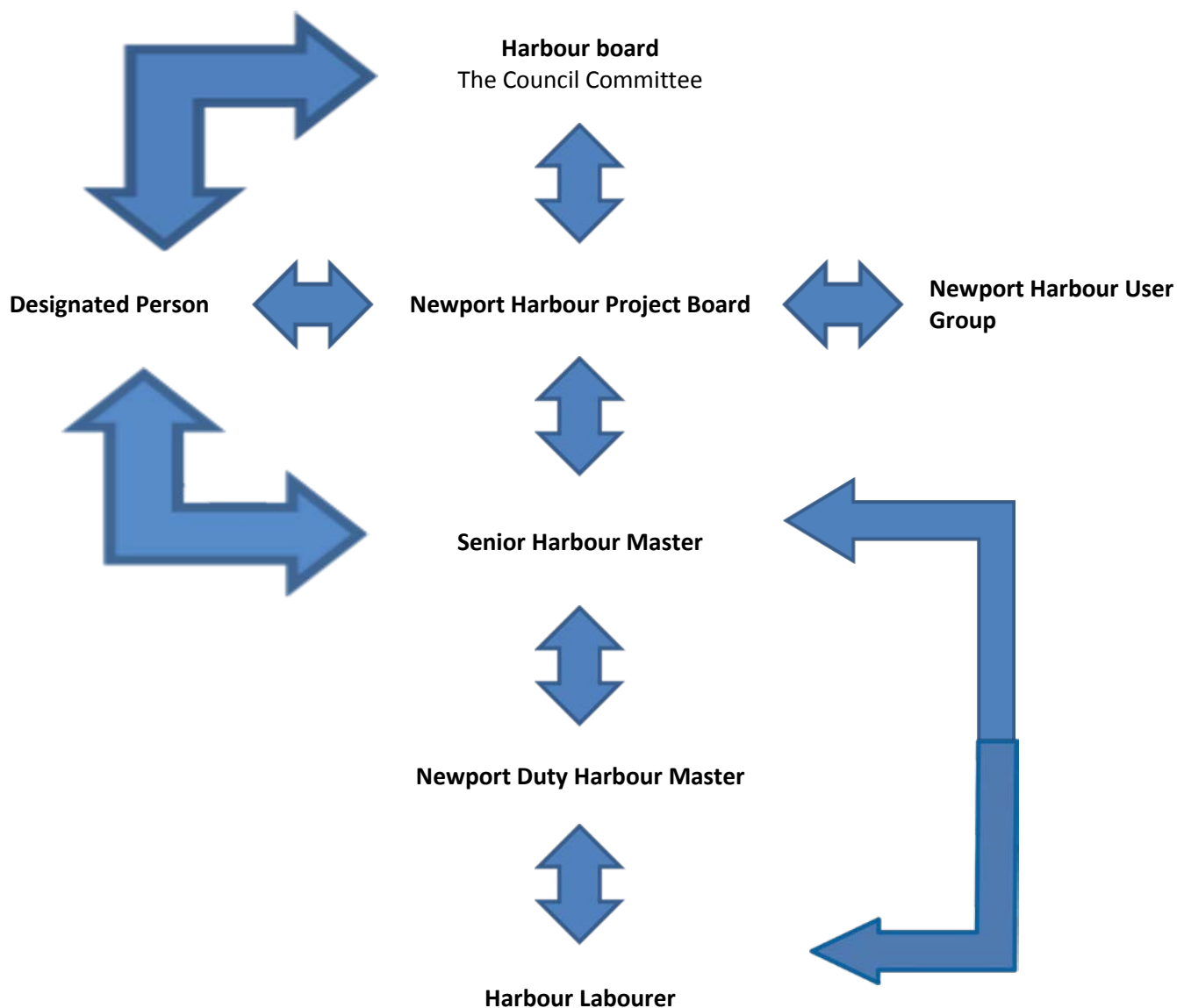
Newport Harbour / Folly

- Newport Berth holder
- Folly Berth holder
- Houseboat owner
- Commercial user at Newport
- A Marine related lease holder
- Harbour Building lessee / Tenant
- Adjacent Businesses
- Water based activities user

Other

- Cowes Harbour Commission
- Island Harbour Marina
- Quay facilities and Commercial shipping movements
- Police
- Newport Parish Council

3.5.3 Operational Roles



4. IMPLEMENTATION

4.1. Harbour Rules and Regulations.

4.1.1 To prevent unsafe activities and reduce risks, Newport Harbour Authority obtains its statutory duties and powers from the following national legislation:

- Harbours, Docks and Piers Clauses Act 1847.
- The Harbour Act 1964
- The Docks and Harbours act 1966
- The Dangerous Vessels Act 1985
- The Dangerous Substances in the Harbour Areas Regulations 1987
- The Aviation and Maritime Security Act 1990
- The Merchant Shipping Act 1995
- The Merchant Shipping (prevention of Oil Pollution) Regulations 1996
- The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003

4.1.2 In addition Newport Harbour has the following specific legislation and bylaws:

- The River Medina Navigation Act 1852
- The River Medina Navigation Act Order 1898
- The Newport (Isle of Wight) Harbour Revision order 1968
- The Newport (Isle of Wight) Harbour Revision order 1988
- Current Bylaws (1925):
 - No running of Propulsion whilst alongside the Quay
 - 4 Knot speed limit between Five Trees Point and the Main Harbour
 - Regulating shipping, discharging, Landing, depositing and removing of Goods at the town Quay (1991)

4.1.3 At present, the Harbour Authority does not have the powers of General Direction; however, the harbour is in the process of updating the Harbour Revision Order which, when implemented, will provide the ability to implement General Directions.

4.2. Risk Assessment.

4.2.1 Newport harbour's safety management system is informed by and based upon a formal system of risk assessment. The aim is to provide a critical appraisal of all routine and non-routine activities involving both employees and port users.

4.2.2 The SMS maintains a record of all formal risk assessments. These are reviewed at least annually. In addition, all employees and port users are encouraged to use dynamic risk assessments to determine and reduce hazard levels for any activity or operation not detailed by formal risk assessment.

4.3. Risk Control Measures.

4.3.1 Newport harbour uses and maintains risk control measures which include but are not limited to:

- Special Directions
- Local Notices to Mariners
- Operating Procedures
- Employing appropriately trained Personal
- Protective Equipment
- Training
- Briefings
- Aids to Navigation
- Equipment surveys and inspections.
- Tide Gauges

4.4. Operating Procedures.

4.4.1 Operating Procedures have been established for the following activities:

- Movement and control of commercial traffic; these are being developed and will aid with the development of future General directions
- Harbour work activities ashore and afloat; through works licences

4.5. Training.

4.5.1 It is Newport harbour policy that adequate resources will be made available to ensure that all members of staff are properly trained to undertake any duty they are likely to perform.

- All employees will receive a port safety induction on first joining Newport harbour
- All members of staff will receive Health and Safety Training relevant to their role as soon as possible after joining. The training will be reviewed annually and refresher training given when required.
- All members of staff will receive fire safety training commensurate to the duties that they undertake

- All members of staff will receive manual handling training specific to the duties that they undertake
- All members of staff will receive general training commensurate to the duties that they undertake, As set out in Harbour staff requirements / prerequisite in the SOP

4.5.2 Newport harbour will ensure that an adequate number of staff are trained/ available to react to an Oil Spill Incident.

4.5.3 All training will be as set out in Harbour staff requirements/prerequisite section of the SOP

5. CONSULTATION AND COMMUNICATIONS

5.1 Newport harbour is committed to consultation and is accountable to all stakeholders. Formal stakeholder consultation is undertaken as required and this will as a matter of course include the Newport harbour User Group.

5.2 In accordance with legislation Newport Harbour produces an annual report comprising the annual statement of accounts and a report on the state of affairs arising from the accounts. The report includes the key activities of the harbour.

5.3 Communication with individual stakeholders is encouraged and is achieved through promulgation of information via the website, an open door policy at the harbour office. Where particular individuals are deemed to require certain information, they will be contacted by e-mail / telephone / letter (where details are available) and informed personally.

6. ACCIDENT INVESTIGATION.

6.1 The Senior Harbour Master (SHM) will investigate all reported accidents and incidents; conclusions and any recommendations will be notified to Designated Person informed. Incident statistics will be compiled each year and included in the annual report.

7. MONITORING.

7.1 Safety statistics and any relevant PMSC matters are presented to Duty Holders at each Harbour Board meeting within the Harbour summary report.

8. REPORTS AND FEEDBACK.

8.1 Duty Holders are required to report compliance with the code formally by letter to the MCA. This was done in April 2016 and the next compliance letter is required on or before 31 April 2019. However, it should be noted that as at January 2018 the harbour is not compliant with the Code.

8.2 Performance against the planned safety activities will be reported in the annual report.

Periodicity	Events	Remarks	Complete
Monthly	Harbour Masters Report, Statistical Review		
Annual	Port Safety Meeting, Port Security Exercise, Navigational Risk Assessment Review, Safety Management System Review,		
Biennial	Port Safety table top exercise		
Triennial	Oil Spill Response Exercise, PMSC compliance reported to MCA		

9. AUDIT AND REVIEW.

9.1 Newport's harbours marine safety management system is reviewed annually and this is undertaken by the Designated Person; the next audit is planned for October 2018. The harbour is also subject to annual Health and Safety audits which are undertaken by the in-house health and safety team.

10. MANAGEMENT OBJECTIVES.

Number	Service Provision / Activity	Objective
1	To ensure that empowering legislation available to Newport harbour is appropriate and fit for purpose.	Review legislation and required risk assessment control measures a minimum of annually. Achieve and act upon the HRO as soon as possible.
2	Provide a safe environment for all employees, stakeholders and harbour users.	To maintain an effective Marine Safety Management System with zero non-conformances' identified at audits.
3	Conservancy: Provide a safe and navigable harbour for all users.	To survey channels a minimum of bi-annually. Satisfy the minimum availability requirements for aids to navigation. Issue Local Notices To Mariners in a timely manner
4	Provide management and /or support in any emergency within the harbour or close to its boundaries.	To maintain emergency response and counter pollution plans and the ability to implement them.
5	Reduce the number of navigational incidents year on year.	No serious incidents, major injuries or Tier 2 level pollution incidents as the result of a failure of the SMS and / or of associated safety service provisions.
6	Provide safe and cost effective marine services for the benefit of all stakeholders and harbour users.	To reduce the occurrence of accidents or incidents at our commercial marine services.
7	Provide suitably qualified management structure to the benefit of all stakeholders and harbour users.	To ensure that those with marine safety responsibilities are competent and trained to undertake their duties.
8	Reduce the number of harbour work place accidents year on year.	No incidents requiring staff to take time off work