

Agenda

Name of meeting	HARBOUR COMMITTEE
Date	WEDNESDAY 27 MARCH 2024
Time	2.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the committee	CLLrs P Jordan (Chairman), M Oliver (Vice-Chairman), J Bacon, A Garratt, J Medland, M Price and R Redrup Jonathan Brand, Lawrence Edmonston, Alex Minns and Joseph Rennie Democratic Services Officer: Cat Boulter democratic.services@iow.gov.uk

1. **Apologies and Changes in Membership (if any)**

To note any changes in membership of the Committee made in accordance with Part 4B paragraph 5 of the Constitution.

2. **Minutes** (Pages 5 - 8)

To confirm as a true record the Minutes of the meeting held on 10 January 2024.

3. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's Committee [website](#). This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

4. **Public Question Time - 15 Minutes Maximum**

Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at democratic.services@iow.gov.uk, no later than two clear working days before the start of the meeting. Therefore the deadline for written questions will be Friday 22 March 2024.

5. **PMSC Audit Reports (undertaken September 2023)**

To be presented by Designated Person David Foster.

(a) Newport Harbour Audit Report (Pages 9 - 46)

(b) Ventnor Harbour Audit Report (Pages 47 - 78)

6. **Finance Reports**

(a) Finance Report for Newport Harbour (Pages 79 - 80)

(b) Finance Report for Ventnor Harbour (Pages 81 - 82)

7. **Reports of the Senior Harbour Master**

(a) Report from Senior Harbour Master - Newport Harbour (Pages 83 - 86)

(b) Report from Ventnor Harbour Management Company (Pages 87 - 88)

(c) Get Well Plan - Ventnor Harbour (Pages 89 - 90)

8. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to democratic.services@iow.gov.uk no later than 2pm on Monday 25 March 2024. A question may be asked at the meeting without prior notice but in these circumstances there is no guarantee that a full reply will be given at the meeting.

CHRISTOPHER POTTER
Monitoring Officer
Tuesday, 19 March 2024

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

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If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

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Minutes

Name of meeting	HARBOUR COMMITTEE
Date and Time	WEDNESDAY 10 JANUARY 2024 COMMENCING AT 2.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs P Jordan (Chairman), V Churchman, A Garratt, M Price and R Redrup
Also Present	Jonathan Brand, Lawrence Edmonston, Alex Minns and Joseph Rennie
Apologies	Cllrs J Bacon and J Medland

25. **Apologies and Changes in Membership (if any)**

Apologies were received from Cllr Oliver, Cllr Medland and Cllr Bacon. Cllr Churchman was substituting for Cllr Oliver.

26. **Minutes**

RESOLVED:

THAT the minutes of the meeting held 27 September 2023 be approved.

27. **Declarations of Interest**

There were none received at this stage.

28. **Public Question Time - 15 Minutes Maximum**

There were no public questions.

29. **2023/24 Finance reports**

30. **Newport Harbour**

An update for Newport Harbour was provided to the committee by the Assistant Director of Neighbourhoods. It was reported that all income lines were up and this was encouraging. There was a slight increase to expenditure due to increases in costs for supplies and services. It was shared that Newport Harbour was forecast to end the year £27,000 in profit. There were no reported concerns at this stage and

the positive outcomes were due to the work of the team. The committee was pleased with the positive report.

RESOLVED:

THAT the finance report be noted.

31. **Ventnor Harbour**

The committee received an update that a management contractor was now in full charge of running Ventnor Harbour so the finance report was not as detailed as that for Newport. Figures reflected that there was a reduction in costs to IWC but that income was not to increase as this was kept by the management company. It was discussed that the management company provided officers with a quarterly performance report and it was agreed that this would be shared with the committee going forwards.

A discussion was held about the recent landslip issues along the coast and if they have had any impact on the harbour itself. Other than there being more sediment in the water, and the car park being closed for works, it was shared that there was no damage to, or current concerns for, the harbour.

The committee asked if there was any feedback from customers since the management changeover? The Senior Harbour Master shared that all existing residents were still on their pontoons and seem happy. The management company was also reported to be inviting visitors again which had increased use.

A short discussion was held about a previous committee decision to investigate the option of closing Ventnor Harbour as a statutory port. The Harbour would remain open but would not be constrained by the requirements of a Statutory Port. The Assistant Director of Neighbourhoods shared that it was being discussed with Legal Services and if a decision was made to close it, then a report would be provided to the committee.

RESOLVED:

THAT the finance report be noted.

THAT the quarterly report from the management company for Ventnor Harbour be shared at future committee meetings.

THAT the option to close Ventnor Harbour as a statutory port continued to be investigated by officers.

32. **Report of the Senior Harbour Master**

33. **Senior Harbour Master Report**

The Senior Harbour Master highlighted information contained in his report which included:

- The number of visitors to Newport Harbour had increased.
- Inspections from MCA and Trinity House were completed and passed.
- Newport Harbour quayside was used by Licensing Department for water taxi inspections.
- Due to high levels of rain, more boats were being pumped out regularly. Two boats were sunk but were recovered with a minor amount of pollution.
- The member of staff who was first on the scene of the body behind the hotel has been offered support and checked in with on a regular basis.
- Increased rainfall has meant more debris in the river which has been removed if felt it would cause further issues – mainly tree stumps and wood.

A short discussion was held regarding upcoming events to be held on Newport Harbour quayside in 2024.

RESOLVED:

THAT the Senior Harbour Master's report be noted.

34. **Get Well Plan**

A verbal update was given on the progress of the Get Well plan. An audit held in September 2023 highlighted a couple of areas to work on for Newport Harbour and these were being dealt with.

It was reported that Marico will be completing a navigational risk assessment as well as a full survey of Ventnor harbour, its approaches and all structures. It was shared that this has not been done before and once done, would give more information and provide clarification on the responsibilities of the council and the management company.

The committee thanked the team for the considerable progress they have made with the Get Well plans and that items now on the list were mainly routine actions to be completed.

The Committee were advised that the annual audit results from Marico had been received, however due to an oversight had not been added to the agenda.

It was agreed that the report would be circulated to the committee for review and an informal meeting would be arranged with David Foster from Marico to present the results and answer any questions. Any issues raised at the informal meeting would be discussed at the next committee meeting on 27 March 2024.

RESOLVED:

THAT an informal meeting be arranged to discuss the Marico audit report.

THAT the report be noted.

35. **Members' Question Time**

Cllr Redrup asked if the Senior Harbour Master (SHM) knew that Island Harbour would be closed from next week for 2-3 weeks to allow the lock gates to be repaired? The SHM was not aware of this but would raise it with Folly Ventures as some residents may want to move to Council pontoons during that time.

Cllr Jordan asked for further information regarding the capital bid request for an extra pontoon. The SHM shared that there was an idea to join the East A pontoon at the Folly Inn with the Green King's to create a walk-ashore pontoon. It was reported that Green King was interested but do not have the money to do it, the Senior Harbour Master wanted to make a case in advance for this to be funded to make it more likely to happen. Visitor numbers at the Folly have been decreasing for a number of reasons but having a walk-ashore pontoon would mean more could be charged for a berth. The permanent residents currently on East A would be transferred to another pontoon.

CHAIRMAN



ISLE OF WIGHT COUNCIL

**NEWPORT HARBOUR PORT MARINE SAFETY CODE AUDIT
25/26 SEPTEMBER 2023**



Report Number: 21UK1829
Issue: 01
Date: 30 October 2023

Prepared for: Isle of Wight Council
County Hall
Newport
Isle of Wight
PO30 1UD

Author(s): D Foster

QC: W Heaps and S Barnet

Date	Release	Prepared	Authorised	Notes
5 Oct 23	Draft A	DF	WH and SB	For client comment.
30 Oct 23	01	DF	WH and SB	Final.

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EXECUTIVE SUMMARY

On 15 Mar 22 the Isle of Wight Council (IWC) reappointed Marine and Risk Consultants Ltd (Marico Marine) to continue to provide an independent Designated Person (DP) service for Newport and Ventnor Harbours as specified in the Port Marine Safety Code and as detailed in the "A Guide to Good Practice on Port Operations" for a further three-year extension.

This annual PMSC audit of Newport Harbour was conducted by the Designated Person, Mr D Foster, on 25 and 26 September 2023; this audit report covers Newport Harbour only.

From what was seen during the Newport harbour visit and audit, the perusal of reports and minutes provided each month to the Designated Person, plus the routine monthly Senior Harbour Master/Mr S Newton/ Designated Person liaison phone calls, the Newport Harbour complies with the Port Marine Safety Code, though there is room for improvement.

The following are the main findings, observations, and recommendations of this report:

- The majority of the recommendations made in the previous Newport PMSC audit report have been completed or are being taken forward;
- The Newport Harbour estate continues to be extremely tidy and well cared for. The visitor yacht berths are in good order;
- It is recommended that Duty Holder training is given to new members of the Harbours Committee on joining (currently two new members require training);
- Monthly liaison calls between the Harbour Master, Council Officers and the Designated Person appear to be still working well;
- There is currently no in-date Marine Safety Management Plan. It is recommended that a new Marine Safety Management Plan is drafted for approval at the next Harbour Committee/Duty Holder's meeting in December 2023;
- The Newport Harbour website is part of the IWC's overall website. It is not easy to find for visiting yachtsmen;
- It is recommended that once the hazard review dates and risk control review dates in the Hazman system have been set up, a full review of the Newport Navigation Risk Assessment is then carried out;
- The original Marico Navigation Risk Assessment, published in Oct 19, is currently available on the IWC website; it is now out of date. It is recommended that the original Marico NRA is removed from the IWC website and replaced by a statement stating that an up-to-date Newport NRA can be made available on request;
- The Newport Harbour Risk Register v1.3 dated 9 Jan 20, mainly concerned with land-based activities, requires reviewing;

- The latest version of the Newport MSMS (v1.4) including SOPs and Annexes came into force 31 Nov 22;
- Incidents are still being recorded on a paper-based system; it is recommended that incidents are recorded and tracked using the Hazman system;
- Although the MSMS appears to be well indexed, the whole document is difficult to navigate. It is recommended that the overall MSMS layout is reviewed as part of the drafting process of the next edition of the MSMS;
- It is recommended that a basic exercise programme for oil spill and for other emergencies is developed and included in the overall harbour diary;
- It is recommended that the newly recruited Duty Harbour Master is given PMSC training as soon as convenient;
- It is recommended that the procedures for incident recording, investigation, after actions and the final sign-off are expanded in the MSMS.

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INTRODUCTION

On 15 Mar 22 the Isle of Wight Council (IWC) reappointed Marine and Risk Consultants Ltd (Marico Marine) to continue to provide an independent Designated Person (DP) service for Newport and Ventnor Harbours as specified in the Port Marine Safety Code and as detailed in the "A Guide to Good Practice on Port Operations" for a further three-year extension.

As part of the Designated Person service, this Port Marine Safety Code (the Code) compliance audit of Newport Harbour was conducted by Mr D Foster on 25/26 Sep 23 using a checklist derived from the Port Marine Safety Code (November 2016) and the associated "A Guide to Good Practice on Port Marine Operations (March 2018) (GtGP).

The following previous PMSC audits have been undertaken:

Table 1: Previous Newport and Ventnor Harbour PMSC Audit Reports

Audit	Date of Audit	Marico Report
PMSC Audit 2014 (Newport)	21 Aug 14	14UK1025-01 dated 2 Sep 14
PMSC Audit 2015 (Newport)	17 Feb 15	14UK1025-01 dated 5 Mar 15
PMSC Audit 2016 (Newport)	17 Feb 16	14UK1025-01 dated 25 Feb 16
PMSC Audit 2017 (Newport)	31 Jan 17	14UK1025-01 dated 15 Feb 17
PMSC Audit 2018 (Newport)	16 Oct 18	14UK1025-01 dated 5 Nov 18
PMSC Audit 2019 (Newport)	8 Oct 19	14UK1543-02 dated 7 Nov 19
PMSC Audit 2020 (Newport)	14 Oct 20	19UK1543 dated 28 Oct 20
PMSC Audit 2020 (Newport)	27 Oct 21	19UK1543 dated 16 Nov 21
PMSC Audit 2021 (Newport)	20 Sep 22	21UK1829 dated 31 Oct 22

The following audit programme was arranged by the Senior Harbour Master:

Table 2: Overall Isle of Wight Programme 25/26 September 2023

Time	Location	Present	Comments
Monday 25 Sep 23			
0900-1100	Newport Harbour	J Brand (SHM IWC). Folly Ventures Skipper. D Foster (Marico).	Kick-off meeting. Site visit. River trip to Folly including witnessing MV Blade Runner departing with CHC escort.
1100-1215	Newport Harbour Master's Office	J Brand (SHM IWC) D Foster (Marico)	Office based audit.
1215-1400		J Brand (SHM IWC) D Foster (Marico)	Travel and working lunch.
1400-1430	Ventnor Harbour	J Brand E Blake (VHM) D Foster	Site visit.
1430-1715	Ventnor	J Brand E Blake (VHM) D Foster	Office based audit and future development discussions.
Tuesday 26 Sep 23			
0930 -1215	Newport Harbour Master's office	J Brand (SHM IWC) D Foster (Marico)	Office based audit.
1215-1330	Newport	J Brand (SHM IWC) D Foster (Marico)	Working lunch.
1330-1445	Newport Harbour Master's office	J Brand (SHM IWC) S Newton (IWC) A Edmonston IWC) D Foster (Marico)	Wash-up meeting. Discussions on future management issues.

The thirteen sections of this report follow the chapter headings used in the GtGP with cross references to paragraphs in both the PMSC and GtGP. At the end of each section there are some additional observations and recommendations.

1 THE LEGAL BACKGROUND

The duties of a harbour authority are of three kinds: statutory duties imposed either in the local legislation for that authority or in general legislation, general common-law and fiduciary duties.

The Code includes a brief general summary of the main duties and powers that are common to many harbour authorities in relation to marine operations. It also contains guidance as to how some of these duties and powers should be exercised consistent with good practice.

There are several general principles:

- A harbour authority has statutory and non-statutory duties;
- These duties include an obligation to conserve and facilitate the safe use of the harbour; and a duty of care against loss caused by the authority's negligence;
- Duties to ensure the safety of marine operations are matched with general and specific powers to enable the authority to discharge these duties; and
- There are procedures for these to be changed where necessary.

Some duties, and each harbour authority's powers, are contained in local Acts and Orders, and, although they have much in common, the detail varies from port to port. Most are established by the incorporation or transposition into local Acts and Orders of model provisions in the Harbours, Docks and Piers Clauses Act 1847. Other duties and powers are in general legislation - for example, the Harbours Act 1964, the Dangerous Vessels Act 1985, the Pilotage Act 1987 and the Merchant Shipping Act 1995.

The duty holder is responsible for ensuring that the organisation complies with the Code. In order to effectively undertake this role they should:

- Be aware of the organisation's powers and duties related to marine safety;
- Ensure that a suitable Marine Safety Management System (MSMS), which employs formal safety assessment techniques, is in place;
- Appoint a suitable designated person to monitor and report the effectiveness of the MSMS and provide independent advice on matters of marine safety;
- Appoint competent people to manage marine safety;
- Ensure that the management of marine safety continuously improves by publishing a marine safety plan and reporting performance against the objectives and targets set; and
- Report compliance with the Code to the MCA every 3 years.

Existing powers should be reviewed on a periodic basis by harbour authorities, to avoid a failure in discharging its duties or risk exceeding its powers.

1	GtGP	PMSC		Y/N	Comment
1.1	1.5-1.6	1.3 -1.5	Is the legislation applicable to the harbour authority known and listed?	Y	Including the Newport (Isle of Wight) Harbour Revision Order 2021 (HRO) that came into force 10 Mar 21.
1.2	1.3-1.4	3.11	Are the statutory duties and powers of the harbour effective for purpose?	Y	
1.3	1.6.1	3.11	Are the harbour limits of jurisdiction appropriate to the current activity of the port?	Y	
1.4	5.1.9	E.S. 2-5	Is the Harbour Authority aware of all marine berths, terminals and jetties within the SHA and listed in the SMS?	Y	
1.5	1.6.2	4.2	Is the Harbour Master familiar with and does he understand the extent of his legal powers?	Y	
1.6	1.9.7	4.3 -4.4	Does the harbour have Byelaws?	Y	See below.
1.7	1.6.1	2.3-2.6 3.11	Is the legislation reviewed regularly to determine if fit for purpose and adequately covers risks identified?	Y	
1.8	1.8	4.6-4.7	Does the harbour authority have powers of Special Directions?	Y	
1.9	1.9	4.8-4.9	Does the harbour authority have powers of General Direction / Harbour Directions?	Y	
1.10	1.9.4	3.13	Are there grounds for applying for a Harbour Revision Order?	N	
1.11	1.9.11		Does the harbour authority issue licences (e.g. port craft, local watermen or works etc.)?	N	Permits only.
1.12	1.9.12	2.25	Is a clear enforcement policy in existence, clearly promulgated and adequately resourced?	Y	MSMS 4.2.

1.1 COMMENTS

1.6 The byelaws are obsolete and have mainly been incorporated into General Directions.

2 ACCOUNTABILITY FOR MARINE SAFETY

This section identifies who is accountable for marine safety and is based on the following general principles:

- The duty holder is accountable for safe and efficient marine operations;
- An organisation has a range of statutory and non-statutory duties;
- The Code represents the national standard against which the policies, procedures and performance of organisations may be measured;
- Organisations should make a clear, published commitment to comply with the standards laid down in the Code;
- Executive and operational responsibilities for marine safety must be clearly assigned, and those entrusted with these responsibilities must be appropriately trained, experienced and qualified to undertake their duties and be answerable for their performance; and
- A designated person must be appointed to provide independent assurance about the operation of an organisation's marine safety management system. The designated person must have direct access to the duty holder.

The key to effective discharge of the functions described in the Code is the development and proper operation of a MSMS for marine operations. That, in turn, depends upon a clear assignment of relevant executive and operational responsibilities to the organisation's staff.

2	GtGP	PMSC		Y/N	Comment
2.1	2.1.1	1.6-1.8	Is the duty holder defined and published?	Y	The Harbour Committee MSMS 1.5
2.2	2.2	1.1	Has the organisation published a commitment to comply with standards laid down in the Code?	Y	MSMS Statement of Commitment.
2.3	2.2.5	1.1 1.13- 1.17	Are the executive and operational duties stated and assigned?	Y	MSMS 1.6
2.4	2.2.19	1.6-1.10	Does the duty holder have an understanding of port marine activities, MSMS and supporting policies and procedures?	Y	Duty Holder Training was last given 28 Jul 21. See below.
2.5	2.2.22, 2.2.23	1.2	Do new Duty Holders receive PMSC training as part of their induction?	N	See below.
2.6	2.2.20	1.9, 1.14- 1.15	Has a Harbour Master been appointed?	Y	J Brand.
2.7	2.1.1, 2.2.21 2.2.25-38	1.11- 1.12	Has a designated person (DP) been appointed?	Y	D Foster (Marico Marine).
2.8	2.1.21 2.2.26	1.11	Does the DP have sufficient independence?	Y	
2.9	2.2.25	1.11	Does the DP have direct access to the Duty Holder?	Y	Via IWC Officers.
2.10	2.2.26 – 38, 2.2.30	1.11	Does the DP provide an effective level of assurance, through assessment and audit to the Duty Holder?	Y	The DP attends occasional Harbour Committee meetings, conducts annual PMSC audits, plus monthly liaison calls with the Senior Harbour Master and Council Officers.
2.11		1.8, 2.30, 2.31	Has the Duty Holder sent a letter of Code compliance to the MCA within the last three years?	Y	

2.1 COMMENTS

The Harbour Estate The Newport Harbour estate continues to be extremely tidy and well cared for. The visitor yacht berths are in good order.

2.1 and 2.2 The Harbour Committee meets four times a year, they are well briefed by the council officers and Senior Harbour Master and are fully engaged with the management of the harbour.

2.4 and 2.5 Duty Holder training is not given automatically to new members of the Harbours Committee on joining; two new members have joined the committee since the last PMSC training.

It is recommended that Duty Holder training is given to new members of the Harbours Committee on joining.

2.7 Monthly liaison calls between the Harbour Master, Council Officers and the Designated Person appears to be still working well.

3 CONSULTATION AND COMMUNICATION

Harbour authorities should consult, as appropriate, those likely to be involved in or affected by the MSMS adopted. This opportunity should be taken to develop a consensus about safe navigation in the harbour.

Consultation takes various forms. There are some specific statutory obligations which should form the basis for general consultation with users and other interests. There should also be established formal procedures for consulting employees – including, in the case of Marine Operations, any person not directly employed, but who offers their contractual services, either directly to the port, or indirectly through the ship-owner or their local representative.

3	GtGP	PMSC		Y/N	Comment
3.1	3.1.2, 3.2.1-5	2.17, 2.29	Does the organisation consult appropriate stakeholders involved with or affected by the MSMS?	Y	MSMS 1.7, See below.
3.2	3.2.2, 3.2.3	3.13, 4.9	Does the harbour have any outstanding consultations for statutory procedures (HRO or Byelaw updates)?	N	
3.3	3.2.6 3.2.7	2.17, 4.8- 4.9	Have users been consulted on any new General, Harbour or Pilotage Directions?	Y	When required.
3.4	3.2.10-11		Has the organisation established stakeholder advisory or consultative committees?	Y	Newport Harbour User Group (NHUG). MSMS 1.8.
3.5	3.2.12	2.17	Are plans, reports, information and/or advice affected by or affecting harbour users communicated effectively to them?	Y	Part of the MHUG agenda.
3.6	5.1.1, 5.1.12	2.26-2.28	Does the organisation have a Marine Safety Management Plan and routinely publish an assessment of their performance against the plan?	N	See below.
3.7	3.1.4, 5.1.6	2.17	Does a communication channel exist with employees / contractors affected by the MSMS?	Y	The Senior Harbour Master see members of his staff daily and Folly Venturers at least once a week.

3	GtGP	PMSC		Y/N	Comment
3.8	3.2.12	2.28	Does the organisation utilise websites to publish marine procedures and reports?	Y	See below.

3.1 COMMENTS

3.1, 3.4 The Newport Harbour User Group (NHUG) meets quarterly; a full list of the membership is contained in the MSMS.

3.6 There is currently no in-date Marine Safety Management Plan.

It is recommended that a new Marine Safety Management Plan is drafted for approval at the next Harbour Committee/Duty Holder's meeting in December 2023.

3.8 The Newport Harbour website is part of the IWC's overall website. It is not easy to find for visiting yachtsmen.

4 RISK ASSESSMENT

The risks associated with marine operations need to be assessed and a means of controlling them needs to be deployed. The aim of this process is to eliminate the risk or, failing that, to reduce risks as low as reasonably practicable. Formal risk assessments should 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-reduction measures.

The process of assessment is continuous so that both new hazards to navigation and marine operations and changed risks are properly identified and addressed. Where appropriate, organisations should publish details of their risk assessments. Risk assessments should be reviewed on a planned periodic basis.

4	GtGP	PMSC		Y/N	Comment
4.1	4.1.1	2.7-2.11	Has a formal navigation risk assessment (NRA) been carried out for the organisation?	Y	The NRA was completely updated Oct 19 by Marico.
4.2	4.2	2.1, 2.7	Does the NRA address all marine hazards? Hazards should include; collision, contact, grounding, and foundering within the port area, identifying key vessel types?	Y	
4.3	4.2.23	2.7, 2.12	Have risk controls been properly applied?	Y/N	See below.
4.4	4.2.28	2.8	Has the NRA been carried out by suitably qualified people?	Y	Marico Marine.
4.5	4.1.5	2.11	Have stakeholders been consulted on existing or new risk assessments?	Y	By Marico but not since.
4.6	4.2.5	2.9-2.11	Is the NRA routinely and regularly reviewed so that new hazards and "changed risks" are identified and addressed?	Y/N	Last evidence of review 2 Aug 22. See below.
4.7	4.3	2.9	Does the NRA process allow for special circumstances (e.g. "Dynamic RA" for an unusual operation or event)?	Y	MSMS 10 and 11.

4	GtGP	PMSC		Y/N	Comment
4.8	4.2.6	2.10, 2.21	Is any review process of the NRA inclusive of input from accident/incident investigations either internal or external (e.g. MAIB)?		See below.
4.9	4.1.6	2.9	Is the NRA available to those they affect?	Y	The original Marico report remains on the web site. See below.
4.10	3.3.		Are other port user risk assessments (e.g. towage and line handling etc.) taken into account?	NA	
4.11	4.3.7	2.7-2.11	Does the NRA output rank hazards by risk score?	Y	
	4.3.7		Is the Duty Holder aware of the top risks?	Y	Part of the Senior Harbor Master's quarterly report.

COMMENTS

4.3, 4.5, 4.6, 4.8 There is no evidence in Hazman that any reviews of the Newport NRA have been conducted since 2 Aug 22.

On closer inspection of the Hazman risk assessment system it was found that the individual navigation hazard review and the hazard review dates and risk control review dates had not been set and therefore there is no NRA review audit trail. It was also found that some risk controls were entered multiple times against hazards.

The SHM has been advised to contact Marico if he requires assistance.

It is recommended that once the review reminders in Hazman have been activated, a full review of the Newport NRA is then carried out.

4.9 Any Navigational Risk Assessment is a dynamic document that should be continually changing as it is routinely reviewed.

The original Marico NRA published in Oct 19 is currently available on the IWC website; it is now out of date.

It is recommended that the original Marico NRA is removed from the IWC website and replaced by a statement stating that an up-to-date Newport NRA can be made available on request.

5 MARINE SAFETY MANAGEMENT SYSTEM

The Code relies upon the principle that all harbour authorities will base their policies, and procedures relating to marine operations, on a formal assessment of hazards and risks to marine operations. They should maintain a formal navigational MSMS developed from that risk assessment and any subsequent supporting risk assessments deemed necessary as the MSMS develops and evolves over time and as a result of changing trade and port usage.

The aim of a MSMS is to minimise risks. Risk assessment methods are used to decide on priorities and to set objectives for eliminating hazards and reducing risks. Wherever possible, risks are eliminated through selection and design of facilities, equipment and procedures. If risks cannot be eliminated, they are minimised by physical controls, or as a last resort, through systems of work. Performance standards are established and used for measuring achievement. Specific actions to promote a positive safety culture are identified.

The formal risk assessment of the port's marine activities (routine and non-routine) is a documented, structured and systematic process comprising:

- The identification and analysis of hazards;
- An assessment of these hazards against an appropriate standard of acceptability; and

A cost-benefit assessment of risk reducing measures where appropriate.

5	GtGP	PMSC		Y/N	Comment
5.1	5	2.12	Is there a documented MSMS?	Y	Version 1.4 dated 31 Nov 22.
5.2	5.1.10	1.2, 2.12-2.18	Does the MSMS contain or refer to procedures to cover the major aspects of marine safety within the port? -	Y	
	5.1.5, 5.1.6		Policy statements: Code compliance, Navigation, Marine Conservancy, Environmental, Enforcement and Prosecution.	Y	Environmental issues are managed by the appropriate IWC officer.
	Annex A		National and local legislation;	Y	Basic list MSMS. A more comprehensive list is held by the IWC Legal Services Department.
	5.1.11		Control of ship movements;	N/NA	An application for a VHF licence for the Duty Harbour Master has been made.

5	GtGP	PMSC	Y/N	Comment
	5.1.11		Y/N	Environmental issues are managed by the appropriate IWC officer.
	2.2.9		Y	Supported by the IWC Health and Safety Department. Newport Harbour Risk Register v1.3 dated 9 Jan 20. IWC Work Right system. See below.
	5.1.9		Y	Roles and responsibilities of key personnel;
	5.1.11		Y	Marine safety procedures;
	5.1.12		Y	Incident and near miss recording and analysis;
	6.1.1		Y	Emergency plans;
	12.2.1, 12.11		Y	Qualifications, recruitment and training;
5.3	5.1.12	2.14	Y	Does the MSMS contain a procedure for measuring performance including a database to record incidents and near misses? KPIs are not employed. See below.
5.4	5.1.13	2.14	Y	Does the MSMS include processes for effective (annual) internal audit, review of procedures and external audit? SOP 6. Annually by the Designated Person.
5.5	4.2.5	2.10	Y	Does the MSMS review process include risk assessment review and are lessons learnt applied to relevant procedures? Flow chart in MSMS Section 2.
5.6	5		Y/N	Is the MSMS user friendly? See below.

5.1 COMMENTS

5.1 The latest version of the Newport MSMS (v1.4) including SOPs and Annexes came into force 31 Nov 22.

5.3 The Newport Harbour Risk Register v1.3 dated 9 Jan 20, mainly concerning land-based activities, requires reviewing.

Incidents are still being recorded on a paper-based system; it is recommended that incidents are recorded and tracked using the Hazman system.

5.6 Although the MSMS appears to be well indexed, the whole document is difficult to navigate, particularly finding the relevant connection between the main text, the SOPs and the Annexes. This was illustrated a number of times during the audit when all the required information was there but difficult to find.

It is recommended that the overall MSMS layout is reviewed as part of the drafting process of the next edition of the MSMS.

6 EMERGENCY PREPAREDNESS AND RESPONSE

The Code states that a MSMS should refer to emergency plans - and these should be developed as far as practicable, based on the formal risk assessment. Emergency plans need to be published and exercised.

Factors to be considered can range from designating emergency anchorages and potential beaching points for vessels to considering the effects of a lock gate failure or impounding pump breakdown. The emergency might be a fishing vessel suffering from a flooding engine room to a yacht catching fire. Whatever the situation, by taking a planned approach, evaluating the effectiveness of such a plan and modifying the plan when necessary, you will not only reduce the impact of potential problems, you will also be cost effective.

6	GtGP	PMSC		Y/N	Comment
6.1		2.14,3.9	Does the organisation have emergency plans for:		
	6		Marine operations;	Y	Newport Emergency Plan (v1.1) dated Aug 21. Now available to the Duty Harbour Master as a paper copy and on the intranet.
	6.4		Pollution (MCA);	Y	MCA Approved 16 Dec 22. Adler and Allan contracted as the Tier Two Responder. See below.
	6.2.5		Waste.	Y	MCA approved Sep 23. (MCA visit expected Oct 23).
6.2	5	2.14	Are emergency plans included in or referred to in the MSMS?	Y	
6.3	6.1.2	3.9	Is the organisation included in larger national or regional plans?	Y	IWC Emergency Plan.
6.4	6.8.13		Does the organisation have a published exercise programme and carried out exercises?	N	See below.
6.5	6.2 6.3		Does the SMS address the handling of dangerous or polluting cargoes/substances?	NA	

6.1 COMMENTS

6.1 A memorandum of understand (MOU) was agreed in Mar 22 between Cowes, Yarmouth, Bembridge and Newport to provide mutual support in event of an oil spill in any of the harbours.

6.4 There is no published exercise plan.

Only the mandatory training and exercises that are required in the Oil Spill Plan are conducted and these are conducted more on an ad hoc basis rather than being planned well ahead.

It is recommended that a basic exercise programme for oil spill and for other emergencies is developed and it is included in the overall harbour diary.

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7 CONSERVANCY

A harbour authority has a duty to conserve the harbour so that it is fit for use as a port. The harbour authority also has a duty of reasonable care to see that the harbour is in a fit condition for a vessel to be able to use it safely.

Harbour authorities should provide users of the harbour with enough information about conditions in the harbour such as depths of water, local Notices to Mariners, etc.

Harbour authorities have duties and powers as local lighthouse authorities (or providers of local aids to navigation); and specific powers in relation to wrecks.

The duties described above cover specific requirements as detailed below:

- To survey as regularly as necessary and find the best navigable channels;
- To place and maintain navigation marks where they will be of the best use to navigations;
- To keep a 'vigilant watch' for any changes in the sea or river bed affecting the channel or channels and move or renew navigation marks as appropriate;
- To keep proper hydrographic and hydrological records;
- To ensure that hydrographic information is published in a timely manner; and
- To provide regular returns and other information about the authorities' local aids to navigation as the General Lighthouse Authority may require.

7	GtGP	PMSC		Y/N	Comment
7.1	7.1.1	3.6	Does the harbour authority understand its conservancy duties?	Y	
7.2	7.2	3.6-3.7	Does the harbour authority: Carry out regular hydrographic surveys;	Y	
	7.2.15		Maintain navigation marks in optimum position;	Y	The survey policy and programme are in the MSMS. See below.
	7.2.17		Monitor changes in the sea or river bed;	Y	
	7.3		Keep proper hydrographic and hydrological records.	Y	
7.3	7.3.3	3.6-3.7	Does the harbour authority take action on, and promulgate the results of surveys (including to the UKHO)?	Y	By Shoreline Surveys Ltd as part of their contract.

7	GtGP	PMSC		Y/N	Comment
7.4	7.1A, 7.1.1	3.6	Does the Harbour Authority have procedures for ensuring NAABSA berths are safe?	N	There are no commercial NAABSA berths in operation. Blade Runner loads over the high-water period.
7.5	(7.3.3, 7.3.4), 3.2.13	3.6, 4.23, 4.24	Is communication regularly maintained with and information and returns supplied, when required to the appropriate GLA?		The next Trinity House inspection is planned 27 Sep 23. Online reports are made by the Senior Harbour Master to Trinity House.
7.6.	7.5.1, 7.5.5	4.21 - 4.24	Is the Harbour Authority the LLA?	Y	
7.7	7.5	4.21- 4.24	Are Aids to Navigation maintained by the harbour authority in accordance with the availability criteria laid down by the GLA?		Online reports are made by the Senior Harbour Master to Trinity House.
7.8	7.4.1		Does the Harbour Authority have the statutory powers to dredge in their local legislation?	Y	
7.9	7.4.5, 7.4.6, 7.4.7	3.4	Does the Harbour Authority understand the consent process for capital and maintenance dredging and disposal plus monitor adherence to the consent conditions?	Y	IWC Officers.
7.10	7.6	4.26	Does the harbour authority have appropriate powers and a defined policy on wreck removal and salvage?		SOP 24 and Annex 30. See below.
7.11	7.7	3.4	Do the MSMS and works consent process address the possibility of interaction between works/ development/degeneration in or near the harbour and conservancy?	Y	MSMS 3.7. By IWC on a case-by-case basis.
7.12	7.4	3.8	Does the Harbour Authority exercise its general duties with regard to nature conservation and other related environmental considerations?	Y	Environmental issues are managed by the appropriate IWC officer.
			Are there any nature conservation areas in the vicinity of the SHA?	Y	SSSI on the west side of the Medina in the vicinity of the Folly Moorings.

7.1 COMMENTS

7.2 The Newport Harbour area is surveyed every two years and the whole harbour every four years. Additionally, pre and post dredging surveys are conducted when required.

The last whole harbour survey was conducted 8 Jun 23.

7.10 The Harbour Authority have continued to maintain their robust campaign to remove derelict vessels from the harbour (and ashore) with considerable success.

8 MANAGEMENT OF NAVIGATION

This section relates to measures organisations can use to manage navigation in their waters.

Management of a harbour begins in determining which activity is safe and where it can take place, having regard to the physical constraints and the variety of activities being undertaken.

Every harbour is different, and the requirement to manage navigation varies from one to another. A formal assessment of navigational risk (see **Section 0**), as required by the Code, will determine what management of navigation is required, and to what degree; monitoring, controlling or managing traffic needs to be taken in mitigating risk.

8	GtGP	PMSC		Y/N	Comment
8.1	8.4	2.13	Does the harbour authority maintain any form of traffic monitoring?	N	
8.2	8.4.3, 8.4.9		Has the need for LPS or VTS been formally assessed?	Y	The 2019 NRA did not identify the need for LPS or VTS.
8.3	8.4.12, 8.4.3-17		Is the current level of service appropriate?	NA	
8.4	8.75	3.3	Does the Harbour Authority have LPS / VTS procedures?	NA	
8.5	8.7.15- 17		Does the Harbour Authority enforce the requirement for a Port Passage Plan for visiting vessels?	N	Guidance for visiting yachts is on the IWC website and in yachting almanacs including Reeds.
	8.7.21		Does the Harbour Authority provide abort procedures?	N/NA	
8.6	7.5, 8.4	3.6, 4.21- 4.24	Have the conservancy provisions (e.g. navigation aids) been assessed in relation to effective management of navigation?	Y	E.g. The fitting of lights onto the port lateral channel buoys at the request of Williams Shipping (MV Blade Runner).
8.7	8.2.1	3.5	Have the needs of all harbour users (including recreation) i.e. "Open port duty" been fully considered in the management of navigation?		
8.8	9.4.	4.11, 4.12	Has the organisation identified the needs for pilotage through risk assessment?		The 2019 NRA did not identify the need for pilotage. See below.

8	GtGP	PMSC		Y/N	Comment
8.9	8.9		Does the harbour authority operate harbour patrols?		Monthly by Harbour staff. Recorded in the MSMS and "Newport Harbour Monthly Safety Report".
8.10	8.10.1-11		Does the harbour authority have to accommodate operations or events outside normal commercial activity?		Isle of Wight Festival. Occasional regattas, rallies etc. Proforma form in the MSMS.
8.11	8.11		Are there subsea pipelines and/or power cable in the SHA? If so, is their protection contained in the MSMS?		Cable across Newport Harbour marked by notice boards.
8.12	8.10.22-26		If applicable is there effective liaison between organisation and marina(s)?		Cowes Harbour Commissioners, Island Harbour and Odessa are members of the Newport HUG.

8.1 COMMENTS

8.8 General Direction 3.4 provides the powers to require additional restrictions on commercial vessels;

Blade Runner was issued with a Commercial Vessels Operating Permit dated 25 Jan 23 for one year (MSMS Annex 21.

9 PILOTAGE

The Code refers, amongst other things, to the main powers and duties which harbour authorities (as a CHA under the provisions of the Pilotage Act 1987) has a duty to assess what, if any, pilotage services are required to secure the safety of ships, and to provide such services as it has been deemed necessary. The use of these powers should follow these general principles:

- Harbour authorities are accountable for the duty to provide a pilotage service; and for keeping the need for pilotage and the service provided under constant and formal review;
- Harbour authorities should therefore exercise control over the provision of the service, including the use of pilotage directions, and the recruitment, authorisation, examination, employment status, and training of pilots;
- Pilotage should be fully integrated with other port safety services under harbour authority control; and
- Authorised pilots are accountable to their authorising authority for the use they make of their authorisations: harbour authorities should have contracts with authorised pilots, regulating the conditions under which they work - including procedures for resolving disputes.

A CHA must issue pilotage directions if it decides, based on its assessment of the risks, that pilotage should be made compulsory. The directions must specify how and to which vessels they apply. Ship owners and any other interested parties who use the port on a regular basis, must be consulted before the directions are implemented.

9	GtGP	PMSC		Y/N	Comment
9.1	9	4.11	Does the harbour authority provide pilotage?	N	
9.2	9.4.14-17	4.12	Has the harbour authority issued pilotage directions?	NA	
9.3	9.4.1	4.11	Is the pilotage provision continuously updated through risk assessment?	Y	See 8.8.
9.4	9.3		Is there a suitable Master/Pilot exchange including a Pilotage Passage Plan and are records maintained?	NA	
9.5	9.5	4.15, 4.16	Does the harbour authority issue Pilotage Exemption Certificates (PEC)?	N	
9.6		4.15	Does the harbour authority maintain:		

9	GtGP	PMSC		Y/N	Comment
	9.5.6, 9.5.18		PEC syllabus.		
	9.5.16		PEC tripping records.	NA	
	9.5.6		PEC qualification and revalidation records.	NA	
9.7	9.4.31	4.14	Is there a formal training scheme for pilots as per the international recommendations contained in IMO resolution A960?	NA	
	9.4.31		Are pilots trained in Bridge Team Management?	NA	
9.8	9.4.31, 9.5.6	4.13	Does the harbour authority regularly monitor the competence and fitness of pilots and PEC holders?	NA	
9.9	9.4.45	4.13, 4.16	Are pilots and PEC holders subject to a disciplinary procedure?	NA	
9.10	9.4.11		Does the harbour authority sub-contract pilotage?	NA	
9.11	9.4.30	4.13- 4.14	Does the harbour authority have formal agreements with pilots and pilotage sub-contractors regarding training, revalidation, competence and discipline?	NA	
9.12	9.1.1A	4.11	Are pilotage resources kept under review against requirements?	NA	
9.13	9.4.18, 9.4.19	4.14	Are pilot boarding and landing arrangements subject to formal risk assessment and specific operational procedures?	NA	
9.14	9.4.20	4.11	Does the LPS/VTS require confirmation that the vessel complies with the pilot boarding arrangements?	NA	

9.1 COMMENTS

Nil.

10 SHIP TOWAGE OPERATIONS

While any contract for the use of tugs is formally for the master of a vessel, the use of harbour tugs is one of the principal and most direct means open to a harbour authority to control risk.

Harbour authorities should determine, through risk assessment, appropriate guidance on the use of tugs in harbour areas. Recommendations should include the type of tugs and method of tow (where applicable) in addition to the number of tugs also where appropriate. Interested parties, including towage providers, users and pilots should be consulted in the preparation of such guidance. The guidance should be reflected in towage directions.

There should be procedures for special directions to be used, if necessary, where a master or pilot proposes that the guidelines should not be applied in some respect.

Directions should be reviewed regularly in the light of experience, changes in legislation, tug technology and the operating environment.

10	GtGP	PMSC		Y/N	Comment
10.1	10		Does the harbour use tugs?	N	
10.2	10.2		Does the risk assessment include the use of tugs as a mitigation measure?	NA	
			Does the harbour authority have access to the towage providers' risk assessments and operational procedures?	NA	
10.3	10.2		Have towage services been fully assessed for suitability to the needs of vessels using the harbour?	NA	
10.4	10.3		Are the tug resources adequate for harbour needs?	NA	
10.5	10.2.3		Are tugs used in restricted visibility?	NA	
10.6	10.2.3		Are any special guidelines in use for restricted visibility?	NA	
10.7	10.2.8, 10.5		Are there formal liaison arrangements between Harbour Master, tug masters and pilots, including training?	NA	
10.8	10.3.10		Do the towage operators have formal procedures that are referred to in the MSMS?	NA	

10	GtGP	PMSC		Y/N	Comment
10.9	10.3.10		Has the harbour authority agreed with the tug operators a policy on correct gear and procedures for towing?	NA	
10.10	10.2		Have tugs, their gear and procedures been fully integrated into the risk assessment as a risk control?	NA	
10.11	10.2	4.6	Do Harbour Masters' procedures include the facility to use special directions if masters and/or pilots propose departure from guidelines?	NA	
10.12	10.3.8-13		Does the harbour authority: put in place: <ul style="list-style-type: none"> • Risk assessment; • Method statement; and • Passage plan. with regards to dead tows etc.	NA	
	10.3.11		give written approval for such moves.	NA	
	10.3.13		train pilots in dead-ship towage.	NA	

10.1 COMMENTS

Nil.

11 MARINE SERVICES

“Marine Services” means the support activities carried out by the organisation to maintain safety of navigation and the hydrographic regime. Marine services may be provided by the harbour authority itself or by commercial organisations operating on-site.

There are a number of general principles when operating marine services:

- An authority’s safety management system should cover the use of harbour craft and the provision of moorings;
- The formal safety assessment should be used to identify the need for, and potential benefits for safety management of harbour craft;
- The authority should ensure that harbour 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; and
- Byelaws and the power to give directions are available for these purposes.

Harbour authorities have powers in byelaws and directions to regulate the mooring of vessels in the harbour.

The SMS should govern the use of these powers.

11	GtGP	PMSC		Y/N	Comment
11.1	11.2		Does the harbour authority exercise any powers of regulation over port craft?	Y	See below.
11.2	11.2.2		Where port craft do not have to comply with national legislation does the harbour authority impose any form of inspection and licensing?	Yes	See below.
11.3	11.2.2	2.18	Does the harbour authority possess the competencies to carry out inspections on port craft?	N	
11.4	11.2.2, 11.2.3		Does the harbour use outside contractors to carry out inspections of port craft on its behalf?	Y	MECAL for the workboat (Certificate expires 10 Feb 24). The Dory is not coded.
11.5	11.3		Has the harbour authority ensured that workboats used in the harbour are “fit for purpose” for any use they are involved with i.e. compliant with appropriate MS Regulations and the 2016 revised work boat code.	Y	See below.

11	GtGP	PMSC		Y/N	Comment
11.6	11.4, 6.6.3		Does the harbour authority control operations with a process/procedure for:		
			Hot work.	Y	General Directions. No evidence it has been used.
			Bunkering.	Y	Annex 26 No evidence it has been used.
			Engine immobilisation.	N	
			Diving/swimmer.	Y	General Directions 4.6. Annex 24. No evidence it has been used.
11.7	11.5		Does the harbour authority permit recreational diving in the harbour?	Y	General Direction 4.6.
11.8	11.6		Does the harbour authority exercise powers in relation to commercial vessel mooring plans and mooring parties?	N/NA	See below.
			Have mooring operations been specifically risk assessed: <ul style="list-style-type: none"> • Within the NRA? • Berth / vessel type specific assessments? 	N/NA	See below.
			Are suitable controls in place and effective: <ul style="list-style-type: none"> • Procedures? • Notices? • Stakeholder briefings? 	N/NA	See below.
11.9	11.6		Does the harbour authority regulate the mooring of vessels in the harbour?	Y	See below.
			Does the harbour authority ensure that mooring parties meet industry's competence standards and have access to appropriate training?	NA	See below.

11.1 COMMENTS

11.1, 11.2 and 11.5 The IWC's Licensing Team within Regulatory Services administers a scheme for licensing passenger vessels carrying 12 or fewer passengers and their skippers for the whole of the Isle of Wight, including Newport Harbour. The inspections are carried out by qualified marine surveyors.

Newport Harbour has an additional Water Taxi Permit scheme; details are included in the MSMS Annex 22 and are promulgated in Notice to Mariners 4/22.

The Folly Ventures' permit was checked during the audit.

11.8 and 11.9 MV Blade Runner is the only commercial vessel that trades in Newport Harbour; she does not moor traditionally; she uses her manoeuvring systems to maintain her position alongside the Vectus berth whilst loading her cargo of a single windfarm blade. This operation has been witnessed by the Senior Harbour Master.

11.9 The Newport Harbour moorings are regularly maintained by Cowes Harbour Commissioners staff and paper maintenance records are kept in the Newport Harbour Master's office.

Private moorings are required to be kept in good order by the licence holder.

12 PROFESSIONAL QUALIFICATIONS AND COMPETENCIES FOR PORT MARINE PERSONNEL

Harbour authorities must assess the fitness and competence of all persons appointed to positions with responsibility for safe navigation.

Authorities must ensure their staff meet the nationally agreed standards of competence, or alternatively be able to show that their local competency standards are fully equivalent.

Achieving marine port safety is a team operation and people in these roles must be competent and adequately trained.

12	GtGP	PMSC		Y/N	Comment
12.1	12.4, 12.5	1.16, 2.18	Does the Harbour Master hold an appropriate qualification?	Y	BMF Marina Administration.
12.2	12.5	1.16, 2.18	Do the Deputy and/or Assistant Harbour Masters hold appropriate qualifications?	Y	PMSC training was given to the newly appointed Duty Harbour Masters 7 Apr 22. See below.
12.3	12.7	1.16, 2.18	Do VTS officers hold appropriate qualifications?	NA	
12.4	12.8	1.16, 2.18	Does the harbour authority ensure that marine operatives are suitably trained, assessed and competent to carry out their assigned roles?	Y	PMSC training was given to the newly appointed Duty Harbour Masters 7 Apr 22. See below.
12.5	12.9	1.16, 2.18	Does the harbour authority exercise control over the training and competence of tugs crews?	NA	
12.6	12.10	1.16, 2.18	Does the harbour authority, directly or indirectly, employ suitably qualified hydrographic surveyors?	Y	Shoreline Surveys Ltd.
12.7	12.11	2.18	Does the organisation have a training policy and maintain training records?	Y	Training matrix. Annex 13.

12.1 COMMENTS

12.2 and 12.4 One new Duty Harbour Master has joined the team since the last PMSC training. It is recommended that the new Duty Harbour Master is given PMSC training as soon as convenient.

13 ACCIDENT REPORTING & INVESTIGATION AND ENFORCEMENT

The duties of a harbour authority include an obligation to conserve and facilitate the safe use of the harbour and a duty of care against loss caused by the authority's negligence. Such losses may involve death, serious injury, pollution and other undesirable outcomes and they may involve breaches of national or local laws.

Investigations by the harbour master of marine incidents have two essential purposes:

- To determine the cause of the incident, with a view to preventing a recurrence of that incident (or similar); and
- 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.

It is, therefore, essential that the marine SMS addresses the potential for incidents to occur and to provide instruction and guidance on any investigations and enforcement action that may be required as a result. By ensuring that a robust, rigorous, independent investigation has been carried out, the board and the duty holder can be assured that their obligations for compliance have been addressed.

13	GtGP	PMSC	Y/N	Detail/Comment
13.1	13.8	2.20	Y	Flow chart in MSMS Section 2 and Annex 7. The DP see all incident investigation reports.
13.2	13.4.2	2.23	Y	MSMS Section 2.
13.3	13.3.6-10	2.21	Y	Flow chart in MSMS Section 2 and Annex 7.
13.4	13.11.6	2.20	Y	Flow chart in MSMS Section 2 and Annex 7.
13.5	13.9	2.11	Y	Flow chart in MSMS Section 2 and Annex 7. NHUG standing agenda item.
13.6	12.8.4	2.20-2.21	Y	
13.7	13.2.2		Y	

13.1 COMMENTS

13.1 to 13.7 It is recommended that the incident investigation procedures in the MSMS include:

- Separating marine and shore incident investigation procedures, methods and which reporting system is to be used;
- Explaining the Hazman incident recording and investigation progress tracking system;
- Ensuring that after every investigation, however small, the appropriate NRA Hazard(s) and procedures are reviewed and updated if necessary. This should be recorded;
- Investigations should remain open until the Harbour Master is completely satisfied that all actions have been completed before formally signing of the investigation. This should be recorded;
- The results of any investigation should be promulgated to the relevant members of staff and to the appropriate stakeholders (standard stakeholder meeting agenda item); and

- The Duty Holder should be routinely briefed on all investigations that are underway and their progress towards completion.

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ISLE OF WIGHT COUNCIL

**VENTNOR PORT MARINE SAFETY CODE AUDIT - 25
SEPTEMBER 2023**



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EXECUTIVE SUMMARY

On 15 Mar 22 the Isle of Wight Council (IWC) reappointed Marine and Risk Consultants Ltd (Marico Marine) to continue to provide an independent Designated Person (DP) service for Newport and Ventnor Harbours as specified in the Port Marine Safety Code (PMSC) and as detailed in the "A Guide to Good Practice on Port Operations" for a further three-year extension.

In Apr 23 the IWC contracted out the day-to-day management of Ventnor Harbour to Ventnor Haven Management Ltd (VHM).

This PMSC audit was conducted by the Designated Person, Mr D Foster, on 25 Sep 23 and is intended as a baseline start of contract audit for the Ventnor Haven Management Ltd as well as the annual report to the Duty Holder.

Overall, insufficient progress has been made to take forward the "Get-Well" plan drawn up after the PMSC audit conducted in Aug 21.

Ventnor Harbour still does not comply with the Port Marine Safety Code, the principal reasons are:

- **There is no Navigation Risk Assessment;**
- **The Marine Safety Management System is still in draft and is incomplete;**
- **There is no Port Emergency Plan;**
- **There is no Port Waste Management Plan; and**
- **The harbour has not been surveyed since it was constructed.**

The following are the main findings, observations, and recommendations of this report:

- The Ventnor Harbour Revision Order 1994 gives the Harbour Authority the powers to apply for both Harbour Byelaws and General Directions; however, currently, there does not appear to any need for either Harbour Byelaws or General Directions;
- The day-to-day management of Ventnor Harbor has been contracted out to Ventnor Haven Management Ltd (VHM). The Duty Holder remains the IWC Harbour Committee and the harbour continues to be regularly visited by the IWC Senior Harbour Master;
- It is recommended that Duty Holder training is given to new members of the Harbours Committee on joining;
- It is recommended that a regular Ventnor Harbour User Group is introduced with a standing agenda similar that in place for the Newport Harbour User Group;
- It is recommended that a Ventnor (or a combined Ventnor and Newport) Marine Safety Management Plan is drafted for approval at the next Harbour Committee/Duty Holder's meeting in Jan 24;

- It is recommended that the Ventnor Harbour section of the IWC website is reviewed and refreshed;
- It is recommended that a Navigation Risk Assessment (NRA) of Ventnor Harbour, including local stakeholder consultation, is conducted as soon as possible;
- It is recommended that the drafting of the Marine Safety Management System (MSMS), proportionate to the size of harbour, is expedited and is ready for approval by the Duty Holder at the next IWC Harbours Committee in Jan 24;
- It is recommended that a simple Ventnor Harbour Emergency Plan is drafted that includes a basic Tier 1 oil spill contingency plan (OSCP) and an accompanying overall exercise plan; and
- It is recommended that a Harbour Waste Management Plan is drafted for MCA approval;
- It is recommended that Ventnor Harbour and approaches are surveyed and the results are fully promulgated including to the UKHO;
- It is recommended that VHM develop a training policy plus a staff qualification and training matrix similar to those employed in Newport; and
- It is recommended that the procedures for incident recording, investigation, after actions and the final sign-off are set out clearly in the MSMS.

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INTRODUCTION

On 15 Mar 22 the Isle of Wight Council (IWC) reappointed Marine and Risk Consultants Ltd (Marico Marine) to continue to provide an independent Designated Person (DP) service for Newport and Ventnor Harbours as specified in the Port Marine Safety Code (PMSC) and as detailed in the “A Guide to Good Practice on Port Operations” for a further three-year extension.

In Apr 23 the IWC contracted out the day-to-day management of Ventnor Harbour to Ventnor Haven Management Ltd (VHM).

This PMSC audit was conducted by the Designated Person, Mr D Foster, on 25 Sep 23 and is intended as a baseline start of contract audit for the Ventnor Haven Management Ltd as well as the annual report to the Duty Holder.

The following visit programme was arranged.

Table 1: Programme 25 Sep 23

Time	Location	Present	Comments
1215-1400		J Brand (SHM IWC) D Foster (Marico)	Travel to Ventnor and working lunch.
1400-1430	Ventnor Harbour	J Brand E Blake (VHM) D Foster	Site visit.
1430-1715	Ventnor	J Brand E Blake (VHM) D Foster	Office based audit and future development discussions.

Table 2: Previous Ventnor Harbour PMSC Audit Reports

Audit	Date of Audit	Marico Report
Ventnor PMSC Audit	12 May 21	19UK1543 dated 2 Jun 21
Ventnor PMSC Audit Revision	20 Sep 22 (Revision)	21UK1829 dated 31 Oct 22

The thirteen sections of this report follow the chapter headings used in the GtGP with cross references to paragraphs in both the PMSC and GtGP. At the end of each section there are some additional observations and recommendations.

1 THE LEGAL BACKGROUND

The duties of a harbour authority are of three kinds: statutory duties imposed either in the local legislation for that authority or in general legislation, general common-law and fiduciary duties.

The Code includes a brief general summary of the main duties and powers that are common to many harbour authorities in relation to marine operations. It also contains guidance as to how some of these duties and powers should be exercised consistent with good practice.

There are several general principles:

- A harbour authority has statutory and non-statutory duties;
- These duties include an obligation to conserve and facilitate the safe use of the harbour; and a duty of care against loss caused by the authority's negligence;
- Duties to ensure the safety of marine operations are matched with general and specific powers to enable the authority to discharge these duties; and
- There are procedures for these to be changed where necessary.

Some duties, and each harbour authority's powers, are contained in local Acts and Orders, and, although they have much in common, the detail varies from port to port. Most are established by the incorporation or transposition into local Acts and Orders of model provisions in the Harbours, Docks and Piers Clauses Act 1847. Other duties and powers are in general legislation - for example, the Harbours Act 1964, the Dangerous Vessels Act 1985, the Pilotage Act 1987 and the Merchant Shipping Act 1995.

The duty holder is responsible for ensuring that the organisation complies with the Code. In order to effectively undertake this role they should:

- Be aware of the organisation's powers and duties related to marine safety;
- Ensure that a suitable Marine Safety Management System (MSMS), which employs formal safety assessment techniques, is in place;
- Appoint a suitable designated person to monitor and report the effectiveness of the MSMS and provide independent advice on matters of marine safety;
- Appoint competent people to manage marine safety;
- Ensure that the management of marine safety continuously improves by publishing a marine safety plan and reporting performance against the objectives and targets set; and
- Report compliance with the Code to the MCA every 3 years.

Existing powers should be reviewed on a periodic basis by harbour authorities, to avoid a failure in discharging its duties or risk exceeding its powers.

1	GtGP	PMSC		Y/N	Comment
1.1	1.5-1.6	1.3 -1.5	Is the legislation applicable to the harbour authority known and listed?	Y	Ventnor Harbour Revision Order 1994.
1.2	1.3-1.4	3.11	Are the statutory duties and powers of the harbour effective for purpose?	Y	
1.3	1.6.1	3.11	Are the harbour limits of jurisdiction appropriate to the current activity of the port?	Y	
1.4	5.1.9	E.S. 2-5	Is the Harbour Authority aware of all marine berths, terminals and jetties within the SHA and listed in the SMS?	Y	
1.5	1.6.2	4.2	Is the Harbour Master familiar with and does he understand the extent of his legal powers?	Y	
1.6	1.9.7	4.3 -4.4	Does the harbour have Byelaws?	N	See Below
1.7	1.6.1	2.3-2.6 3.11	Is the legislation reviewed regularly to determine if fit for purpose and adequately covers risks identified?	Y	
1.8	1.8	4.6-4.7	Does the harbour authority have powers of Special Directions?	Y	Ventnor Harbour Revision Order 1994.
1.9	1.9	4.8-4.9	Does the harbour authority have powers of General Direction / Harbour Directions?	Y	See below.
1.10	1.9.4	3.13	Are there grounds for applying for a Harbour Revision Order?	N	
1.11	1.9.11		Does the harbour authority issue licences (e.g. port craft, local watermen or works etc.)?	N	
1.12	1.9.12	2.25	Is a clear enforcement policy in existence, clearly promulgated and adequately resourced?	Y	In the draft MSMS.

1.1 COMMENTS

1.6 and 1.9 The Ventnor Harbour Revision Order 1994 gives the Harbour Authority the powers to apply for both Harbour Byelaws and General Directions; however, currently, there does not appear to any need for either Harbour Byelaws or General Directions.

2 ACCOUNTABILITY FOR MARINE SAFETY

This section identifies who is accountable for marine safety and is based on the following general principles:

- The duty holder is accountable for safe and efficient marine operations;
- An organisation has a range of statutory and non-statutory duties;
- The Code represents the national standard against which the policies, procedures and performance of organisations may be measured;
- Organisations should make a clear, published commitment to comply with the standards laid down in the Code;
- Executive and operational responsibilities for marine safety must be clearly assigned, and those entrusted with these responsibilities must be appropriately trained, experienced and qualified to undertake their duties and be answerable for their performance; and
- A designated person must be appointed to provide independent assurance about the operation of an organisation's marine safety management system. The designated person must have direct access to the duty holder.

The key to effective discharge of the functions described in the Code is the development and proper operation of a MSMS for marine operations. That, in turn, depends upon a clear assignment of relevant executive and operational responsibilities to the organisation's staff.

2	GtGP	PMSC		Y/N	Comment
2.1	2.1.1	1.6-1.8	Is the duty holder defined and published?	Y	In the draft MSMS. See below.
2.2	2.2	1.1	Has the organisation published a commitment to comply with standards laid down in the Code?	Y	In the draft MSMS.
2.3	2.2.5	1.1 1.13- 1.17	Are the executive and operational duties stated and assigned?	Y	In the draft MSMS including VHM.
2.4	2.2.19	1.6-1.10	Does the duty holder have an understanding of port marine activities, MSMS and supporting policies and procedures?	Y	Duty Holder Training was last given 28 Jul 21. PMSC training was given to VHM 3 Jul 23. See below.
2.5	2.2.22, 2.2.23	1.2	Do new Duty Holders receive PMSC training as part of their induction?	N	See below.
2.6	2.2.20	1.9, 1.14- 1.15	Has a Harbour Master been appointed?	Y	Mr E Blake of VHM.
2.7	2.1.1, 2.2.21 2.2.25-38	1.11- 1.12	Has a designated person (DP) been appointed?	Y	Mr D Foster.
2.8	2.1.21 2.2.26	1.11	Does the DP have sufficient independence?	Y	
2.9	2.2.25	1.11	Does the DP have direct access to the Duty Holder?	Y	Via IWC Officers.
2.10	2.2.26 - 38, 2.2.30	1.11	Does the DP provide an effective level of assurance, through assessment and audit to the Duty Holder?	Y	The DP attends occasional Harbour Committee meetings, conducts annual PMSC audits, plus monthly liaison calls with the Senior Harbour Master and Council Officers.
2.11		1.8, 2.30, 2.31	Has the Duty Holder sent a letter of Code compliance to the MCA within the last three years?	N	The IWC letter of compliance sent in Mar 21 specifically stated that Ventnor did not comply with the PMSC.

2.1 COMMENTS

2.1 On 1 Apr 23 the day-to-day management of Ventnor Harbour was contracted out to Ventnor Haven Management Ltd (VHM). The Duty Holder remains the IWC Harbour Committee and the harbour continues to be regularly visited by the IWC Senior Harbour Master.

2.4 and 2.5 Duty Holder training is not given automatically to new members of the Harbours Committee on joining; two new members have joined the committee since the last PMSC training.

It is recommended that Duty Holder training is given to new members of the Harbours Committee on joining.

3 CONSULTATION AND COMMUNICATION

Harbour authorities should consult, as appropriate, those likely to be involved in or affected by the MSMS adopted. This opportunity should be taken to develop a consensus about safe navigation in the harbour.

Consultation takes various forms. There are some specific statutory obligations which should form the basis for general consultation with users and other interests. There should also be established formal procedures for consulting employees – including, in the case of Marine Operations, any person not directly employed, but who offers their contractual services, either directly to the port, or indirectly through the ship-owner or their local representative.

3	GtGP	PMSC		Y/N	Comment
3.1	3.1.2, 3.2.1-5	2.17, 2.29	Does the organisation consult appropriate stakeholders involved with or affected by the MSMS?	N	See below.
3.2	3.2.2, 3.2.3	3.13, 4.9	Does the harbour have any outstanding consultations for statutory procedures (HRO or Byelaw updates)?	N	
3.3	3.2.6 3.2.7	2.17, 4.8-4.9	Have users been consulted on any new General, Harbour or Pilotage Directions?	N	
3.4	3.2.10-11		Has the organisation established stakeholder advisory or consultative committees?	N	See below.
3.5	3.2.12	2.17	Are plans, reports, information and/or advice affected by or affecting harbour users communicated effectively to them?	N	See below.
3.6	5.1.1, 5.1.12	2.26-2.28	Does the organisation have a Marine Safety Management Plan and routinely publish an assessment of their performance against the plan?	N	See below.
3.7	3.1.4, 5.1.6	2.17	Does a communication channel exist with employees / contractors affected by the MSMS?	Y	

3	GtGP	PMSC		Y/N	Comment
3.8	3.2.12	2.28	Does the organisation utilise websites to publish marine procedures and reports?	Y	Mentioned on the IWC website but is not easy to find. See below.

3.1 COMMENTS

3.1, 3.4, 3.5 The details and membership of a future Ventnor Harbour User Group are included in the draft MSMS but the inaugural meeting has not yet taken place.

It is recommended that a regular Ventnor Harbour User Group is introduced with a standing agenda similar that in place for the Newport Harbour User Group.

3.6 It is recommended that a Ventnor (or a combined Ventnor and Newport) Marine Safety Management Plan is drafted for approval at the next Harbour Committee/Duty Holder's meeting in December 2023.

3.8 It is recommended that the Ventnor Harbour section of the IWC website is reviewed and refreshed.

4 RISK ASSESSMENT

The risks associated with marine operations need to be assessed and a means of controlling them needs to be deployed. The aim of this process is to eliminate the risk or, failing that, to reduce risks as low as reasonably practicable. Formal risk assessments should 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-reduction measures.

The process of assessment is continuous so that both new hazards to navigation and marine operations and changed risks are properly identified and addressed. Where appropriate, organisations should publish details of their risk assessments. Risk assessments should be reviewed on a planned periodic basis.

4	GtGP	PMSC		Y/N	Comment
4.1	4.1.1	2.7-2.11	Has a formal navigation risk assessment (NRA) been carried out for the organisation?	N	
4.2	4.2	2.1, 2.7	Does the NRA address all marine hazards? Hazards should include; collision, contact, grounding, and foundering within the port area, identifying key vessel types?	N	
4.3	4.2.23	2.7, 2.12	Have risk controls been properly applied?	N	
4.3	4.2.28	2.8	Has the NRA been carried out by suitably qualified people?	N/A	
4.4	4.1.5	2.11	Have stakeholders been consulted on existing or new risk assessments?	N	
4.5	4.2.5	2.9-2.11	Is the NRA routinely and regularly reviewed so that new hazards and "changed risks" are identified and addressed?	NA	
4.6	4.3	2.9	Does the NRA process allow for special circumstances (e.g. "Dynamic RA" for an unusual operation or event)?	Y	In the draft MSMS.

4	GtGP	PMSC		Y/N	Comment
4.7	4.2.6	2.10, 2.21	Is any review process of the NRA inclusive of input from accident/incident investigations either internal or external (e.g. MAIB)?	Y	In the draft MSMS including a flow chart.
4.8	4.1.6	2.9	Is the NRA available to those they affect?	N	
4.9	3.3.		Are other port user risk assessments (e.g. towage and line handling etc.) taken into account?	NK	
4.10	4.3.7	2.7-2.11	Does the NRA output rank hazards by risk score?	Y	If using Hazman.
	4.3.7		Is the Duty Holder aware of the top risks?	N	Not until NRA is conducted.

4.1 COMMENTS

4.1 to 4.5 and 4.10 Ventnor harbour is not covered by a Navigation Risk Assessment (NRA).

It is recommended that a Ventnor Harbour NRA, including local stakeholder consultation, is conducted as soon as possible. The most straight forward method of achieving this is by adding Ventnor into the current IWC Hazman system as a new register.

5 MARINE SAFETY MANAGEMENT SYSTEM

The Code relies upon the principle that all harbour authorities will base their policies, and procedures relating to marine operations, on a formal assessment of hazards and risks to marine operations. They should maintain a formal navigational MSMS developed from that risk assessment and any subsequent supporting risk assessments deemed necessary as the MSMS develops and evolves over time and as a result of changing trade and port usage.

The aim of a MSMS is to minimise risks. Risk assessment methods are used to decide on priorities and to set objectives for eliminating hazards and reducing risks. Wherever possible, risks are eliminated through selection and design of facilities, equipment and procedures. If risks cannot be eliminated, they are minimised by physical controls, or as a last resort, through systems of work. Performance standards are established and used for measuring achievement. Specific actions to promote a positive safety culture are identified.

The formal risk assessment of the port's marine activities (routine and non-routine) is a documented, structured and systematic process comprising:

- The identification and analysis of hazards;
- An assessment of these hazards against an appropriate standard of acceptability; and

A cost-benefit assessment of risk reducing measures where appropriate.

5	GtGP	PMSC		Y/N	Comment
5.1	5	2.12	Is there a documented MSMS?	Y/N	See below.
5.2	5.1.10	1.2, 2.12-2.18	Does the MSMS contain or refer to procedures to cover the major aspects of marine safety within the port? -	N	Ventnor procedures and annexes have not been drafted.
	5.1.5, 5.1.6		Y		
	Annex A		Y		
	5.1.11		N	Not required.	
	5.1.11		N	IWC Environmental Department?	
	2.2.9		N	Signage only. IWC Health and Safety Department?	

5	GtGP	PMSC		Y/N	Comment
	5.1.9		Roles and responsibilities of key personnel;	Y	
	5.1.11		Marine safety procedures;	N	To be drafted.
	5.1.12		Incident and near miss recording and analysis;	N	To be drafted.
	6.1.1		Emergency plans;	N	To be drafted.
	12.2.1, 12.11		Qualifications, recruitment and training;	N	To be drafted. No training records.
5.3	5.1.12	2.14	Does the MSMS contain a procedure for measuring performance including a database to record incidents and near misses?	N	To be drafted.
5.4	5.1.13	2.14	Does the MSMS include processes for effective (annual) internal audit, review of procedures and external audit?	Y	Annually by Designated Person.
5.5	4.2.5	2.10	Does the MSMS review process include risk assessment review and are lessons learnt applied to relevant procedures?	Y/N	In the draft MSMS including a flow chart.
5.6	5		Is the MSMS user friendly?	N/K	

5.1 COMMENTS

5.1 The Ventnor MSMS is being developed based upon the Newport MSMS and is still in draft form. Draft edition 1.0 was examined during the audit.

The importance of ensuring that the MSMS is proportionate to the size of harbour yet covers the essential elements was discussed.

5.1 to 5.6 It is recommended that the drafting of the MSMS, proportionate to the size of harbour, is expedited to be ready for approval by the Duty Holder at the next IWC Harbours Committee in Jan 24;

It is further recommended that there is a clear relationship between the main text, the SOPs and the Annexes.

6 EMERGENCY PREPAREDNESS AND RESPONSE

The Code states that a MSMS should refer to emergency plans - and these should be developed as far as practicable, based on the formal risk assessment. Emergency plans need to be published and exercised.

Factors to be considered can range from designating emergency anchorages and potential beaching points for vessels to considering the effects of a lock gate failure or impounding pump breakdown. The emergency might be a fishing vessel suffering from a flooding engine room to a yacht catching fire. Whatever the situation, by taking a planned approach, evaluating the effectiveness of such a plan and modifying the plan when necessary, you will not only reduce the impact of potential problems, you will also be cost effective.

6	GtGP	PMSC		Y/N	Comment
6.1		2.14,3.9	Does the organisation have emergency plans for:		
	6		Marine operations;	N	See below.
	6.4		Pollution (MCA);	N	Not required ¹ . See below.
	6.2.5		Waste Plan.	N	See below.
6.2	5	2.14	Are emergency plans included in or referred to in the SMS?	N	See below.
6.3	6.1.2	3.9	Is the organisation included in larger national or regional plans?	Y	IWC Emergency Plan.
6.4	6.8.13		Does the organisation have a published exercise programme and carried out exercises?	N	
6.5	6.2 6.3		Does the SMS address the handling of dangerous or polluting cargoes/substances?	NA	Ventnor does not handle dangerous or polluting cargoes or substances.

6.1 COMMENTS

6.1 and 6.2 It is recommended that:

- A simple Ventnor Harbour Emergency Plan is drafted that includes a basic Tier 1 oil spill contingency plan (OSCP) and an accompanying overall exercise plan; and
- A Harbour Waste Management Plan is drafted for MCA approval.

¹ Andrew Healy Counter Pollution and Salvage Officer email dated 3 Mar 23.

7 CONSERVANCY

A harbour authority has a duty to conserve the harbour so that it is fit for use as a port. The harbour authority also has a duty of reasonable care to see that the harbour is in a fit condition for a vessel to be able to use it safely.

Harbour authorities should provide users of the harbour with enough information about conditions in the harbour such as depths of water, local Notices to Mariners, etc.

Harbour authorities have duties and powers as local lighthouse authorities (or providers of local aids to navigation); and specific powers in relation to wrecks.

The duties described above cover specific requirements as detailed below:

- To survey as regularly as necessary and find the best navigable channels;
- To place and maintain navigation marks where they will be of the best use to navigations;
- To keep a 'vigilant watch' for any changes in the sea or river bed affecting the channel or channels and move or renew navigation marks as appropriate;
- To keep proper hydrographic and hydrological records;
- To ensure that hydrographic information is published in a timely manner; and
- To provide regular returns and other information about the authorities' local aids to navigation as the General Lighthouse Authority may require.

7	GtGP	PMSC		Y/N	Comment
7.1	7.1.1	3.6	Does the harbour authority understand its conservancy duties?	Y	See below.
7.2	7.2	3.6-3.7	Does the harbour authority: Carry out regular hydrographic surveys;	N	See below.
	7.2.15		Maintain navigation marks in optimum position;	N	See below.
	7.2.17		Monitor changes in the sea or river bed;	N	See below.
	7.3		Keep proper hydrographic and hydrological records.	N	See below.
7.3	7.3.3	3.6-3.7	Does the harbour authority take action on, and promulgate the results of surveys (including to the UKHO)?	N	See below.

7	GtGP	PMSC		Y/N	Comment
7.4	7.1A, 7.1.1	3.6	Does the Harbour Authority have procedures for ensuring NAABSA berths are safe?	NA	No commercial NAABSA berths other than for local fishing vessels.
7.5	(7.3.3, 7.3.4), 3.2.13	3.6, 4.23, 4.24	Is communication regularly maintained with and information and returns supplied, when required to the appropriate GLA?	Y	Part of the VHM contract.
7.6.	7.5.1, 7.5.5	4.21 - 4.24	Is the Harbour Authority the LLA?	Y	
7.7	7.5	4.21- 4.24	Are Aids to Navigation maintained by the harbour authority in accordance with the availability criteria laid down by the GLA?	Y	Recent satisfactory Trinity House annual inspection report.
7.8	7.4.1		Does the Harbour Authority have the statutory powers to dredge in their local legislation?	Y	The Ventnor Harbour Revision Order 1994.
7.9	7.4.5, 7.4.6, 7.4.7	3.4	Does the Harbour Authority understand the consent process for capital and maintenance dredging and disposal plus monitor adherence to the consent conditions?	Y	Including the disposal of seaweed. See below.
7.10	7.6	4.26	Does the harbour authority have appropriate powers and a defined policy on wreck removal and salvage?	Y	The Ventnor Harbour Revision Order 1994.
7.11	7.7	3.4	Do the MSMS and works consent process address the possibility of interaction between works/ development/degeneration in or near the harbour and conservancy?	N	On a case-by-case basis by IWC.
7.12	7.4	3.8	Does the Harbour Authority exercise its general duties with regard to nature conservation and other related environmental considerations?	Y	By IWC.
			Are there any nature conservation areas in the vicinity of the SHA?	N	

7.1 COMMENT

7.2 and 7.3 There appears to be no record of Ventnor Harbour having been surveyed since it was constructed.

It is recommended that Ventnor Harbour and approaches are surveyed and the results are fully promulgated including to the UKHO.

8 MANAGEMENT OF NAVIGATION

This section relates to measures organisations can use to manage navigation in their waters.

Management of a harbour begins in determining which activity is safe and where it can take place, having regard to the physical constraints and the variety of activities being undertaken.

Every harbour is different, and the requirement to manage navigation varies from one to another. A formal assessment of navigational risk (see **Section 0**), as required by the Code, will determine what management of navigation is required, and to what degree; monitoring, controlling or managing traffic needs to be taken in mitigating risk.

8	GtGP	PMSC		Y/N	Comment
8.1	8.4	2.13	Does the harbour authority maintain any form of traffic monitoring?	N	
8.2	8.4.3, 8.4.9		Has the need for LPS or VTS been formally assessed?	N	Part of the NRA process. See Section 4.
8.3	8.4.12, 8.4.3-17		Is the current level of service appropriate?	NK	
8.4	8.75	3.3	Does the Harbour Authority have LPS / VTS procedures?	N	
8.5	8.7.15-17		Does the Harbour Authority enforce the requirement for a Port Passage Plan for visiting vessels?	N	
	8.7.21		Does the Harbour Authority provide abort procedures?	N	
8.6	7.5, 8.4	3.6, 4.21-4.24	Have the conservancy provisions (e.g. navigation aids) been assessed in relation to effective management of navigation?	N	Part of the NRA process. See Section 4.
8.7	8.2.1	3.5	Have the needs of all harbour users (including recreation) i.e. "Open port duty" been fully considered in the management of navigation?	Y/N	Local recreational events have not taken place in Ventnor Harbour recently. To be included in the draft MSMS.
8.8	9.4.	4.11, 4.12	Has the organisation identified the needs for pilotage through risk assessment?	NA	Vessels using the Harbour are below the threshold of the Pilotage Act.
8.9	8.9		Does the harbour authority operate harbour patrols?	N	

8	GtGP	PMSC		Y/N	Comment
8.10	8.10.1-11		Does the harbour authority have to accommodate operations or events outside normal commercial activity?	N	Local recreational events have not taken place in Ventnor Harbour recently. To be included in the draft MSMS.
8.11	8.11		Are there subsea pipelines and/or power cable in the SHA? If so, is their protection contained in the MSMS?	N	
8.12	8.10.22-26		If applicable is there effective liaison between organisation and marina(s)?	NA	

8.1 COMMENTS

Nil.

9 PILOTAGE

The Code refers, amongst other things, to the main powers and duties which harbour authorities (as a CHA under the provisions of the Pilotage Act 1987) has a duty to assess what, if any, pilotage services are required to secure the safety of ships, and to provide such services as it has been deemed necessary. The use of these powers should follow these general principles:

- Harbour authorities are accountable for the duty to provide a pilotage service; and for keeping the need for pilotage and the service provided under constant and formal review;
- Harbour authorities should therefore exercise control over the provision of the service, including the use of pilotage directions, and the recruitment, authorisation, examination, employment status, and training of pilots;
- Pilotage should be fully integrated with other port safety services under harbour authority control; and
- Authorised pilots are accountable to their authorising authority for the use they make of their authorisations: harbour authorities should have contracts with authorised pilots, regulating the conditions under which they work - including procedures for resolving disputes.

A CHA must issue pilotage directions if it decides, based on its assessment of the risks, that pilotage should be made compulsory. The directions must specify how and to which vessels they apply. Ship owners and any other interested parties who use the port on a regular basis, must be consulted before the directions are implemented.

9	GtGP	PMSC		Y/N	Comment
9.1	9	4.11	Does the harbour authority provide pilotage?	N	
9.2	9.4.14-17	4.12	Has the harbour authority issued pilotage directions?	NA	
9.3	9.4.1	4.11	Is the pilotage provision continuously updated through risk assessment?	NA	
9.4	9.3		Is there a suitable Master/Pilot exchange including a Pilotage Passage Plan and are records maintained?	NA	
9.5	9.5	4.15, 4.16	Does the harbour authority issue Pilotage Exemption Certificates (PEC)?	NA	
9.6		4.15	Does the harbour authority maintain:		

9	GtGP	PMSC		Y/N	Comment
	9.5.6, 9.5.18		PEC syllabus.		
	9.5.16		PEC tripping records.	NA	
	9.5.6		PEC qualification and revalidation records.	NA	
9.7	9.4.31	4.14	Is there a formal training scheme for pilots as per the international recommendations contained in IMO resolution A960?	NA	
	9.4.31		Are pilots trained in Bridge Team Management?	NA	
9.8	9.4.31, 9.5.6	4.13	Does the harbour authority regularly monitor the competence and fitness of pilots and PEC holders?	NA	
9.9	9.4.45	4.13, 4.16	Are pilots and PEC holders subject to a disciplinary procedure?	NA	
9.10	9.4.11		Does the harbour authority sub-contract pilotage?	NA	
9.11	9.4.30	4.13- 4.14	Does the harbour authority have formal agreements with pilots and pilotage sub-contractors regarding training, revalidation, competence and discipline?	NA	
9.12	9.1.1A	4.11	Are pilotage resources kept under review against requirements?	NA	
9.13	9.4.18, 9.4.19	4.14	Are pilot boarding and landing arrangements subject to formal risk assessment and specific operational procedures?	NA	
9.14	9.4.20	4.11	Does the LPS/VTS require confirmation that the vessel complies with the pilot boarding arrangements?	NA	

9.1 COMMENTS

Nil.

10 SHIP TOWAGE OPERATIONS

While any contract for the use of tugs is formally for the master of a vessel, the use of harbour tugs is one of the principal and most direct means open to a harbour authority to control risk.

Harbour authorities should determine, through risk assessment, appropriate guidance on the use of tugs in harbour areas. Recommendations should include the type of tugs and method of tow (where applicable) in addition to the number of tugs also where appropriate. Interested parties, including towage providers, users and pilots should be consulted in the preparation of such guidance. The guidance should be reflected in towage directions.

There should be procedures for special directions to be used, if necessary, where a master or pilot proposes that the guidelines should not be applied in some respect.

Directions should be reviewed regularly in the light of experience, changes in legislation, tug technology and the operating environment.

10	GtGP	PMSC		Y/N	Comment
10.1	10		Does the harbour use tugs?	N	
10.2	10.2		Does the risk assessment include the use of tugs as a mitigation measure?	NA	
			Does the harbour authority have access to the towage providers' risk assessments and operational procedures?	NA	
10.3	10.2		Have towage services been fully assessed for suitability to the needs of vessels using the harbour?	NA	
10.4	10.3		Are the tug resources adequate for harbour needs?	NA	
10.5	10.2.3		Are tugs used in restricted visibility?	NA	
10.6	10.2.3		Are any special guidelines in use for restricted visibility?	NA	
10.7	10.2.8, 10.5		Are there formal liaison arrangements between Harbour Master, tug masters and pilots, including training?	NA	
10.8	10.3.10		Do the towage operators have formal procedures that are referred to in the MSMS?	NA	

10	GtGP	PMSC		Y/N	Comment
10.9	10.3.10		Has the harbour authority agreed with the tug operators a policy on correct gear and procedures for towing?	NA	
10.10	10.2		Have tugs, their gear and procedures been fully integrated into the risk assessment as a risk control?	NA	
10.11	10.2	4.6	Do Harbour Masters' procedures include the facility to use special directions if masters and/or pilots propose departure from guidelines?	NA	
10.12	10.3.8-13		Does the harbour authority: put in place: <ul style="list-style-type: none"> • Risk assessment; • Method statement; and • Passage plan. with regards to dead tows etc.	NA	
	10.3.11		give written approval for such moves.	NA	
	10.3.13		train pilots in dead-ship towage.	NA	

10.1 COMMENTS

Nil.

11 MARINE SERVICES

“Marine Services” means the support activities carried out by the organisation to maintain safety of navigation and the hydrographic regime. Marine services may be provided by the harbour authority itself or by commercial organisations operating on-site.

There are a number of general principles when operating marine services:

- An authority’s safety management system should cover the use of harbour craft and the provision of moorings;
- The formal safety assessment should be used to identify the need for, and potential benefits for safety management of harbour craft;
- The authority should ensure that harbour 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; and
- Byelaws and the power to give directions are available for these purposes.

Harbour authorities have powers in byelaws and directions to regulate the mooring of vessels in the harbour.

The SMS should govern the use of these powers.

11	GtGP	PMSC		Y/N	Comment
11.1	11.2		Does the harbour authority exercise any powers of regulation over port craft?	Y/N	See below.
11.2	11.2.2		Where port craft do not have to comply with national legislation does the harbour authority impose any form of inspection and licensing?	Y/N	See below.
11.3	11.2.2	2.18	Does the harbour authority possess the competencies to carry out inspections on port craft?	N	
11.4	11.2.2, 11.2.3		Does the harbour use outside contractors to carry out inspections of port craft on its behalf?	NA	
11.5	11.3		Has the harbour authority ensured that workboats used in the harbour are “fit for purpose” for any use they are involved with i.e. compliant with appropriate MS Regulations and the 2016 revised work boat code.	Y/N	See below.

11	GtGP	PMSC		Y/N	Comment
11.6	11.4, 6.6.3		Does the harbour authority control operations with a process/procedure for:		
			Hot work;	NA	
			Bunkering;	N	Petrol for outboard motors are brought by jerry cans.
			Engine immobilisation;	NA	
			Diving/swimmer.	NA	
11.7	11.5		Does the harbour authority permit recreational diving in the harbour?	Y	Not prohibited.
11.8	11.6		Does the harbour authority exercise powers in relation to commercial vessel mooring plans and mooring parties?	NA	
			Have mooring operations been specifically risk assessed: <ul style="list-style-type: none"> • Within the NRA? • Berth / vessel type specific assessments? 	NA	
			Are suitable controls in place and effective: <ul style="list-style-type: none"> • Procedures? • Notices? • Stakeholder briefings? 	NA	
11.9	11.6		Does the harbour authority regulate the mooring of vessels in the harbour?	Y	Ventnor Harbour Revision Order 1994.
			Does the harbour authority ensure that mooring parties meet industry's competence standards and have access to appropriate training?	NA.	

11.1 COMMENTS

11.1, 11.2 and 11.5 The IWC administers a scheme for licensing passenger vessels carrying 12 or fewer passengers and their skippers for the whole of the Isle of Wight, including Newport and Ventnor. The inspections are carried out by qualified marine surveyors.

12 PROFESSIONAL QUALIFICATIONS AND COMPETENCIES FOR PORT MARINE PERSONNEL

Harbour authorities must assess the fitness and competence of all persons appointed to positions with responsibility for safe navigation.

Authorities must ensure their staff meet the nationally agreed standards of competence, or alternatively be able to show that their local competency standards are fully equivalent.

Achieving marine port safety is a team operation and people in these roles must be competent and adequately trained.

12	GtGP	PMSC		Y/N	Comment
12.1	12.4, 12.5	1.16, 2.18	Does the Harbour Master hold an appropriate qualification?	Y	Experienced fishing vessel skipper with PMSC training.
12.2	12.5	1.16, 2.18	Do the Deputy and/or Assistant Harbour Masters hold appropriate qualifications?	NA	
12.3	12.7	1.16, 2.18	Do VTS officers hold appropriate qualifications?	NA	
12.4	12.8	1.16, 2.18	Does the harbour authority ensure that marine operatives are suitably trained, assessed and competent to carry out their assigned roles?	N	See below.
12.5	12.9	1.16, 2.18	Does the harbour authority exercise control over the training and competence of tugs crews?	NA	
12.6	12.10	1.16, 2.18	Does the harbour authority, directly or indirectly, employ suitably qualified hydrographic surveyors?	Y/N	No recent survey.
12.7	12.11	2.18	Does the organisation have a training policy and maintain training records?	N	See below.

12.1 COMMENTS

12.4 and 12.7 It is recommended that VHM develop a training policy plus a staff qualification and training matrix similar to those employed in Newport.

13 ACCIDENT REPORTING & INVESTIGATION AND ENFORCEMENT

The duties of a harbour authority include an obligation to conserve and facilitate the safe use of the harbour and a duty of care against loss caused by the authority's negligence. Such losses may involve death, serious injury, pollution and other undesirable outcomes and they may involve breaches of national or local laws.

Investigations by the harbour master of marine incidents have two essential purposes:

- To determine the cause of the incident, with a view to preventing a recurrence of that incident (or similar); and
- 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.

It is, therefore, essential that the marine SMS addresses the potential for incidents to occur and to provide instruction and guidance on any investigations and enforcement action that may be required as a result. By ensuring that a robust, rigorous, independent investigation has been carried out, the board and the duty holder can be assured that their obligations for compliance have been addressed.

13	GtGP	PMSC		Y/N	Detail/Comment
13.1	13.8	2.20	Does the SMS include procedures for accident/incident investigation? Recent example?	Y	In the draft MSMS including a flow chart. No recorded incidents.
13.2	13.4.2	2.23	Does the harbour authority follow a set procedure for informing the MAIB?	Y	In the draft MSMS including a flow chart. Senior Harbour Master.
13.3	13.3.6-10	2.21	Does the process separate offences for investigation by other agencies? (Police/MCA/EA etc.)?	Y	In the draft MSMS including a flow chart. No recorded incidents.
13.4	13.11.6	2.20	Does the investigation process inform the risk assessment for review purposes?	Y	In the draft MSMS including a flow chart. No recorded incidents.
13.5	13.9	2.11	Does the promulgation of the findings of an investigation include the possibility of passing on findings to harbour authority employees, stakeholders or other organisations, e.g. Ports Group, Harbour Masters' body?	N	Include as part of the VHUG standing agenda when formed.
13.6	12.8.4	2.20-2.21	Does the investigation process link with the enforcement process?	Y	In the draft MSMS including a flow chart.

13	GtGP	PMSC		Y/N	Detail/Comment
13.7	13.2.2		Does the Harbour Authority understand their powers in relation to drink and drugs afloat?	Y	

13.1 COMMENTS

13.1 to 13.7 It is recommended that the incident investigation procedures in the MSMS include:

- Separating marine and shore incident investigation procedures, methods and deciding which reporting system is to be used;
- Explaining the Hazman incident recording and investigation progress tracking system;
- Ensuring that after every investigation, however small, the appropriate NRA Hazard(s) and procedures are reviewed and updated if necessary. This should be recorded;
- Investigations should remain open until the Harbour Master is completely satisfied that all actions have been completed before formally signing of the investigation. This should be recorded;
- The results of any investigation should be promulgated to the relevant members of staff and to the appropriate stakeholders (standard stakeholder meeting agenda item); and
- The Duty Holder should be routinely briefed on all investigations that are underway and their progress towards completion.

Newport Harbour - Financial Statement as at 31.01.2024

Expenditure	2022/23 FY	23/24 Budget	YTD To Jan 24 (actual)	Forecast 2023/24	Forecast Under/ Overspend 2023/24
	£	£	£	£	£
Employees	122,234	137,104	107,827	127,405	9,699
Premises	52,197	70,040	30,230	65,300	4,740
Transport	2,478	3,399	3,269	4,602	-1,203
Supplies and services	13,294	6,001	7,629	14,599	-8,598
Contracted services	43,980	46,238	37,899	52,000	-5,762
Other expenditure	1,319	0	292	1,319	-1,319
Total	235,502	262,782	187,146	265,225	-2,443

Apr 23 (actual)	May 23(actual)	Jun 23(actual)	Jul 23(actual)	Aug 23(actual)	Sep 23(actual)	Oct 23(actual)	Nov 23(actual)	Dec 23(actual)	Jan 24(actual)
£	£	£	£	£	£	£	£	£	£
10,523	8,664	7,945	16,236	11,363	9,073	9,073	9,306	15,262	10,382
-2,842	3,833	833	16,252	9,376	2,954	-657	-3,113	683	2,911
88	798	34	60	55	83	63	92	32	1,964
-660	4,578	947	261	174	762	300	60	1,071	136
732	3,069	1,880	4,926	4,502	15,133	3,202	687	3,333	435
0	0	32	21	60	123	28	0	0	28
7,841	20,942	11,671	37,756	25,530	28,128	12,009	7,032	20,381	15,856

Income	2022/23 FY	23/24 Budget	YTD To Jan 24 (actual)	Forecast 2023/24	Forecast Under/ Overspend 2023/24
	£	£	£	£	£
Furlough Claim	0	0	0	0	0
Harbour Dues & Wharfage	-3,750	-5,024	-3,818	-3,817	-1,207
Folly Pile - Permanent	-54,615	-45,000	-64,021	-58,000	13,000
Newport Harbour Permanent Quayside Moorings	-12,273	-17,505	-13,888	-13,724	-3,781
Storage of Goods	-42	0	0	0	0
Cranes - Static	-883	0	0	0	0
Newport Quay - Visitors	-21,310	-24,371	-23,620	-24,174	-197
Electric Card Income	-3,332	0	-2,894	-3,332	3,332
Off Street Parking Income	-5,510	-4,221	-4,507	-5,410	1,189
Leasing Income	-129,163	-121,881	-127,518	-128,573	6,692
Folly Ventures - Visitors	-19,043	-18,930	-20,638	-20,638	1,708
Folly Swing - Permanent	-26,783	-15,000	-18,875	-24,560	9,560
Houseboats	-11,650	-10,470	-10,612	-10,908	438
Swing Moorings - Central	-479	-454	-847	-847	393
Recharge to Other Revenue Accounts	-12,960	-10,000	-7,000	-11,000	1,000
Dry Berths	0	-160	0	0	-160
Other income	17	-253	-10	-9	-244
Total	-301,776	-273,269	-298,248	-304,992	31,723

Apr 23 (actual)	May 23(actual)	Jun 23(actual)	Jul 23(actual)	Aug 23(actual)	Sep 23(actual)	Oct 23(actual)	Nov 23(actual)	Dec 23(actual)	Jan 24(actual)
£	£	£	£	£	£	£	£	£	£
0	0	0	0	0	0	0	0	0	0
-806	0	-669	0	0	0	-419	76	-2,000	0
-42,888	-2,446	-1,080	-6,671	-9,629	-192	-1,000	-278	205	-42
-13,556	-10,577	-204	16,481	-2,483	-1,315	-619	-2,448	0	833
0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0
-961	-2,860	-4,012	-5,788	-4,874	-2,832	-1,737	-110	-193	-253
-147	-272	-233	-329	-341	-275	-384	-242	-474	-197
-941	-954	-134	-200	-326	-128	-353	-376	-799	-296
-42,167	-51,000	9,519	-13,080	-25	-6,374	0	-1,067	-12,974	-10,350
0	-1,715	-2,389	-5,707	-2,520	-5,104	-2,490	-713	0	0
-26,706	204	-1,423	-77	8,324	451	-272	338	5	281
-1,315	-390	-146	-6,473	-438	0	-1,412	0	-292	-146
-425	-1,349	94	0	833	0	0	0	0	0
0	0	0	-7,000	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0
0	0	0	0	2	-10	-2	0	0	0
-129,912	-71,359	-677	-28,844	-11,477	-15,779	-8,688	-4,820	-16,522	-10,170

Net position	-66,274	-10,487	-111,102	-39,767	29,280
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-122,071	-50,417	10,994	8,912	14,053	12,349	3,321	2,212	3,859	5,686
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Notes
 "Recharge to other revenue accounts" forecast, in income section above, includes £7k related to the Isle of Wight Festival

Overheads and capital charges are not included in above figures

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Ventnor Harbour - Financial Statement as at 31.01.2024

Expenditure	2022/23 FY	23/24 Budget	YTD To Jan 24 (actual)	Forecast 2023/24	Forecast Under/ Overspend 2023/24
	£	£	£	£	£
Employees	2,206	1,629	1,949	2,342	-713
Premises	222	137	137	137	0
Transport	0	0	0	0	0
Supplies and services	981	1,255	0	2,967	-1,712
Contracted services	144,450	117,165	49,609	83,500	33,665
Other	0	0	0	0	0
Total	147,859	120,186	51,695	88,946	31,240

Apr 23 (actual)	May 23 (actual)	Jun 23 (actual)	Jul 23 (actual)	Aug 23 (actual)	Sep 23(actual)	Oct 23(actual)	Nov 23(actual)	Dec 23(actual)	Jan 24(actual)
£	£	£	£	£	£	£	£	£	£
183	184	184	184	184	184	184	184	283	195
0	0	0	137	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0
0	39,759	0	160	560	8,010	720	160	80	160
0	0	0	0	0	0	0	0	0	0
183	39,943	184	481	744	8,194	904	344	363	355

Income	2022/23 FY	23/24 Budget	YTD To Jan 24 (actual)	Forecast 2023/24	Forecast Under/ Overspend 2023/24
	£	£	£	£	£
Leases	-12,000	-12,000	-12,000	-12,000	0
Berthing fees	-2,046	0	0	0	0
Other income	0	0	0	0	0
Total	-14,046	-12,000	-12,000	-12,000	0

Apr 23 (actual)	May 23 (actual)	Jun 23 (actual)	Jul 23 (actual)	Aug 23 (actual)	Sep 23(actual)	Oct 23(actual)	Nov 23(actual)	Dec 23(actual)	Jan 24(actual)
£	£	£	£	£	£	£	£	£	£
0	0	0	0	-12,000	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0
0	0	0	0	-12,000	0	0	0	0	0

Net position	133,813	108,186	39,695	76,946	31,240
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183	39,943	184	481	-11,256	8,194	904	344	363	355
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Note
Overheads and capital costs not included in the above figures

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Newport Harbour – Senior Harbour Master Quarterly Report

Newport Harbour Quarterly Safety Report - December 2023 to February 2024

1. Overnight visitor and Short Stay

	Newport Harbour			Folly		
	Overnights	Short stay	Total	Overnights	Short stay	Total
December	8	4	12	0	0	0
January	15	4	19	0	0	0
February	9	1	10	Awaiting numbers		

1.1 Daily checks completed for Christmas period.

1.2 The scheduled Designated person Liaison Call were held, David Foster, Jonathan Brand and Lawrence Edmonston.

2. Events

2.1. Fishing competition held on the 30.12.2023.

2.2. Newport Harbour Tier 1 spillage exercise (Golden Dawn) was conducted on the 11.01.2024, including checking/updating contact details.

3. Results of periodic inspections

3.1. Inspections of navigation aids

- Periodic inspections and daily inspections have been carried out of the channel and navigation aids, some of which have been undertaken from land. All navigation aids are in place, their colour and characteristics are all as required by IALA recommendations.
- Trinity House Local Aids to Navigation Manager conducted an Audit of Local Aids to Navigation. Everything was found in good order and there were no matters arising which require further comment in February. Report received.

3.2. Inspections of the channel

- Periodic visual inspections have been carried out of the channel some of which were carried out from the land. The depth within the channel has not been reported below the depths advertised. Daily inspections were carried out from land in the month and 22 times by boat.

3.3. Inspections of quays, steps, pontoons, gangway, piles, and cleats

- Periodic inspections have been carried out at Newport Harbour and found to be in position and in good order daily inspected were carried out in the month. The NAABSA berth checks were carried out each month. Folly pontoons were inspected 22 times by harbour staff.
- The harbour staff have been power washing Newport Harbour and the Folly pontoons in preparation when weather and tides allow over the 3 months.
- Repairs on a loose support beam on the Newport visitor pontoon carried out by harbour staff in January.

3.4. Inspections of lights, electric pods and water stands - December 2023

- Periodic inspections have been carried out on the lights, electric pods and water stands. Daily inspections were carried out this month.
- New water meter fitted by the Newport Harbour visitor ramp.
- Issues with youngsters interfering with pontoon electric boxes in February, same issues with life rings – staff monitoring.
- Visitor standpipe repaired.
- On the 06.04.2024 the power at Black House Quay was out at about 17.30, due to damage overhead power lines. SSE repaired and power was back on about 23.00.
- In February electrical engineers were working on Unit 7 supply and north quay, as well as safety inspection of harbour buildings.

3.5. Inspections of life rings, fire extinguishers

- Inspections were carried out and all existing life rings, fire extinguishers and safety ladders were found to be in position and in good order. Daily inspections of Newport and 22 times at the Folly were carried out this month.
- A safety ladder on Folly East A pontoon was found to be damaged. Replacement was sourced and fitted.

3.6. Slipways Inspection

- The slipways have been inspected and are in good repair. Regular inspections also take place by the environment officers.
- The Folly slipway was cleaned in January and February.
- Seaclose slipway cleaned in February.
- Senior Harbour Master met with MMA in January regarding the damaged area (2 by 5 metres) at the start of Folly slipway (a useable but small step making it more difficult to get dinghy trailers over). Meeting with contractors in February. Quotes received for the options.

3.7. Work boats and Van

- The main harbour equipment was visually checked daily during the month.
- The monthly check was completed each month.
- The Harbour Launch was lifted out on the 07.02.2024, and placed in the vacant Unit 7, to be painted etc.
- The launch was surveyed on the 08.02.2024 for renewal of the Small Craft Licence.
- Harbour life Jackets - existing staff life jackets, at the end of operational life as manufacturers will service them when 10 years old. Replacements were sourced of the same spec at the start of February.

4. Incident and emergencies

4.1. Collisions

- None recorded.

4.2. Fire or explosion

- None reported.

4.3. Vessels grounding

- Folly mooring holder on the east folly foreshore north of folly pier on the 28.12.2023. Recovered 29.12.23. Boat checked and moored on the visitor pontoon.

4.4. Loss of vessel stability

- The sunk vessel alongside Folly West B pontoon was recovered by Kingston Boatyard at the owners request in January.
- In January a report of a sunken boat on Newport Harbour Folly Visitor pontoon was received. When checked was unfounded and the boat was OK.
- On the 22.01.24 boats loose on Folly swing mooring, mooring failed Quotes received and works to be completed by Cowes Harbour Commission. Vessels recovered and placed on a replacement mooring.

4.5. Pollution

- Due to large tides and the heavy rain fall the harbour has been checked for large debris being washed down river, debris removed as and when.
- On the 14.02.2024 phone call received from Solent Coast Guard regarding a concern raised about foam evident in river adjacent to Dodnor area. After closer inspection by harbour staff this was freshwater runoff and water foam.

4.6. Dangerous occurrences / near misses

- During this period due to the bad weather, boats have snapped ropes, fenders popping out and requiring being pumped out. Harbour made good and informed the owners of the condition of their vessels.

4.7. Reportable Accidents

- None reported.

4.8. Defects affecting Marine Safety.

- None reported.

5. Additional information

- Due to the heavy rain during the month, the harbour staff have been inspecting the harbour drains and clearing where needed.
- Black House Quay - black water tank required being pumped out/emptied monthly.
- On the 02.12.23 spray paint aerosol cans recovered from the site adjacent to the NHS container, north harbour. Evidence of new street art (graffiti) on side of container.

- On the 05.12.23 removed damaged tender on Folly pontoon and stored at Newport Harbour.
- In December access gained into Unit 7 at the request of property services and new locks fitted by harbour staff.
- Fire alarm system serviced as per contract.
- Old floating bridge chain was collected in February and transported to Kingston boat Yard (CHC) in preparation for the renewal/service of West inshore Folly swing Mooring line.
- In February, Island Roads conducted an inspection of the harbour access bridge.
- Health and Safety spot check carried out by IWC health and safety at the end of February - awaiting report.

Ventnor Harbour - Harbour Master Quarterly Report

Ventnor Haven Quarterly Safety Report – October 1st to December 31st 2023

1. Overnight visitor and Short Stay

Month	Overnights	Short stays	Total
October	1	1	2
November	0	0	0
December	-	-	-

Operational information

2. Results of periodic inspections

2.1. Inspections of Channel Markers and navigational lights

- Periodic inspections have been carried out of the Channel markers and navigational lights. All continue to be in good working order and are checked on a monthly basis. A total of 3 recorded checks have been made each month from October through to the end of December.

2.2. Inspections of walkways, pontoons, railings and cleats

- Daily inspections have been carried out and recorded at Ventnor Haven through this period which resulted in the harbour maintaining its good condition of pontoons, walkways, railings, and cleats. Any issues obstructing the good condition of these inspections have been resolved or action taken and logged. A total of 92 daily logs have been made from the 1st October through to the end of December 31st.
- Each report consists of daily observations made and any issues raising the concerns of the harbour and issues being resolved.
- There has been a total of 3 completed monthly reports for this period of October, November, and December.

3. Incident and emergencies

3.1. Collisions

- None recorded.

3.2. Fire or explosion

- None recorded.

3.3. Vessels grounding

- None recorded.

3.4. Loss of vessel stability

- None recorded.

3.5. Pollution

- None recorded.

3.6. Dangerous occurrences / near misses.

- None recorded.

3.7. Reportable Accidents

- None recorded.

3.8. Defects affecting Marine Safety

- None recorded.

4. Additional information

- None recorded.

PMSA - Heading (pick from drop down)	Action	Sub action	By Who	By When	Comments	Completed Yes/No	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25		
1. The Legal Background	The Ventnor Harbour Revision Order 1994 gives the Harbour Authority the powers to apply for both Harbour Byelaws and General Directions; however, currently, there does not appear to any need for either Harbour Byelaws or General Directions.	Navigational Risk Assessment being undertaken (21/2/24), decision to be made with regard to requirements off the back of this.	Jonathan Brand/ Designated Person	28/02/24																												
2. Accountability for Marine Safety	Day-to-day management of Ventnor Harbour was contracted out to Ventnor Haven Management Ltd (VHM). The Duty Holder remains the IWC Harbour Committee.	Regular visits to be conducted by IWC Senior Harbour Master - meetings to be recorded.	Jonathan Brand	30/04/24	Ongoing meetings to be logged, meeting frequencies to be set in MSMS.																											
2. Accountability for Marine Safety	Duty Holder training is not given automatically to new members of the Harbours Committee on joining; two new members have joined the committee since the last PMSA training.	Duty Holder training to be conducted for all NEW harbour committee members.	All	Ongoing	Regular reviews needed at each Harbour Board meeting - new members to be invited to undertake training.																											
3. Consultation & Communication	The details and membership of a future Ventnor Harbour User Group are included in the draft MSMS but the inaugural meeting has not yet taken place.	It is recommended that a regular Ventnor Harbour User Group is introduced with a standing agenda similar that in place for the Newport Harbour User Group - need to agree a membership and a terms of reference for the group.	Alex Minns/ Lawrence Edmonston	30/04/24	Members of the group included in MSMS - recommended 6 monthly meeting - 1st meeting date to be set.																											
3. Consultation & Communication	It is recommended that a Ventnor (or a combined Ventnor and Newport) Marine Safety Management Plan is drafted for approval at the next Harbour Committee/Duty Holder's meeting in December 2023.	Ventnor having stand alone Plan, Plan is at draft 1 version and will be completed end of April.	Lawrence Edmonston/ Jonathan Brand	30/04/24																												
3. Consultation & Communication	It is recommended that the Ventnor Harbour section of the IWC website is reviewed and refreshed.	twight.com is up to date but has limited information.	Lawrence Edmonston	30/04/24	Contact Ventnor Haven Management company to see if they are looking at any additional online presence that could be added to twight.com.																											
4. Risk Assessment	Ventnor harbour is not covered by a Navigation Risk Assessment (NRA).	NRA completed on 21/2/24, waiting final document from Marico, document will also be live on Navman.	Jonathan Brand	15/02/24	Finished document to be circulated and issued.																											
4. Risk Assessment	It is recommended that a Ventnor Harbour NRA, including local stakeholder consultation, is conducted as soon as possible. The most straight forward method of achieving this is by adding Ventnor into the current IWC Hazman system as a new register.	NRA booked for 21/2/24.	Jonathan Brand	15/02/24	NRA booked, once agreed and issued go through Hazman log in and access with Ventnor Harbour Management.																											
5. Marine Safety Management System	The Ventnor MSMS is being developed based upon the Newport MSMS and is still in draft form. Draft edition 1.0 was examined during the audit. The importance of ensuring that the MSMS is proportionate to the size of harbour yet covers the essential elements was discussed.	Draft edition 2, completed and in review, to be issued to VHM for comment and revision.	Jonathan Brand/ Lawrence Edmonston	30/03/24	Jonathan to issue 2.2 to Ventnor Management and meet to review and amend with the view to releasing a useable version.																											
5. Marine Safety Management System	It is recommended that the drafting of the MSMS, proportionate to the size of harbour, is expedited to be ready for approval by the Duty Holder at the next IWC Harbours Committee in Jan 24. It is further recommended that there is a clear relationship between the main text, the SOPs and the Annexes.	V 2.1 being prepared, review meeting with Ventnor Harbour management to be arranged for March 2024 with a view of a working document being issued in April 2024.	Jonathan Brand/ Lawrence Edmonston	30/04/24																												
6. Emergency Preparedness & Response	A simple Ventnor Harbour Emergency Plan is drafted that includes a basic Tier 1 oil spill contingency plan (OSCP) and an accompanying overall exercise plan.	Plan to be reviewed and circulated to Ventnor Management.	Jonathan Brand	30/04/24																												
6. Emergency Preparedness & Response	A Harbour Waste Management Plan is drafted for MCA approval.	Document in "raw" draft form and needs finalising.	Jonathan Brand	30/03/24	Jonathan to update draft and share with VHM to finalise.																											
7. Conservancy	There appears to be no record of Ventnor Harbour having been surveyed since it was constructed. It is recommended that Ventnor Harbour and approaches are surveyed and the results are fully promulgated including to the UKHO.	Survey to be conducted by Shoreline services - PO raised to company, waiting confirmation of survey date.	Jonathan Brand	30/04/24	Waiting on confirmation, Jonathan to chase.																											
8. Management of Navigation	No Comments	Noted																														
9. Pilotage	No Comments	Noted																														
10. Ship Towing Operations	No Comments	Noted																														
11. Marine Services	The IWC administers a scheme for licensing passenger vessels carrying 12 or fewer passengers and their skippers for the whole of the Isle of Wight, including Newport and Ventnor. The inspections are carried out by qualified marine surveyors.	Noted		30/03/24	Reference to this is included in the Marine Safety Management Plan.																											
12. Professional Qualifications and Competencies for Port Marine Personnel	It is recommended that VHM develop a training policy plus a staff qualification and training matrix similar to those employed in Newport.	Detail in MSMS - Ventnor Harbour management to revise document.	Jonathan Brand	30/04/24																												
13. Accident Reporting & Investigation & Enforcement	Separating marine and shore incident investigation procedures, methods and deciding which reporting system is to be used.	Harbour Accident and Incident reporting included in MSMS.	Jonathan Brand	30/04/24	Included as part of MSMS.																											
13. Accident Reporting & Investigation & Enforcement	Explaining the Hazman incident recording and investigation progress tracking system	Log in created for Ventnor Harbour Management and training given.	Jonathan Brand	30/04/24	Check log in is set up and arrange training.																											
13. Accident Reporting & Investigation & Enforcement	Ensuring that after every investigation, however small, the appropriate NRA Hazard(s) and procedures are reviewed and updated if necessary. This should be recorded.	All included in MSMS.	Jonathan Brand	30/04/24																												
13. Accident Reporting & Investigation & Enforcement	Investigations should remain open until the Harbour Master is completely satisfied that all actions have been completed before formally signing of the investigation. This should be recorded.	Monthly report template includes reference to Accident reporting.	Jonathan Brand	30/04/24	Jonathan to formalise monthly meeting with Ventnor Management, to review monthly report, minute all actions and circulate.																											
13. Accident Reporting & Investigation & Enforcement	The results of any investigation should be promulgated to the relevant members of staff and to the appropriate stakeholders (standard stakeholder meeting agenda item).	Referenced in MSMS.	Jonathan Brand	30/04/24																												
13. Accident Reporting & Investigation & Enforcement	The Duty Holder should be routinely briefed on all investigations that are underway and their progress towards completion.	Designated person receives monthly reports.	Jonathan Brand		Jonathan to formalise monthly meeting to review monthly report and advise Designated person of any issues.																											

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