

Public Document Pack



Monitoring Officer
Christopher Potter

County Hall, Newport, Isle of Wight PO30 1UD
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Agenda

Name of meeting	HARBOUR COMMITTEE
Date	WEDNESDAY 30 JUNE 2021
Time	2.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT
Members of the committee	Cllrs P Jordan (Chairman), Jarman, J Jones-Evans, M Price, C Quirk and I Ward and Vacancy Jonathan Brand, Alex Minns, Sean Newton and Joseph Rennie Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

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

To confirm as a true record the Minutes of the meeting held on 17 March 2021.

2. **Declarations of Interest**

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

3. **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, 25 June 2021.



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. **Finance Reports** (Pages 9 - 12)

To receive the finance reports for Newport and Ventnor harbours.

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

(a) Get Well Plan (Pages 13 - 14)

(b) Senior Harbour Master Report (Pages 15 - 20)

6. **PMSC Audit** (Pages 21 - 58)

To receive the PMSC audit for Ventnor Harbour.

7. **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 2.00pm on Monday, 28 June 2021. 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, 22 June 2021

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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Please note that all meetings that are open to the public and press may be filmed or recorded and/or commented on online by the council or any member of the public or press. However, this activity must not disrupt the meeting, and if it does you will be asked to stop and possibly to leave the meeting. This meeting may also be filmed for live and subsequent broadcast (except any part of the meeting from which the press and public are excluded).

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.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

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Minutes

Name of meeting	HARBOUR COMMITTEE
Date and Time	WEDNESDAY 17 MARCH 2021 COMMENCING AT 2.00 PM
Venue	VIRTUAL (MS TEAMS)
Present	Cllrs I Ward (Chairman), S Hastings, G Perks, M Price, S Smart and B Tyndall
Officers Present	M Bartlett, J Brand, A Minns, S Newton, J Rennie

27. **Minutes**

RESOLVED:

THAT the minutes of the meeting held on 16 December 2020 be confirmed.

28. **Declarations of Interest**

Councillor Graham Perks declared an interest as he was the Local Member for Ventnor Harbour.

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

No public questions were received.

30. **Finance Reports**

There had been a reduction in berthing fee income at Newport Harbour on previous years due to Covid-19; Ventnor Harbour is a smaller harbour and there was a comparatively smaller overspend predicted.

The Harbour Revision Order would enable officers to look at leasing of buildings and maximise annual income, valuations were being sought on properties and leases were due to expire over the next calendar year.

Clarification regarding the contract for seaweed removal at Ventnor Harbour was given that the contract was two years and would expire on 31 March 2022.

RESOLVED:

THAT the finance reports be noted.

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

31.1 **Get well Plan**

The senior Harbour Master advised that work had progressed since the agreement of the Harbour Revision Order had been received. Draft general directions had been produced and once legal had agreed them they would be circulated to the committee and Newport Harbour User group for comment prior to general consultation.

RESOLVED:

THAT the get well plan be noted.

31.2 **Senior Harbour Master Report**

The Senior Harbour Master advised the Committee that the main risk to the harbour was Covid-19 restrictions, staff had been furloughed from 12 January 2021, daily checks had been continued by the Senior Harbour Master. The Committee had received training from Marico.

Concern was raised regarding an incident that happened on Newport Quay where someone had fallen into the river and asked if safety railings could be installed to prevent this from happening again. Officers advised that they had not received full reports regarding the incident and believed that this could be due to the increased level of use around the riverside centre being used as a vaccine centre.

Questions were raised regarding the potential of Ventnor Harbour and if further investigation into the seaweed issue were being looked at, the committee were advised that the seaweed issue had been ongoing since it was built, and it was believed that significant investment was needed or grant funding, officers agreed to provide the local member with updates regarding this issue.

The Committee were informed that dredging in Newport harbour would commence from Monday, 29 March 2021 for up to ten weeks, this would remove silt and improve the channel depth from Medina Way to the Premier Inn.

RESOLVED:

THAT the Senior Harbour Master report be noted.

32. **Harbour Authority Activities Annual Report 2019/20**

The Assistant Director for Neighbourhoods advised the Committee that this was an annual report for both Newport and Ventnor harbours. There were a couple of incorrect dates contained within the report, paragraph 11 should read 1 July – 11 August and paragraph 15 should read March 2020.

The reports showed previous activity up to March 2020 and had been approved by the Council's auditors. The Committee asked that the name of Ventnor harbour be consistent through the report in future years.

Questions regarding the increase showed in the finance for Ventnor Harbour, officers advised that this was due to renegotiation of contracts and details would be provided to the Committee regarding this.

RESOLVED:

THAT the annual reports set out in appendices 1 and 2 be approved and submitted to the DfT.

33. Harbour Revision Order

The Assistant Director for Neighbourhoods advised that the Harbour Revision Order came into force on 10 March 2021, officers thanked the team for their perseverance on this matter.

RESOLVED:

THAT the Harbour Revision Order be noted.

34. Newport Harbour Masterplan

The Director for Regeneration advised the Committee that receiving the Harbour Revision Order (HRO) was a significant milestone, and thanked officers for their part in achieving this. The HRO would enable the opportunity to grant leases and attract funding from government. Flood risk assessment advised by the Environment Agency had commenced and a report expected in April 2021, this would enable the masterplan to become a supplementary planning document.

Levelling up funding connected with projects that would begin during this financial year, these were few and an ongoing schedule of improvements to the harbour walls and potential opportunity to bid for funding for this if it can be started in this financial year.

The masterplan was in three phases, one to five years identified individual sites and necessary infrastructure improvements, years 6 to 10 and then 10 to 15 years.

RESOLVED:

THAT the Committee be given an informal briefing on the scheme.

THAT the Newport Harbour Masterplan be noted.

35. Members' Question Time

There were no Member questions received.

CHAIRMAN

Newport Harbour - Financial Statement as at 31.05.2021

Expenditure	2020/21 FY	21/22 Budget	YTD To May 21 (actual)	Forecast 2021/22	Forecast Under/ Overspend 2021/22	Apr 21 (actual)	May 21 (actual)
	£	£	£	£	£	£	£
Employees	81,944	86,749	13,711	86,002	747	6,855	6,855
Premises	29,923	35,275	1,503	37,010	-1,735	77	1,427
Transport	949	3,399	197	2,917	482	119	77
Supplies and services	40,837	6,001	-23,716	5,442	559	-23,805	89
Contracted services	23,560	46,238	7,948	23,560	22,678	2,689	5,259
Other expenditure	714	0	0	714	-714	0	0
Total	177,927	177,662	-357	155,646	22,016	-14,064	13,707

Income	2020/21 FY	21/22 Budget	YTD To May 21 (actual)	Forecast 2021/22	Forecast Under/ Overspend 2021/22	Apr 21 (actual)	May 21 (actual)
Leases	-75,624	-62,721	-36,346	-103,000	40,279	-36,446	100
Parking	-353	-4,221	0	-353	-3,868	0	0
Cranes/fork lifts	-42	0	0	0	0	0	0
Berthing fees	-40,770	-57,928	-18,457	-46,419	-11,509	-17,790	-667
Other income	-5,718	-10,309	-1,163	-4,242	-6,067	-928	-235
Folly	-80,476	-107,930	-58,523	-80,476	-27,454	-46,704	-11,819
Furlough Claim	-3,407	0	-294	-882	882	-147	-147
Total	-206,390	-243,109	-114,782	-235,372	-7,737	-102,014	-12,768

Net position	-28,462	-65,447	-115,140	-79,726	14,279	-116,078	939
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Ventnor Harbour - Financial Statement as at 31.05.2021

Expenditure	2020/21 FY	21/22 Budget	YTD To May 21 (actual)	Forecast 2021/22	Forecast Under/ Overspend 2021/22	Apr 21 (actual)	May 21 (actual)
	£	£	£	£	£	£	£
Employees	2,043	1,416	341	2,043	-627	170	170
Premises	222	194	0	222	-28	0	0
Transport	-1	0	0	0	0	0	0
Supplies and services	1,782	1,255	0	1,782	-527	0	0
Contracted services	91,336	73,189	7,285	91,336	-18,147	-7,285	14,570
Other	0	0	0	0	0	0	0
Total	95,382	76,054	7,626	95,383	-19,329	-7,115	14,740

Income	2020/21 FY	21/22 Budget	YTD To May 21 (actual)	Forecast 2021/22	Forecast Under/ Overspend 2021/22	Apr 21 (actual)	May 21 (actual)
Leases	-12,000	-12,000	0	-12,000	0	0	0
Berthing fees	-4,917	-6,024	0	-4,917	-1,107	0	0
Other income	-633						
Total	-17,550	-18,024	0	-16,917	-1,107	0	0

Net position	77,832	58,030	7,626	78,466	-20,436	-7,115	14,740
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Newport Harbour 'Get Well Plan' - Version 1.11; 21.06.2021						Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	
No.	Action	Sub action	By Who	By When	Comments																									
		Green - complete Yellow - Planned completion date																												
7	General Directions	Review draft General directions after HRO decision	JB/LE	TBC	Draft prepared and reviewed by Marico; now with the councils legal team																									
		Informal consultation to include Harbour user group	JB	Jul-21																										
		Formal consultation	JB	Aug-21																										
8	Emergency preparedness	Set date for Oil Spill Contingency Plan exercise plan	JB	May-21	In consultation with CHC																									
		Undertake Oil Spill Contingency exercise (combine with emergency training exercise)	JB	Sep-21	In consultation with CHC; to be rescheduled due to Covid-19																									
		Set dates to Conduct emergency training exercises (combine with oil spill exercise)	JB	Sep-21	To coincide with oil spill contingency exercise																									
18	Review of harbour staffing	Staff structure, times and roles to be reviewed to enable staffing the harbour either side of high water	JB/LE	Jul-21	Restructure report awaiting HR sign off																									
Additional items from PMSC audit, November 2020						Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	
No.	Action	Sub action	By Who	By When	Comments																									
A	Navigational risk assessment	It is recommended that the NRA is reviewed at least once a year or as a follow-up of any incident investigation.	JB	Apr-21	Review delayed to resource implications arising from Covid-19																									
B	MV Blade runner	Letter is sent to Williams Shipping advising the additional procedures that are required for the operation of Blade Runner in the Newport SHA area. The additional procedures are then promulgated formally as a Notice to Mariners	JB	Apr-21	The wind turbine blades being transported are considerably longer those being transported when the NRA was conducted in 2019; the hazards in the NRA that could involve Blade Runner are reviewed																									
C	Commercial berth operators	The commercial berth operators' procedures for the mooring of commercial vessels are reviewed ensuring mooring gangs are trained correctly and that self-mooring is prohibited.	JB	Apr-21	See MAIB Report 9/2020 and Port Skills and Safety - Spotlight on Self Mooring Fatalities.																									

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Statistics

- During this period there have been 35 overnight visitors and 7 short stay visitors at
- There have been 304 overnight visitor and 13 Short Stay Folly visitor's pontoon (including long term visitors' vessels) in April 2021.

Operational

- Whilst the harbour was open the hospitality facilities have remained closed,
- The Visitors fees for Newport Harbour remain reduced to £1.50 per metre. Folly visitor pontoon charge is unchanged
- The daily harbour safety inspections, along with staffing of the harbour office, has been carried out by the Senior Harbour Master (SHM), 7 day a week (excluding 2 days that were covered by one of the Harbour labourers over this period).
- The two harbour labours that were Furloughed returned on 06.05.2021; they are currently working reduced hours (9am – 2pm, Monday to Friday), primarily undertaking the maintenance tasks not carried out in the last year. This has included maintenance work task at the Council's other harbours which has included power washing and pontoon repairs.
- During March 2021 Folly Ventures staff were operating a service on request; however, they also carried out regular checks of Newport Harbour's berths. This changed at the start of April where they operated a daily 10.00-15.00 service.
- Tier 1 oil spill mobilisation exercise was carried out at Newport Harbour on the 28.04.2021 in conjunction with a notification exercise with Cowes Harbour; results shared with MCA.
- Monthly catch up meetings with the Designated Person (David Foster from Marico) were held on 24.03.2021, 29.04.2021 and 25.05.2021 on MS Teams
- Harbour Master Information Seminar was held on the 25.03.2021 on MS Teams; it was attended by numerous officers from the harbour and council.
- Odessa boat yard conducted their Spring boat lift back in on the 31.03.2021.

Covid-19 response

- The Coronavirus statement was updated on the 12.04.2021 (LNTM No 13)
- The Covid vaccination centre at the Riverside Centre continued throughout this period.
- The barrier between North and South car parks remains open; the one-way system from Quay Street remains in force.
- Changes to the parking charges in the Harbour south car park that the first hour is free as long as a ticket is displayed is in place due to the vaccination centre operation.
- 04.05.2021 harbour staff carried out cleaning and running up Newport Harbour shower block preparation for their use.

Dredging

- Contact start up meeting for the upcoming dredging programme was held on the 08.03.2021
- Letters sent out to surrounding building, businesses and boats concerning the dredging on the 26.03.2021
- Survey of the harbour channel with extra passes within the area of the upcoming dredging was conducted 16.03.2021
- The dredger arrived on site on the 09.04.2021 and started work from the northern end of Newport Harbour working their way southerly.
- A mid-dredge survey was conducted on 10.05.2021

1. Results of periodic inspections

1.1 Inspections of navigation aids

Periodic inspections have been carried out of the channel and navigation aids, some of which have been done from land. All navigation aids are in place, their colour and characteristics as required by IALA recommendations. 83 inspections were carried out in this period.

- Reports on 05.05.2021 at 21.30 of channel marker No 20 was out of position. SHM inspected from shore on the 06.05.2021. The buoy was put back on a temporary chain and sinker, with the aid of the dredger and its crew. A replacement sinker was made by harbour staff and now on dredger that have offered to install it when convenient.

1.2 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.

83 inspections were carried out in this period.

1.3a Inspections of quays, steps, pontoons, gangway, piles and cleats

Periodic inspections have been carried out and found to be in position and in good order.

83 inspections were carried out in this period.

- Folly visitor pontoon was power washed by Folly Venture staff on the 02.03.2021
- The Folly permeant berths pontoon where power washed by Harbour staff between 07 to 12.04.2021,
- Folly east inshore swing moorings were inspected, and chain replaced between 14-15.04.2021

1.3b Inspections of lights, electric pods and water stand pipes

Periodic inspections have been carried out on the lights, electric pods and water stands.

83 inspections were carried out in this period.

- Water monitoring took place on the 01.03.2021, 13.04.2021 and 04.05.2021.
- A risk assessment of the harbour water supply was carried out on the 27.04.2021
- Inspection and test of the electricity on the pontoons, quay and the harbour buildings by SSE was conducted between the 3-5.03.2021
- Water monitoring took place on the 01.04.2021, risk assessment was carried out of the pontoon and quay water supply on the 27.04.2021
- SSE disconnected the electricity supply on the visitor's pontoon on the 06.04.2021 to enable temporary relocation of the visitor's pontoons. The cable was removed onto the quay by harbour staff between 20-23.04.2021.
- On the 14.05.2021 SSE inspected power supply for Blackhouse quay.

1.3c Inspections of Hand Crane

The hand crane was not used this month

- Lifting strops were inspected on the 29.04.2021, no defects noted.

1.4 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, 83 inspections were carried out in this period.

- On the 24.04.2021 box at the top of the visitor ramp was found open, contents inspected and closed.

1.5 Slipways Inspection

The slipways have been inspected and are in good repair. This has now been added to the Environment Officers weekly inspections.

- The Folly slipway was cleaned 19.04.2021
- The slipway at Newport between north & south car park was cleaned on the 23.04.2021

1.6 Work boats and Truck

- The Harbour Launch was not used until 06.04.2021; prior to use it was fully checked but did require the battery to be charged. It was checked 81 times during in this period with pumping out required 42 times.
- Ford Ranger was not used until 06.04.2021, it was full checked and started with the use of the battery pack on the 06.04.2021, working fine after this.
- The harbour power washer failed, taken to contractor on 13.04.2021 for inspection/repair; collected 04.05.2021
- The power washer head failed on the 06.05.2021, this was repaired using parts from the other old heads and the jets cleared.
- On inspection of the salvage pump, it was found that the carb float had failed, filling sump with fuel, this was taken for repair and service on the 04.05.2021; collected 10.05.2021

2. Incident and emergencies

2.1 Collisions

None recorded

2.2 Fire or explosion

None recorded

2.3 Vessels grounding

None recorded

2.4 Loss of vessel stability

None recorded

2.5 Pollution

- Reports of Diesel at Island harbour on 15.05.2021 at 13.30 by way of text from CHC. Asked Folly Ventures to investigate the river at 2.21pm but no source found. JB inspected Newport, Island harbour and Folly foreshore, found evidence of very small amount only at island harbour, not at any other site. No boats found to be low in water or sunk. No source of diesel was found. It was monitored and dispersed on the tide.

2.6 Dangerous occurrences / near misses.

- On 20.03.2021 Information was shared by the police of an ongoing incident, regarding a person that had come ashore at Yarmouth on a stolen boat and stole a van on arrival. It was believed he may be looking for another vessel to take to complete his trip to France. Advised not to approach. Shared with Folly Ventures.

2.7 Reportable Accidents

None Recorded

2.8 Defects affecting Marine Safety

- On 13.03.2021 reports that one of the mooring stakes at Blackhouse quay has pulled out, this was reinstalled, along with an additional newly constructed stake to reduce the load. Discussed with the adjacent berth holders when this was completed.

3.0 Additional information

- The following was recovered from the harbour: 5 supermarket trolleys (returned to their store), bicycle, push scooter, 39 traffic cones and 4 section of red & white water filled barriers that were returned to opposite the vaccination centre. A small dinghy was recovered from the storm culvert by the slipway.
- The harbour was litter picked on the 20 and 31.03.2021 and 14, 16, 17 & 23.04.2021, and 27.05.2021.
- The damaged section of fence by the Premier Inn was removed
- Area around harbour office was de-weeded 17.04.2021
- The missing drain cover from 14.04.2021, which had been made temporarily safe, had a replacement cover fitted 09.05.2021 by Island Roads. (Note: the delay was due to that cover size no longer being produced).
- At the request of N&CCC the dog bin by the bench on the green was moved to the post by the Zebra crossing by the northern car park on 25.05.2021
- Whitegates pier was inspected 3 times during this period by SHM
- Report of damaged board on White gate received 01.04.2021, repaired same day.

CORONAVIRUS STATEMENT

6 January 2021

Jonathan Brand
Senior Harbour Master
Commercial Services
County Hall, Newport
Isle of Wight
PO30 1UD

Newport Harbour and Folly

Mariners are advised that, following the announcement that the country will now be entering a new lockdown from 6 January 2021, the following changes to operations will apply in the Newport Harbour jurisdiction.

Please help us to maintain a safe and Covid-19 free environment by following the government guidance and rules, consider your own safety in addition to that of our staff and other harbour users. Customers are encouraged to consider if the visit to their vessel is essential.

Newport Harbour and the Folly Pontoon & Quay

- Overnight Stays on Vessels are not Permitted
Mariners are reminded that Government guidance for staying at your primary residence still applies. Accordingly, overnight stays or extended visits are not permitted except in limited circumstances. (i.e. if this is your primary place of residence).
- Visiting vessels, including short stay at Newport Harbour and the Folly are not encouraged, this is due to the restraints to return to your primary residence overnight. Any visiting vessels will be charged the appropriate fee.
- Newport Harbour Office will continue to remain closed. However, harbour staff and the Folly Berthing Master will be carrying out regular checks. If you require electric cards, please phone and leave a message, email or drop a note through the door.
- The Harbour hospitality facilities will remain closed;
- The refuse facilities will only be unlocked when the harbour staff are on site, they will remain locked at all other times.

These measures will be reviewed regularly, when sector specific guidance is received, or when changes to the present lockdown are announced.

If a berth holder is at the harbour and they observe the harbour staff undertaking their inspection or maintenance tasks they are respectfully asked to avoid close contact with them.

Berth holders are encouraged to email any enquires to newport.harbour@iow.gov.uk or phone and leave a message on (01983) 823885; or if urgent, by calling (01983) 821000 extension 5978.

Please note: The Folly Water Taxi service will not be operating; however, the berthing staff will be carrying out regular checks of the Folly site.

The Berthing staff will be available for essential access, or services by prior arrangement, fees and charges may apply, please contact them on 07974 864 627

Neighbourhoods

CORONAVIRUS STATEMENT

12 April 2021

Jonathan Brand
Senior Harbour Master
Commercial Services
County Hall, Newport
Isle of Wight
PO30 1UD

Newport Harbour and Folly

Mariners are advised that, following the recent Government announcement regarding the first phase of lifting of restrictions, Newport Harbour are pleased to advise that from 12 April 2021 (when the present lockdown restrictions are due to be eased) it can welcome domestic overnight stays (households only) at the Folly Visitor pontoon.

Please help us to maintain a safe and Covid-19 free environment by following the government's updated guidance and rules, consider your own safety in addition to that of our staff and other harbour users. If a berth holder is at the harbour and they observe the harbour staff undertaking their inspection or maintenance tasks they are respectfully asked to avoid close contact with them.

Please note from mid-April to mid-June, dredging activity will be underway at Newport Harbour, this will increase the width and depth of the navigable channel within Newport Harbour from the southern end of the visitor pontoon and continue to a point just North of the Premier Inn. Due to this the visitor pontoon and Quay berths within this area will not be available to for visitor berths. Please see LNTM: 2021/no 12

Newport Harbour Office will be staffed from 10.00 to 14.00, Monday to Friday; however, the staff may be out about the harbour. Accordingly, please either phone and leave a message, email or drop a note through the door. The Harbour hospitality facilities will remain closed; also, the refuse facilities will only be unlocked when the harbour staff are on site and they will remain locked at all other times.

Berth holders are encouraged to email any enquires to newport.harbour@iow.gov.uk or phone (01983) 823885 leave a message on if requested

Please note: The Folly Water Taxi service is operating; however, please contact them on 07974 864 627

Notice to Mariners
Newport Harbour, Town Quay, Newport, PO30 2ED
newport.harbour@iow.gov.uk
01983 823885

Reference Number - 2021/no 2 Date – 12 April 2021

Newport Harbour – Dredging

Dredging will be undertaken within Newport Harbour; it is scheduled to start week commencing Monday 5 April 2021 and is programmed to take 10 weeks to complete.

During the works there will be a very limited number of visitor berths available and these will not have any services (power & water) available.

The works will increase the width and depth of the navigable channel within Newport Harbour from the southern end of the visitor pontoon and continue to a point just North of the Premier Inn.

The equipment that will be used by the contractor will include a 30 metre by 10 metre backhoe dredger equipped with a 50 ton long reach excavator and two self-propelled split hopper barges will be used to transport dredged materials to sea and deposited at the Nab tower.

Should you have any queries regarding the works, please do not hesitate to contact Newport Harbour (01983 823885) or email newport.harbour.iow.gov.uk

This LNTM will be cancelled as soon as the work is completed, and the Visitor pontoon are reinstalled along with its services.



ISLE OF WIGHT COUNCIL

VENTNOR HARBOUR PORT MARINE SAFETY CODE INITIAL ASSESSMENT 12 MAY 2021



Report Number: 19UK1543
Issue: 01
Date: 2 June 2021



International Harbour
Masters Association



ISLE OF WIGHT COUNCIL

VENTNOR HARBOUR PORT MARINE SAFETY CODE INITIAL ASSESSMENT 12 MAY 2021

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EXECUTIVE SUMMARY

On 1 April 2019 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 Harbour as specified in the 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. On 1 April 2021 IWC extended the Designated Person contract to include Ventnor Harbour.

Ventnor Harbour belongs to the IWC however, up to now, it has not been managed strictly in accordance with the PMSC though the procedures and processes used in Newport Harbour have been applied in principle.

This initial PMSC assessment of Ventnor Harbour is designed to act as the baseline from which to develop a “get-well” plan for the IWC to bring the harbour into full PMSC compliance.

The Ventnor Harbour Revision Order 1994 gives the IWC ample powers to manage Ventnor Harbour.

The Newport Marine Safety Management System and Newport Harbour Navigation Risk Assessment together provides a sound basis upon which to bring both IWC ports under a common management system and Ventnor into full compliance with the PMSC.

The Draft Ventnor Harbour Get-well Plan, at the beginning of the report below, lists the individual actions required.

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INTRODUCTION

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Ventnor Harbour belongs to the IWC however, up to now, it has not been managed strictly in accordance with the PMSC though the procedures and processes used in Newport Harbour have been applied in principle.

This PMSC assessment of Ventnor Harbour is designed to act as the baseline from which the IWC can develop a “get-well” plan to bring the harbour into full PMSC compliance.

The assessment was conducted by the Designated Person, Mr D Foster, on 12 May 2021 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 audit programme was arranged by the Harbour Master:

Table 1: Programme 12 May 21

Time	Location	Present	Comments
0900- 0945	Ventnor Harbour	J Brand (IOWC) D Foster (Marico)	Site visit.
0945-1200	Ventnor	J Brand (IOWC) D Foster (Marico)	PMSC Assessment.

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.

The observations and recommendations have also been transferred into a draft “get-well” plan.

DRAFT VENTNOR HARBOUR GET-WELL PLAN

The table below itemises the matters that require addressing by the IOWC to bring Ventnor Harbour into full PMSC compliance.

Table 2: Suggested Get-well Plan to bring Ventnor Harbour into PMSC Compliance

No.	Report Ref.	Action	Comments
1	1.1	Include the Ventnor Harbour Revision Order 1994 in the list of legislation in the IWC Harbours combined MSMS.	IWC Harbours combined MSMS.
2	1.9	If appropriate, consider including any new Ventnor General Directions into the current draft Newport General Directions that are currently out for internal review.	Consider combining Ventnor and Newport General Directions.
3	1.12	Amend the current Newport Harbour Enforcement policy to include Ventnor.	IWC Harbours combined MSMS.
4	2.1	Amend the remit of the Newport Harbour Committee (The "Duty Holder") to include Ventnor.	IWC Harbours combined MSMS.
5	2.2	Amend the Duty Holder's published commitment to comply the Code to include Ventnor.	IWC Harbours combined MSMS.
6	2.3	Amend the executive and operational duties to include Ventnor.	IWC Harbours combined MSMS.
7	3.1, 3.4, 3.5. 8.12, 13.5	Consider forming a Ventnor Harbour User Group (VHUG).	List the membership in the IOWC Harbours combined MSMS. Draft a VHUG standing agenda.
8	3.6	Update the current Marine Safety Management Plan to include bringing Ventnor Harbour to full PMSC compliance.	

9	3.8, 8.5	Update the IWC Harbours website.	Provide navigation safety advice to visiting vessels including advising that that Ventnor Harbour does not have any yacht visitors' moorings and that the harbour is very exposed when the wind is in the easterly quadrant. See also 20 below.
10	4.1 to 4.5, 4.9, 8.2, 8.6, 8.8, 11.8	Undertake a full Ventnor Navigation Risk Assessment (NRA) for Ventnor SHA area.	It is recommended that a new "Ventnor Register" is set up in Hazman and a full NRA is undertaken starting with a robust hazard identification involving local stakeholders. As part of the NRA consider whether: 1 - Any form of LPS/VTS is required. 2 – Any form of pilotage is required. 3 - The current Nav aids remain appropriate. 4 - Mooring arrangements and operations are appropriate.
11	4.5, 4.7	Amend the IWC Harbours combined MSMS to include guidance on the maintenance and review process of both the Newport and Ventnor NRAs.	IWC Harbours combined MSMS.
12	4.6	Revise the Newport Harbour events planning guidance and procedures to include Ventnor.	IWC Harbours combined MSMS.

13	5.1 to 5.5	Modify the current Newport Marine Safety Management System to incorporate Ventnor.	It is suggested that “a IWC Harbours combined Marine Safety Management System” is created based upon the Newport Harbour MSMS and is split into three sections: 1 – Policies and procedures etc. that concern both Newport and Ventnor. 2 – Additional policies and procedures that only concern Newport (EG the Folly operation). 3 - Additional policies and procedures that only concern Ventnor (EG Seaweed clearance).
14	6.1 and 6.3	Adapt the current Newport Emergency Plan dated Jul 20 to incorporate Ventnor.	Modify the Newport Emergency Plan dated Jul 20 into three sections (Common, Newport and Ventnor) similar to that recommended for the MSMS above. Amend the IWC Emergency Plan.
15	6.1 and ^3	If required by the MCA develop an Oil Spill Response Plan for Ventnor.	It is suggested that IWC liaise with the MCA to determine whether the MCA require a separate plan for Ventnor or if Ventnor can be incorporated into the current Newport OPRC plan. Amend the IOWC Emergency Plan.
16	6.3 and 6.4	Incorporate Ventnor Emergency and Oil Spill plans and training into the MSMS.	IWC Harbours combined MSMS.
17	7.2 and 7.3	Incorporate Ventnor into the Hydrographic Policy and survey programme.	IWC Harbours combined MSMS. Ensure that the hydrographic survey contractor passes the survey data to UKHO.
18	7.5 and 7.6	Ensure that the Ventnor Navigational Aids are regularly inspected and that the appropriate defect reports are made to Trinity House (using the online PANAR system).	Draft a new procedure in the IWC Harbours combined MSMS.
19	7.8 and 7.10	Include reference to Ventnor’s powers to dredge, remove wrecks plus seaweed clearance in the MSMS.	IWC Harbours combined MSMS.

20	8.5	Provide harbour users and potential visitors advice on entering, staying and departing from Ventnor.	Update the IOWC website (See 9 above). Add an entry into Admiralty Sailing Directions and Nautical Almanacks (e.g. Reeds).
21	8.7, 8.10	Incorporate Ventnor into the Newport Harbour Open Port Duty and event planning procedures.	IWC Harbours combined MSMS.
21	11.1, 11.2 and 11.5	Establish a Small Commercial Vessel licensing scheme in Ventnor based on the those employed by the IOWC and/or for water taxis in Newport.	IWC Harbours combined MSMS.
21	11.6	Introduce a set of appropriate permit systems for Ventnor based on the procedures in the Newport.	IWC Harbours combined MSMS.
22	13.1 to 13.6	Incorporate Ventnor into the current Newport Harbour incident reporting, investigation and after-action procedures.	IWC Harbours combined MSMS.
23		Brief Ventnor harbour users on all the changes that are being introduced.	Suggest: Notice to Mariners, a public meeting, newspaper announcement plus via the VHUG if it has already been formed.

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 PMSC 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/N	The Ventnor Harbour Revision Order 1994. To be included in the IOWC Harbours combined MSMS.
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	See below.
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	Has the powers in the Ventnor Harbour Revision Order 1994.
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	The 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	The Ventnor Harbour Revision Order 1994. See draft get-well plan.
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?	N	See draft get-well plan.

1.1 COMMENTS

1.3 The illustration below shows the Ventnor Harbour Statutory Harbour Authority Area (SHA) superimposed onto an aerial map.



Figure 1: Ventnor Harbour Statutory Harbour Authority Area

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?	N	See draft get-well plan.
2.2	2.2	1.1	Has the organisation published a commitment to comply with standards laid down in the Code?	N	See draft get-well plan.
2.3	2.2.5	1.1 1.13- 1.17	Are the executive and operational duties stated and assigned?	N	See draft get-well plan.
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 conducted 17 Feb 21.
2.5	2.2.22, 2.2.23	1.2	Do new Duty Holders receive PMSC training as part of their induction?	Y	See below.
2.6	2.2.20	1.9, 1.14- 1.15	Has a Harbour Master been appointed?	Y	Senior Harbour Master Mr J Brand. No local Ventnor Harbour Master.
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 of 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	
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	
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 recent Newport Harbour letter of compliance sent in Mar 21 specifically stated that Ventnor did not comply with the PMSC.

2.1 COMMENTS

2.5 Duty Holder training is organised by IOWC officers when the Newport Harbour Committee membership changes, in particular after local elections.

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 draft get-well plan.
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	Unless it is decided to make General Directions – see draft get-well plan 2.
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?	NA	
3.4	3.2.10-11		Has the organisation established stakeholder advisory or consultative committees?	N	See draft get-well plan.
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	Part of the standing agenda of the VHUG
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 draft get-well plan.

3	GtGP	PMSC		Y/N	Comment
3.7	3.1.4, 5.1.6	2.17	Does a communication channel exist with employees / contractors affected by the MSMS?	Y	
3.8	3.2.12	2.28	Does the organisation utilise web sites to publish marine procedures and reports?	N	See draft get-well plan.

3.1 COMMENTS

Nil.

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	See draft get-well plan.
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	See draft get-well plan.
4.3	4.2.23	2.7, 2.12	Have risk controls been properly applied?	N	See draft get-well plan.
4.3	4.2.28	2.8	Has the NRA been carried out by suitably qualified people?	N	See draft get-well plan.
4.4	4.1.5	2.11	Have stakeholders been consulted on existing or new risk assessments?	N	See draft get-well plan.
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?	N	See draft get-well plan.
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/N	See draft get-well plan.

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)?	N	See draft get-well plan.
4.8	4.1.6	2.9	Is the NRA available to those they affect?	Y	On the IOWC website.
4.9	3.3.		Are other port user risk assessments (e.g. towage and line handling etc.) taken into account?	N	See draft get-well plan.
4.10	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 Harbour Master's routine report to the Duty Holder

4.1 COMMENTS

Nil.

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?	N	See draft get-well plan.
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	See draft get-well plan.
	5.1.5, 5.1.6		Policy statements: Code compliance, Navigation, Pilotage, Marine Conservancy, Environmental, Enforcement and Prosecution.	N	See draft get-well plan.
	Annex A		National and local legislation;	N	See draft get-well plan.
	5.1.11		Control of ship movements;	N	See draft get-well plan.
	5.1.11		Environmental impact;	N	See draft get-well plan.
	2.2.9		Prevent acts or omissions that may cause personal injury to employees or others;	N	See draft get-well plan.

5	GtGP	PMSC		Y/N	Comment
	5.1.9		Roles and responsibilities of key personnel;	N	See draft get-well plan.
	5.1.11		Marine safety procedures;	N	See draft get-well plan.
	5.1.12		Incident and near miss recording and analysis;	N	See draft get-well plan.
	6.1.1		Emergency plans;	N	See draft get-well plan.
	12.2.1, 12.11		Qualifications, recruitment and training;	N	See draft get-well plan.
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	See draft get-well plan.
5.4	5.1.13	2.14	Does the MSMS include processes for effective (annual) internal audit, review of procedures and external audit?	N	See draft get-well plan.
5.5	4.2.5	2.10	Does the MSMS review process include risk assessment review and are lessons learnt applied to relevant procedures?	N	See draft get-well plan. See also Section 4
5.6	5		Is the MSMS user friendly?	Y	The current Newport is user friendly.

5.1 COMMENTS

Nil.

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	The Newport Emergency Plan dated Jul 20. See draft get-well plan.
	6.4		Pollution (MCA);	N	See draft get-well plan.
	6.2.5		Explosives (HSE).	NA	No explosive berths.
6.2	5	2.14	Are emergency plans included in or referred to in the SMS?	N	See draft get-well plan.
6.3	6.1.2	3.9	Is the organisation included in larger national or regional plans?	N	See draft get-well 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 currently handle dangerous or polluting cargoes/substances.

6.1 COMMENTS

Nil.

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;	N	See draft get-well plan.
	7.2.15		Maintain navigation marks in optimum position;	Y	See draft get-well plan.
	7.2.17		Monitor changes in the sea or river bed;	N	IWC monitors seaweed build-up in the harbour. See draft get-well plan.
	7.3		Keep proper hydrographic and hydrological records.	N	See draft get-well plan.

7	GtGP	PMSC		Y/N	Comment
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 draft get-well plan.
7.4	7.1A, 7.1.1	3.6	Does the Harbour Authority have procedures for ensuring NAABSA berths are safe?	NA	No NAABSA commercial berth.
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	See draft get-well plan.
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	By IWC.
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 with the IWC planning department.

7	GtGP	PMSC	Y/N	Comment
7.12	7.4	3.8	Y	By IWC.
			N	Just outside the Bembridge MCZ.

7.1 COMMENTS

7.9 Ventnor is prone to the build of seaweed inside the harbour which is both a hazard to navigation and the smell is not conducive to a seaside resort. MMO approval has been obtained for the seaweed to be pumped out of the harbour by a contractor; the licence for which expires on 24 Marchs 2026.



Fig 2: Seaweed being pumped from Ventnor Harbour.

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 4**), 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. See draft get-well plan.
8.3	8.4.12, 8.4.3-17		Is the current level of service (LPS/INS/TOS/NAS) 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	See draft get-well plan.
	8.7.21		Does the Harbour Authority provide abort procedures?	N	See draft get-well plan.
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. See draft get-well plan.
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?	N	Local recreational events have not taken place in Ventnor Harbour recently. See draft get-well plan.
8.8	9.4.	4.11, 4.12	Has the organisation identified the needs for pilotage through risk assessment?	N	Part of the NRA process see Section 4. See draft get-well plan.

8	GtGP	PMSC		Y/N	Comment
8.9	8.9		Does the harbour authority operate harbour patrols?	N	
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. See draft get-well plan.
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	The Southern Water outfall lies just outside the SHA area to the west,
8.12	8.10.22-26		If applicable is there effective liaison between organisation and marina(s)?	N	Include in the proposed VHUG membership (See section 3). See draft get-well plan.

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	The IWC does not provide pilotage services.
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	GtGP	PMSC	Y/N	Comment
9.6		4.15		Does the harbour authority maintain:
	9.5.6, 9.5.18			PEC syllabus.
	9.5.16		NA	PEC tripping records.
	9.5.6		NA	PEC qualification and revalidation records.
9.7	9.4.31	4.14	NA	Is there a formal training scheme for pilots as per the international recommendations contained in IMO resolution A960?
	9.4.31		NA	Are pilots trained in Bridge Team Management?
9.8	9.4.31, 9.5.6	4.13	NA	Does the harbour authority regularly monitor the competence and fitness of pilots and PEC holders?
9.9	9.4.45	4.13, 4.16	NA	Are pilots and PEC holders subject to a disciplinary procedure?
9.10	9.4.11		NA	Does the harbour authority sub-contract pilotage?
9.11	9.4.30	4.13-4.14	NA	Does the harbour authority have formal agreements with pilots and pilotage sub-contractors regarding training, revalidation, competence and discipline?
9.12	9.1.1A	4.11	NA	Are pilotage resources kept under review against requirements?
9.13	9.4.18, 9.4.19	4.14	NA	Are pilot boarding and landing arrangements subject to formal risk assessment and specific operational procedures?
9.14	9.4.20	4.11	NA	Does the LPS/VTS require confirmation that the vessel complies with the pilot boarding arrangements?

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	The IW Council does not provide ship towage services.
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	GtGP	PMSC		Y/N	Comment
10.8	10.3.10		Do the towage operators have formal procedures that are referred to in the MSMS?	NA	
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?	N	See below. See draft get-well plan.
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?	N	See below. See draft get-well plan.
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 in Newport. No IWC craft are stationed in Ventnor.
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.	N	See below. See draft get-well plan.

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

11.1 COMMENTS

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

Newport Harbour has introduced an additional Water Taxi Permit scheme.

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	Senior Harbour Master. BMF Marina Administration.
12.2	12.5	1.16, 2.18	Do the Deputy and/or Assistant Harbour Masters hold appropriate qualifications?	NA	No Deputy or planned local HM in Ventnor.
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	Matrix in Newport MSMS 1.3 plus individual staff file.
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	Part of the hydrographic survey contract specification.
12.7	12.11	2.18	Does the organisation have a training policy and maintain training records?	Y	Matrix in Newport MSMS 1.3 plus individual staff file.

12.1 COMMENTS

It is not expected that Ventnor Harbour will employ any additional IOWC staff however the Senior Harbour Master will continue to visit the harbour on a regular basis.

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?	N	See draft get-well plan.
			Recent example?	NA	
13.2	13.4.2	2.23	Does the harbour authority follow a set procedure for informing the MAIB?	N	See draft get-well plan.
13.3	13.3.6-10	2.21	Does the process separate offences for investigation by other agencies? (Police/MCA/EA etc.)?	N	See draft get-well plan.
13.4	13.11.6	2.20	Does the investigation process inform the risk assessment for review purposes?	N	See draft get-well plan.
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	Part of the proposed HUG standing agenda. See draft get-well plan.

13	GtGP	PMSC		Y/N	Detail/Comment
13.6	12.8.4	2.20- 2.21	Does the investigation process link with the enforcement process?	N	See draft get-well plan.
13.7	13.2.2		Does the Harbour Authority understand their powers in relation to drink and drugs afloat?	Y	

13.1 COMMENTS

Nil.