

**ISSUE 11**

**CHICHESTER HARBOUR  
CONSERVANCY**

**PORT MARINE SAFETY CODE**

**SAFETY PLAN  
and  
SAFETY MANAGEMENT SYSTEM**

**1<sup>st</sup> January 2012**

# CONSERVANCY

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PORT MARINE SAFETY CODE  
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# **CHICHESTER HARBOUR CONSERVANCY**

## **PORT MARINE SAFETY CODE**

### **SAFETY PLAN**

#### 1. **BACKGROUND**

- 1.1 Chichester Harbour Conservancy is a Trust Port established by the Chichester Harbour Conservancy Act 1971. The Port Marine Safety Code (PMSC) was published in March 2000, and revised in October 2009, by DETR Ports Division. It established an agreed national standard for port marine safety and a measure by which harbour authorities can be held accountable for their legal powers and duties to run their harbours safely.
- 1.2 Chichester Harbour Conservancy is committed to undertaking and regulating marine operations in a way that safeguards the harbour, its users, the public and the environment. The aim of this document is to describe Chichester Harbour Conservancy's Safety Management System and how it demonstrates compliance with the PMSC's requirement for a Safety Plan.

#### 2. **ACCOUNTABILITY FOR MARINE SAFETY**

- 2.1 The Duty Holder and the Designated Person have accountability and responsibility for delivering the required PMSC standards as follows:
- a. The Duty Holder. The Code requires each harbour authority to hold itself accountable for the discharge of its duties and powers to a set standard. Conservancy Members are responsible for ensuring that the standard is met. Members of the Chichester Harbour Conservancy are severally and collectively the "Duty Holder". The current members are listed on the inside front cover.
- b. The Designated Person. It is the role of the "Designated Person" to provide assurance to the "Duty Holder" that the safety management system is working effectively.  
The Designated Person for the Chichester Harbour Conservancy is Nicholsons Management Limited who carry out an annual independent audit of the Conservancy's compliance with the Code.
- c. Officers of the Conservancy. The responsibility for executing the plans and policies of the Conservancy rests with its officers. The delegation of responsibility is contained in detailed Job Descriptions for all harbour staff in Section 1 of Harbour Office Standing Instructions (HOSIs). The organisation and chain of command is also shown in Annex C

### 3. **KEY MEASURES OF COMPLIANCE**

- 3.1 **Review Existing Powers.** Chichester Harbour Conservancy are cognisant of their local legislation, as well as wider harbour acts, associated legislation and guidance, and keep under review the need for additional powers; such as general directions.
- 3.2 **Formal Risk Assessment:** It is the policy of the CHC to have powers, policies, plans and procedures based on a formal assessment of hazards and risks, and CHC have a formal marine safety management system in place to ensure that all risks are controlled – the more severe ones must either be eliminated or kept “as low as reasonably practicable” (ALARP).

The management and control of risks associated with harbour operations and activities is effected by comprehensive assessment of hazards, measurement of risk and the implementation of control measures which are implemented in HOSIs, Orders, Directions, Notices, Publications and Guidance; supported by effective command, control and supervision. The risk assessments for harbour operations are at Annex D to this document and are cross-referenced to the relevant control measure or document. Risk assessments are reviewed annually, following incidents, or new activity.

#### 3.2.1 Formal risk assessments are 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 reducing measures.

The aim of this process is to eliminate the risk or, failing that, to reduce risks to as low as reasonably practicable. The preferred hierarchy of risk control principles is to:

- eliminate risks -by avoiding a hazardous procedure, or substituting a less dangerous one;
- combat risks -by taking protective measures to prevent risk;
- minimise risk -by suitable systems of working.

- 3.2.2 The risks are formally reviewed every year. Investigations are made of all incidents, which are the subject of incident reports to ensure that risks to health and safety are as low as reasonably practicable. Nor are there unacceptable risks to property, to the environment or to the reputations or goodwill of Chichester Harbour businesses.
- 3.2.3 Arising out of the risk assessments and as part of the policy of continuous improvement, any actions identified are detailed in the ALARP section at Annex E.
- 3.2.4 H&SAW procedures for Conservancy Employees are set out in Chichester Harbour Conservancy’s HOSI’s; these include a statement of safety policy and procedures for the safe conduct of all activities performed by Chichester Harbour Conservancy employees.

3.3 **Marine Safety Management System.** Chichester Harbour Conservancy is a safety conscious and publicly accountable authority. It is committed to undertaking and regulating marine operations in a way that safeguards the harbour, its users, the public, and the environment. It has an established Safety Management System, the components of which are shown diagrammatically at Annexes A and B. The Safety Management System is implemented through a number of existing public documents, which, together, form a cohesive web of management. As appropriate, relevant sections of these documents are cross referenced to PMSC standards:

- The Chichester Harbour Management Plan 2009 - 2014
- Annual Progress Report on Management Plan 2011
- Chichester Harbour Office Standing Instructions (HOSIs) (2011)
- Health & Safety at Work - Policy, Risk Assessments (2011)
- Chichester Harbour Conservancy Byelaws (1996)
- Harbour News (2011) and web site containing extant Local Notices to Mariners and Guidance for Users.
- Chichester Harbour Emergency Plan (2011) and Oil Spill Pollution Plan (2011)
- Chichester Harbour Conservancy Business Plan, 2009-2014
- Admiralty Chart 3418
- Notices to mariners

3.3.1 The overarching plans and policies of the Conservancy are contained in the CHC Management Plan. They aim to discharge the roles and duties which are placed on the Conservancy by the Chichester Harbour Conservancy Act 1971, subsequent legislation, and government guidance.

3.3.2 CHC Policies HA1 to HA7, in particular relate to the meeting of PMSC standards. To see that there is not a failure in discharging duties or a risk of exceeding powers, existing powers are reviewed on a periodic basis and are audited annually.

3.4 **Consultation.** The Safety Plan incorporates input from officers, from staff and from harbour users as high standards of safety can only be achieved through dialogue and co-operation. Plans and reports shall also be published as a means of improving the transparency and accountability of Chichester Harbour Conservancy, as well as providing reassurance to the users of harbour facilities. CHC shall evaluate past events and incidents; to recognise potential dangers and the means of avoiding them.

3.4.1 Consultation with harbour users takes place through the Chichester Harbour Advisory Committee which is a statutory body established under the Chichester Harbour Conservancy Act 1971. Harbour users hold the majority of seats on the Advisory Committee which meets quarterly and they are consulted on all aspects of harbour management, including safety of navigation. When the risk assessment process was initiated in 2001 in excess of one hundred harbour user and interest groups were consulted.

3.4.2 In 2003 and 2009 there were further consultations as part of the preparation of the Chichester Harbour Management Plans 2004 – 2009 and 2009-2014. In 2004 the facility was added to the CHC web site for the public to send their comments direct to the Harbour Master.

3.5 **Competence Standards.** Employees of the Conservancy are recruited and selected on their suitability to fill the Job Descriptions in Section 1 of HOSIs, these are based on national occupational standards. Employees are reported upon annually and, at that time, their Job Description, responsibilities and performance are reviewed. Reports on Harbour Office staff are held in personnel files in the Harbour Office.

Arising from the annual review of performance, training standards and requirements are examined and appropriate training undertaken.

3.6 **Incident investigation.** Incidents will be investigated by the harbour master to:

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

b) 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.

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.

3.6.1 Any conclusions from investigations or lessons learned will be included in the harbour masters report together with measures being taken to prevent a recurrence. If appropriate a more detailed report will be submitted to the Conservancy, and/or the MAIB, and any other appropriate authorities, by the quickest means available.

3.7 **Statutory Reporting.** Reportable incidents defined by the Merchant Shipping (Accident Reporting and Investigation) Regulations 2005 are notified to the MAIB at the earliest opportunity.

3.8 **Monitoring and Measuring Performance and Auditing.** CHC will measure health and safety performance against predetermined standards. Performance in complying with the CHC safety management system will be required to meet the national standards as laid down in the Port Marine Safety Code.

CHC's key performance indicators are set out in:

- Actions 1-HA – 26HA of the Management Plan,
- Trinity House availability targets,
- MCA approval of Oil Spill Plan
- MCA approval of Port Waste Management Plan
- Plans for continuous improvement

All accidents, incidents and near misses will be recorded and used to assist in assessment of the effectiveness of the Harbour Safety Management System.

- 3.8.1 Recording Accidents and Incidents.  
Recording Policy: CHC will maintain records of what has been done, specifically
- Safety controls and responsibilities
  - Maintaining a record of due diligence
- 3.8.2 Safety Inspections and Checklist of Controls  
The calendar for the review of safety topics is at Annex F.
- 3.8.3 Annual Review and Report. An independent audit of the Safety Management System will be conducted each year and there will be an overview of accidents and failures during the year, with recommendations for addressing shortcomings, this will be reported to the Conservancy in January each year.
- 3.8.4 Regular reviews. Notwithstanding this annual report, the system will be kept under continuous appraisal and immediate action taken where shown necessary.

CHC will monitor, review and audit the marine safety management system on a regular basis so that lessons are learned from all the relevant experience and such lessons are effectively applied. Performance of the system shall be assessed against internal performance indicators and, where appropriate, by benchmarking against other ports that have adopted good practice.

- 3.9 **Enforcement.** The Conservancy maintains a comprehensive patrol presence on the Harbour to enforce byelaws and issue Directions. Orders for the conduct of patrols and prosecutions are contained in HOSIs. There is a 24 hour emergency call out system to raise a duty harbour master and a coxswain.
- 3.10 **Publication of Plans and Reports** As a means of improving transparency and accountability and to demonstrate the authority's commitment to maritime safety and ensure the involvement of harbour users, the safety plan for marine operations is published every year at a CHC meeting open to the press and the public. The plan illustrates how the policies and procedures are developed to satisfy the requirements under the PMSC. In the plan CHC commits to undertake and regulate marine operations in a way that safeguards the harbour, its users, the public and the environment. It refers to commercial activities in the harbour; the efficient provision of specified services and the effective regulation of shipping. It also explains how commercial pressures are managed without undermining the safe provision of services and the efficient discharge of its duties.
- 3.10.1 The duty holder will also publish an assessment of the harbour authority's performance against the plan. Information gathered from the monitoring and auditing of the marine safety management system, shall be used to support the analysis and conclusions.
- 3.10.2 An incident log is maintained by the Patrol Officer and records all accidents, incidents and oral complaints which come to the attention of the Conservancy. Action/follow up action, if taken, is recorded. Written complaints and replies are held on file. Major incidents are subject to immediate review to establish cause and to validate prevention measures.

3.11 **Monitoring Compliance.** Once every three years, the MCA will ask the duty holder to confirm in writing that their harbour authority is complying with the Code.

3.11.1 Where necessary the MCA may undertake a verification visit. These verification visits are usually arranged following an MAIB investigation into an incident, but could also be triggered by other indicators of noncompliance.

## 4 **GENERAL DUTIES AND POWERS**

### 4.1 **Conservancy Duty**

4.1.1 **Hydrography.** Hydrographic records of the harbour are maintained by the harbour office. As required by the Management Plan and HOSIs, known areas of shoaling (e.g. Chichester Bar) are subject to full hydrographic survey annually. All other areas of the harbour are monitored by echo sounder and dipping annually.

4.1.2 **Admiralty Charts.** The Hydrographic Office receives all hydrographic information and Local Notices to Mariners are published on the web and are sent by e-mail to those who subscribe to this service.  
Chart 3418 - Langstone and Chichester Harbour.

4.1.3 **Prevailing Conditions.** Long and short term Met Office weather forecasts are displayed at the harbour office and updated daily. The Conservancy web site, displayed at a Harbour Office window, carries the weather forecast and is connected to the offshore weather station installed at the harbour entrance on the West Pole Beacon and the Camber Beacon inside the harbour. These display real time weather updates.

4.1.4 **Aids to Navigation.** The harbour has a comprehensive, well maintained and modern system of aids to navigation based on formal risk assessment and installed in consultation with Trinity House. The routine inspection and maintenance regime is laid down in HOSIs.

Records are kept and a quarterly return sent to Trinity House, who inspect twice a year, a physical review and a document review. There are five-yearly reviews by Advisory Committee and Chichester Harbour Federation. In 2008 new West Pole and the Chichester Bar Beacons were installed.

In 2010 improvements were made to the channel depth and channel buoyage in the congested area between East Head and Sandhead.

4.1.5 **Anchorage.** Anchorages are shown on Chart 3418 and their operation is subject to risk assessment and review.

4.1.6 **Wrecks.** All wrecks in, or in or near the approach to the harbour will be risk assessed at the earliest opportunity and suitable control measures put in place to mitigate any risks posed.

4.1.7 **Works and Dredging Licences.** The Conservancy's regulations and conditions for the issue and control of works and dredging licences are contained in HOSIs.

- 4.2 **Environmental Duty.** CHC carries out all its functions with special regard to the possible environmental impact, protecting from damage and pollution the marine environment and the landscape, heritage, amenity and tourism attractions of Chichester Harbour.
- 4.2.1 **Countryside and Environmental Management and Safety.** The policy and functional objectives for managing the Chichester Harbour AONB, SSSI, SAC and SPA in an environmentally responsible way are contained in the Management Plan and Biodiversity Action Plan.
- 4.2.2 **Education.** The Conservancy classroom is managed by trained teachers using WSCC Education Department H&SAW standards. All the activities in the harbour Activity Programme are subject to risk assessment and are led by qualified staff.
- 4.2.3 **Waste Management.** The Conservancy has a compliant Port Waste Management Plan and sees that it is implemented. The Conservancy will comply with the new recycling regulations when they come into force.
- 4.3 **Civil Contingency Duty & Emergency Plans.** Chichester Harbour Conservancy is not a, “Relevant Harbour Authority,” within the meaning of section 46(1) of the Aviation and Maritime security Act 1990, it will however cooperate and share information with category 1 responders.
- 4.3.1. **The Chichester Harbour Emergency Plan,** revised 2011, details the immediate action to be taken by harbour staff and the emergency services in the event of most foreseeable emergencies. It is held by all emergency services and local authorities.
- 4.4 **Byelaws** The Chichester Harbour Conservancy Byelaws provide effective control measures to manage the hazards identified in the risk assessments. These are reviewed annually and in the light of new activities.

## **5 SPECIFIC DUTIES AND POWERS**

- 5.1 **Directions and Passage Plans** There is no standing requirement for any vessel in Chichester Harbour to file a port passage plan. Special directions and port passage plans are issued when the situation requires, e.g. movement of dredgers and other large vessels.
- 5.2 **Prevention of Pollution** The Conservancy has an extant Oil Spill Pollution Plan which meets OPRC Regulations and has been approved by the MCA. It has in place a contract with Adler and Allan Ltd who provide the response to a Tier 2 oil spill in the Harbour. Staff receive OSRL initial training and attend regular refresher courses.
- 5.3 **Vessel Traffic Service** Chichester Harbour Conservancy has an information only service and operates on VHF Channel 14.

5.4 **Pilotage** Chichester Harbour Conservancy is a Competent Harbour Authority (CHA), and has the authority to require pilotage. CHC assesses the risk of the movement of shipping into and out of the harbour. With no large commercial traffic other than dredgers, there are no extant pilotage directions and the movements are judged on an individual basis.

5.5 **Ship Towing** Orders for the safe operation of Conservancy launches and RIBs are contained in HOSIs and are based on the risk assessment.

5.6 **Local Lighthouse Authority** Availability targets for Chichester Harbour's aids to navigation are set by the General Lighthouse Authority. On a 3-yearly rolling assessment the following availability targets must be achieved:

Category 2	99%
Category 3	97%

5.7 **Licensing of Passenger Vessels and Masters of Passenger Vessels.**  
Commercial vessels operating only in the Harbour are licensed as follows:

- a. More than 12 passengers - both vessels and master are licensed by the MCA
- b. Fewer than 12 passengers - Chichester Harbour Conservancy Boat and Boatman's licence may be issued in accordance with the guidelines of the Solent & Southern Harbour Masters Association licences for boats and boatmen.

5.8 **Moorings.** The Chichester Harbour Conservancy maintained moorings set the standard for levels of equipment and maintenance of small craft moorings. Records are kept of the maintenance of each individual mooring. Orders for the operation of the mooring barge are contained in HOSIs and are based on the risk assessment. Conditions for mooring site licenses, issued by the Conservancy, require that all moorings are fit for purpose and are inspected annually. The Conservancy produces guidelines for the correct equipment and assembly of privately maintained moorings.

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Mr T Knight  
Chairman

### ARE RISKS AS LOW AS REASONABLY PRACTICABLE?

#### REVIEW

The risk assessments are live documents. All the original risk assessments have been reviewed. Where necessary amendments have been made. These were minor. Each was signed off by the Harbour Master in December 2011.

A check has been made to see that all the risk controls listed are in place.

Any new staff working afloat receive formal induction in a documented week long course.

Each of the risk assessments requires the employee responsible to state whether or not the risks are as low as reasonably practical. In each case the answer recorded is in the affirmative.

#### ACTIONS TAKEN

The following actions were completed in 2011 to bring the risks to ALARP

- Updated and then published on the Conservancy web site the Chichester Harbour Conservancy Port Marine Safety Code reflecting the changes made in the “refreshed” code now issued by the Department for Transport.
- CHC eased the choke point North of the East Head anchorage by dredging the Sandhead bank and altering buoyage. This has provided a wider deep water channel and clearer navigation for entering the harbour.
- The Harbour Office gave publicity to the dangers of
  - being afloat in tenders
  - going afloat under the influence of alcohol
  - failing to wear a lifejacket
- Full time staff who work afloat have been given refresher training on essential safety issues, based on the syllabus established for training new seasonal staff.

The Harbour Master raised at a meeting of marina managers the need to have adequate means of recovery for anyone who might fall into the water from their docks and pontoons

## CONTINUOUS IMPROVEMENT:

### Ongoing

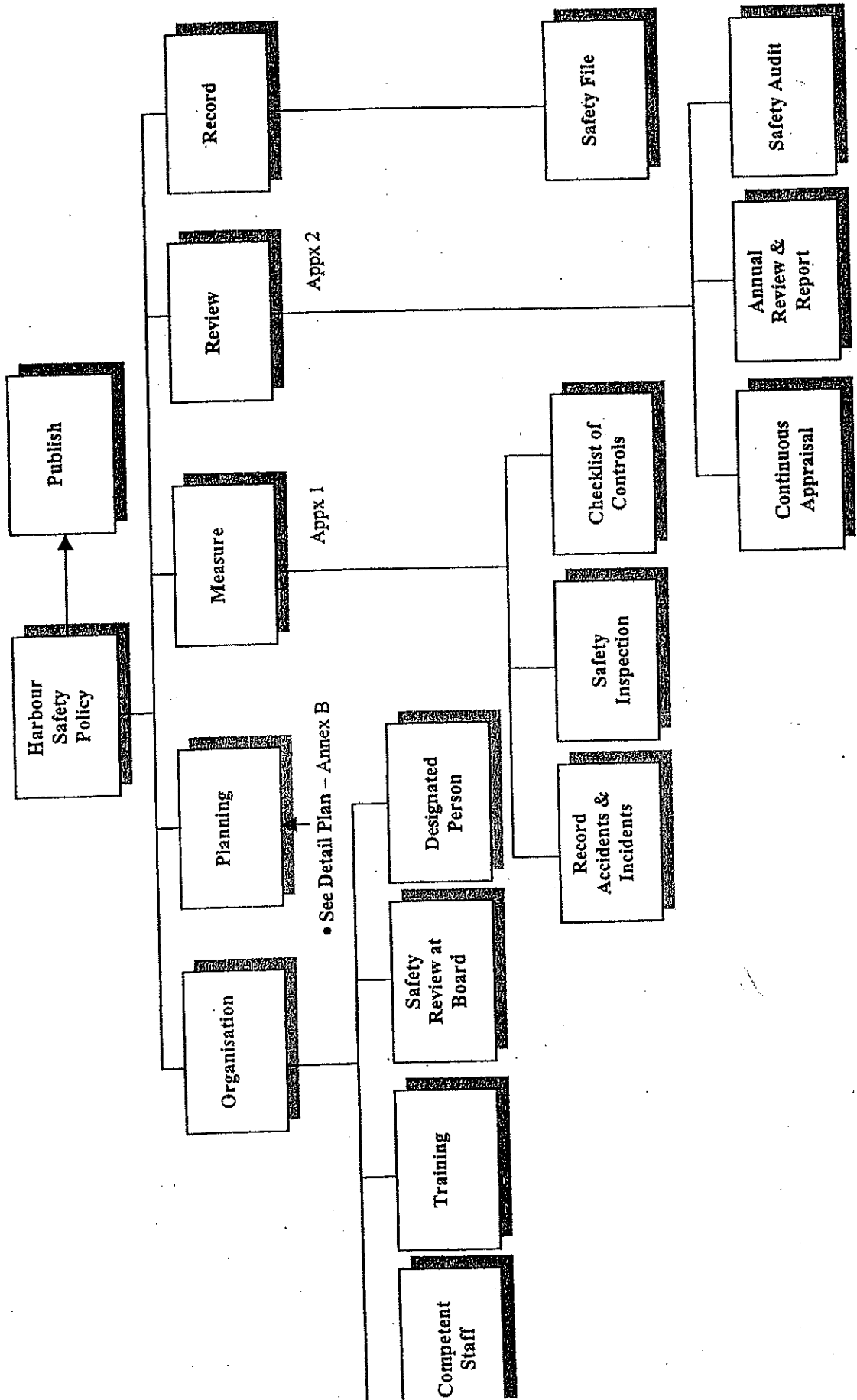
- Monitor the high speed hydrofoil dinghies, such as foiled months, International 14s and RK6s, and support the Federation should controls be found to be necessary.
- Resolve the congestion and conflict by insisting on courses that keep racing keelboats out of the East Head anchorage at busy times.
- Monitor water quality against the good or excellent standards of the Bathing Water Directive.

### Fresh initiatives

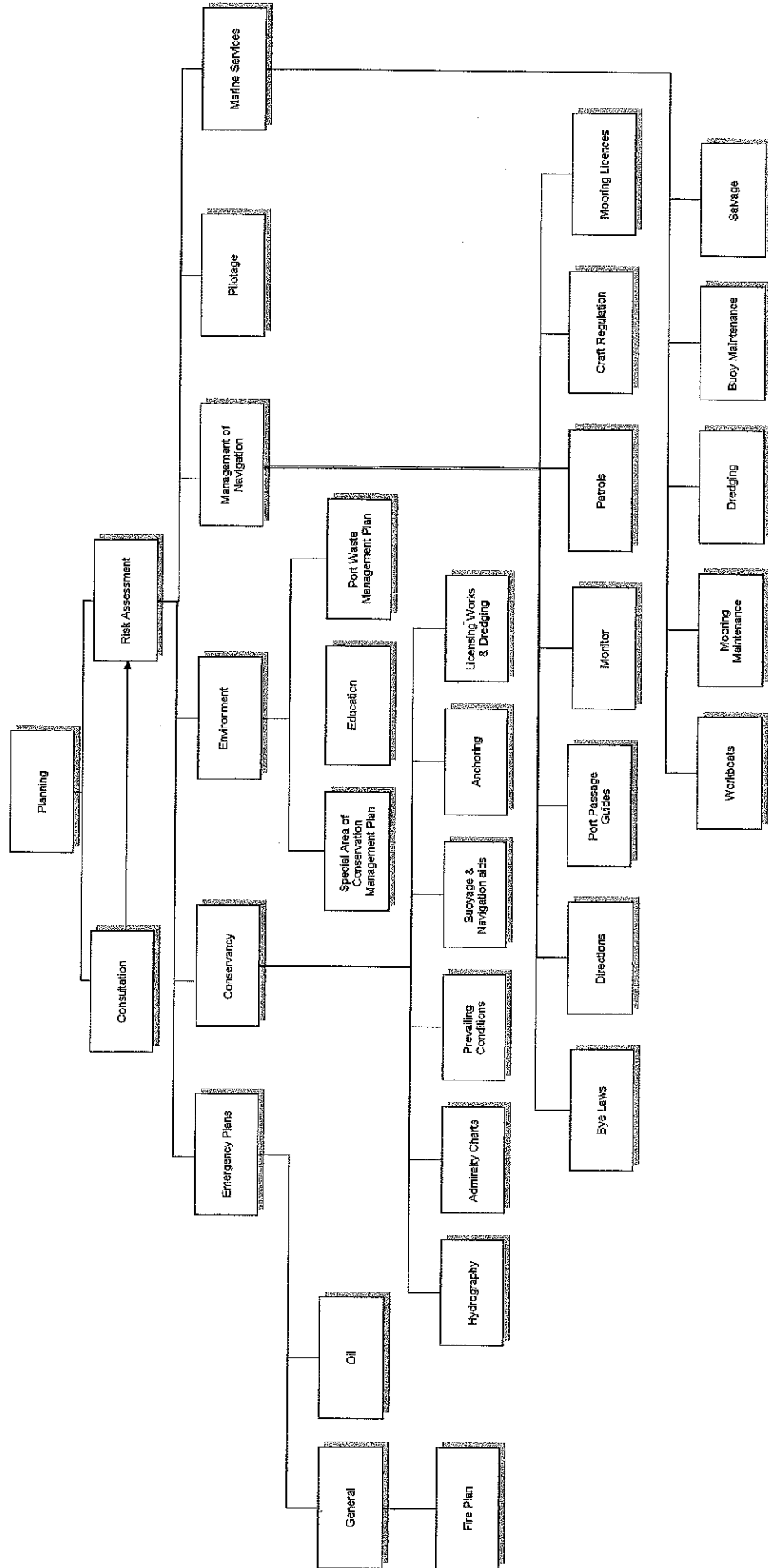
- Revise, publish and distribute, with the help of local sailing clubs, the pamphlets issued to raise standards of seamanship.
- Conduct a formal process of contractor approval for any professional dive company that intends to work in Chichester Harbour – currently Seatech and Andark.
- Publish in the Annual Report a summary of the accident and incident statistics and comment on any clear trends.

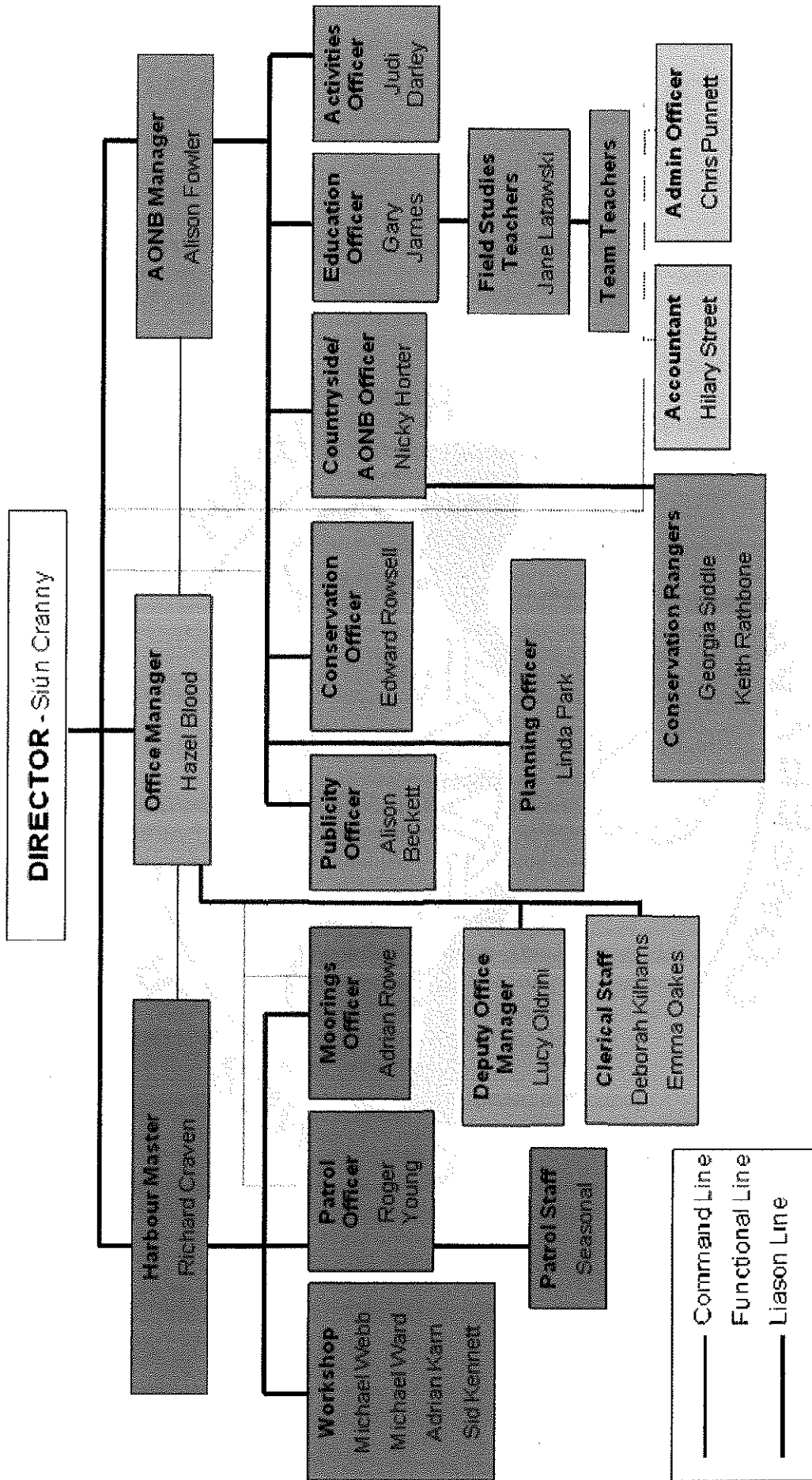
	<u>2011</u>	<u>2010</u>	<u>2009</u>
Vessels Aground	30	23	30
Collisions with moored vessels	8	22	27
Collision / Near Miss moving vessels	10	15	6
Broken adrift from mooring	20	22	27
Requiring Tow	63	51	111
Complaints by one user about another	13	19	14

# Safety Management System



# "PLANNING" - IMPLEMENTING SAFETY PROCEDURES





# CHICHESTER HARBOUR CONSERVANCY

## HARBOUR OFFICE

# **Chichester Harbour Conservancy**

## **Risk Assessments and Safety Management System**

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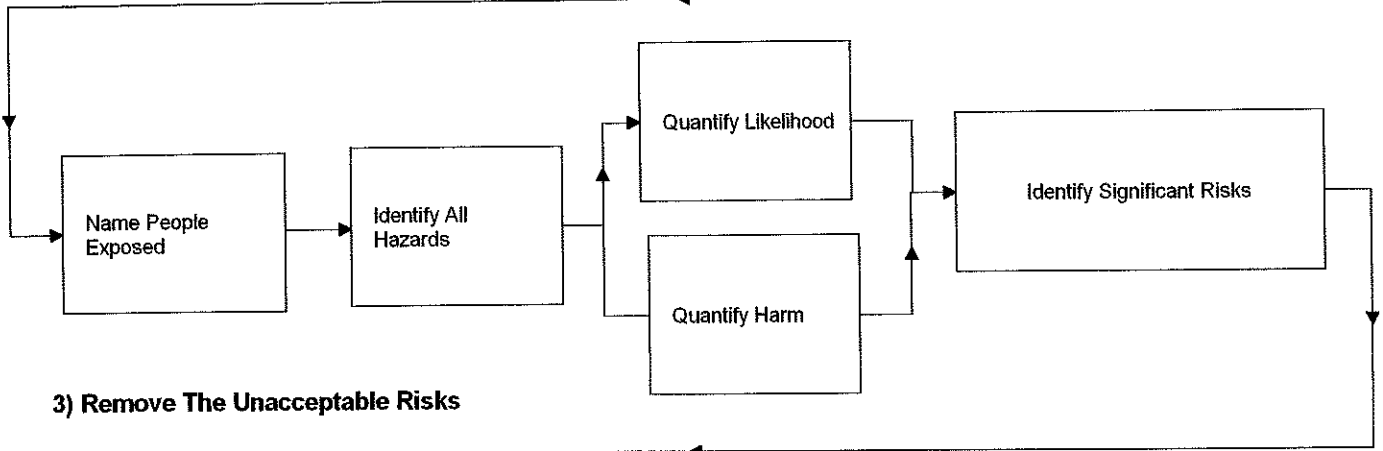
Management of safety controls – Check List

# RISK ASSESSMENT PROCESS

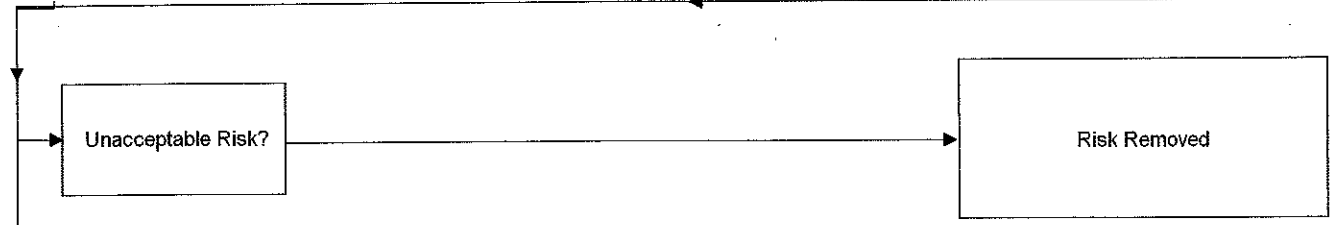
## 1) Divide into Areas for Assessment

Activities?  
Areas?  
Boats?  
Buildings?

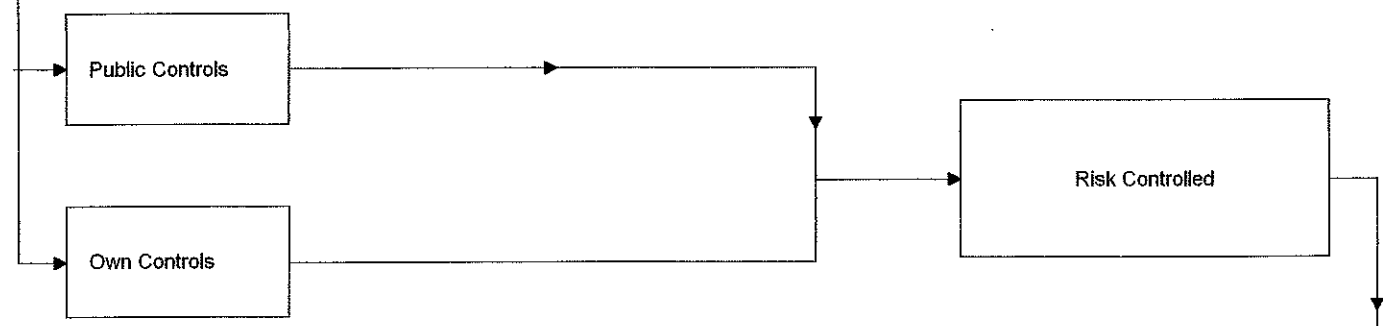
## 2) Identify The Significant Risks



## 3) Remove The Unacceptable Risks



## 4) Control The Risks



## 5) Systems To Monitor and To Manage Risks

