

# Regs4ships

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## Hayle Harbour Authority

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**Designated Person Port Marine Safety Code  
Compliance Audit: 8 January 2013**

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## 1 Background

We have been appointed as the Designated Person required by the Port Marine Safety Code. Our role is to provide independent assurance directly to the duty holder that the marine safety management system, for which the duty holder is responsible, is working effectively. Our main responsibility is to determine, through assessment and audit, the effectiveness of the marine safety management system in ensuring compliance with the Code.

We shall audit Hayle Harbour Authority Ltd.'s compliance with the Port Marine Safety Code twice a year. Captain Mark Capon of this office attended Hayle on 8 December 2012 to conduct an audit.

## 2 Executive Summary

**We find that there is sufficient indication that the requirements of the Port Marine Safety Code are being met and that the management of safety is robust and in accordance with the requirements of the Code.** All known risks associated with marine operations have been identified, assessed and precautions have been put in place in an effort to manage those risks to As Low As Reasonably Practicable.

This report is submitted to the Board's representative with the request it is put before the Board at its next meeting.

A Certificate of Compliance has been issued.

## 3 Close out of previous observations and recommendations (November 2011)

### 3.1 Incident reports and analysis/Risk assessments: OBS 01/11

The Standard Operating Procedure has been amended so that all actions required by an incident investigation are recorded and tracked providing for effective close out. A deep draft entry risk assessment has been completed.

### 3.2 Emergency Plan: OBS 02/11 and Recommendation 02/11

The Emergency Plan has been adopted by all parties. The Harbour Authority still need to exercise their own Oil Spill Response Plan (see recommendation 03/13) although the harbour authority took part in the table top exercise "Chough", run by Cornwall Council in early 2012.

### 3.3 Entrance Channel: Recommendation 01/11

The LNM regarding the use of the Entrance Channel and the associated risks has been reissued (latest issue 23 August 2012). This reissue coincided with the location of the new North Cardinal buoy and appraises all mariners of the state of the Entrance Channel and the precautions that need to be taken.

## **4 Internal Audit**

### **4.1 Internal Audit August 2012.**

The AHM completed a very thorough internal audit in August 2012. It addressed all of the issues raised in previous audits and outstanding issues were closed out. The Internal Audit examined the SMS against the requirements of the PMSC and associated Guide to Good Practice and reported on deficiencies, most of which related to minor amendments to the text of the SMS and enhanced record keeping. The Internal Audit report was submitted to the Harbour Board's representative and the Designated Person ensuring complete internal visibility.

### **4.2 Future Internal Audits: Recommendation 01/13**

Internal audits of the calibre of the internal audit of August 2012 should be completed annually.

## **5 Entrance Channel**

### **5.1 New Cardinal Buoy**

After stakeholder consultation and input and approval from Trinity House the lateral buoys at the Entrance Channel have been replaced with a North Cardinal buoy. The UK Hydrographic Office and other parties have been notified and the new buoy is shown on the latest Admiralty Chart BA1168 which continues to warn mariners of the risks of crossing Hayle Bar. Further advice is promulgated in LNTM 11/12 which is available with all other extant LNTM on the website and at the harbour office.

### **5.2 Entrance Channel Risk Assessment: Recommendation 02/13**

Timeline photography and visual observation indicate the channel has stabilized somewhat after migrating to the east. Its location and depth continues to be subject to variation, especially after inclement weather. Whilst the harbour master reviews the risk assessment monthly and reports to the Board's representative we recommend that he makes an entry in the harbour log when he completes his risk assessment which records his visual observations and relates them to the time line photography.

## **6 Oil Spill Response Plan**

### **6.1 Oil Spill Exercise: Recommendation 03/13**

The approved Plan should be validated by exercise with involvement of the tier 2 responders.

## **7 Mackerel Boats**

After many years of wrangling the disagreements between the owners of some of the boats overwintering at Lelant Saltings appears to have been settled although it was necessary to take the matter to law. Although the dispute was protracted its settlement is evidence that the robust, yet professional and fair approach adopted by the Harbour Authority, without allowing personal prejudices prevail, was right. We understand the harbour authority are looking to rationalise the

collection of harbour dues and to further simplify the charging regime whilst reducing the administrative burden.

## **8 Standard Operating Procedures and Risk Assessments**

### **8.1 New SOPs**

In response to recent events new SOPs have been initiated for tomb stoning and school visits. The permission to crane SOP has been strengthened. These SOPs have been informed by appropriate Risk Assessments.

### **8.2 Vessel Boarding RA: Recommendation 04/13**

In recognition of a fatal accident that occurred in a another harbour when a fisherman fell between the quay and his boat the HM should assess the risks of boarding vessels whilst in the harbour and initiate appropriate precautions, which may include guidance and advice, if any are found to be required.

### **8.3 Fire risk assessments: Recommendation 05/13**

All fire risks for harbour property are due review. This is to be actioned asap.

### **8.4 Kite surfing in pools on the beach**

We concur with the HM that considering kite surf training in transient pools that form on the beach at low tide undermines the present KKC Code. Pools that form on the beach will by definition become joined to the waters of the entrance channel when the tide comes in and the risk assessments that inform the KKC Code rely on kite surfers not being novices.

### **8.5 Incident reports**

There were 7 incident reports completed in 2012. The findings of each report has been analysed and fed back into the SMS to reduce the possibility of a similar incident.

### **8.6 North Quay**

The development at North Quay is now nearing completion. We are satisfied that the marine operational risks associated with this quay and the new fishermen's facilities continue to be managed to the levels required by the PMSC.

## **9 Marine Renewables Business Park**

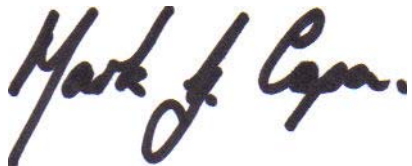
To ensure the harbour authority can continue to meet the requirements of the PMSC those planning to increase use of the harbour must liaise with and consult the harbour authority at the earliest opportunity. The harbour authority has been built on an open door policy and wishes to continue to work in the interest of all stakeholders, especially those that may have a role in the successful future of the harbour.

## 10 Conclusion

The harbour authority continues to meet the requirements of the Port Marine Safety Code. For a small harbour authority going through a period of infrastructure improvements the SMS is robust, proportional and most importantly establishes a framework whilst providing operational detail that guide the HM and AHM so they can complete their responsibilities and the harbour authority can discharge its statutory duties. The HM and AHM have embraced the requirement to put safety first in everything that they do without inhibiting the sensible operation of the harbour. This is often a difficult balance but we are content that the balance achieved by operating the harbour in accordance with the SMS is right.

We wish to thank the HM and AHM for their candid assistance during this audit.

Respectfully submitted for and on behalf of regs4ships Ltd



Mark Capon. Master Mariner, LLB

Designated Person required by the Port Marine Safety Code

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