



## DUCHY *of* CORNWALL

HARBOUR OFFICE, ST. MARY'S, ISLES OF SCILLY, TR21 0HU

Telephone: (01720) 422768 [www.stmarys-harbour.co.uk](http://www.stmarys-harbour.co.uk) E-mail: [hm@stmarys-harbour.co.uk](mailto:hm@stmarys-harbour.co.uk)

*Harbour Master: Dale Clark*

### **ST MARY'S HARBOUR AUTHORITY**

### **POLICIES**

**January 2018**

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### **POLICY STATEMENT**

- St Mary's Harbour Authority (SMHA) is committed to performing all of its duties and responsibilities in a safe and efficient manner so as to safeguard the harbour, its users, members of the public and the environment.
- SMHA will comply with the requirements of the Port Marine Safety Code. The functions of the Harbour Authority will be conducted openly and transparently and will be in the overall long-term interests of the harbour stakeholders.
- SMHA is committed to improving the safety culture within the port and will ensure that the following duties are met:
  - 1) Ensure, so far as is reasonably practicable, the safety of all those who use and work in the Harbour.
  - 2) Facilitate the safety of navigation in the Harbour and its approaches together with safeguarding the navigational access to and from the Harbour.
  - 3) Ensure the provision and maintenance of viable Harbour facilities.
  - 4) Provide an efficient pilotage service.
  - 5) Regulate the activities of all those that use the Harbour and ensure the applicable laws and bylaws are enforced where appropriate.
  - 6) Formally review the SMHA plans, policies and procedures at intervals not exceeding three years.

Signed..... Date.....  
Land Steward for the Duchy of Cornwall (Isles of Scilly)



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### **NAVIGATIONAL SAFETY POLICY**

SMHA in its role as Statutory Harbour Authority (SHA) has a responsibility to facilitate the safety of navigation within St Mary's Harbour. This Policy relates to marine operations, navigational safety and the requirements of the Port Marine Safety Code.

SMHA is committed to:

1. Managing the marine assets of the Authority safely and efficiently
2. Complying with any relevant legislation
3. Maintaining harbour machinery and equipment to appropriate standards
4. Recruiting and training staff to relevant competence standards
5. Ensuring that staff are trained for enforcement, emergencies and contingencies.
6. Developing and maintaining an effective Marine Safety Management System (MSMS)
7. Consulting widely with port and other relevant stakeholders in respect of navigational safety issues.
8. Reviewing regularly the effectiveness of, and if necessary seek amendments to, its legal powers, Byelaws and Directions in respect of navigational safety.
9. Ensuring that the best channels for navigation entering/leaving the harbour are determined, marked and monitored.
10. Providing an effective system for promulgating navigational warnings affecting the Harbour.
11. Promulgating weather forecasts and tidal times/heights to harbour users.
12. Designating suitable mooring locations.

15. Undertaking and promulgating hydrographical surveys.
16. Ensuring that appropriate competency standards are adhered to for passenger, freight and other commercial operations.
17. Providing effective plans, management and co-ordination in response to emergency situations within the area of jurisdiction.



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### **PILOTAGE POLICY**

SMHA is a Competent Harbour Authority (CHA) within the meanings of the Pilotage Act 1987 and publishes pilotage procedures. The pilotage procedures define the Isles of Scilly Pilotage District and the requirements for compulsory pilotage within it. They also lay down regulations under which Pilotage Exemption Certificates (PECs) are issued and administered within the District.

SMHA policy in respect to pilotage is to:

- 1) Ensure that the operation of the pilotage service is compliant with national regulations, guidelines and competency standards.
- 2) Keep under review its pilotage procedures to ensure that they are fully in accord with the current Marine Safety Management System legislation and guidelines
- 3) Maintain competent and authorised pilots.
- 4) Maintain a fully supported pilotage service.
- 5) Administer the PEC system to ensure that all PEC applicants and holders fully meet the requirements laid down in the pilotage procedures.



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### **CONSULTATION POLICY**

Both the Port Marine Safety Code and the associated guide to good practice emphasise the importance of effective consultation by a harbour with its stakeholders. This includes all those who work in the harbour.

It is therefore SMHA policy, to publish matters of relevance to, and encourage comment and contribution from, such stakeholders.

SMHA will:

- 1) Consult as early as is practicable with stakeholders as required and when changes to harbour legislation and policy are being considered.
- 2) Provide regular feedback on the harbour performance in its compliance with the Port Marine Safety Code.
- 3) Use all available means such as social media, website, notice boards, local/national radio etc. to ensure the widest possible dissemination of information.



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### **ENFORCEMENT AND PROSECUTION POLICY**

SMHA has statutory powers to regulate the conduct of vessels within the jurisdiction of the harbour and to assist in managing the risks involved with marine operations. To ensure that those risks can be safely and efficiently managed the Authority recognises that when it exercises its statutory powers there will be occasions when those powers need to be enforced.

SMHA recognises that the effectiveness of legislation in managing the risks involved in marine operations depends crucially on the compliance of those regulated. SMHA recognises that the majority of harbour users comply with the law but will take firm action, including prosecution where appropriate, against those who break the law or act irresponsibly.

SMHA will:

- 1) Provide information and advice in plain language on the rules that apply and will disseminate them as widely as possible.
- 3) Carry out its duties in a fair, equitable and consistent manner and will liaise with other authorities and enforcement bodies as appropriate.
- 4) Act in wider public interest with a primary aim of ensuring the harbour is operated safely and efficiently.
- 5) SMHA is committed to assisting other enforcement agencies, including the Police, in pursuance of their statutory duties. SMHA will liaise with any enforcement agency that may also have an interest in any matter being considered for prosecution.

Enforcement action can take the form of;

- (a) A verbal warning.
- (b) A formal written caution.
- (c) Prosecution.

In considering the appropriate enforcement action, SMHA will take into account the following;

- (a) The risk of harm to the public and others.
- (b) What is in the public interest.
- (c) The seriousness of the complaint.
- (d) The explanation of the offender.
- (e) Whether the matter is a recurrence.
- (f) Whether there have been other contraventions of Bye-laws or legislation.
- (g) The willingness of the alleged offender to prevent a recurrence of the incident.
- (h) The availability of witnesses.
- (i) The reliability of witnesses.
- (j) The sufficiency of evidence.





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### **TRAINING POLICY**

- 1) SMHA recognises that all of its employees should be trained/qualified to undertake the responsibilities assigned to them.
- 2) SMHA recognise that additional training or qualifications may be required if there is a change in work procedures/guidelines, equipment or responsibility.
- 3) SMHA undertake to use its best endeavours to appoint personnel to meet the criteria of the PMSC.
- 4) SMHA will undertake regular reviews of staff qualifications, renewing to updated industry standards where applicable.
- 5) SMHA will maintain a record of staff training and qualifications.



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### **ENVIRONMENTAL POLICY**

St. Mary's Harbour Authority (SMHA) recognises that it has a responsibility to the environment beyond legal and regulatory requirements. We are committed to reducing our environmental impact and continually improving our environmental performance as an integral part of our business strategy and operating methods.

#### **Responsibilities**

The Harbour Executive Committee (HEXCo) is responsible for ensuring that this environmental policy is implemented however, all employees have a responsibility in their area of work to ensure that the aims of this policy are met.

#### **Policy Aims**

SMHA are committed to:

- Complying with all relevant regulatory requirements
- Improving environmental performance
- Improving and reducing environmental impacts
- Incorporating environmental factors into business decisions
- Increasing employee awareness and training

#### **Paper**

SMHA will:

- Minimise the use of paper in the office
- Seek to buy recycled and recyclable paper products
- Reuse and recycle all paper where possible

#### **Energy and Water**

SMHA will seek to:

- Switch off lights and electrical equipment when not in use
- Adjust heating with energy consumption in mind
- Promote minimal fresh water use in harbour facilities

### **Office Supplies**

SMHA will:

- Evaluate the environmental impact of any new products we intend to use
- Favour more environmentally friendly and efficient products wherever possible
- Reuse and recycle everything we are able to

### **Transportation**

SMHA will:

- Promote the use of a cycle to work scheme
- Minimise the use of Company vehicles where possible
- Explore the use of next generation fuels

SMHA will, – in respect of travelling to the mainland:

- Reduce the need to travel, restricting to necessity trips only
- Promote the use of travel alternatives such as email or video/phone conferencing

### **Maintenance and cleaning**

SMHA will:

- Use cleaning materials that are as environmentally friendly as possible
- Consider the best energy use for machinery/tools used in maintenance
- Only used licenced and appropriate organisations to dispose of waste
- Offer recycling bins for use by harbour users

### **Monitoring and improvement**

SMHA will:

- Continue to comply with all relevant regulatory requirements
- Seek to reduce environmental impacts where practicable
- Incorporate environmental factors into business decisions
- Increase employee awareness through training
- Report performance against this policy annually

### **Culture**

SMHA will:

- Update this policy after review annually after consultation with staff and other stakeholders where necessary
- Involve staff in the implementation of this policy, for greater commitment and improved performance
- Provide staff with relevant environmental training