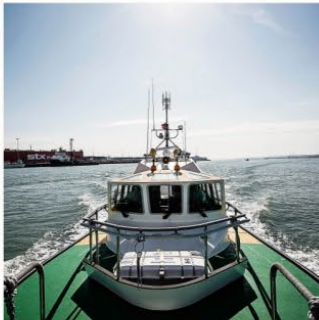
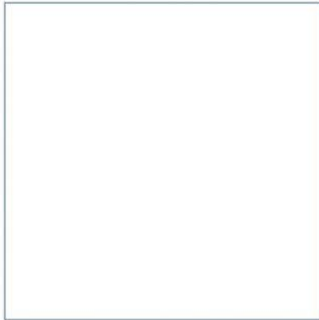


Exeter City Council

Port Marine Safety Code and Safety in Docks

Gap Analysis: Exeter Port Authority

May 2024



Innovative Thinking - Sustainable Solutions



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Port Marine Safety Code and Safety in Docks

Gap Analysis: Exeter Port Authority



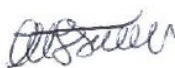
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Contents

1	The Port Marine Safety Code	1
1.1	Safety In Docks ACOP	1
1.2	About the Harbour Authority.....	2
2	Purpose and Method	4
2.1	Gap analysis scope	4
2.2	Gap analysis outcomes	4
2.3	Gap analysis dates and criteria.....	4
2.4	Attendees	4
3	Gap Analysis Summary	5
3.1	Port Marine Safety Code Gap Analysis Summary	5
3.2	Safety in Docks ACOP Summary	8
4	References.....	10
4.1	Websites	10
5	Abbreviations/Acronyms	12

Appendices

A	Detailed Audit Findings.....	15
A.1	PMSC Section 1 – Accountability for Marine Safety	15
A.2	PMSC Section 2 – Key Measures Needed to Secure Marine Safety	18
A.3	PMSC Section 3 – General Duties and Powers.....	23
A.4	PMSC Section 4 – Specific Duties and Powers	25
B	Safety in Docks ACOP	31
B.1	Quayside and Canalside Observations	31
B.2	Authority Craft.....	47

Figure

Figure 1	Port Limits and Areas to be Excluded by HRO.....	3
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Images

Image B1.	Canal Basin Change of Direction Chains.....	37
Image B2.	Topsham Quay No Change of Direction Protection	37
Image B3.	Exeter Quay signage and Reach and Recue Station	38
Image B4.	Topsham Quay Signage to Review and Bollard Trip Hazard.....	38
Image B5.	Regents wharf New Pontoon and Edge Protection Chains.....	39
Image B6.	Topsham Quay Unprotected Edge.....	39
Image B7.	SWW Berth Housekeeping	40
Image B8.	SWW Berth Housekeeping	40
Image B9.	Exeter Quay Lighting	41
Image B10.	Example No Swimming signage.....	41
Image B11.	Example EPA Pontoon.....	42
Image B12.	Example third Party Pontoon	42
Image B13.	Example Canal Bridge edge protection LSE and Signage.....	43
Image B14.	Example parking area bollard edge protection	43
Image B15.	Topsham Ferry Non Slip Walkway East	44
Image B16.	Topsham ferry Non Slip Walkway West.....	44
Image B17.	Turf Lock Machinery.....	45
Image B18.	Turf Lock Protection and Ladder.....	45
Image B19.	Turf Lock Masting Derrick.....	46
Image B20.	Double Lock Pontoon, Access and Dedicated Ferry Access Steps	46
Image B21.	Harbour Launch	49
Image B22.	Port Constructor	49
Image B23.	Example Margeret R.....	50
Image B24.	Topsham Ferry Shimmer	50

1 The Port Marine Safety Code

The Port Marine Safety Code ('the Code') sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses, or works in, the UK port marine environment. It is authored by the UK Government, supported by the devolved administrations and representatives from across the maritime sector and, whilst the Code is not mandatory, these bodies have a strong expectation that all harbour authorities will comply. The Code is applicable both to Statutory Harbour Authorities and to other marine facilities, which may not have statutory powers; these are collectively referred to throughout the Code as 'organisations' (DfT, 2016). The PMSC is presently being updated, with an expected publication date of March or April 2024. This Gap Analysis has been conducted on the draft version of the 'new' (2024) Code. The table below sets out the 10 Duty Holder responsibilities, and corresponding cross-references with sections of the (2024) Code.

No	PMSC Duty Holder Responsibilities		PMSC Section Reference
1	Duty Holder	Formally identify and designate the Duty Holder, whose members are individually and collectively accountable for compliance with the Code and their performance in ensuring safe marine operations in the harbour and its approaches.	1.1,1.2-1.3,1.4
2	Designated Person	A 'Designated Person' must be appointed to provide independent assurance about the operation of the marine safety management system. The designated person must have direct access to the Duty Holder.	2.2-2.4
3	Legislation	The Duty Holder must review and be aware of their existing powers based on local and national legislation; seeking additional powers if required in order to promote safe navigation.	3.8-3.9,3.14
4	Duties and Powers	Comply with the duties and powers under existing legislation as appropriate.	4.1,4.3-4.6,4.9, 4.12-4.20, 4.23, 4.24-4.27, 4.29-4.43
5	Risk Assessment	Ensure all marine risks are formally assessed and are eliminated or as low as reasonably practicable in accordance with good practice.	5.1-5.4,5.7-5.9,5.11-5.13
6	Marine Safety Management System	Operate an effective marine safety management system which has been developed after consultation, is based on formal risk assessment, and refers to an appropriate approach to incident investigation.	6.1-6.26
7	Review and Audit	Monitor, review and audit the risk assessment and marine safety management system on a regular basis – the independent designated person has a key role in providing assurance for the Duty Holder.	7.1-7.8
8	Competence	Use competent people (i.e., trained, qualified and experienced) in positions of responsibility for managing marine and navigation safety.	8.1-8.3
9	Plan	Publish a safety plan showing how the standard in the Code will be met and a report assessing the performance against the plan at least every 3 years.	9.1-9.2,9.4-9.5, 9.6
10	Conservancy Duty	Comply with directions from the General Lighthouse Authorities and supply information and returns as required.	10.2-10.6,10.9,10.15, 10.17

1.1 Safety In docks ACOP

The Approved Code of Practice and guidance (ACOP) 'Safety In Docks' covers safety in dock operations and is aimed at those who have a duty to comply with provisions of the Health and Safety at Work etc Act 1974. This includes people who control dock premises, suppliers of plant and equipment, dock employers, managers, safety officers, safety representatives and workers. The ACOP has been developed through close consultation with employer and employee representatives and has been designed to address both the larger end of the industry as well as those engaged in dock work in small harbours.

The focus is on helping duty holders of all sizes to easily understand the key requirements needed to comply with the general duties of the Health and Safety at Work etc Act 1974 and other relevant statutory provisions. This publication also provides details of relevant guidance that has been developed by the Health and Safety Executive (HSE), Port Skills and Safety and Unite the Union and others to help employers, employees and the self-employed to comply with the law. This ACOP only addresses some specific dock-related issues and complying with this ACOP alone will not be sufficient to fulfil your duties under health and safety law. You will also need to refer to other ACOPs and Regulations for more general matters, (HSE 2014).

1.2 About the Harbour Authority

Exeter Port Authority (EPA) is Statutory Harbour Authority (SHA) over a large area of the Exe Estuary and River, extending to sections of the River Clyst. Additionally, EPA is SHA over the Exeter Ship Canal from Turf Lock to Exeter City Basin. The enabling legislation dates back to 1539 and includes the following:

- River Exe Act 1539 (the 1539 Act).
- Exeter Canal Act 1829 (the 1829 Act) and Plan.
- Exeter Port Dues Act 1840 (the 1840 Act).
- Exeter Canal Act 1883 (the 1883 Act).
- Straight Point Exeter Light Dues Order 1950 (the 1950 Order).
- Exeter City Council Act 1987 (the 1987 Act); and Harbour Directions (Designation of Harbour Authorities) Order 2017.

There are a number of non-statutory marine facilities located within the EPA's harbour limits. These include marinas and sailing clubs and the harbour at Lymptone. Exmouth Dock Company (EDC) is a separated SHA for Exmouth Dock, which now operates as a marina. The statutory limits of both authorities (EPA and EDC) presently overlap in the approaches to Exmouth Dock. EPA is designated as a Competent Harbour Authority (CHA) as it relates to the Pilotage Act 1987. There are extant Pilotage Directions in force (which are believed to date back to the time when Exmouth Dock was an operational commercial port).

The seaward limits of EPA's jurisdictional area are linked to the position of a named floating aid to navigation, which effectively means the seaward limits are not positively defined by coordinates.

Within the EPA jurisdiction for the Exeter Ship Canal, there is a non-statutory trust managing certain buildings and property. Until 2018, Exeter City Council as the Duty Holder, had a management team in place over the Estuary and Rivers. Following an aborted Harbour Revision Order (HRO) in 2018 to designate the SHA as a Trust Port, the Council employed a Harbour Master and Marine Team to compliment the long-standing Canal Management Team who are working collaboratively towards compliance with the Code.

Exeter City Council are in advanced phase of promoting a HRO with the following aims:

- To positively define the limits of the SHA – removing present areas not considered required in the modern context.
- To consolidate the harbour legislation through a process of repeal and redrafting of historical legislation.
- To obtain modern day powers to efficiently manage maritime safety – including powers of General Direction and Special Direction.

Figure 1 sets out the existing harbour limits and the areas to be excluded if the HRO is positively determined.

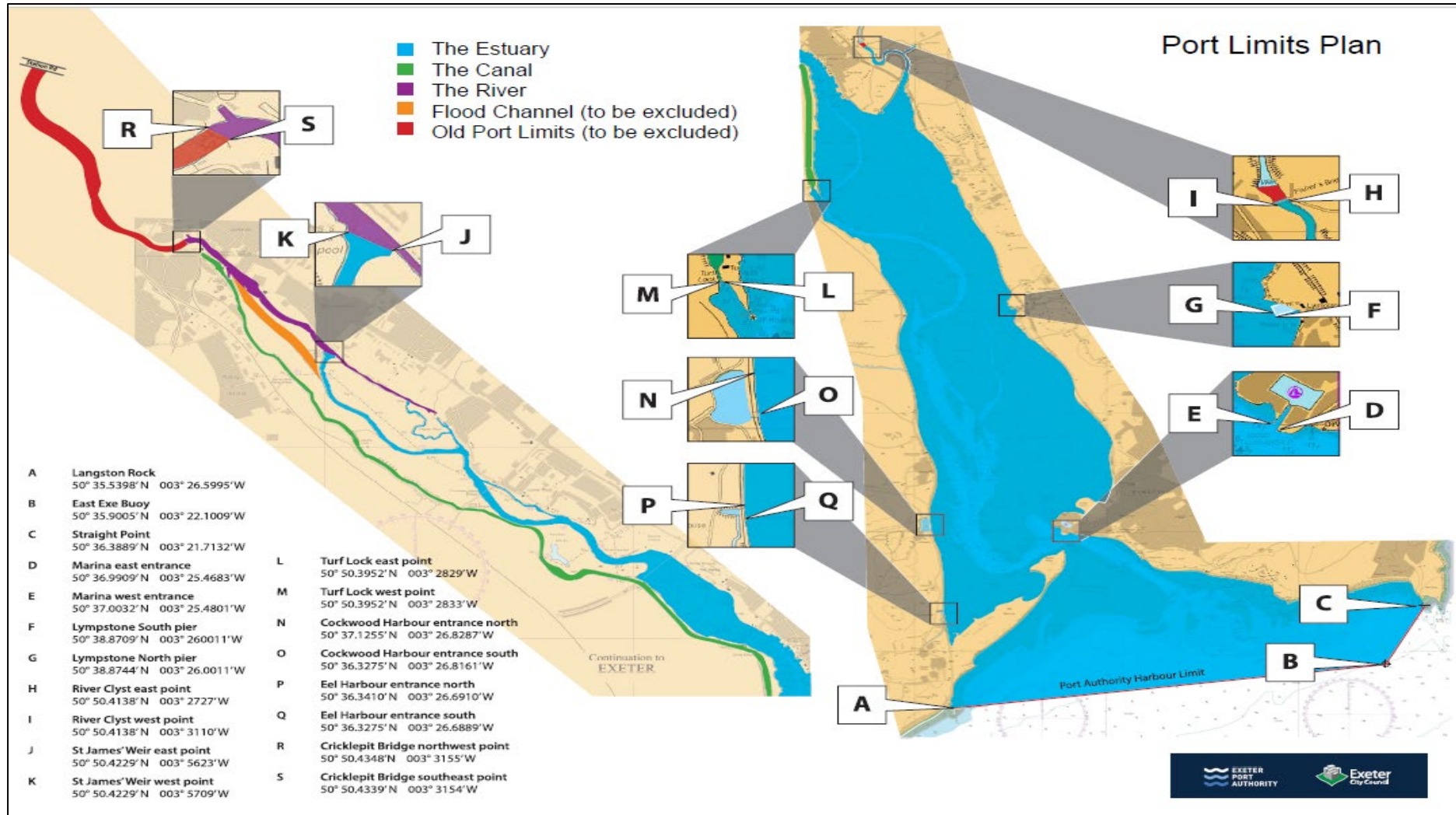


Figure 1. Port Limits and Areas to be Excluded by HRO

2 Purpose and Method

2.1 Gap analysis scope

Exeter City Council has contracted ABPmer to provide a gap analysis against the requirements of the Port Marine Safety Code and the Safety in Docks Approved Code of Practice (ACOP). Any aspects that do not fully meet either Code's expectations will be identified, with recommendations to address the gap made. The gap analysis will require time onsite and meetings with Council officials.

2.2 Gap analysis outcomes

The following outcomes have been used in this report:



Gap or Omission: a requirement of the Code which is not in place. Or an omission against a regulatory requirement. Recommendations for addressing these are identified in red.



Observation: refers to an improvement opportunity such as an update to existing published information, procedural change, or a non-conformity with a local operating instruction. Recommendations for addressing observations are identified in yellow.



Satisfactory: a system component that meets or exceeds the requirements of the Code. Items of best practice are identified in **bold**.

Not applicable: part of the Code that is not relevant to the Organisation.

2.3 Gap analysis dates and criteria

The gap analysis visit was carried out onsite during 09-10 January 2024. The draft version of the PMSC (expected to be issued in March/April 2024) and the accompanying Guide to Good Practice (GtGP) have been used as the benchmarking standard along with the latest version of Safety in Docks ACOP.

2.4 Attendees

The following individuals participated in the gap analysis.

Individual	Initials	Company, Designation
Alan Harwood	AH	EPA, Harbour Patroller
Colin Acton	CA	EPA, Waterways Manager
Grahame Forshaw	GF	EPA, Harbour Master
Graham Manchester	GM	EPA, Harbour Patroller
Monty Smedley	MJS	ABPmer, Associate Maritime Consultant
Nicolas Stone	NS	EPA, Harbour Patroller
Rod Lewis	RAL	ABPmer, Associate Maritime Consultant

3 Gap Analysis Summary

3.1 Port Marine Safety Code gap analysis summary

Number	Key Measures Ten-Point 'Health Check'			
1	Duty Holder	1	3	4
2	Designated Person	1	0	1
3	Legislation	2	0	4
4	Duties and Powers	16	8	21
5	Risk Assessment	1	2	3
6	MSMS	3	7	7
7	Review and Audit	2	0	2
8	Competence	0	2	2
9	Plan	1	1	1
10	Conservancy Duty	0	1	2
Total		27	24	47

The summary presented in the above table identifies that there are several gaps with the Port Marine Safety Code, notwithstanding this statement, the ABPmer team would like to compliment the EPA team on their hard work and focus creating the Marine Safety Management System (MSMS) and their work around delivery of a safe port through harbour patrols and active management. There were three best practice items identified, namely:

1. A thorough review of EPA's local legislation has been conducted by marine lawyers. This is considered to be a best practice approach.
2. Exeter City Council has applied for a HRO, underpinned with a Statement in Support which results from the legal review and work to modernise local legislation. This is best practice and in line with the Code's recommendations.
3. Harbour Patrols, using EPA owned craft, staffed by Patrol Officers and volunteer staff is considered to be a best practice approach.

In respect to the Port Marine Safety Code there were 27 gaps identified, namely:




1. Incorporations of the Harbours, Docks and Piers Clauses Act (HDPCA) 1847 into Exeter local Acts and Orders is not detailed in the Exeter Port Authority Safety Management System Overview (EPA-SMSO).
2. The EPA-SMSO describes the Duty Holder as the 'Exeter Port Authority Board (EPAB) take on the role of Duty Holder'. Information from the Gap Analysis identifies the 'Director Net Zero and City Management for Exeter Council' as the Duty Holder.

3. There is no appointed Designated Person.
4. The role of the Chief Executive is not included in the EPA-SMSO
5. The EPA-SMSO does not contain a section listing all local Acts and Order
6. The Admiralty Chart number 2290 does not identify the Harbour Limits.
7. Whilst EPA staff understand and are familiar with Dynamic Risk Assessment use, there is no instruction or information from EPA to its employees.
8. There are no Standard Operating Procedures (SOPs).
9. There are no stated marine safety Key Performance Indicators (KPIs).
10. The EPA-SMSO does not detail the local forum or consultation groups.
11. There is no published 'Marine Safety Plan'.
12. EPA has not made a Compliance Statement to the MCA in the last three years. EPA is not listed on the DfT's list of ports and facilities confirming PMSC compliance (January 2022).
13. There is an extensive list of marine facilities within EPA's jurisdiction. This includes one other SHA, in the form of 'Exmouth Dock Company'. There is no evidence that EPA has engaged with these Organisations to encourage Code compliance.
14. In relation to Section 33 of the HDPCA 1847, this is not incorporated into the existing local legislation applying to any part of the undertaking. This is not included within the EPA-SMSO.
15. The Council's role as a Harbour Authority and Category 2 Responder under the Civil Contingencies Act 2004 is not included in the EPA-SMSO.
16. There is no emergency response test schedule.
17. Dangerous vessel directions are not included in the EPA-SMSO.
18. The role of the SOSREP, and the connection with the dangerous vessels Act is not addressed in the EPA-SMSO.
19. There is no process for the pre-notification of dangerous goods into the harbour, as required under the 'Dangerous Goods in Harbour Areas Regulations' DGHAR, 2016.
20. The need for Pilotage has not been formally reviewed since Pilotage ceased to Exmouth Dock at the time commercial operations ceased and the dock became a marina. **If requested, EPA would fail in its duty as a Competent Harbour Authority (CHA) if it cannot provide a pilot.**
21. During the gap analysis, it was not possible to evidence the consultation process for Pilotage Directions, which predate the present management structure.
22. There is no process in place within the EPA-SMSO to appoint or train Pilots.
23. There is no process in place within the EPA-SMSO to issue PEC despite a compulsory Pilotage Direction being issued.
24. There is no process in place within the EPA-SMSO or as a separate SOP related to the management of abandoned vessels and wrecks. Given the large financial implications of abandoned vessel and wreck clearance, a policy on addressing this issue is highly desirable.
25. There are no towage guidelines issued to the harbour community.
26. There is no towage guidelines or instructions requiring non-routine towage to be risk reviewed by the harbour authority.
27. There is no process for pre-notification, reporting and checks-lists for bunkering activity in the harbour. An SOP on this topic is not in place.

The gap analysis identified 24 observations relating to improvement opportunities for management consideration. The following points identify the more significant items, the detailed findings being presented in Appendix A. The following are noted:

- Information and reporting between the Advisory Group, EPAB and the Duty Holder could be reviewed to improve the flow of timely information. For example, Advisory Group meetings are scheduled to proceed EPAB and Duty Holder meetings.
- The training matrix does not contain a column for Duty Holder and EPAB, hence, there is no requirement (stated by the Council) to attend training. Evidence of Duty Holder training should be retained by EPA.
- The risk assessments do not comply with the requirements of the Code's Guide to Good Practice (DfT, 2018). Chapter 4 of the GtGP, outlines that assessments should take into account consequences to People, Environment, Property and Business/Utility. The AssessNET framework does not address risk holistically. It should be noted that health and safety risk assessments differ in scope to those required under the Code.
- Involvement of stakeholders is not recorded or referenced in the risk assessments.
- The incident spreadsheet does not allow for easy connection of actual incidents with harbour risk assessments.
- Policy is contained in the EPA-SMSO. It is recommended that policy is separated from the EPA-SMSO document, to aid the update and authorisation processes.
- It is recommended that the EPA-SMSO sections are restructured to match the new (2024) Code layout, this has advantages that an easy comparison can be made between Code requirements and how EPA implement them.
- Whilst conservancy is included in the EPA Safety Policy, a separate policy focused solely on Conservancy (including marine environment and sustainability) would be beneficial.
- There is no Duty Roster for on-call harbour response out of office hours. This currently defaults to the Harbour Master. This is not considered to be a sustainable or equitable solution.

3.2 Safety in docks ACOP summary

Number	Key Measures Ten-Point 'Health Check'			
1	Safe site-design and activity	1	2	3
2	Access and egress	0	2	2
3	Fencing at dock edges	1	0	1
4	Use of lifting equipment	0	0	1
5	Rescue and lifesaving from water	0	0	1
6	Pontoons	0	1	1
7	Positioning of handholds and ladders on quay walls	0	3	1
8	Lighting	0	0	1
Total		2	8	11

The summary presented in the above table identifies that there is overall very good compliance with the ACOP and the coding and manning of EPA craft. The ABPmer team would like to compliment the Canal and EPA Team on their safety focus around quayside management. There were four best practice items identified, namely:

1. The masting derrick at Turf lock is advised as Zurich tested every 6 months and is clearly SWL marked.
2. At Exeter Quays the authority has installed a substantial pontoon to enhance utility and safety along with a non-slip and substantial access gangway.
3. EPA has installed five Reach and Rescue poles at Exeter Quays and Canal Basin. The installations include high quality identification and instruction signage.
4. EPA has introduced a volunteer patrol resource with in-house training and RYA certification.

In respect to the ACOP there were two gaps identified, namely:

1. At Topsham Quay there is an unprotected corner with no edge protection or change of direction chains/barriers. It is recommended that change of direction chains or barriers are installed on this corner.
2. At Topsham Quay - the large area of unprotected edge only appeared to have one old and faded sign installed 'Danger Deep Mud'. It is recommended that the signage is reviewed and renewed.

The gap analysis identified eight observations relating to improvement opportunities for management consideration. The following points identify the more significant items, the detailed findings being presented in Appendix B. The following are noted:

- There are no escape from water ladders fitted to the existing pontoons, it is noted there is an ongoing program to install additional pontoons. It is recommended that the EPA install escape from water ladders on existing and additional pontoons.
- along the east side lower end of Exeter Quays, it appeared that ladder spacing was less than 85 m along some sections (85 m being the maximum spacing set out in the ACOP for quays constructed before 1989 not constructed with recesses for ladders). It is recommended that if this lower end is considered by EPA to be in operational use that ladder spacing is checked and if spacing found to be less than 85 m, ladders are installed.
- The mooring bollards observed on Topsham Quay could be considered as a trip hazard due to their size and position, it was noted that they have been painted white with a white square painted on the ground which has faded. It is recommended that these bollards and the white square is repainted.
- Topsham Quay is not edge protected and has high public footfall. Vehicular access is restricted by removable bollards. It is recommended that if this area remains without edge protection, a white line is painted 1 m from the edge of the quay to highlight the unprotected edge.

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Department for Transport (DfT), January 2024. Draft Port & Marine Facilities Safety Code, Department for Transport (DfT).

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4.1 Websites

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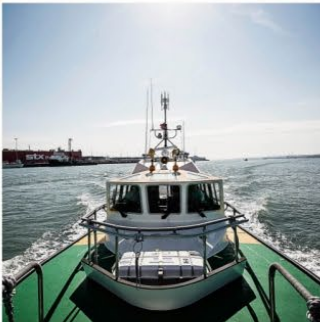
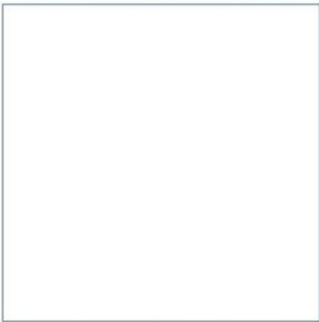
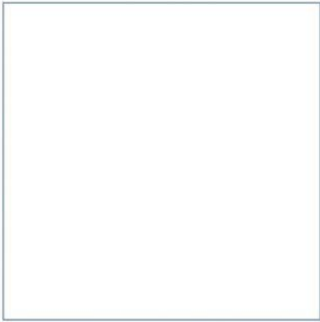
5 Abbreviations/Acronyms

ACOP	Approved Code of Practice
CHA	Competent Harbour Authority
DfT	Department for Transport
DGHAR	Dangerous Goods in Harbour Areas Regulations
DRA	Dynamic Risk Assessment
EDC	Exmouth Dock Company
EPA	Exeter Port Authority
EPA-SMSO	Exeter Port Authority - Safety Management System Overview
EPAB	Exeter Port Authority Board
FRA	Formal Risk Assessment
GLA	General Lighthouse Authority
GtGP	Guide to Good Practice on Port Marine Operations
HAZID	Hazard Identification
HDPCA	Harbour, Docks and Piers Clauses Act 1847
HM	Harbour Master
HRO	Harbour Revision Order
HSE	Health and Safety Executive
IOSH	Institution of Occupational Safety and Health
KPI	Key Performance Indicator
LARS	Local Aids to Navigation Reporting System
LPS	Local Port Service
LSE	Lifesaving Equipment
M+F	Merchant Shipping and Fishing Vessels
MAIB	Marine Accident Investigation Branch
MCA	Maritime and Coastguard Agency
MGN	Marine Guidance Notes
MSMS	Marine Safety Management System
MSN	Marine Safety Notes
n/a	Not Applicable
NERC	Natural Environment and Rural Communities Act 2006
PANAR	Ports Aids to Navigation Availability Reporting
PDF	Portable Document Format
PEC	Pilotage Exemption Certificates
PMSC	Port Marine Safety Code
PWMP	Port Waste Management Plan
PUWER	Provision and Use of Work Equipment Regulations 1998
RASSOW	Risk Assessment Safe System of Work
RATSA	Railway and Transport Safety Act
RNLI	Royal National Lifeboat Institution
RYA	Royal Yachting Association
SAC	Special Areas of Conservation
SHA	Statutory Harbour Authority
SIP	Safety in Ports guidance
SMS	Safety Management System
SMSO	Safety Management System Overview
SOP	Standard Operating Procedure
SOPs	Standard Operating Procedures
SOSREP	Secretary of State's Representative
SPA	Special Protection Area

SWL	Safe Working Limit
UK	United Kingdom
UKHO	United Kingdom Hydrographic Office
VHF	Very High Frequency
VTS	Vessel Traffic Service

Cardinal points/directions are used unless otherwise stated.
SI units are used unless otherwise stated.

Appendices



Innovative Thinking - Sustainable Solutions

A Detailed Audit Findings

A.1 PMSC Section 1 – Accountability for Marine Safety

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
1.3-1.5	Duties and Powers	Policy and the Organisation’s Duty of Care for users of the harbour, port or facility	<p>Satisfactory – the Exeter Port Authority Safety Management System Overview – Policy Document, Edition 3, 22 August 2022 (EPA-SMSO) in Section 2.9 ‘Conservancy’ states: <i>“Exeter Port Authority Board (EPAB) recognises its’ duty as a Competent Harbour Authority (CHA) to conserve the harbour so that it is fit for use as a port and a duty of care to see that the harbour is in a fit condition for a vessel to use it”.</i></p> <p>Observation – the Section 2.9 ‘Conservancy’ refers to the ‘Competent Harbour Authority’ as having a Conservancy Duty. This duty resides with the Statutory Harbour Authority.</p>	<p>Recommend – the amending Section 2.9 ‘Conservancy’ to read ‘Statutory Harbour Authority’.</p>	EPA, SMSO, Edition 3, 22 August 2022.
		Are local Acts and Orders identified?	<p>Satisfactory – the EPA-SMSO in Section 3.0 ‘Management of Exeter Port Authority’ states in paragraph 3.3 that: <i>“Exeter Port Authority overarching plans and policies are contained in the EPA Strategic Plan. They aim to discharge the roles and statutory duties which are placed on EPA by the Exeter Port Dues Act (1840), the Exeter Canal Act (1883) The Pilotage Act (1987) and the Exe Estuary Byelaws (1976).”</i> The Statement of support for the Harbour Revision Order (HRO) contains a full brief on harbour legislation.</p> <p>Observation – the EPA-SMSO does not contain a section listing all local Acts and Order, the information in paragraph 3.3 is useful, but not comprehensive.</p>	<p>Recommend – the creation of a section in the EPA-SMSO listing local Acts and Orders.</p>	<p>EPA, SMSO, Edition 3, 22 August 2022.</p> <p>Statement in Support of Harbour Revision Order (HRO) Application</p>

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
Cont. 1.3-1.5	Cont. Duties and Powers	Is the Harbour, Docks and Piers Clauses Act (HDPCA) 1847 incorporated into local Acts and Orders?	Gap – the incorporation of clauses from the HDPCA 1847 into Exeter local Acts and Orders is not detailed in the EPA-SMSO. It is commented upon in the statement of support for HRO which contains this information.	Recommend – a section explaining the inclusion of the HDPCA 1847 as model provisions as relevant to EPA should be included in the EPA-SMSO.	EPA, SMSO, Edition 3, 22 August 2022. Statement in Support of Harbour Revision Order (HRO) Application
1.6 – 1.7	The Duty Holder	Has the organisation appointed and confirmed who the Duty Holder is?	Gap – the EPA-SMSO describes the Duty Holder as the ‘Exeter Port Authority Board (EPAB) take on the role of Duty Holder’. Information from the Gap Analysis identifies the ‘Director Net Zero and City Management for Exeter Council’ as the Duty Holder. EPAB is an advisory Board and sits within the existing committee structure of Exeter City Council and consists of six Exeter City Council Members and also six external representatives.	Recommend – the Duty Holder structure is clearly laid out in EPA-SMSO documentation. This should include an organogram, detailing the Duty Holder construct for the Council and how the EPAB and Advisory Committee reporting lines work.	EPA, SMSO, Edition 3, 22 August 2022. https://committees.exeter.gov.uk/mgCommitteeDetails.aspx?ID=773
1.8	The Duty Holder	Are the Duty Holder’s responsibilities for compliance with Code defined?	Satisfactory – the Duty Holders role is laid out in Section 1.2 of the EPA-SMSO. It should also be noted that the Terms of Reference for the EPAB is laid out on the Council Port Authority Website. Observation – the role profile for the Duty Holder in the EPA-SMSO, Section 1.2, should be compared with the Code Section 1.8, to ensure that the bullet point list of requirements from the Code is captured by EPA.	Recommend – comparison and update of EPA-SMSO, Section 1.2, with requirements from the Code Section 1.8.	EPA, SMSO, Edition 3, 22 August 2022. https://committees.exeter.gov.uk/mgCommitteeDetails.aspx?ID=773
1.10	The Duty Holder	Does the Duty Holder (Harbour Board members) have a clear understanding of the port’s marine activities and MSMS?	Satisfactory – the Duty Holder and EPAB is provided with briefings from the Harbour Master, in the form of Board papers. Observation – information and reporting between the Advisory Group, EPAB and Duty Holder could be reviewed to improve the flow of timely information. For example, Advisory Group meetings are scheduled to proceed EPAB and Duty Holder meetings.	Recommend – the timings for meetings are reviewed to provide a sequence of reporting, aligned to Board reporting.	https://committees.exeter.gov.uk/ielListMeetings.aspx?Committeed=773

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
Cont. 1.10	Cont. The Duty Holder	Has the Duty Holder (Harbour Board members) been provided with a clear brief or training on their role under the requirements of the Code?	Satisfactory – the Duty Holder and EPAB is provided with dates for the British Ports Association 'Duty Holder Training' with a request to attend. Observation – the training matrix does not contain a column for Duty Holder and EPAB, hence, there is no requirement (stated by the Council) to attend training. Evidence of Duty Holder training should be retained by EPA.	Recommend – the training matrix is extended to include a column for the Duty Holder and EPAB.	EPA Training Matrix
1.11-1.12	The Designated Person	Has the Harbour Authority appointed an individual as the Designated Person?	Gap – there is no appointed Designated Person.	Recommend – EPA appoint a suitable Designated Person, reporting to the Duty Holder.	n/a
		Is the Designated Person's role explained in the MSMS?	Satisfactory – the role of the Designated Person is described in the EPA-SMSO, Section 3.4.		EPA, SMSO, Edition 3, 22 August 2022.
1.13	Chief Executive [or equivalent]]	Have executive and operational responsibilities for marine safety been clearly assigned?	Gap – the role of the Chief Executive in respect of the Harbour Authority's duties, powers and responsibilities is not included in the EPA-SMSO.	Recommend – the role of the Council's Chief Executive, with regard to delivering the Harbour Authority role, is added to the EPA-SMSO.	EPA, SMSO, Edition 3, 22 August 2022.
		How is marine safety funded within the organisation?	Satisfactory – the Harbour Master works under delegated limits of authority.		Anecdotal
1.9, 1.14 – 1.15	Harbour Master	Have executive and operational responsibilities for marine safety been clearly assigned?	Satisfactory – a Harbour Master is employed by the Council. The role is described in the EPA-SMSO, Section 3.6.		EPA, SMSO, Edition 3, 22 August 2022.
1.16 – 1.17	The Organisation's Officers	Does the MSMS provide details of the organisation's Officers and their responsibilities for marine safety?	Satisfactory – the EPA-SMSO, Section 3.0 contains the following roles: <ul style="list-style-type: none">▪ Canal Manager▪ Harbour Officer▪ Harbour Officer - Canal		MSMS, April 2021

A.2 PMSC Section 2 – Key Measures Needed to Secure Marine Safety

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
2.2	Further guidance	Does the organisation review any of the following: <ul style="list-style-type: none"> MAIB digest / reports MCA health check trends 	Satisfactory – officers of the author receive MAIB information which is disseminated to harbour users, evidence seen of distribution (December 2023 emails).		Email distribution, Dec 2023
2.3 – 2.6	Review existing powers	Does the Harbour Authority have an understanding of local legislation?	Satisfactory – EPA has a good understanding of its local legislation; this is summarised in the Statement in Support of the HRO.		Statement in Support of Harbour Revision Order (HRO) Application
		Are local Acts and Harbour Orders referenced in MSMS?	Gap – the EPA-SMSO does not contain a section listing all local Acts and Order, the information in paragraph 3.3 is useful, but not comprehensive.	Recommend – the creation of a section in the EPA-SMSO listing local Acts and Orders.	EPA, SMSO, Edition 3, 22 August 2022.
		Have the Harbour Authority's existing powers been reviewed?	Satisfactory – a thorough review of the Authority's local legislation has been conducted. This is considered to be a best practice approach, with the promotion of a HRO to update and modernise powers, duties and responsibilities.		Statement in Support of Harbour Revision Order (HRO) Application
		Is the organisation's jurisdiction mapped and clear?	Gap – the Admiralty Chart 2290, does not identify the Harbour Limits.	Recommend – EPA waits for the HRO process to confirm and establish Harbour Limits, this should be communicated to the UK Hydrographic office to allow update to Admiralty Charts.	Admiralty Chart 2290 'River Exe and Approaches'
2.7 – 2.11	Use of Formal Risk Assessment (FRA)	Have risks associated with marine operations been assessed and a means of controlling them deployed?	<p>Satisfactory – the Council uses AssessNET as it risk assessment platform. This is built around delivery of Health and Safety Risk Assessments. EPA has 33 risk assessments, which are updated annually, in line with the Council's expectations.</p> <p>Observation – the risk assessments do not comply with the requirements of the Code's Guide to Good Practice (DfT, 2018). Chapter 4 of the GtGP, outlines that assessments should take into account effects on People, Environment, Property and Business/Utility. The AssessNET framework does not address risk holistically. It should be noted that health and safety risk assessments differ in scope to those required under the Code.</p>	<p>Recommend – EPA considers how it might meet the best practice advice of the Port Marine Safety Code, with respect to risk assessments (as detailed in Chapter 4 or the GtGP).</p>	AssessNET

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
Cont. 2.7 – 2.11	Cont. Use of Formal Risk Assessment (FRA)	How does the organisation ensure those undertaking marine risk assessment are competent in the role?	Satisfactory – EPA staff have a variety of risk assessment training, including RNLI Risk Assessment courses, IOSH Managing Safety and Council AssessNET training.		Certification & Courses
		Are stakeholders included in marine risk review/assessments?	Satisfactory – anecdotally, it is understood that risk assessments are raised in harbour stakeholder meetings. Observation – involvement of stakeholders is not recorded or references in the risk assessments. It is required by the Code that a method of engagement with stakeholders is used.	Recommend – periodically, HAZID workshops are held as a holistic process to capture stakeholder input, this should be recorded in the assessment detail. For routine reviews, relevant stakeholders should be invited to contribute. Evidence of this should be retained.	AssessNET
		Is a system of Dynamic Risk Assessment (DRA) used?	Gap – whilst EPA staff understand and are familiar with DRA use, there is no instruction or information from the Council or EPA to its employees.	Recommend – EPA requirements for DRA is laid out in the EPA-SMSO.	Certification & Courses
2.12-2.14	Implement a MSMS	Is there an MSMS? Does this incorporate policies and procedures? The MSMS must incorporate a regular and systematic review of its performance.	Satisfactory – the Exeter Port Authority Safety Management System Overview – Policy Document, Edition 3, 22 August 2022, is issued. This is a component part of the Marine Safety Management System (MSMS). AssessNET forms the risk assessment component, along with the Statement in Support of the HRO which details local Acts and Orders. Observation – the EPA-SMSO states in Section 7.4 'Annual Review and Report' that the SMS will be audited each year by the Designated Person, at the time of this Gap Analysis, this requirement was not evidenced. Observation – the EPA-SMSO does not have a revision table or history. It is the third edition, as denoted by the footer. Observation – Policy is contained in the EPA-SMSO.	Recommend – that annual audits are conducted for annual review of the MSMS. The intent to review and update the MSMS, plus component parts, such as SOPs, should be clearly detailed in the EPA-SMSO. Recommend – that document control and recording processes are added to the EPA-SMSO. Recommend – that policy is separated from the EPA-SMSO document, to aid update and authorisation processes.	EPA, SMSO, Edition 3, 22 August 2022.

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
Cont. 2.12-2.14	Cont. Implement a MSMS	Cont. Is there an MSMS? Does this incorporate policies and procedures? The MSMS must incorporate a regular and systematic review of its performance.	Gap – there are no Standard Operating Procedures (SOPs). Observation – the structure of the EPA-SMSO could be improved to provide a sign-posting document to relevant plan, processes and forms which together comprise the MSMS.	Recommend – EPA formalise their routine harbour operations into SOPs. Recommend – that EPA-SMSO sections are restructured to match the new (2024) Code layout, this has advantages that an easy comparison can be made between Code requirements and how EPA implement them.	EPA, SMSO, Edition 3, 22 August 2022.
2.15	MSMS standards and Key Performance Indicators (KPIs)	Does the MSMS detail KPIs and/or make a statement about performance in the organisation’s annual report?	Gap – there are no stated Key Performance Indicators (KPIs) for marine safety.	Recommend – that EPA consider and set out KPIs, commencing with the Marine Safety Plan, with detail in the EPA-SMSO, with reporting against these in Board papers.	n/a
2.17	MSMS Consultation	Are forum/consultation meetings held?	Gap – the EPA-SMSO does not detail the local forum or consultation groups. It is also noted that EPA does not run any harbour consultation groups. There are, however, several established which EPA attends the meeting, these include: <ul style="list-style-type: none">▪ River and Canal User Group▪ Exmouth Water Users Group▪ Exeter Port User Group▪ Exmouth Chamber of trade and commerce▪ Exe Estuary Management Partnership	Recommend – the EPA-SMSO, Section 3.21 and 3.22 are extended to include details of the forum and consultation meetings attended by EPA.	https://www.exe-estuary.org/get-involved/user-groups
2.18	Competence standards	Are personnel qualified and trained for their role?	Satisfactory – EPA has a training matrix and a central filing system (electronic) for certification. Observation – spot checks on certification identified that a number of EPA staff members had not submitted their up-to-date certification to the central record. Observation – Job Descriptions for Harbour Patrol staff should be reviewed to ensure that roles match the description (or vice, vera).	Recommend – that a full audit of certification is conducted against the matrix. If any certification is missing, or cannot be identified, this should be rectified. Recommend – Job Descriptions are reviewed and updated in light of current role profiles.	Training Matrix Job Descriptions Certification (central record)
		Is there a policy on revalidation or maintenance of qualifications in place?	Satisfactory – the Council has a policy on training and qualifications.		Council Policy

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
2.19 – 2.23	Incident reporting and investigation	Does the MSMS identify the organisation's instruction regarding: <ul style="list-style-type: none"> Reporting Recording of incidents Investigation Enforcement (if relevant). 	<p>Satisfactory – incidents are maintained on a spreadsheet, with review of data conducted by the Harbour Master to identify trends. There is a report form on the Council Port Authority Website.</p> <p>Observation – the incident spreadsheet does not allow for easy connection of actual incidents with harbour risk assessments.</p> <p>Observation – incident records are not geolocated with coordinates. Given the size of the Harbour Authority jurisdictional area, it would be useful to record coordinates for later spatial analysis or export to a geo-database.</p>	<p>Recommend – a method for linking incidents to risk assessments is considered and implemented.</p> <p>Recommend – incident records data entry fields are added to provide the ability to record coordinates.</p>	https://my.exeter.gov.uk/service/Exeter_Port_Authority_incident_report_form
GtGP 13.2	Incidents involving Death or Crime	Are procedures in place for incidents involving death or crime?	Satisfactory – the EPA-SMSO, in Section 6.3, provides guidance on handling incidents, which includes other authorities such as the Devon and Cornwall Policy.		EPA, SMSO, Edition 3, 22 August 2022.
GtGP 13.9	Incident publication	Does the Harbour Authority disseminate information from accident investigations?	Satisfactory – both the Canal Manager and a member of the EPA Patrol Team attend the Exeter Safety Advisory Group. This allows for reflective review of incidents and sharing of lessons learnt.		https://exeter.gov.uk/people-and-communities/organising-an-event/organising-your-event-advice-responsibilities-and-notifying-us/exeter-safety-advisory-group
2.23	Incident statutory reporting	Are procedures for reporting incidents to the MAIB in place?	<p>Satisfactory – the EPA-SMSO, in Section 6.3, identifies reporting to the MAIB. There has been one report in the last two years. Evidence noted.</p> <p>Observation – the EPA-SMSO does not reference the requirement to follow Marine Guidance Note (MGN) 564, for marine casualty and incident reporting.</p>	Recommend – including a reference to the published guidance for reporting an incident (MGN 564).	MAIB Incident Report https://assets.publishing.service.gov.uk/media/5a822a23e5274a2e87dc17b6/MGN_564_For_Consultation.pdf
2.24	Monitoring performance and auditing	Does the MSMS identify the requirements for audit (internal and/or external)?	Satisfactory – the EPA-SMSO, in Section 7.0 provides the detail on how regular review and audit is conducted.		EPA, SMSO, Edition 3, 22 August 2022.
2.25	Enforcement	Are local officers aware of enforcement powers and responsibilities?	Satisfactory – Patrol Staff training include enforcement expectations, which are currently reliant on Byelaws.		EPA, SMSO, Edition 3, 22 August 2022.

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference
Cont. 2.25	Cont. Enforcement	Is there a policy on enforcement and prosecution in place?	Satisfactory – enforcement is included in the role profile for the Duty Holder, contained in the EPA-SMSO, in Section 1.0. Enforcement is also included in the EPA Safety Policy.		EPA, SMSO, Edition 3, 22 August 2022.
2.26	Publication of plans and reports	Does the organisation commit itself the requirements of the Code?	Satisfactory – an EPA Safety Policy is in place, contained in EPA-SMSO, in Section 2.0. Observation – the EPA Safety Policy is not signed or dated and contained as a Section of the EPA-SMSO.	Recommend – separating the EPA Safety Policy from the EPA-SMSO and forming a policy pack for review and issue by the Duty Holder.	EPA, SMSO, Edition 3, 22 August 2022.
2.27	Plan assessment	Is an assessment of the organisation’s performance against the plan published?	Not Application – it is not possible to review the plan, until one is published (either annual review or three yearly review of the plan would be possible, following the plan’s publication).		n/a
2.28	Safety plan for marine operations	Is a ‘Safety Plan for Marine Operations’ published (every three years).	Gap – there is no published ‘Marine Safety Plan’.	Recommend – the publication of a Marine Safety Plan is a role requirement of the Duty Holder. A plan should be authored and published as soon as practical.	n/a
2.29	Consensus	Has the Harbour Board maintained consensus with harbour users about safe navigation?	See response to this audit, section 2.17.		n/a
2.30 – 2.32	Monitoring compliance	Has the Harbour Authority confirmed compliance with the PMSC for the port to the MCA within the last three years?	Gap – EPA has not made a return to the MCA in the last three years. EPA is not listed on the DfT’s list of ports and facilities confirming PMSC compliance (January 2022).	Recommend – EPA should engage with the next round of Compliance Reporting to the MCA (anticipated September 2024 to March 2025).	https://www.gov.uk/government/publications/port-marine-safety-code-compliant-ports/port-marine-safety-code-compliant-ports-list
GtGP 2.2.3 (also, Code Executive Summary)	Monitoring compliance	Has the Harbour Authority confirmed all organisations within its jurisdiction comply with the requirements of the Code?	Gap – there is an extensive list of marine facilities within EPA’s jurisdiction. This includes one other SHA, in the form of ‘Exmouth Dock Company’. There is no evidence that EPA has engaged with these Organisations to encourage Code compliance.	Recommend – EPA lists other Harbour Authorities and Marine Facilities, which have a requirement to comply with the Code. Contact should be made with these Organisations, to inform and encourage their engagement with the next round of Compliance Reporting to the MCA (anticipated September 2024 to March 2025).	Anecdotal

A.3 PMSC Section 3 – General Duties and Powers

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference
3.1 – 3.4	Safe and Efficient Port Operations	Does the Duty Holder have regard to efficiency, economy and safety of operation in respect to the services and facilities provided?	Satisfactory – this is evidenced through EPA’s Harbour Patrol Service and harbour buoyage management. An EPA Safety Policy is in place, contained in EPA-SMSO, in Section 2.0.		EPA, SMSO, Edition 3, 22 August 2022.
3.5	Open port duty	Is the port or harbour subject to Open Port Duty?'	Gap – in relation to Section 33 of the HDPCA 1847, this is not incorporated into the existing local legislation applying to any part of the undertaking. There is no plan to incorporate this under the proposed HRO (and thus the position will remain unchanged when the HRO comes into force). There are historic provisions akin to section 33 of the HDPCA 1847 under the 1829 Act which apply to the Canal only, the plan is to repeal this under the HRO for consistency as it would be unusual to have this as a requirement for the Canal, but not the Estuary or River sections.	Recommend – given the importance of this topic; the EPA-SMSO should be updated to include a clear statement on Open Port Duty arrangements.	Statement in Support of Harbour Revision Order (HRO) Application
3.6 – 3.6	Conservancy duty	How does the harbour authority conserve the harbour: <ul style="list-style-type: none"> ▪ Survey as regularly as necessary ▪ Place navigation marks in optimum positions ▪ Keep ‘vigilant watch’ for any sea bed changes ▪ Keep hydrographic records ▪ Ensure hydrographic information is published ▪ Update UKHO with chart information. 	Satisfactory – the in EPA-SMSO, in Section 2.9, recognises the importance of Conservancy. The harbour has approach surveys, with the last survey (at the time of the Gap Analysis) undertaken in March 2023. Survey information is provided to the harbour community via Notice to Mariners. Evidence seen. There is no maintenance dredging for EPA, the nearby Exmouth Dock Company has a dredge licence for its Dock. Observation – whilst conservancy is included in the EPA Safety Policy, a separate policy focused solely on Conservancy (including marine environment and sustainability) would be beneficial.	Recommend – consider the benefit in splitting conservancy away from the EPA Safety Policy and forming a sperate Conservancy/Environmental/Sustainability policy.	https://exeter.gov.uk/media/1eqgmkv0/j2183-assessment.pdf
3.7	Updates provided to UKHO	Does the organisation have an Agreement with UKHO, and/or do they provide survey information to UKHO?	Satisfactory – EPA has a dialogue and bilateral arrangement with the UKHO.		Observational

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference
GtGP 1.9.11, and 7.8	Licensing, Regulating Harbour Works and Dredging?	Does the harbour authority have the power to licence works?	Not Applicable – due to the age of the local legislation which currently applies to the Port, there is not comparable suite of licensing or related powers for controlling harbour works. Once the HRO process has complete, providing EPA with modern powers regarding works, this topic will need to be included in the EPA-SMSO and potentially, an application process and SOP creating.		Statement in Support of Harbour Revision Order (HRO) Application
3.8	Environmental duty	Does the Organisation understand its obligations: <ul style="list-style-type: none"> ▪ Nature conservation Section 48A of Harbours Act 1964 ▪ Obligations for SPA, SACs under Habitat Regs. ▪ Compliance with Section 40 of the NERC 2006 [E & W] ▪ Environment Act 2021 	Satisfactory – the EPA-SMSO states that a core value is: “To lead on environmental stewardship of the Port whilst working towards the Net Zero Exeter 2030 Plan.” Under key objectives, Net Zero, Port Future and SSSIs are identified.		EPA, SMSO, Edition 3, 22 August 2022.
3.9	Civil Contingency Duty and Emergency Planning	Does the MSMS include reference to the Harbour Authority’s obligations as a Category 2 responder?	Gap – the Council’s role as a Harbour Authority and Category 2 Responded under the Civile Contingencies Act 2004 is not included in the EPA-SMSO.	Recommend – adding a reference to the Civil Contingency Duty as a Category 2 responder to the EPA-SMSO.	EPA, SMSO, Edition 3, 22 August 2022.
GtGP 6.2.4, 6.5	Emergency Planning / Pollution control	Does the MSMS include emergency planning and oil pollution response?	Satisfactory – the EPA-SMSO, in Section 3.15 includes information on emergency planning. The Council has access to a Tier 2 provider. Observation – it is unclear if the Tier 2 provider will respond to an EPA request.	Recommend – Tier 2 Oil Pollution responder status is verified.	EPA, SMSO, Edition 3, 22 August 2022.
		Does the port/harbour carry out emergency plan exercises?	Gap – there is no emergency response test schedule.	Recommend – creating a plan (for example, an annualised plan) that include testing of the emergency and oil spill response.	EPA, SMSO, Edition 3, 22 August 2022.
GtGP 8.11.18 MGN 563	Waste Management	Has the Harbour Authority a Port Waste Management Plan (PWMP)?	Satisfactory – the EPA has a Waste Management Plan, approved in August 2023.		EPA, SMSO, Edition 3, 22 August 2022.
3.12 – 3.14	Revising Duties and Powers	Evidence of Harbour Revision Orders, or Harbour Closure.	Satisfactory – the Council has applied for a HRO, underpinned with a Statement in Support. This is recognised as a best practice approach.		Statement in Support of Harbour Revision Order (HRO) Application

A.4 PMSC Section 4 – Specific Duties and Powers

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference
4.2	Appointment of Harbour Master	Is there a Harbour Master appointment for the port?	Not applicable – the Council has recruited a Harbour Master for the role, it should be noted, currently the local legislation does not provide for powers of Harbour Master appointment. The HRO would confer modern powers on the Council to make appointments, at which time, a formal appointment should be made.		Statement in Support of Harbour Revision Order (HRO) Application
4.3 – 4.5	Byelaws	Does the organisation have powers to make Byelaws, are these published?	Satisfactory – a set of Exe Estuary Navigation Byelaws are in place. A summary of which, is shown on the Council Port Authority Website.		https://exeter.gov.uk/council-and-democracy/council-information/legal-services-and-byelaws/river-and-canal-byelaws
		Date of last byelaw review?	Satisfactory – made in 1976.		Byelaws
4.6 – 4.7	Special Directions	Are the Harbour Master's powers of Direction shown in the MSMS, how is delegation identified?	Not applicable – currently the local legislation does not provide for powers of Special Direction. The HRO would confer modern powers on the Council including the power of Special Direction.		Statement in Support of Harbour Revision Order (HRO) Application
4.8	General Directions	Are the powers of General Directions available to the Harbour?	Not applicable – currently the local legislation does not provide for powers of General Direction. The HRO would confer modern powers on the Council including the power of General Direction.		Statement in Support of Harbour Revision Order (HRO) Application
4.9	Harbour Directions	Are Harbour Directions used and published?	Satisfactory – powers to make Harbour Directions have been applied for and granted; none are issued to date.		n/a
4.10 GtGP 6.4	Dangerous Vessels	Does the MSMS (or other plan) make provision for giving directions to dangerous vessels?	Gap – dangerous vessel directions are not included in the EPA-SMSO.	Recommend – creating a section on the powers available to the Harbour Master under the dangerous vessels Act.	EPA, SMSO, Edition 3, 22 August 2022.
		Is the role of the SOSREP acknowledged?	Gap – the role of the SOSREP, and the connection with the dangerous vessels Act is not addressed in the EPA-SMSO. The Code, in Section 4.31, provides a statement on the SOSREP's role.	Recommend – adding in SOSREP information.	EPA, SMSO, Edition 3, 22 August 2022.

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference
GtGP 6.2	Dangerous Substances and Goods	Are there clear requirements for declaration of dangerous substances?	Gap – there is no process for the pre-notification of dangerous goods into the harbour, as required under the ‘Dangerous Goods in Harbour Areas Regulations’ DGHAR, 2016. If dangerous goods are handled, it is a requirement that Harbour Authorities produce emergency plans to deal with the consequence of an emergency involving dangerous goods in the harbour.	Recommend – EPA should create a standardised process, in the form of an SOP, for DGHAR notification.	https://www.hse.gov.uk/ports/dangerous-goods.htm#:~:text=The%20Dangerous%20Goods%20in%20Harbour,ports%2C%20harbours%20and%20harbour%20areas
GtGP 8.4	Vessel Traffic Management	Is vessel traffic managed within the port area, how is this achieved?	<p>Satisfactory – EPA has a number of provisions in place to provide both passive and active vessel traffic management:</p> <ul style="list-style-type: none"> ▪ Harbour Patrols, using EPA owned craft, staffed by Patrol Officers and Volunteer staff. This is recognised as an area of best practice. ▪ User information in the form of Notice to Mariners, visitor information, marine service information, navigation guidance and byelaws. ▪ Canal Management team. ▪ Harbour Management team. ▪ Reporting by Very High Frequency (VHF), phone or email. ▪ A Canal and Exe Estuary Code of Conduct is in place. ▪ Port Authority Website. <p>Observation – out of office hours, there is no Duty Roster for on-call harbour response. This currently defaults to the Harbour Master. This is not a sustainable or equitable solution.</p>	Recommend – the Council considers how an on-call out of hours roster can be achieved with the staff and resources available to EPA.	<p>https://exeter.gov.uk/leisure-and-culture/sport-and-leisure/exeter-port-authority</p> <p>https://exeter.gov.uk/leisure-and-culture/sport-and-leisure/exeter-port-authority/canal-and-exe-estuary-codes-of-conduct</p>
		Is vessel traffic monitoring information passed to MCA?	Not applicable – there is no reporting requirement for vessel traffic using EPA.		n/a
		Has the need for VTS/LPS been reviewed recently with referencing MGN 401 (MCA, 2022)?	Satisfactory – vessel traffic management, harbour user information and patrols are identified in marine risk assessments as control measures.		AssessNET

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference
GtGP 13.2.2	Drink and drugs	Do staff know what to do if they suspect that a mariner (master, pilot, seaman) has committed an offence whilst on duty?	<p>Satisfactory – the Council has an alcohol and drug policy for employees. Patrol Staff are familiar with the requirements for professional mariners in relation to drink and drugs offences.</p> <p>Observation – the EPA-SMSO does not include a reference to the 'Railway and Transport Safety Act' (RATSA) 2003.</p>	<p>Recommend – the inclusion of information on the RATSA 2003, relating to calling a police officer if an offence is suspected.</p>	<p>Alcohol and Drug Policy</p> <p>Anecdotal</p>
4.11 GtGP 9.0	Pilotage	Is the port a Competent Harbour Authority (CHA)?	Satisfactory – EPA is listed as a CHA in the latest DfT list of CHAs. This is detailed in the EPA-SMSO, Section 5.7 'Pilotage'.		DfT CHA List
		Has the requirement for pilotage been reviewed?	Gap – the need for Pilotage has not been formally reviewed since Pilotage ceased to Exmouth Dock at the time commercial operations ceased and the dock became a marina. If requested, EPA would fail in its duty as a CHA if it cannot provide a pilot.	Recommend – that EPA undertake a Formal Risk Assessment of the need for Pilotage. If this review identifies that Pilotage is required, EPA must make provision for the supply of a Pilots, should a vessel request a Pilot or a vessel matching or exceeding its direction use the harbour. If the review conclude that Pilotage is not required, consideration should be given to the process introduced by the changes to the Pilotage Act 1987 by the Marine Navigation Act 2013 in respect to removal of CHA Duty.	<p>Anecdotal during visit</p> <p>EPA, SMSO, Edition 3, 22 August 2022.</p>
4.12 GtGP 9.4	Pilotage Directions	Are Pilotage Directions issued?	<p>Satisfactory – Pilotage Directions are issued, requiring all vessels over 20 Metres (length overall) or with a draught of 2.5 Metres to request a Pilot.</p> <p>Observation – the Pilotage Directions in force are a legacy from the time that Exmouth Dock operated commercially. EPA presently have no provision to provide Pilotage in line with the Pilotage Direction.</p>	<p>Recommend – that EPA, after undertaking a review of Pilotage, consult on any changes to Compulsory Pilotage; or withdrawing the Compulsory Pilotage Direction dependent on the outcomes of the risk-based review.</p>	Anecdotal during visit
		Were stakeholders consulted during the drafting phase of the most recent Pilotage Direction?	Gap – during the gap analysis, it was not possible to evidence the consultation process for Pilotage Directions, which predate the present management structure.	Recommend –if there is a future review and re-issue of the Pilotage Directions, consultation with users must be sought and retained.	Anecdotal during visit

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference
4.13 GtGP 9.4	Authorisation of pilots	Is the process for appointing Pilots referenced in the MSMS?	Gap – there is no process in place within the EPA-SMSO to appoint or train Pilots.	Recommend – EPA, after undertaking a review of Pilotage, either seek the removal of CHA status or determine what level of pilotage is required, through internal appointment and training of a Pilot, or agency agreement with a neighbouring CHA or pilotage service provider.	Anecdotal during visit
4.14 GtGP 9.4.31	Pilot Training	Does the CHA implement the international regulations on the training and certification for pilots, A960?	No applicable – at this time, EPA does not have any Pilots.		n/a
GtGP 9.5.43	Pilotage	Does the authority operate an effective Pilot Fatigue Management System?	No applicable – at this time, EPA does not have any Pilots.		n/a
4.15 – 4.16 GtGP 9.5	Pilot Exemption Certificates (PEC).	Is a clear process for the issuing of PECs published?	Gap – there is no process in place within the EPA-SMSO to issue PEC despite a compulsory Pilotage Direction being issued.	Recommend – EPA, after undertaking a risk-based review of Pilotage, either seek the removal of CHA status or determine the circumstances that PEC may be issued.	Anecdotal during visit
		Are the requirements equivalent to those for an authorised pilot?	No applicable – at this time, EPA does not have a PEC process.		n/a
GtGP 8.7.15 – 8.8.10	Port Passage Plan	Is there a published passage plan?	Satisfactory – passage planning information is in place, for the approaches to Exmouth and the lower part of the Exe Estuary. Observation – there is no passage planning information that EPA makes available for the area termed ‘the Bight to Exeter Ship Canal’.	Recommend – it would be desirable to provide passage planning information for vessels navigating in the area termed ‘the Bight to Exeter Ship Canal’.	https://exeter.gov.uk/leisure-and-culture/sport-and-leisure/exeter-port-authority/navigation-and-byelaws
GtGP 8.10	Recreational navigation	Are recreational users of the harbour considered?	Satisfactory – a Canal and Exe Estuary Code of Conduct is in place. Events must be notified to the Harbour Authority; a specific events form is available to help users make requests. User information for visitor berths and Exeter canal is published on the Council Port Website.		https://www.exe-estuary.org/visitor-information/codes-of-conduct
4.17 – 4.20	Collecting Dues	Are dues clearly defined?	Satisfactory – fees and charges are published on the website. This includes Marine Services offered by EPA.		https://exeter.gov.uk/leisure-and-culture/sport-and-leisure/exeter-port-authority/fees-and-charges-2023-24

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference
4.21-4.23	Aids to Navigation	Are defects and rectification of defects recorded?	Satisfactory – EPA manage 52 Aids to Navigation.		EPA, SMSO, Edition 3, 22 August 2022.
4.24	GLA returns	Are returns made to the GLA?	Satisfactory – EPA has a login for the Local Aids to Navigation Reporting System (LARS). Observation – the EPA-SMSO, Section 5.2.1 refers to PANAR, which is now replaced by LARS.	Recommend – reviewing and updating the EPA-SMSO, Section 5.2.1.	EPA, SMSO, Edition 3, 22 August 2022.
4.25-4.32	Wrecks, Abandoned or unseviceable vessels	Does the MSMS refer to powers for dealing with wrecks?	Gap – there is no process in place within the EPA-SMSO or as a separate SOP related to the management of abandoned vessels and wrecks. Given the large financial implications of abandoned vessel and wreck clearance, a policy on addressing this issue is highly desirable.	Recommend – the EPA consults the Ports industry to understand which measures it might take to manage abandoned vessels and wrecks. A policy on this process would be highly desirable. An SOP would provide detail to officers of the authority outlining the actions to be taken, both preventative and remedial.	n/a
GtGP 9.4.17 -9.4.21	Pilot Launches	Do pilot boats meet statutory requirements and appropriate Codes?	Not applicable – as EPA does not have any Pilots, there is no requirement for a Pilot Boat. Should Pilotage be offered, EPA would require use of a correctly coded vessel to act as a Pilot Boat.		n/a
GtGP - 10	Towage Operations	Does the organisation produce towage guidelines?	Gap – there are no towage guidelines issued to the harbour community.	Recommend – towage guidelines, outlining how towage in the Harbour Authority’s area of jurisdiction should be conducted, would be a useful publication.	n/a
		Are non-routine tows pre-approved / managed by the organisation?	Gap – there is no towage guidelines or instructions requiring non-routine towage to be risk reviewed by the Harbour Authority.	Recommend – including non-routine towage into towage guidelines.	n/a
GtGP 1.9.11	Licensing Harbour Tugs?	Does the harbour authority have the power to licence tugs?	Not applicable – EPA does not have powers to licence tugs or towage.		n/a
GtGP - 10.4	Diving Operations (commercial)	Is there a process for managing commercial diving?	Not applicable – there are currently no controls over diving, nor any means of enforcing controls. The HRO would confer modern powers on the Council including the power of General Direction, through which control over diving could be exerted.		n/a

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference
GtGP - 10.4	Diving Operations (recreational)	Is there a process for managing recreational diving?	Not applicable – there are currently no controls over diving, nor any means of enforcing controls. The HRO would confer modern powers on the Council including the power of General Direction, through which control over diving could be exerted.		n/a
GtGP - 6.7.3	Hot Work Permits	Is there a process for managing Hot Works?	Not applicable – there are currently no controls over hot or cold works, nor any means of enforcing controls. The HRO would confer modern powers on the Council including the power of General Direction, through which control over hot and cold works could be exerted.		n/a
GtGP – 6.7.3	Bunkering	Is there a process for managing Bunkering?	Gap – there is no process for pre-notification, reporting and checks-lists for bunkering activity in the harbour. An SOP on this topic is not in place.	Recommend – the creation of an SOP for bunkering, with information on the Council Port Website requesting that anyone conducting bunkering operations contact the EPA in advance.	
GtGP – 11.3, 11.4	Regulation of Port Craft, Pilot Launches and Workboats	Does the Authority have a procedure for regulating port craft?	Satisfactory – Exeter Council administers Boat Hire Licences under the Public Health Acts Amendment Act 1907, Section 94.		https://www.gov.uk/apply-for-a-licence/pleasure-boats/exeter/apply-1

B Safety in Docks ACOP

The visual inspection of Exeter Port and berthing structures was undertaken on 09 and 10 of January 2024. The inspection included the layout, and condition of infrastructure, and the arrangements and life-saving appliances.

B.1 Quayside and Canalside Observations

Reference	Subject	Evidence Required For Compliance	Observation	Recommendations	Auditor Evidence
PMSC 3.0 GtGP 8.11.19 ACOP 207-208 SIP 014	Access	Is the quayside and its access locations clear of debris and obstructions?	<p>Satisfactory – the areas of the canal and canal locks that are intended for public access and utility are generally very well maintained and clear of debris and obstruction. The following was noted:</p> <ul style="list-style-type: none"> ▪ Turf Lock: the lock area is fenced and only operated by Authority Officers. Clear and tidy. ▪ Double Lock: the lock area is fenced and only operated by Authority Officers. Clear and tidy. ▪ Bridges: are for the most part operated by Authority officers other than the Canal Office Bridge that is periodically operated by contractors who have their own padlock, and work to their own Risk Assessment Safe System of Work (RASSOW) following a safety induction. This is refreshed on an annual basis. ▪ Exeter Quay: has extensive public access the footbridge is the intended extent of the authority jurisdiction (HRO) observed to be clear and very tidy. ▪ Topsham Quay: extensive public access to quaysides and parking area. Removable bollards in place to restrict vehicular access to quay edges. Generally, very clear and tidy. Timber piles stored on the quay prior to upgrade. Heras fenced off. ▪ Canal Basin: is a large area of publicly accessible quaysides, largely parking, boat storage and public space. it is well maintained with clear access. ▪ Canal tow path: areas of the canal side that are intended for public access are kept clear and tidy. 		<p>RAL 031 RAL 032 RAL 033 RAL 034</p> <p>Picture B18</p> <p>Picture B2</p> <p>Picture B4</p> <p>Picture B6</p>

Reference	Subject	Evidence Required For Compliance	Observation	Recommendations	Auditor Evidence
PMSC 3.0 GtGP 8.11.19 ACOP 207-208 SIP 014	Access	Is the quayside and its access locations clear of debris and obstructions?	<p>Observation – Regents Wharf is in the process of installing a pontoon for safer access. New fixed ladder being installed from shore to pontoon. Presently no plan to fit an escape from water ladder to the pontoon. Gabriels Wharf, access restricted by Heras fencing old fleet tender is berthed alongside with a derelict vessel occupying the rest of the berth.</p> <p>Observation – the South West Water (SWW) Sludge Berth is in the ownership of SWW but the Authority have access which is controlled by a locked gate. The berth is presently occupied by a derelict vessel. There is a large amount of debris on the berth.</p> <p>Topsham Ferry is not in operation due to seasonal operation. There is an ongoing program to replace causeways with high grip composite decking. East and West landings observed to have good clear access.</p> <p>Observation – EPA has an ongoing program of installing pontoons to enhance safety and utility. This is considered as best practice. However, it is understood that presently there is no plan to install escape ladders. Fitting escape ladders is considered to be in line with the Safety in Docks ACOP.</p>	<p>Recommend – that escape ladder is fitted to the new pontoon.</p> <p>Recommend – the berth is tidied up to provide safe clear access to the quayside.</p> <p>Recommend – that all new pontoons are fitted with an escape from water ladder.</p>	<p>RAL 031 RAL 032 RAL 033 RAL 034</p> <p>Picture B5</p> <p>Picture B7</p> <p>Picture B8</p> <p>Picture B15</p> <p>Picture B16</p>
		Access for Ferry passengers	<p>Satisfactory – both east and west landings for Topsham Ferry and the ferry that runs from the city to Double Lock has dedicated fixed steps both inside and outside of the lock to provide safe access and egress.</p>		<p>RAL 035 RAL 036 RAL 037 RAL 03 Picture 1</p>
		Is the type and condition of quayside surface appropriate to the operation?	<p>Satisfactory – found to be in good condition in areas that are used for access and egress.</p>		<p>Observed</p>

Reference	Subject	Evidence Required For Compliance	Observation	Recommendations	Auditor Evidence
PUWER Reg. 5 (HSE, 1998)	Quayside Equipment	Does equipment on the quayside appear to be in good condition?	Satisfactory – all equipment where observed appeared to be well maintained and presented. Of note, the lock operating winches at Turf Lock were replaced with modern equipment 3 decades ago and subsequently overhauled and powder coated some 15 plus years ago. They appear as if they have only recently been installed. Masting derrick at Turf lock is advised as Zurich tested every 6 months and is clearly SWL marked. This is considered an area of best practice.		RAL 043 RAL 044 RAL 045 RAL046 RAL047 Picture B18 Picture B19 Picture B20
ACOP 211-223 SIP 014	Rescue and Lifesaving equipment (LSE) at the water's edge	Is there appropriate means of egress from the water?	Satisfactory – EPA has undertaken a program of prioritising key areas of public access and high utility to focus LSE deployment and additional escape from water ladders: <ul style="list-style-type: none"> ▪ Turf Lock: the lock area is well fenced and chained off to protect the public from the water's edge the lock has recessed escape ladders appropriately spaced with becketed chains installed along all lock copings stones. ▪ Double Lock: the lock area is fenced off at key points with public access to a very low freeboard water edge. becketed chains provided along all coping stones. ▪ Exeter Quays: has extensive public access becketed chains installed along all edges. Of note – the top area is utilised for mooring and marine use and the downstream end has extensive well-lit quayside but no apparent marine use at the time of the visit The west side piled wall of the lower end has recessed ladders installed with hand holds along the top of the cope above each ladder. Observation – EPA has installed a substantial pontoon to enhance utility and safety along with a non-slip and substantial access gangway, which is considered best practice. However, there is no escape from water ladder installed on the pontoon though it was noted that due to the construction and low freeboard there are hand holds along the whole length.	Recommend – it is recommended that due to the length of the pontoon, an escape from water ladder is installed at each end of the pontoon.	RAL 010 RAL 011 RAL 012 RAL 013 RAL 014 Picture B1 Picture B2 Picture B6 Picture B18 Observed

Reference	Subject	Evidence Required For Compliance	Observation	Recommendations	Auditor Evidence
Cont. ACOP 211-223 SIP 014	Cont. Rescue and Lifesaving equipment (LSE) at the water's edge	Cont. Is there appropriate means of egress from the water?	<p>Observation - along the east side of the lower end it appeared that ladder spacing was less than 85m along some sections (85m being the maximum spacing set out in the ACOP for quays constructed before 1989 not constructed with recesses for ladders):</p> <ul style="list-style-type: none"> ▪ Topsham Quay: extensive public access and parking area with largely unfenced quay edges. Modern escape ladders are fitted at appropriate spacing. ▪ Canal Basin: is a large area of publicly accessible quaysides, largely parking, boat storage and public space. there are several modern purpose build escape ladders installed including on a pontoon. Some larger stretches of quay are broken with slipways that would provide a good means of escape without requiring a ladder. <p>Observation - along the East side of the Canal Basin between the pontoon and the south end of the basin, it appeared that ladder spacing was less than 85m along some sections (85m being the maximum spacing set out in the ACOP for quays constructed before 1989 not constructed with recesses for ladders).</p>	<p>Recommend – if this lower end is considered to be in operational use it is recommended that ladder spacing is checked and if spacing found to be less than 85m, ladders are installed.</p> <p>Recommend – it is recommended that ladder spacing is checked and if spacing found to be less than 85m, ladders are installed.</p>	RAL 010 RAL 011 RAL 012 RAL 013 RAL 014
		Is there appropriate LSE at quay edge?	<p>Satisfactory – all areas of public access are well provided with LSE. Of note - Exeter Quay and Canal Basin has five Reach and Rescue poles installed along with instruction signage, this is considered best practice . Of note - the Canal Tow Path that is utilised for fishing is well provided with LSE.</p>		RAL 017 RAL 019 RAL 020 RAL 023 RAL 030 RAL 037 RAL 040 Picture B3

Reference	Subject	Evidence Required For Compliance	Observation	Recommendations	Auditor Evidence
SIP 005	Bollards and securing equipment	Does the general condition of bollards appear to be in good order?	Satisfactory – many bollards are legacy from times of much larger vessels being accommodated in areas such as Exeter Quay. Observation – the mooring bollards observed on Topsham Quay could be considered as a trip hazard due to their size and position, it was noted that they have been painted white with a white square painted on the ground which has faded.	Recommend – it is recommended that these bollards and the white square is repainted	RAL 041 Picture B4
		Are the bollards numbered?	Not applicable - the bollards and mooring cleats observed are mainly used for self-mooring by small leisure craft.		
		Are the bollards labelled with a SWL?	Not applicable - however the bollards and mooring cleats observed are mainly used for self-mooring by small leisure craft within a classified and size restricted (by locks) area. Mooring cleats on pontoons appear to be standard equipment which appears suitable for the purpose intended.		
		Are the bollards appropriate to the vessel being handled?	Satisfactory - the mooring bollards observed appear to be appropriate for the vessels being serviced and mooring cleats on pontoons appear to be standard equipment which appears suitable for the purpose intended.		RAL 011
ACOP 232-235 SIP 005 SIP 014	Lighting	Is lighting appropriate and appear to be in compliance with ACOP 'safety in docks'	Satisfactory - EPA has taken the approach to light public areas and have trialled solar lighting in areas of the tow paths that are not on mains electricity. The level of lighting observed appeared to be of a good standard and in line with the ACOP.		RAL 018 RAL 027 RAL 041 Picture B9 Picture B12 Picture B13

Reference	Subject	Evidence Required For Compliance	Observation	Recommendations	Auditor Evidence
ACOP 58-60	Layout	Is the layout suitable for the intended operations?	<p>Satisfactory – generally, all areas observed appeared to be well laid out for their intended purpose, notwithstanding comments made about SWW sludge berth, Regents and Gabriels Wharf which are presently either undergoing improvements or are access restricted. The following is noted:</p> <ul style="list-style-type: none"> ▪ Canal Basin - large pontoon installed with wide nonslip access., strategically placed additional escape ladders, strategically placed change of direction chains. ▪ Turf Lock - the lock area is fenced with public access areas well laid out and protected from the lock and operating equipment. ▪ Topsham Quay - extensive public access and parking area with largely unfenced quay edges. Vehicular traffic is restricted by padlocked bollards. ▪ Double Lock - the large pontoon and access gangway significantly enhances safety and utility. <p>Gap – Topsham Quay, there is an unprotected corner with no edge protection or change of direction chains/barriers.</p> <p>Observation – Topsham Quay is not edge protected and has high public footfall. Vehicular access is restricted by removable bollards.</p>	<p>Recommend – it is recommended that change of direction chains or barriers are installed on this corner.</p> <p>Recommend – it is recommended that if this area remains without edge protection, a white line is painted 1m from the edge of the Quay to highlight the unprotected edge.</p>	<p>RAL 039 RAL 040 RAL 047 RAL 010 RAL 016</p> <p>Picture B1 Picture B20 Picture B2 Picture B4 Picture B6</p>
ACOP 82	Signage	Is appropriate signs and markings provided	<p>Satisfactory – all areas observed were found to have well maintained and appropriate signage, including the Canal Tow Path areas used by fishermen. except for Topsham Quay.</p> <p>Gap – Topsham Quay, the large area of unprotected edge only appeared to have one old and faded sign installed 'Danger Deep Mud'.</p>	<p>Recommend – it is recommended that the signage on Topsham Quay is reviewed and aligned with the standard observed throughout Authority infrastructure.</p>	<p>RAL 015 RAL 022 RAL 023 RAL 030 RAL 036 RAL 041 RAL 048 Picture B6</p>

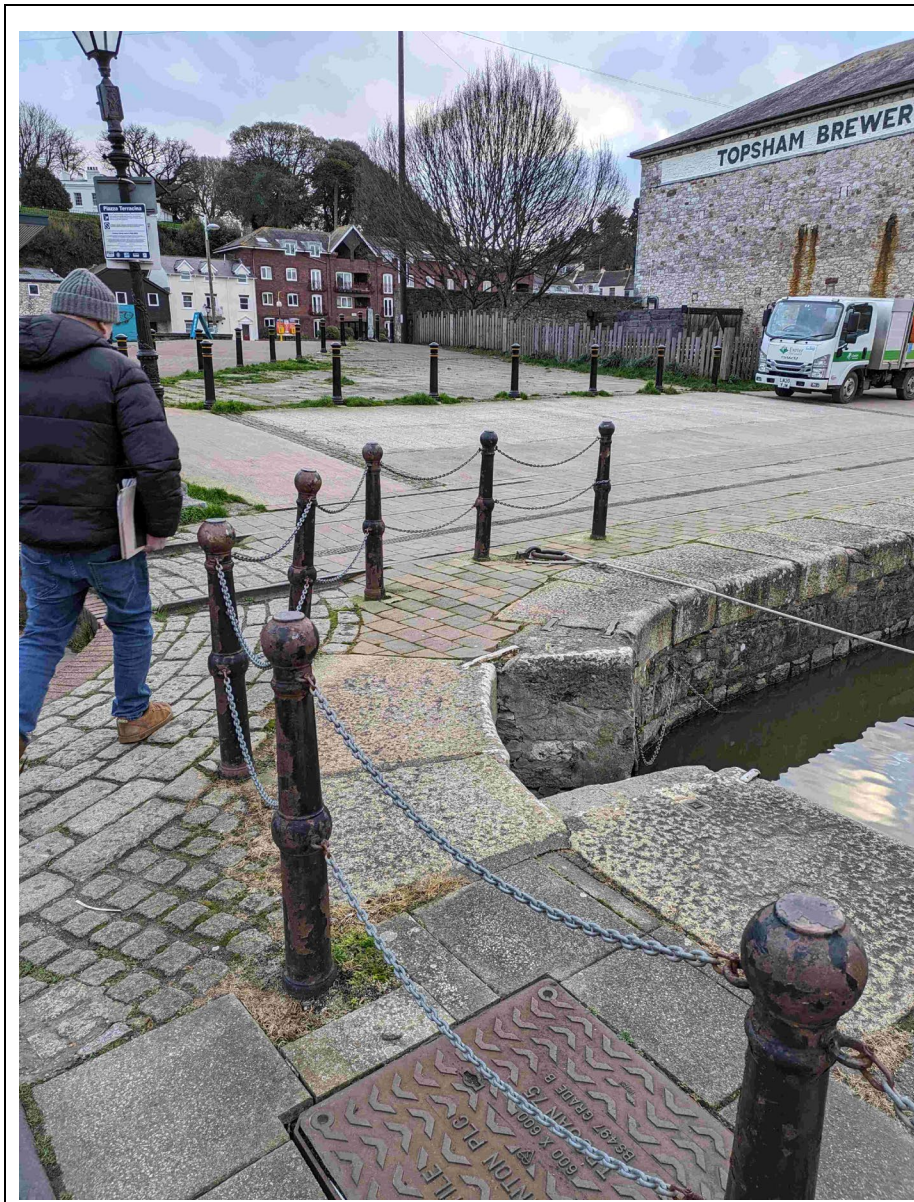


Image B1. Canal Basin Change of Direction Chains

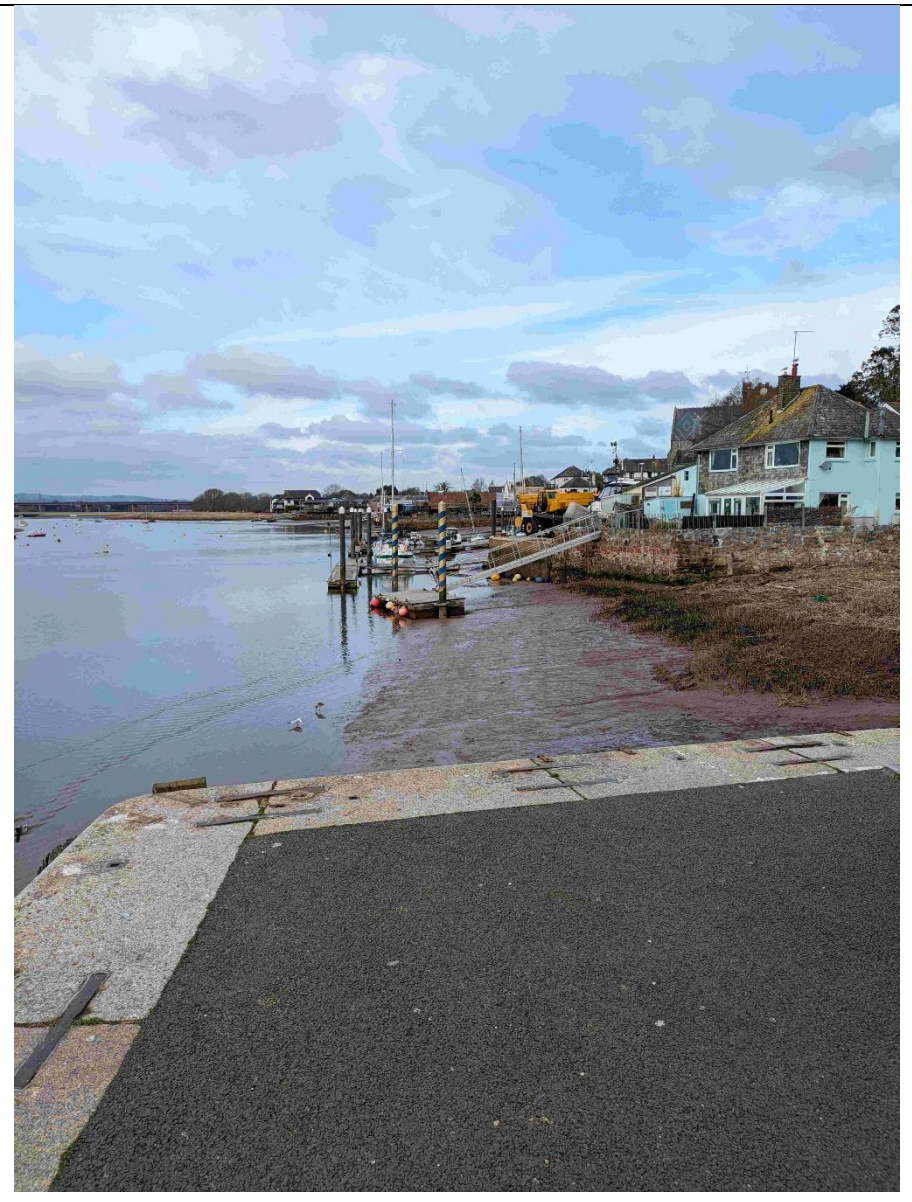


Image B2. Topsham Quay No Change of Direction Protection

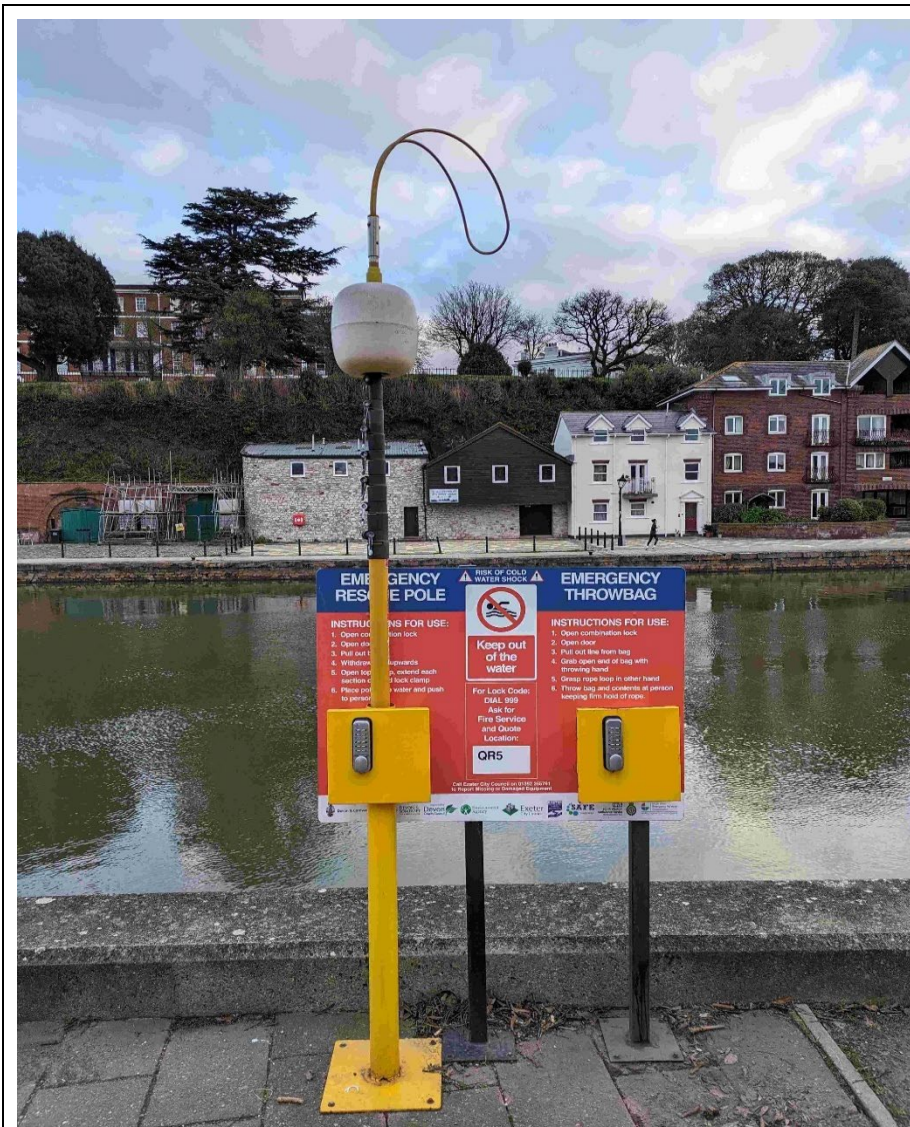


Image B3. Exeter Quay sign and Reach and Recue Station



Image B4. Topsham Quay Signage to Review and Bollard Trip Hazard

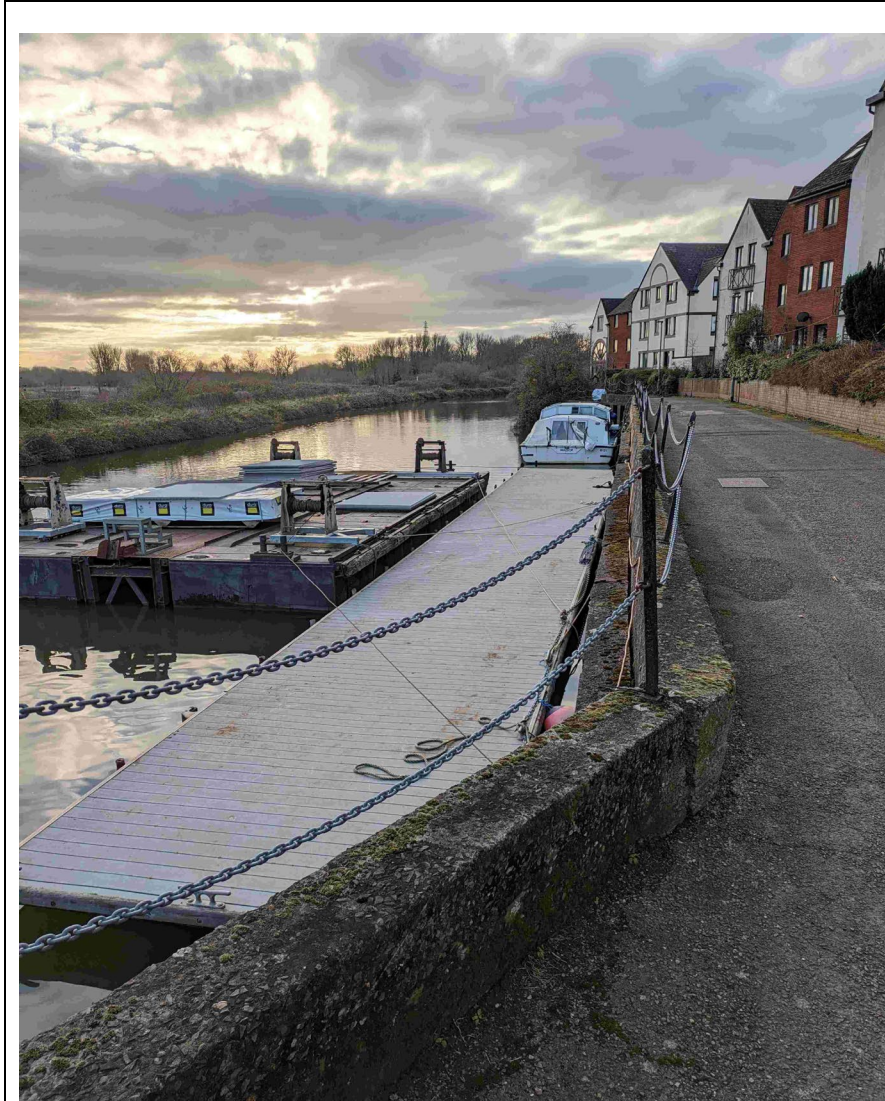


Image B5. Regents wharf New Pontoon and Edge Protection Chains

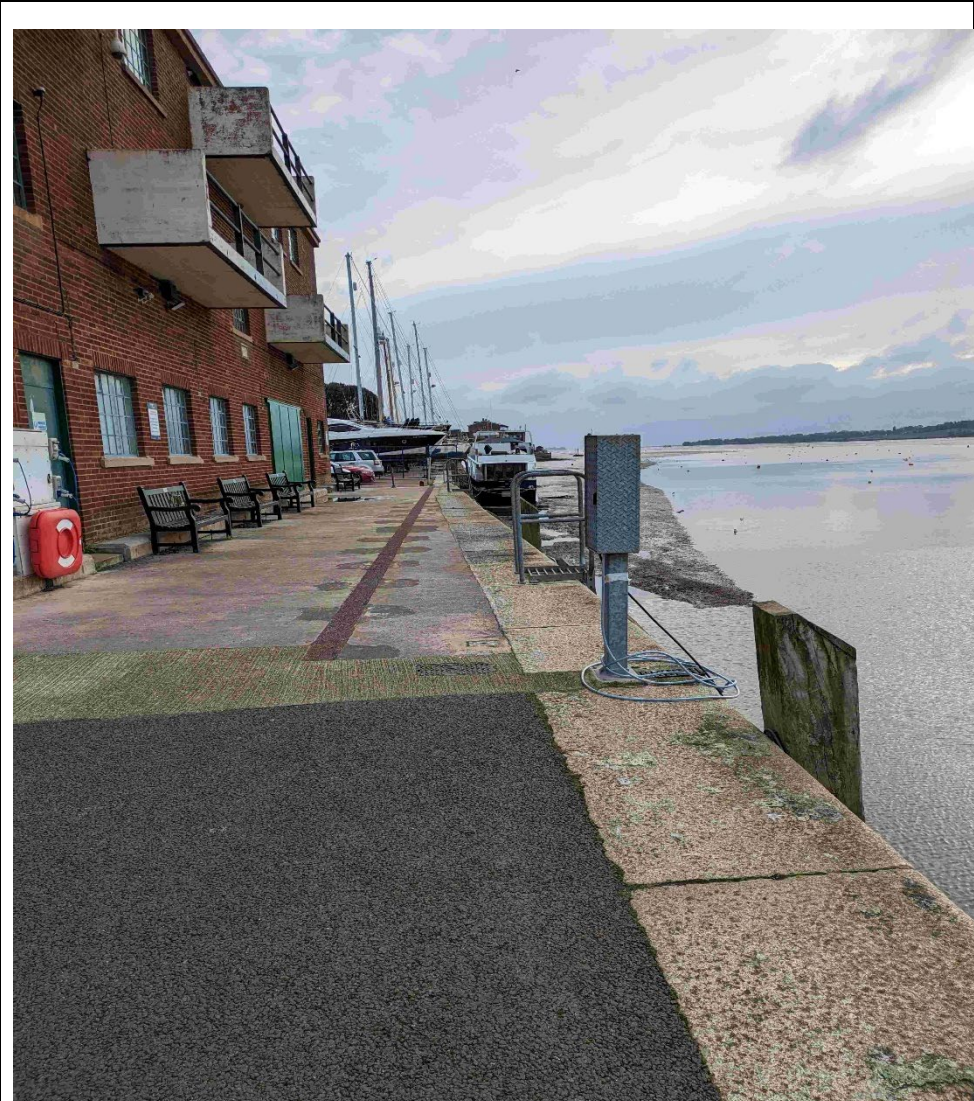


Image B6. Topsham Quay Unprotected Edge

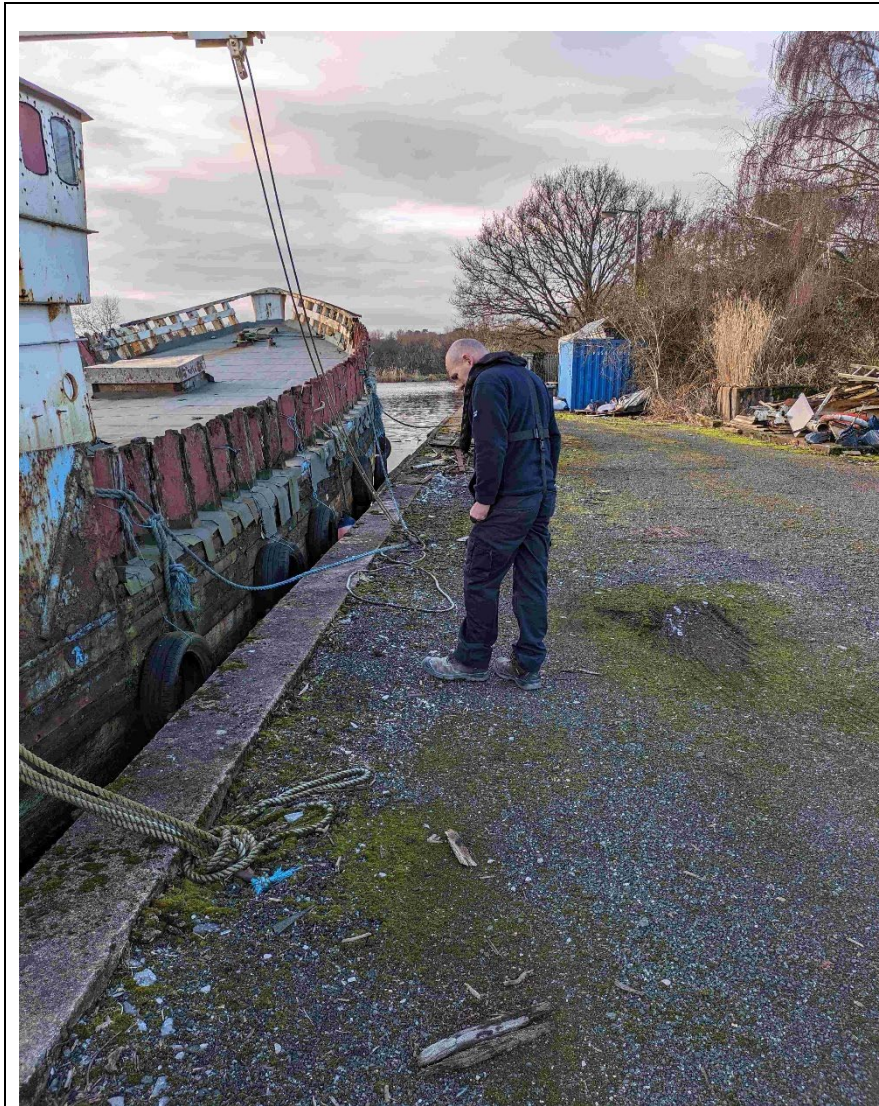


Image B7. SWW Berth Housekeeping



Image B8. SWW Berth Housekeeping

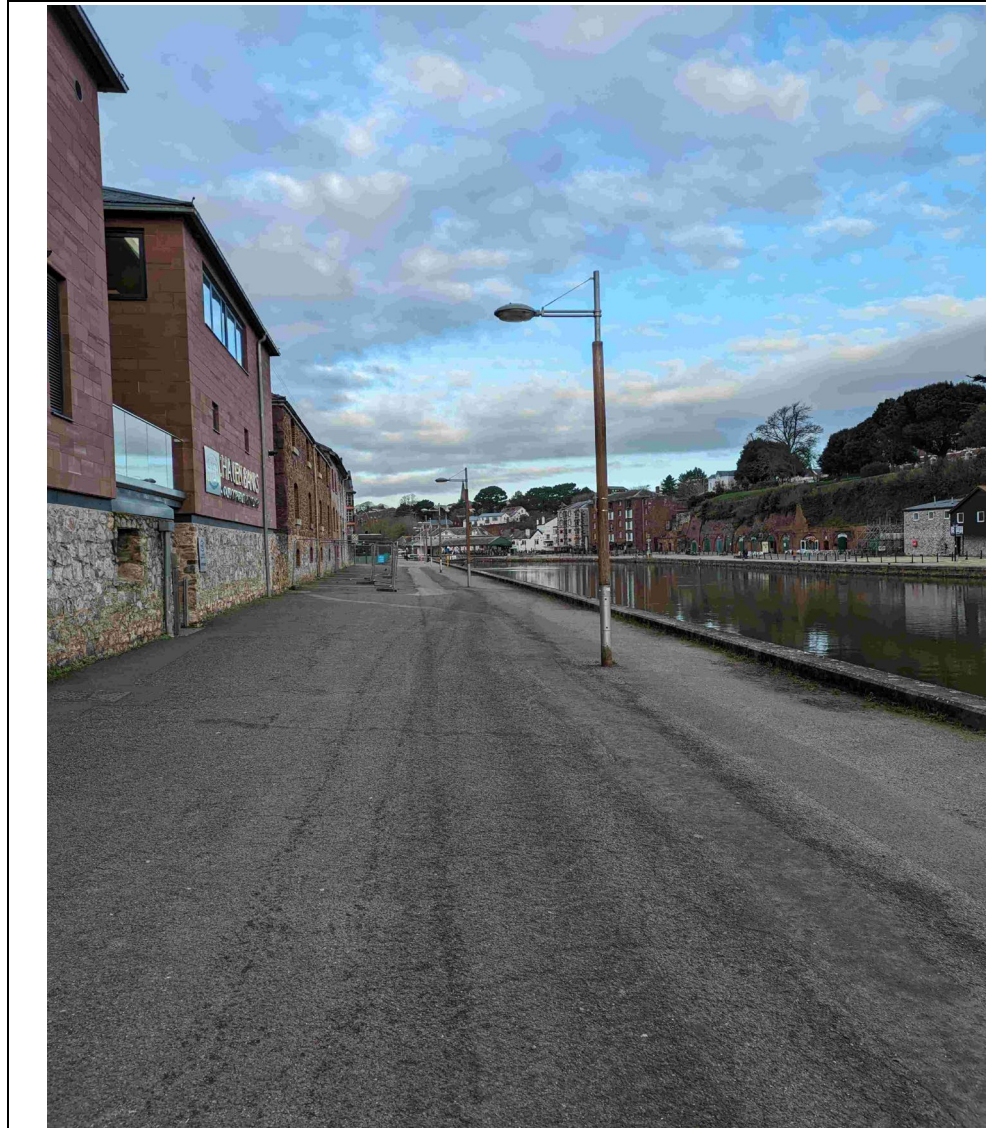


Image B9. Exeter Quay Lighting



Image B10. Example No Swimming signage



Image B11. Example EPA Pontoon

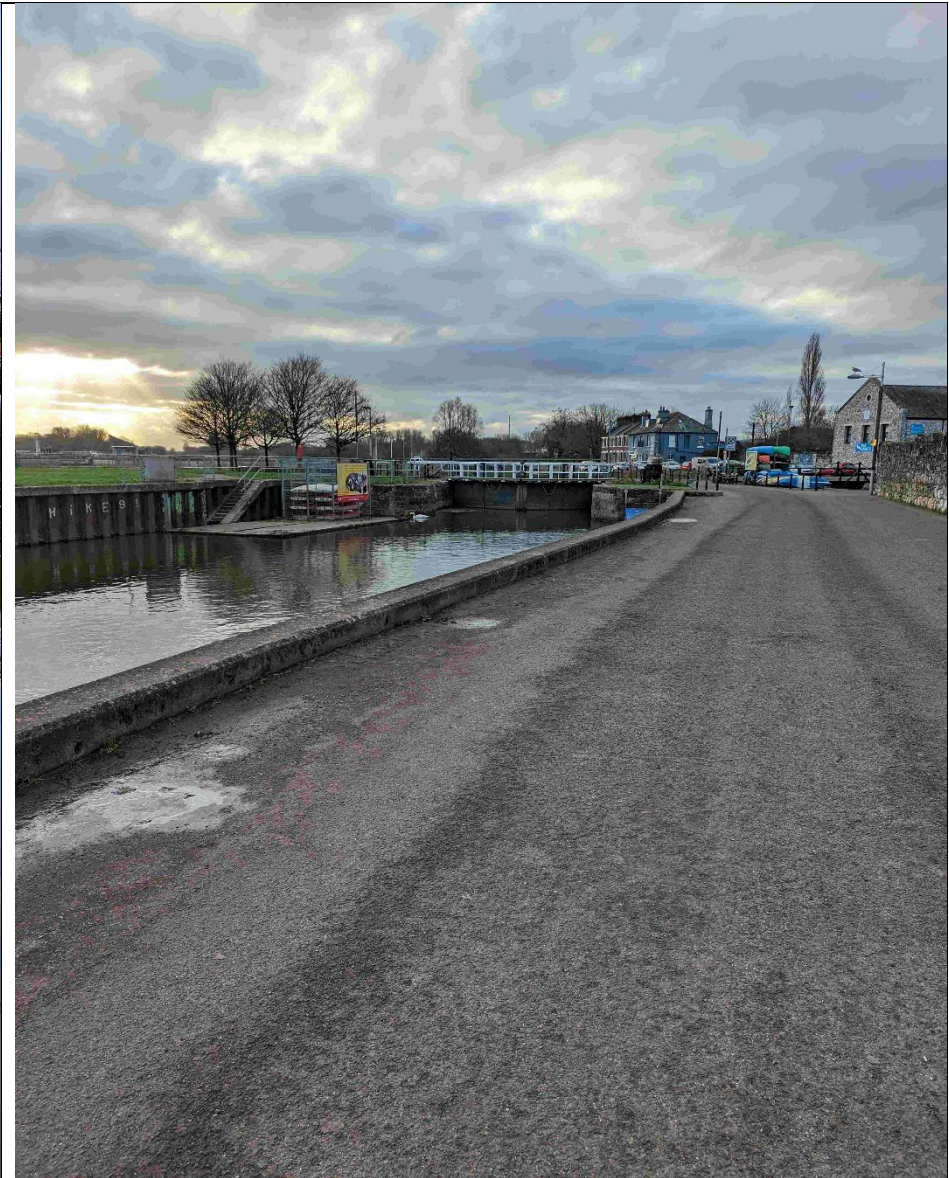


Image B12. Example third Party Pontoon



Image B13. Example Canal Bridge edge protection LSE and Signage

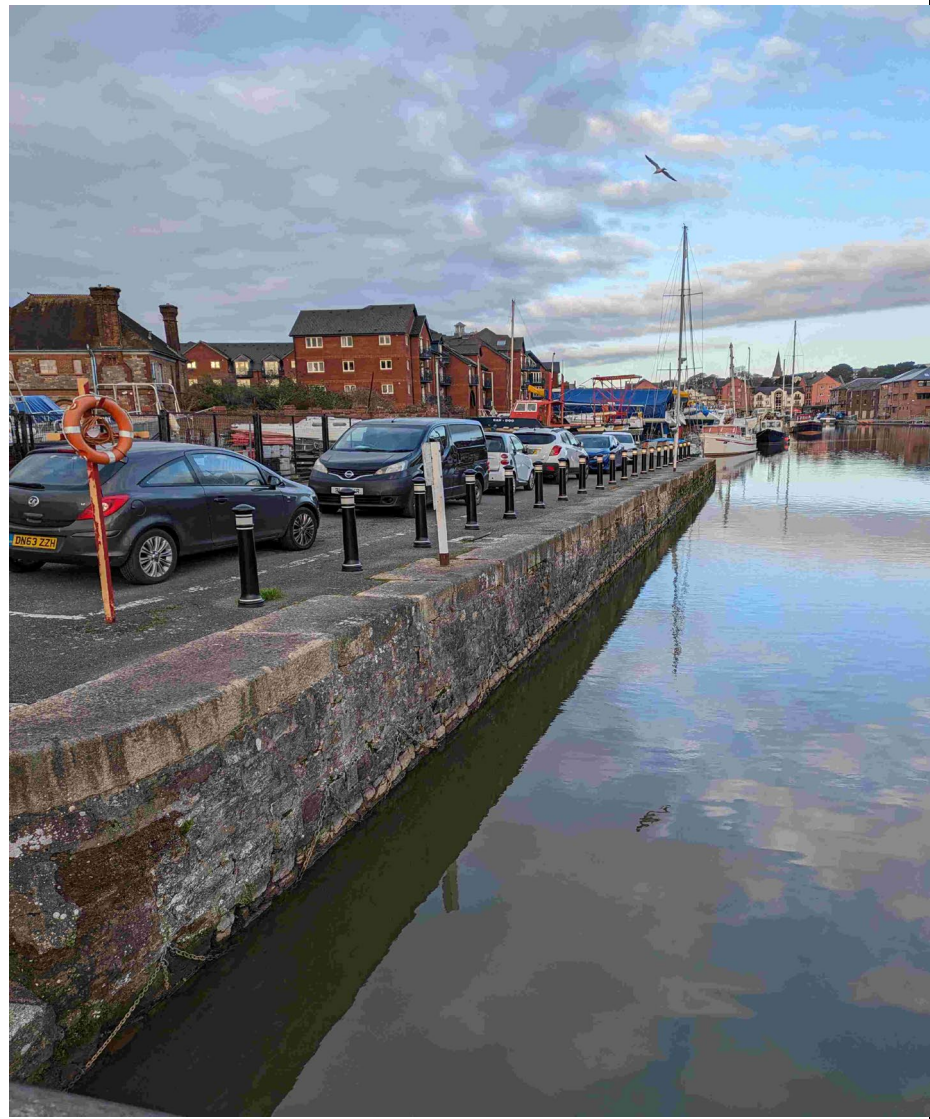


Image B14 Example parking area bollard edge protection



Image B15. Topsham Ferry Non Slip Walkway East



Image B16. Topsham ferry Non Slip Walkway West



Image B17 Turf Lock Machinery

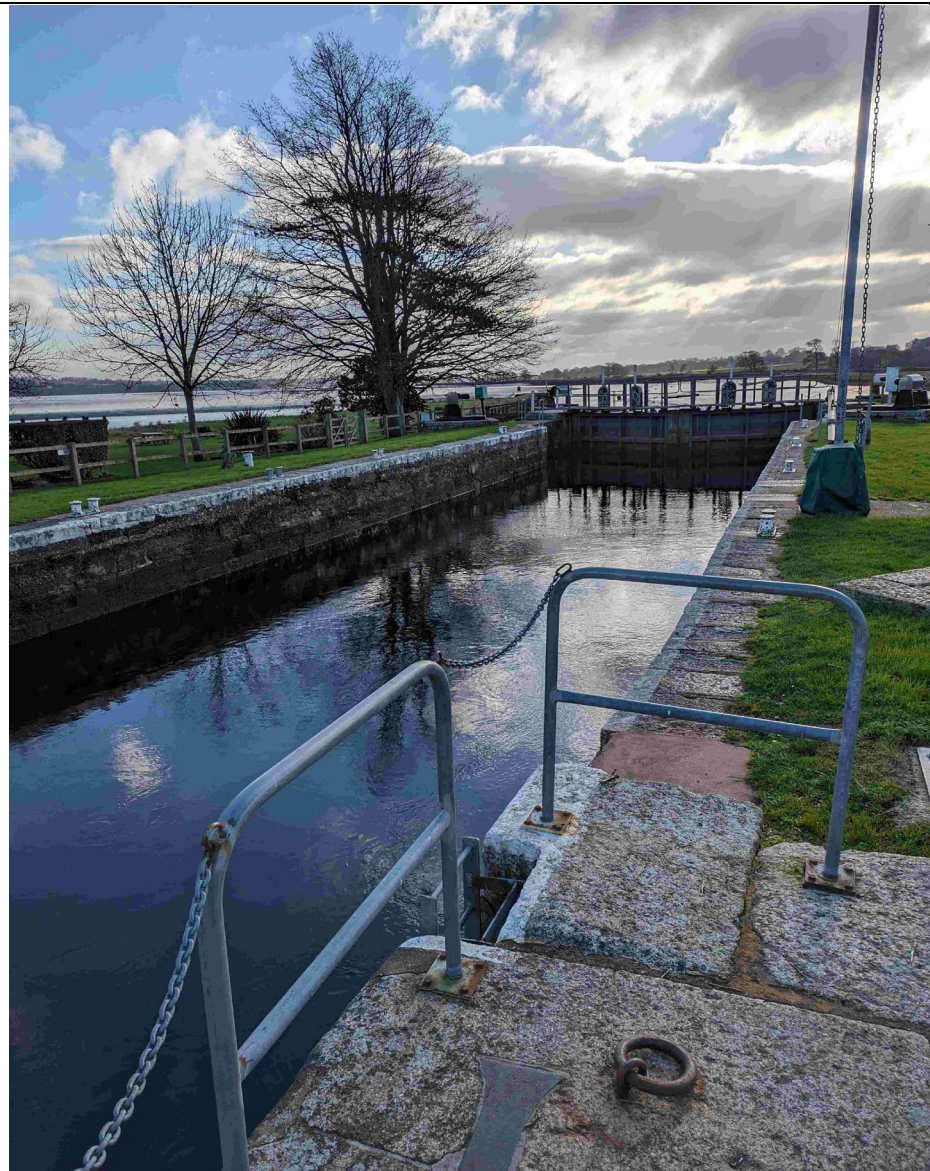


Image B18. Turf Lock Protection and Ladder



Image B19. Turf Lock Masting Derrick

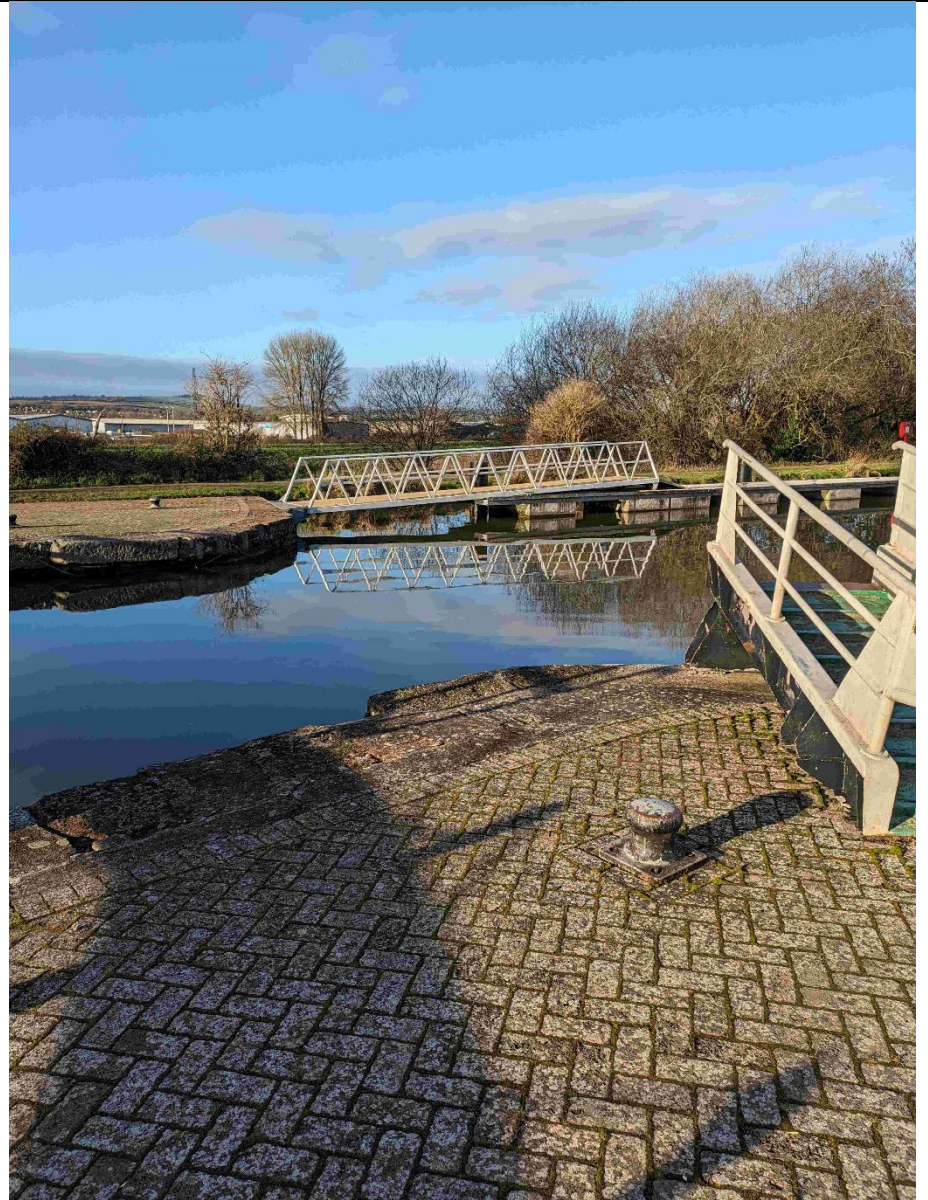


Image B20. Double Lock Pontoon, Access and Dedicated Ferry Access Steps

B.2 Authority Craft

Observation of procedures, equipment, manning, training, and qualification as applicable to the Authority Craft

Reference	Subject	Evidence Required For Compliance	Observation	Recommendations	Auditor /Evidence
PMSC 2.18 GtGP	Qualifications	Authority Officers	Satisfactory – the EPA Officers that operate craft outside of the canal are qualified to a minimum of RYA Advanced Powerboat with CoC endorsement. The HM is qualified as Advanced RYA instructor. The Port Constructor is operated with a minimum crew of three when operating outside of category C inland waters categorisation.		RAL 008
		Volunteers	Satisfactory – the Volunteer Harbour Patrol are always accompanied by at least one EPA Officer and are qualified to a minimum level of RYA Powerboat Level 2 through an inhouse training and certification scheme. This is considered to be an example of best practice.		RAL 008
		Canal Officers	Satisfactory – EPA’s officers operating within the Canal (category B) are all qualified to a minimum level of Powerboat Level 2 with CoC endorsement. One Officer holds RYA Yachtmaster qualification, and one holds Advanced Instructor with CoC endorsement.		RAL 008
MSN 1837 (M) MGN 280 (M)	Coding and Categorisation	Is the vessel appropriately coded	Satisfactory – the Authority craft are appropriately coded for the areas they are operating. Exeter Canal is categorised as Category B and the estuary		RAL 008

Reference	Subject	Evidence Required For Compliance	Observation	Recommendations	Auditor /Evidence
<p>MGN 469 (M) (MCA, 2014).</p> <p>Code of Practice for the Construction, Machinery, Equipment, Stability, Operation, Manning and Examination of Workboats, of up to 24 metres Load Line Length, and Pilot Boats, (Brown Code) (MCA, 1993)</p> <p>The safety of Small Workboats and Pilot Boats- a code of Practice (MCA, 2001)</p>			<p>Satisfactory – upstream of a line between Warren Point and the Inshore Lifeboat Station is Category C. The area to the south of the line between Warren Point and the inshore Lifeboat Station is categorised as ‘at sea’ and therefore some of the port limits and aids to navigation are considered at sea in respect to vessel coding.</p> <p>Port constructor is fully coded to operate up to 20 nautical miles from a safe haven. (Category 3).</p> <p>The Harbour Launch is coded to operate 20 miles from a safe haven (Category 4).</p> <p>Margeret R is operated only within the Canal which is designated as inland waterway Category 2 undertaking maintenance type duties. The vessel has an inland waterways Fitness for Purpose Certificate in line with Annex 2 of MGN 469 (M) (MCA, 2014).</p> <p>EPA are in the process of disposing of the Candoo and are in the process of having the replacement Fibramar boat to be coded post final inspection.</p> <p>EPA operate a small Dory within the upper canal area. The vessel is largely used for transport to and from areas of marine works within the canal.</p> <p>The Topsham Ferry Shimmer is operated by EPA seasonally and in daylight only. The vessel operates over the estuary connecting Topsham on the east side with the canal on the west side. At the time of ABPmer’s visit, Shimmer was ashore at the Canal Office undertaking off season maintenance.</p>		<p>Observational</p> <p>Picture B22</p> <p>Picture B21</p> <p>Picture B23</p> <p>Picture B24</p>

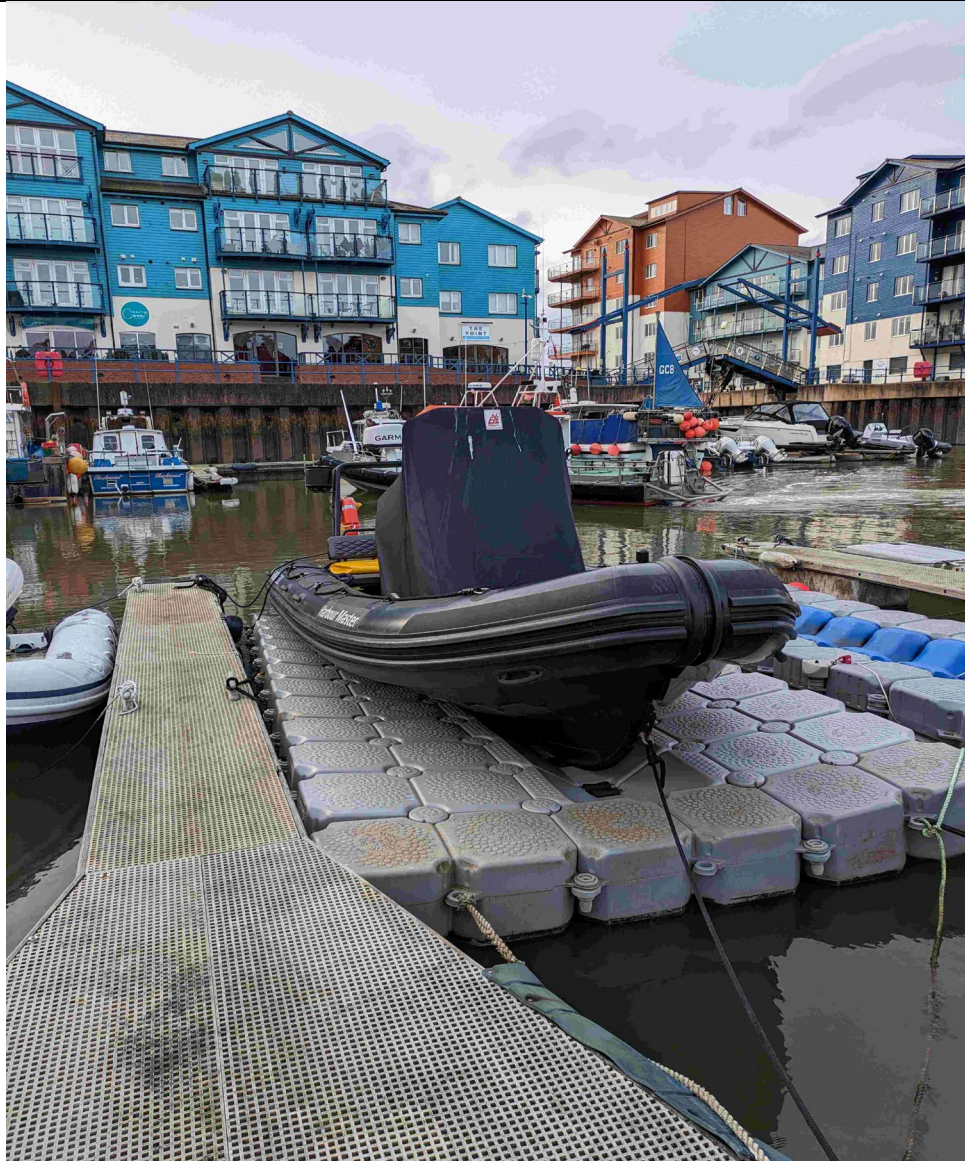


Image B21. Harbour Launch

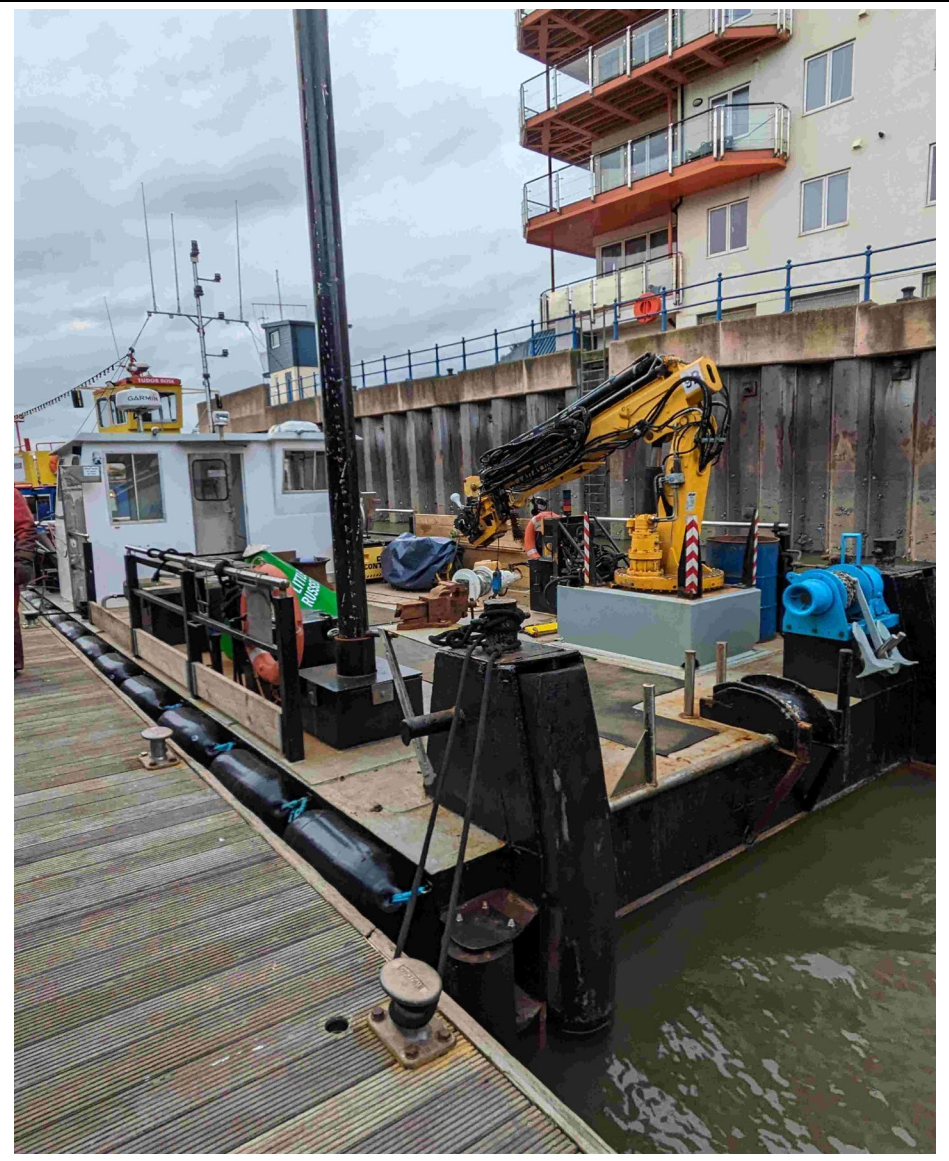


Image B22. Port Constructor

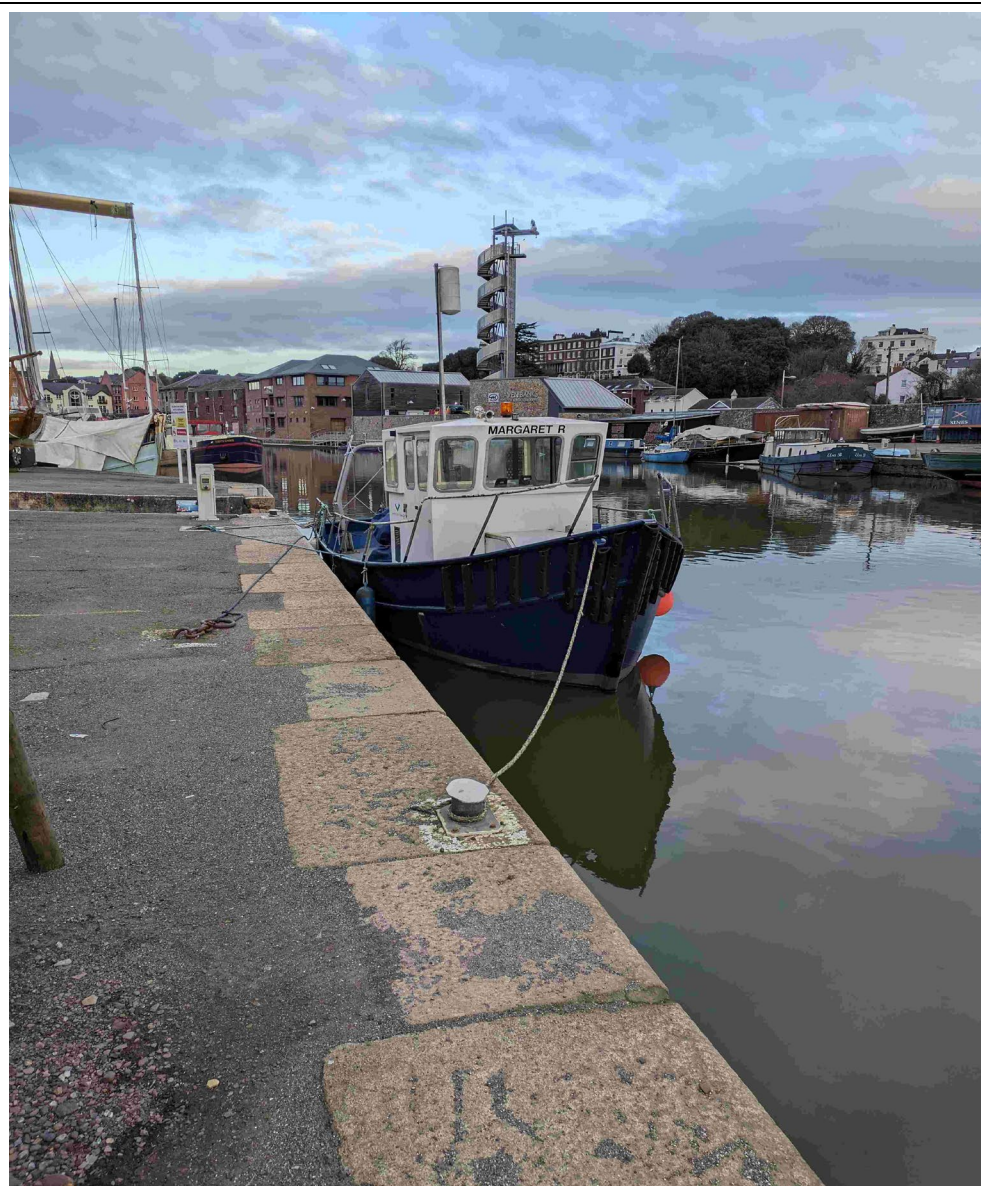


Image B23 Example Margeret R

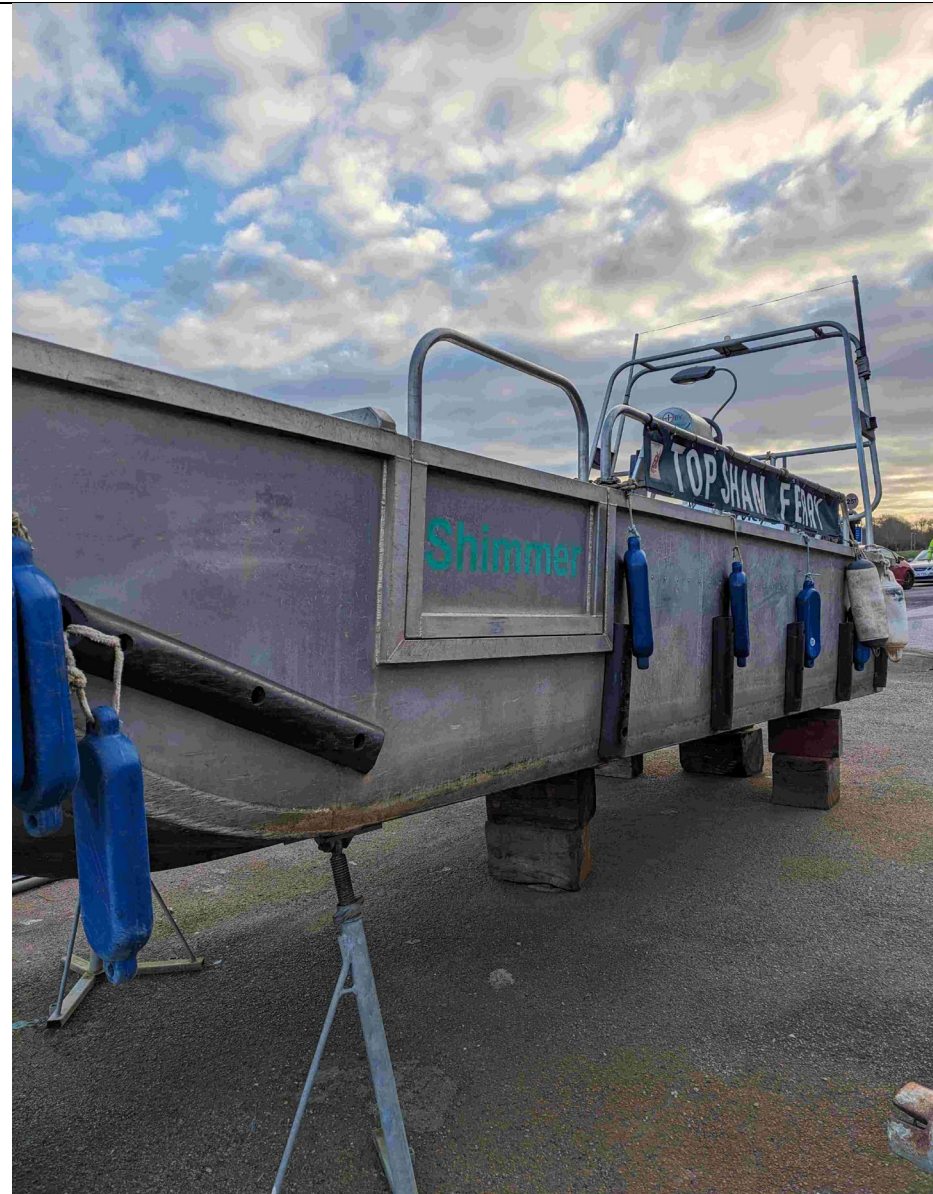


Image B24. Topsham Ferry Shimmer

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