

Dumfries and Galloway Council

Harbours

**Marine Safety Management
System – Purpose and Policy
(Part 1)**

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2024

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ABBREVIATIONS

ACOP	Approved Code of Practice
ALARP	As Low as Reasonably Practical
AtoN's	Aids to Navigation
CD	Chart Datum
CHA	Competent Harbour Authority
DG Harbours	Dumfries and Galloway Harbours
DG's	Dangerous Goods
DGC	Dumfries & Galloway Council
DP	Designated Person
FV's	Fishing Vessels
GRT	Gross Register Tonnes

GTGP	A Guide to Good Practice on Port Marine Operations
HSE	Health & Safety Executive
HSWA	Health & Safety at Work Act 1974
ISPS	International Ship and Port Facility Security Code 2004
LOA	Length Overall
LSA	Life Saving Appliances
m	Metres
MCA	Maritime & Coastguard Agency
MHWS	Mean High Water Springs
MS	Merchant Shipping
MSMS	Marine Safety Management System
NAABSA	Not Always Afloat But Safely Aground
NLB	Northern Lighthouse Board
nm	Nautical Miles
PEP	Port Emergency Plan
PMSC	Port Marine Safety Code
PTW	Permit to Work
PWMP	Port Waste Management Plan
RHM	Regional Harbour Master
RNLI	Royal National Lifeboat Institution
SHA	Statutory Harbour Authority
SMS	Safety Management System
SOSREP	Secretary of State Representative
SSSI	Site of Special Scientific Interest
UK	United Kingdom
UKHO	United Kingdom Hydrographic Office
VHF	Very High Frequency (Radio)

1. INTRODUCTION

1.1 PURPOSE AND APPLICATION

This document provides an overview of the Marine Safety Management System (MSMS) which has been developed by Dumfries and Galloway Council to safely manage the marine operations in the five Harbours for which the Council has statutory responsibility under various Harbour Legislation.

This document demonstrates DGC's commitment to operate its harbours in a safe and environmentally sound manner to the benefit of vessels and their crews, other harbour users, harbours staff, and the community at large. It gives guidance to staff and others involved in operations on best practice to achieve safe and efficient use of the Harbours, their approaches and environs.

The MSMS applies variously to all persons, vessels and craft using the Harbours, and to those providing services to, or otherwise involved with maritime activities within the various harbour limits or on the harbour estates. It applies to the water areas and quaysides, defined in the Harbour Empowerment Orders, Harbour Revision Orders and Byelaws where enacted, and shown as being within port limits on the various harbour plans. It may also apply to other areas over which Dumfries and Galloway Council, as the harbour authority, may have jurisdiction from time to time.

A Marine Safety Management System comprises of all documents, written procedures, checklists, notices and publications (including digital publications) which are required to safely manage the harbour areas. This document seeks to summarise this system and provide links and references to associated documents which form part of the overall MSMS. There may be errors or omissions and changes due to revisions to legislation or new harbour operations. The MSMS will therefore be kept under constant review, and users should take care to ensure they are referring to the most current version of this document, or any other part of the MSMS.

1.2 KEY SECTIONS OF THE DGC MSMS

The main components of the authority's MSMS are presented in the following documents:

Document	Summary	Distribution / <i>Principal Users</i>
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Marine Safety Management System (Part 1) (This Document)	Purpose of MSMS Council Marine Policy	Public <i>Duty Holder</i> <i>All Harbour Managers and Staff</i> <i>Harbour users</i>
Regional Operating Procedures (Part 2)	Procedures applicable to the Duty Holder and all ports	Internal <i>Duty Holder</i> <i>Regional Harbour Staff</i>
Harbour Operations Manual (Part 3)	Harbour specific detailed procedures	Internal <i>Operational Harbour Staff</i>

All DGC officers and staff with a responsibility for Harbour matters should be familiar with all sections of the MSMS. However, key users of each section are identified in the table above.

Relevant procedures for harbour users are clearly summarised in the Harbour Directory.

2. PORT MARINE SAFETY POLICY

2.1 POLICY STATEMENT

DGC recognises its continuing responsibility to provide a healthy and safe working environment. All policies will comply with the Health & Safety at Work Act etc 1974 (HSWA) and the Port Marine Safety Code (PMSC). DGC will:

- Carry out all harbour and associated marine operations in a manner which minimises adverse effects on the environment and the community and which also protects the safety and health of employees; harbour users; others with business in the harbour areas and the general public;
- Operate wherever practical to at least the standards required by law, regulation and Approved Codes of Practice (ACOP's); and
- Ensure that employees perform their duties in a manner consistent with these principles.

Specifically, DGC has stated the intention to comply with all relevant requirements of the PMSC. Dumfries and Galloway Council has published the following supporting policies (see **Section 3 Published Policies**):

- Navigation policy;
- Marine Conservancy policy; and
- Enforcement policy.

2.2 APPLICABLE CODES AND REGULATIONS

This section includes a summary of the principal relevant codes and legislation. This is not an exhaustive list. Individual documents should be consulted for detailed requirements and obligations, and the MSMS may refer to additional legislation.

2.2.1 Port Marine Safety Code

The Port Marine Safety Code was issued in 2000, with the current version being issued in November 2016.

The PMSC 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 endorsed by the UK Government, the devolved administrations and representatives from across the maritime sector and, while the PMSC is not mandatory, these bodies have a strong expectation that all harbour authorities will comply. The PMSC is intended to be flexible enough that any size or type of harbour or marine facility will be able to apply its principles in a way that is appropriate and proportionate to local requirements.

The PMSC is applicable both to statutory harbour authorities and to other marine facilities which may not have statutory powers and duties. DGC has Statutory responsibilities in respect of the harbour covered by this MSMS.

The PMSC is complimentary to Health and Safety legislation discussed below. In broad terms, the interface is at the quayside.

Practical guidance with respect to operational compliance with the PMSC is provided in the associated Guide to Good Practice on Port Marine Operations (GTGP), most recently revised in February 2018. The two documents should be read together.

2.2.2 Health and Safety at Work etc Act (HSWA) and Regulations

The Health & Safety at Work etc Act 1974 and other health and safety legislation applies to dock operations including the loading and unloading of UK and foreign flag vessels at UK ports, in particular to fishing vessels and to the handling of dangerous

substances in ports and harbours. It does not apply to normal shipboard activities carried out by the master and crew of vessels. Port users including fishermen and fish sellers have a responsibility to comply. Harbour staff must abide by its provisions and bring non-conformances to the attention of users.

2.2.3 Pilotage Act 1987

DGC is not currently a Competent Harbour Authority, (defined as *a body charged with providing pilotage into and within a maritime harbour*) under the Pilotage Act. Hence the provisions of the Pilotage Act do not apply to any DGC harbours.

2.2.4 Docks Regulations Approved Codes of Practice

The Docks Regulations 1988 were revoked on 6 April 2014 and replaced with new guidance, Safety in Docks: Approved Code of Practice and guidance – L148. Topics covered include workplace transport, falls from height and lifting operations in the context of docks operations. The new ACOP, drawn up by HSE, Port Skills and Safety

and Unite the union, addresses both large operators in the industry as well as those engaged in dock work in smaller locations, such as small harbours or quays.

2.2.5 International Ship and Port Facility Security Code (ISPS) 2004

This applies to harbours handling commercial vessels on international voyages and requires an approved Security Plan, appointment of Port Facility Security Officers, arrival reports on security status and control of access to international vessels. ISPS status was obtained for Kirkcudbright harbour in July 2018 in order to handle vessels of >500 grt on international voyages.

2.2.6 Port Waste Facilities Management Regulations 2003

This requires the reporting and recording of waste landed by ships and the provision of appropriate reception facilities by harbour authorities. The purpose is to eradicate the dumping of waste at sea. There are special provision for fishing vessels.

2.2.7 Railways and Transport Safety Act 2003

This legislation concerns Professional and non-professional skippers and crew being unfit for duty through misuse of Drink or Drugs (Sections 78 to 81 refer). Harbour Masters and their assistants have the power to detain a vessel pending arrival of the police.

2.2.8 Local Legislation and Harbour Orders

Harbour authorities are granted statutory powers to operate under a variety of legislation; this may be historical, usually confirmed by modern harbour orders, often supported by local bylaws. Local legislation for Dumfries and Galloway Harbours is summarised in Part 2 of this MSMS.

2.2.9 Codes of Practice, Regulations, Plans, and Procedures which apply to the Dumfries and Galloway Harbours

There are additional codes, plans and procedures which are relevant to harbour operations. See Part 2 of this MSMS for detail.

Specifically, the following procedures are applicable to harbour users and have been appended to this document for information:

- Appendix A: Incident reporting form
- Appendix B: Mooring Guidelines
- Appendix C: Garlieston Holding Off Lines

DGC will also publish rates and conditions for the use of the harbours, and these will be updated from time to time and available from the [harbours web site](#), or upon request from harbour offices.

2.2.10 Other Legislation

The Authority also has obligations under many other pieces of national and international legislation, including, but not limited to:

- Loading and Unloading of Fishing Vessels Regulations 1988 (SI 1988/1656)
- Provision of Safe Means of Access to Fishing and Other Small Vessels MGN337 – supported by SIP021 Guidance on Safe Means of Access to Fishing and Other Small Vessels.
- ACOP Dangerous Substances in Harbour Areas Regulations 2016.
- Control Of Major Accident Hazards Regulations 2015 (COMAH)
- LOLER Regulations 1998
- Marine Navigation Act 2013
- Merchant Shipping (Oil Pollution Preparedness Response & Cooperation Convention) Regulations 2015
- Merchant Shipping Act 1995
- Merchant Shipping (Prevention of Oil Pollution) Regulations 2019
- Dangerous Vessels Act 1985
- SOSREP – Sections 151 and 293 of MS Act 1995 and as amended by MS and Maritime Security Act 1997
- Merchant Shipping (Dangerous Goods & Marine Pollutants) Regulations 1997
- The Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008
- The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003

- Civil Contingencies Act 2004.
- Directive 2009/17/EC of the European Union Parliament and of the Council of 23 April 2009 amending Directive 2002/59/EC (Fitting and use of AIS by Fishing Vessels).

2.3 DUTIES AND RESPONSIBILITIES OF THE DUTY HOLDER

The duties and responsibilities of a statutory harbour authority are set out fully in the PMSC and its associated GTGP. These duties include a duty of care to those using the harbour which means they have an obligation to conserve and facilitate the safe use of the harbour as well as a duty of care against loss caused by the harbour authority's negligence. Duties to ensure the safety of marine operations are matched with general and specific powers to enable the authority to discharge these duties. There are procedures for these to be changed where necessary.

Organisations must have a "Duty Holder" who is accountable for their compliance with the PMSC and their performance in ensuring safe marine operations. In the case of DGC, the Harbours Sub-committee of the Dumfries and Galloway Council has formally accepted the position of Duty Holder. They remain publicly accountable for the proper operation of the harbours.

The Duty Holder is responsible for ensuring that the organisation complies with the Code. In order to effectively undertake this role, they should individually and collectively:

- be aware of the organisation's powers and duties related to marine safety;
- ensure that a suitable MSMS, which employs formal safety assessment techniques, is in place;
- appoint a suitable designated person to monitor and report the effectiveness of the MSMS and provide independent advice on matters of marine safety;
- appoint competent people to manage marine safety;
- ensure that the management of marine safety continuously improves by publishing a marine safety plan and reporting performance against the objectives and targets set; and
- report compliance with the PMSC to the MCA every 3 years.

Harbour authorities have powers to appoint a Harbour Master and may properly entrust the operation of the harbour to such professional people as they see fit; but the duty holder cannot assign or delegate its accountability for compliance with the

PMSC.

All duty holders should take time to gain an appropriate insight and understanding of their organisation's port marine activities, MSMS and supporting policies and procedures. This can be accommodated through briefings and operational visits.

Consideration should be given to appointing a member to the board who has relevant maritime experience and who can act as the initial point of contact for the designated person. The duty holder should also ensure that appropriate resources are made available for discharging their marine safety obligations.

2.4 RESPONSIBLE PERSONS – DUMFRIES AND GALLOWAY HARBOURS

2.4.1 Duty Holder

The Harbours Sub-committee of Dumfries and Galloway Council is the Duty Holder. It was established in June 2016 on the recommendation of the Designated Person.

2.4.2 Chief Officer for Council Harbours

The Chief Officer for Council Harbours is responsible and accountable to the Duty Holder for operational and financial control of the harbour authority. He/she advises the sub-committee on their powers and duties with input from the harbourmaster(s) and other officers; he/she oversees implementation of policy and decisions, has executive responsibility for safety of operations and staffing and oversees recruitment and training.

For Dumfries and Galloway Harbours the Head of Roads and Infrastructure, Communities Directorate, equates to the position of Chief Executive as defined in the PMSC but shall be referred to as the Chief Officer for Council Harbours.

2.4.3 Infrastructure Manager

The Infrastructure Manager is the appointed line manager of the Regional Harbour Master, and reports to the Chief Officer for Council Harbours.

2.4.4 Harbourmasters

Harbourmasters are appointed by the authority. They are responsible for the safety of navigation in the various harbours and for exercising the authority's powers in the ports

and their approaches. Individually and via delegated staff they are responsible for implementing powers of direction both general and local.

DGC has appointed a Regional Harbour Master (RHM) to manage the harbours in compliance with the PMSC. The Regional Harbour Master advises the Chief Officer for Council Harbours on harbour issues via the Infrastructure Manager.

At both Kirkcudbright and Stranraer, the full time Senior Harbour Assistants are responsible for the day to day commercial, operational and safety management of the harbours and associated marinas and are formally delegated Harbour Master's Powers. They supervise any part time Harbour Assistants that may be employed, and report to the RHM.

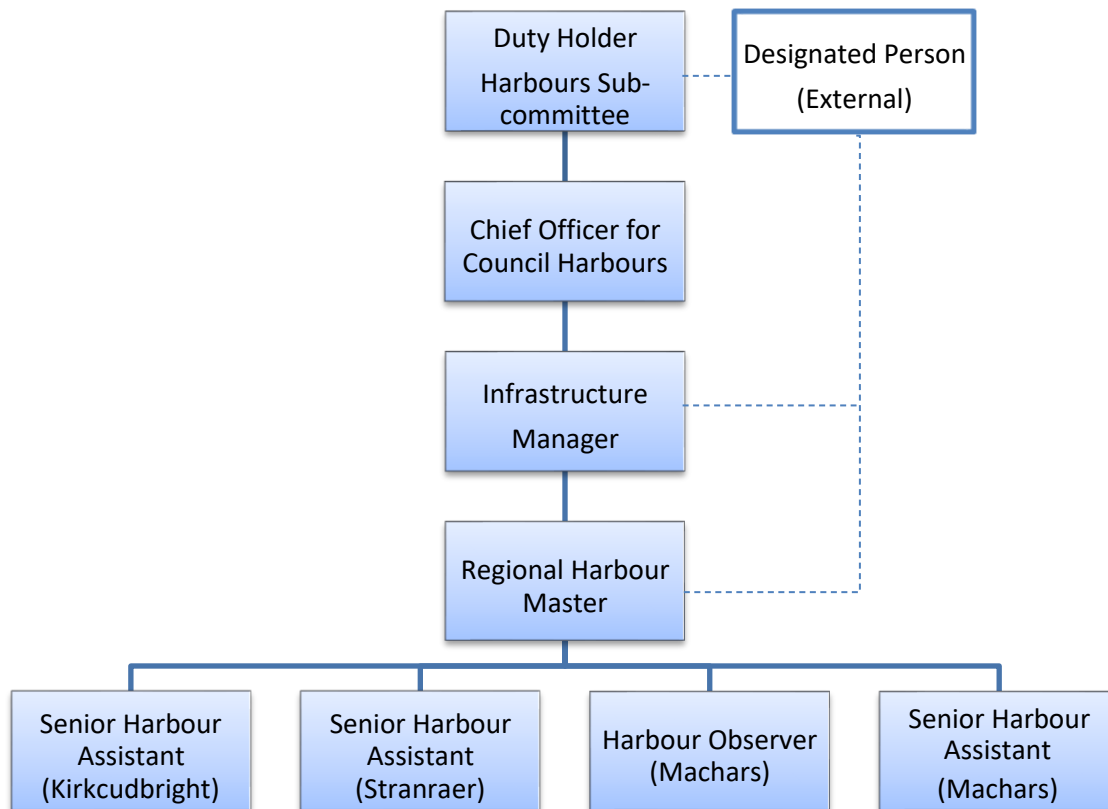
A part-time Harbour Observer is appointed to maintain an overview of the operations for The Machars Harbours. Their brief includes monitoring safety, commercial considerations and maintenance, reporting concerns to the Regional Harbour Master. The Harbour Observer is supported operationally by the staff from Kirkcudbright and Stranraer as required.

2.4.5 Designated Person

The Authority appoints a suitably qualified person to act as the Designated Person (DP) whose function is to provide the Duty Holder with independent assurance that the Safety Management system is working effectively. He/she periodically audits compliance with the Port Marine Safety Code. This person must have a thorough knowledge of the PMSC and GTGP and of associated port and marine legislation.

The DP appointed by the Duty Holder is independent and is currently William Heaps of Marine and Risk Consultants Ltd. (Marico Marine).

2.4.6 Organisation Chart



2.5 KEY MEASURES FOR PMSC COMPLIANCE,

The PMSC requires certain measures to ensure compliance:

- Review existing powers;
- Use formal Risk assessment;
- Implement an MSMS;
- Ensure competence of those entrusted with PMSC related responsibilities;
- Monitor and investigate marine incidents;
- Monitor performance through audit;
- Enforce byelaws, directions, policies and procedures;

- Publish plans and reports;
- Ensure consensus through stakeholder engagement; and
- Monitor Compliance.

2.5.1 Duties and Powers

The General and Specific duties and powers of a harbour authority are set out in Sections 3 and 4 of the Port Marine Safety Code and explained in the Guide to Good Practice. DGC have undertaken to keep these duties and powers under review, and will take advice on modernising, or reducing powers as required.

2.5.2 Risk Management

Powers, policies, plans and procedures should be based on a formal assessment of hazards and risks. DGC will make use of formal Navigation Risk Assessment methodology to support this MSMS. Procedures exist for undertaking assessments, and carrying out regular reviews, as well as reviews following incidents, or when there is a change in the nature of any marine operations.

2.5.3 Implement an MSMS

DGC have commissioned an MSMS as summarised within this document. The council will ensure procedures exist to keep all aspects of the MSMS under review.

2.5.4 Qualifications and Training

DGC maintain qualifications and training standards appropriate to the duties and responsibilities of all personnel. In the case of the RHM, Senior Harbour Assistants, Harbour Assistants and Harbour Observer, these include, as a minimum, appropriate marine and commercial vessel qualifications and experience. These standards are maintained by the Infrastructure Manager for all staff in the Harbours section. He/she also maintains schedules of training for all harbour staff. A matrix for essential harbour staff training is given in Part 2 of this MSMS. Port Skills and Safety has developed National Occupational Standards for Port Personnel which may be used for guidance.

2.5.5 Incident Reporting and Investigation

Incidents and Near Misses reports should be recorded as they occur. All harbour users are encouraged to report incidents and near misses, however minor they may seem. An incident reporting form is appended at **Appendix A**. Remedial risk reduction measures will be identified and implemented as appropriate following incident investigation and review of appropriate risk assessments.

2.5.6 Auditing and Reporting

Compliance with the PMSC should be audited at regular intervals.

Intermediate audits and reports should be commissioned after any significant change to the operating parameters or after a serious incident. The Roads and Infrastructure Service will initiate periodic and special audits.

Periodically (at intervals not exceeding 3 years), the Designated Person will undertake an audit of the overall Safety Management System. He/she will then report to the Duty Holder on the effectiveness and performance of the system.

2.5.7 Enforcement

DGC has developed an Enforcement Policy (**Section 3.3**).

2.5.8 Publish Plans and Reports

The Duty Holder should report annually on harbour operations and compliance with the PMSC, including safety performance. This Report will form part of Harbours Subcommittee annual schedule and will normally take the form of a paper produced by the Chief Officer for Council harbours.

Additionally, and as required by the PMSC the Duty Holder will develop a Marine Safety Plan, which will be refreshed annually, and detail improvement plans for the subsequent three-year period. The plan will be published, and progress against the plan reported in the annual report described above.

The current plan is shown in **Appendix D**

2.5.9 Consultation

DGC recognises the important role Stakeholder and community engagement has in the safe running of harbours for all users.

DGC will establish appropriate Harbour User Groups, and consult harbour customers and users at least annually, in addition to any statutory consultations that may be required from time to time.

2.5.10 Performance Monitoring

DGC will declare the current status of PMSC compliance to the MCA every three years or upon request. Such declarations will be based on the evidence of internal and external audit and will be made by the Duty Holder (Harbours Sub-committee) on behalf of the full council.

3. PUBLISHED POLICIES

3.1 NAVIGATION SAFETY POLICY

DGC HARBOURS – NAVIGATION SAFETY POLICY

Dumfries and Galloway Council is the Statutory Harbour Authority for the harbours at:

- Garlieston
- Isle of Whithorn
- Port William
- Kirkcudbright
- Stranraer (By virtue of various historical Acts from the Royal Charter of 1617 through the Burghs Harbours (Scotland) Act 1853 to the Harbours Act 1964 covering Loch Ryan. Currently subject to modernisation through promotion of a Harbour Revision Order)

DGC is committed to complying with the Port Marine Safety Code and is responsible for maintaining safe navigation within its harbour jurisdictions. It will do this by:

- Maintaining an effective Safety Management System to enable the Council to undertake and regulate marine operations in a way that safeguards all Harbour users, the public and the environment;

- Using risk assessment techniques to identify hazards and risks within the Harbours and put in place suitable risk control measures to ensure that the risks identified are 'as low as reasonably practicable', and that the appropriate emergency plans are in place and well-practised;
- Monitoring and managing the navigation of all vessels within the Harbour limits;
- Consulting widely with Harbour staff, Harbour users and other relevant stakeholders in respect of navigational safety issues;
- Undertaking hydrographic surveys and maintenance dredging to ensure that the hydrographic regime is protected;
- Placing and maintaining aids to navigation marks where they will be of best advantage to vessels and work in close liaison with the Northern Lighthouse Board;
- Removing sunken vessels and other obstructions that are, or may become, an impediment to safe navigation;
- Disseminating any relevant navigational safety information to Harbour users;
- Evaluating the safety performance of the Harbours through reporting systems contained within the Safety Management System;
- Employing suitably qualified personnel and provide the necessary training to ensure that they are competent within the roles they are required to perform, and ensure sufficient resources are available to implement procedures and systems effectively;
- Ensuring that Council vessels and craft used within the harbour limits have the required certification and are fit for purpose, and the crew are appropriately trained and qualified for the tasks they are likely to perform; and
- Reviewing this policy on an annual basis with due consideration given to any changes to the operating environment, the organisation and legislation.

3.2 MARINE CONSERVANCY POLICY

DGC HARBOURS - MARINE CONSERVANCY POLICY

Dumfries and Galloway Council is the Statutory Harbour Authority for the harbours at:

- Garlieston
- Isle of Whithorn

- Port William
- Kirkcudbright
- Stranraer (By virtue of various historical Acts from the Royal Charter of 1617 through the Burghs Harbours (Scotland) Act 1853 to the Harbours Act 1964 covering Loch Ryan. Currently subject to modernisation through promotion of a Harbour Revision Order)

DGC is committed to complying with the Port Marine Safety Code. The conservancy duties of a Harbour Authority are detailed in the PMSC as follows:

A harbour authority has a duty to conserve the harbour so that it is fit for use as a port, and a duty of reasonable care to see that the harbour is in a fit condition for a vessel to utilise it safely. They should provide users with adequate information about conditions in the harbour.

This duty covers several specific requirements:

- a. to survey as regularly as necessary and find the best navigable channels;
- b. to place and maintain navigation marks in the optimum positions, which are suitable for all conditions;
- c. to keep a 'vigilant watch' for any changes in the sea or riverbed affecting the channel or channels, and move or renew navigation marks as appropriate;
- d. to keep proper hydrographic and hydrological records;
- e. to ensure that hydrographic information is published in a timely manner; and
- f. to provide regular returns and other information about the authorities' local aids to navigation as the General Lighthouse Authority may require.

DGC will meet these requirements this by means of:

- Carrying out hydrographic surveys in accordance with a survey programme (below) and promulgating results to port users and the UKHO;
- Providing and maintaining adequate navigation aids, consistent with harbour user requirements to facilitate safe navigation within the harbours and their approaches;
- Maintaining adequate depth in the channels and at the berths, consistent with reasonable harbour user requirements;
- Ensuring that channels are maintained clear of wrecks, obstructions or other dangers to navigation;

- Working with the Northern Lighthouse Board;
- Promulgating warnings to harbour users of changes to navigation aids, depths or other dangers to navigation.

Providing and maintaining Local Aids to Navigation. (LAtON)

All of the Council's harbours have some form of navigational aids including:

- Navigation Buoys;
- Navigation lights;
- Lit beacons and leading lights.

Generally, the Council operates and maintains these LAtON's under the supervision of the NLB who monitor outages and carry out random inspections. The exception is Loch Ryan where the NLB maintain the LAtON's outside the harbour basin.

Procedures will be put in place for Harbour staff to conduct regular checks to ensure that LAtONs are in place and working and any outages or defects are dealt with as promptly as possible.

Further procedures are in place to inspect, maintain and if required replace navigation buoys and/or their associated ground tackle.

Hydrographic Surveys

Surveys will be undertaken at a maximum of 5-year intervals, however this period may be varied by the Regional Harbour Master taking in to account:

- Levels of vessel traffic;
- The results of low tide visual monitoring of siltation at all harbours including partially at Stranraer; and
- Reports of any changes in available depths made by stakeholders.

In the interim periods the Regional Harbour Master and staff will monitor for shoaling depths visually at drying harbours and respond to reports of shoaling's by harbour users.

Dredging

Dredging will take place when required, either at regular intervals or following surveys or siltation reports.

The Council will ensure that appropriate dredging licences, Crown Estates consents, planning permission (where necessary) and/or disposal licenses are in place and that, wherever possible, environmental impacts are minimised.

Wrecks and obstructions

The Council is committed to maintaining safe and navigable access to all of its harbours and will take all reasonable action to remove any wrecks or obstructions as promptly as possible.

Navigation Warnings

When considered necessary and appropriate, Navigation Warnings will be issued to:

- Harbour Users;
- UKHO;
- Belfast Coastguard;
- Northern Lighthouse Board;
- Broadcast via VHF;
- Published on the Council's website; and
- Local stakeholders – e.g. sailing clubs, harbour user groups.

3.3 ENFORCEMENT POLICY

DGC Enforcement Policy 2021

Dumfries and Galloway Council (DGC) owns and operate harbours at:

- Garlieston
- Isle of Whithorn
- Port William
- Kirkcudbright
- Stranraer

DGC is the Statutory Harbour Authority under Harbour Empowerment Orders at Garlieston, Isle of Whithorn and Port William and the Statutory Harbour Authority at Kirkcudbright by way of a Harbour Revision Order 2018. Stranraer has limited powers by adoption of the Burgh Harbours (Scotland) Act 1853 by the Royal Burgh of Stranraer.

DGC is responsible under the Port Marine Safety Code for the effective enforcement of its regulations, which are adopted in order to assist in managing the safety of navigation within its harbour jurisdictions.

In this Policy, enforcement comprises the promulgation of regulation and guidance, incident investigation, and where appropriate formal warning and prosecution. Where appropriate, and where empowered to do so, DGC will prosecute offenders for committing offences, including those set out in the Acts and Orders listed above, the Merchant Shipping Act 1995 and in ancillary regulations and Byelaws.

To this end, it is DGC Harbours policy that DGC shall:

- Maintain through regular reviews, an effective regulatory framework, which is integrated with relevant national legislation and includes local regulation resulting from risk assessment, or as otherwise made necessary;
- Ensure that DGC Regulations and associated guidance are widely promulgated;
- Develop and maintain effective enforcement procedures, which comply with relevant national legal requirements and guidelines;

- Develop and maintain effective investigation procedures for use in the event of a navigational Incident, which support DGC enforcement procedures, but also meet the requirements of the Marine Safety Management System in respect of identifying and promulgating lessons learned;
- Ensure that all staff involved in an incident investigation, or who are required to follow DGC enforcement procedures, receives effective and relevant training;
- Use best efforts to monitor compliance with, and detect breaches of, relevant national and DGC regulations;
- Respond to breaches of regulation, where justified by the evidence and other circumstances, by the use of formal warnings and legal prosecution. The options are in ascending order of implementation:
 - Education
 - Verbal warning
 - Written warning
 - Written request for full report with possible interview
 - Prosecution proceedings
 - When bringing prosecutions observe Crown Office and Procurator Fiscal Service Prosecution Code in so far as is appropriate;
 - Manage the progress of enforcement activities, including incident investigations and prosecutions, and the maintenance of appropriate records.

Nothing in this Policy shall subvert existing Harbour Byelaws, General Directions, regulations or terms and conditions that may exist for each harbour.

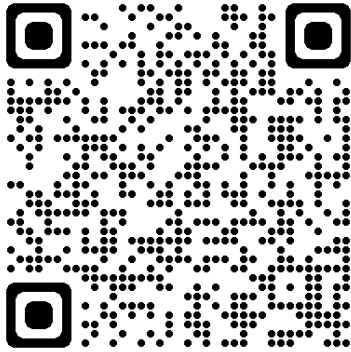
APPENDIX A. INCIDENT REPORTING FORM

Incidents must be immediately reported to the nearest harbour office,

by email to: DGC-Harbours@dumgal.gov.uk ,

or directly into the incident reporting system found at:

<https://uk.hazman.org/incident/PYPXHafJSO4z7315YNdt6Ny3NSGpvgMzAl4i1zUX>



APPENDIX B. MOORING GUIDELINES

DUMFRIES AND GALLOWAY COUNCIL HARBOURS

Moorings Guidelines

General Guidelines

These general guidelines are based on The Yacht Harbour Association guidelines for fore and aft chain trot moorings. They may need to be varied slightly due to local conditions - advice and agreement should be sought from the local Harbour Master or the Regional Harbour Master before laying your mooring.

1. The rising chain should be marine grade 30 with a minimum diameter of 19mm. Its length should be at least 3 times the water depth at HAT.
2. The chain bridle to the mooring buoys should have a minimum diameter of 12mm and include a swivel at the junction with the ground chain and a swivel at the mooring buoy.
3. The buoy should be sufficient in size to support the total weight of the bridle chain when at its highest level and preferably have an eye above the buoy for use by the vessel crew.
4. It is recommended that all shackles are seized with stainless wire or similar.

Kirkcudbright Harbour:

These guidelines are based on custom and practice to cope with the fast flowing and corrosive nature of the muddy water at Kirkcudbright.

The riser chain should consist of:

1. 2m of heavy gauge chain with a minimum diameter of 19mm. (Sections of 26mm used chain are available at Kirkcudbright harbour office.)
2. 5m of tested 'proof' chain between the heavy gauge and the buoy with a minimum diameter of 12mm.
3. Shackles to connect both sections of chain together, to connect to the ground chain/block and to connect to the strops – shackles should be of 14mm galvanised and the shackle pins seized with stainless wire or similar.

Note: *Avoid stainless steel:*

Do not mix mild and stainless steel. This will create a galvanic reaction that will quickly eat away the mild steel chain.

4. 2 x buoys – sufficient in size to support the total weight of the chain when at its highest level and preferably have an eye above the buoy for use by the vessel crew.
5. At the forward mooring there should be a single strop (twin for Catamarans) with a hard eye spliced around a thimble at one end for connection to the chain and a soft eye spliced at the other for the securing point on deck. Strops should be 12mm or 14mm depending on the size of vessels and the type of warp used. Strops should be of a suitable type e.g. Liros, and not made up from old genoa lines, cheap DIY shop rope etc.
6. Stern moorings should consist of a bridle of 2 strops with a hard eye spliced around a thimble at one end for connection to the chain and a soft eye spliced at the other for connection to the securing point on deck.
7. Strops should be long enough so that the chain does not hit the boat – but no longer.
8. You will need a pickup line to join your two sets of strops. The length of the line between the strops is slightly more than the length of your boat and should have floats/buoys which will both keep the line afloat and clearly mark its position to other users.

Isle of Whithorn Harbour:

Vessels at the Isle of Whithorn should use a mooring bridle at both the bow and Stern to reduce the risk of contact with adjacent boats.

Maintenance.

Under the General Terms and Conditions issued to all mooring holders, 'Maintenance of riser chains and mooring buoy(s) is the responsibility of the boat owner.

It is recommended that moorings are checked at least twice a year for wear.

APPENDIX C. GARLIESTON HOLDING OFF LINES

GARLIESTON HARBOUR – USE OF HOLDING OFF LINES

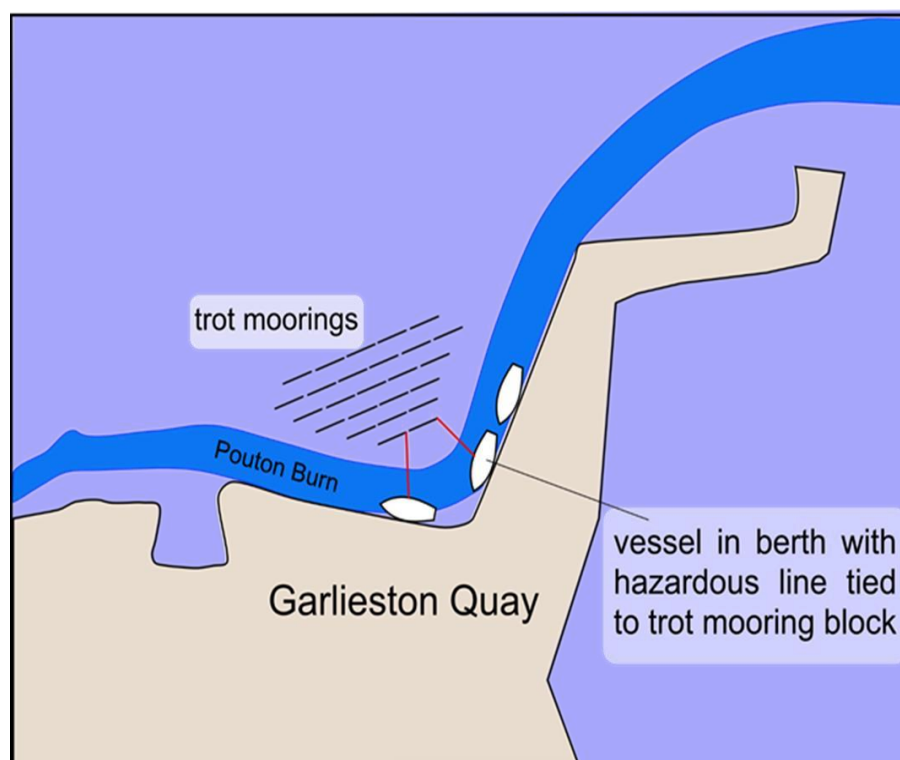
During periods of high spring tides combined with swell and waves fishing vessels tied to the quay are vulnerable to damage.

To prevent such damage fishing vessel owners may secure holding off lines to mooring blocks on the opposite side of Pouton Burn. (Please refer to the illustration below.)

The Pouton Burn flows through this drying harbour and is the main navigation channel for both commercial and leisure craft.

Owners of the fishing vessels may secure holding off lines to the mooring blocks provided the following guidelines are followed:

- Holding off lines must be clearly marked by way of brightly coloured ribbons or cloths tied at intervals not exceeding 1m along the length of the holding off line.
- If in use at night holding off lines must be clearly marked above the water level by way of fluorescent ribbons again at intervals not exceeding 1m.
- The Regional Harbour Master should be advised before lines are deployed so that a Notice to Mariners may be issued.



APPENDIX D. MARINE SAFETY PLAN

DUMFRIES AND GALLOWAY COUNCIL MARINE SAFETY PLAN 2023 to 2025

Contents:

- Introduction.
- Marine Policy.
- Marine Safety Plan Overview.
- Plan Ownership.
- Plan Review.
- The Marine Safety Plan Objectives.

Introduction

Dumfries and Galloway Council (DGC) is the Statutory Harbour Authority for 5 harbours at:

- Garlieston
- Isle of Whithorn
- Kirkcudbright
- Port William
- Stranraer.

It places responsible safety and security at the forefront of its activities to ensure a safe environment for all those who work at, operate in, or visit its harbours.

In compliance with the Port Marine Safety Code (PMSC), DGC publishes the following Marine Safety Plan for marine operations within its harbours for the period of 01 April 2021 – 31 March 2024.

Marine Safety Plan Overview.

The Marine Safety Plan is in place to ensure safe and effective management and regulation of marine operations within DGC harbours and to continuously develop and improve our safety and environmental management culture and performance.

A comprehensive overview of the structure, management and maintenance of the Marine Safety Management System (MSMS) and compliance with the PMSC in support of this Plan is contained within the MSMS as published on our website at: www.dumgal.gov.uk/harbours

DGC will meet its responsibilities to ensure that, whenever possible, it provides efficient and effective services for the control of both commercial and leisure vessel movements within its Harbours, ensuring the safe transit of all such vessels. In ensuring the continued provision of services, DGC will always regard the safety of its personnel, customers and vessels as its highest priority.

Marine Policy

DGC recognises its continuing responsibility to provide a healthy and safe working environment. All policies will comply with the Health & Safety at Work Act etc 1974 (HSWA) and the Port Marine Safety Code (PMSC). DGC will:

- Carry out all harbour and associated marine operations in a manner which minimises adverse effects on the environment and the community and which also protects the safety and health of employees; harbour users; others with business in the harbour areas and the general public;
- Operate wherever practical to at least the standards required by law, regulation and Approved Codes of Practice (ACOP's); and
- Ensure that employees perform their duties in a manner consistent with these principles.

Specifically, DGC has stated the intention to comply with all relevant requirements of the PMSC.

Dumfries and Galloway Council has published the following supporting policies:

- Navigation policy;
- Marine Conservancy policy; and
- Enforcement policy.

Plan Ownership

This Marine Safety Plan will be owned by the Duty Holder identified by the Council as being ultimately accountable for Marine Safety matters (The Harbours Subcommittee of Dumfries and Galloway Council).

The Duty Holder will be responsible for receiving reports of progress against the plan and ensuring that the objectives remain relevant and adequately resourced.

Additionally, the Duty Holder will be responsible for regularly publishing the status of progress against the plan's objectives (for example in an annual report or similar).

Plan Review

The Marine Safety Plan will be reviewed at least annually, and refreshed as objectives are met, or circumstances change. At 3-year intervals, the plan will be fully reviewed and republished.

The Marine Safety Plan Objectives

The agreed objectives of the DGC Marine Safety Plan 2021-2024 are tabulated on the following pages.

APPENDIX 3 Dumfries & Galloway Council Harbours Marine Safety Plan 2024 - 2027

No.	Objective	Action / by whom	By When / Action Owner	Comment	Achievement
1	To review the Marine Safety Plan on annual basis	To complete review of plan and report progress to Duty Holder at least once per year (IM)	Report to HSC at end of each calendar year so that the 3-year plan can be reviewed and approved on an annual rolling basis from the following year (HSC)	Submitted for approval	
2	Duty Holder to be aware of top navigational risks within DGC Harbours.	RHM report top 5 navigation risks to Duty Holder at least annually (via PMSC report to first HSC meeting each calendar year and by RHM PMSC monthly reports) (IM/RHM)	First HSC each year-ongoing (HSC)	Revised hierarchy based upon reported incidents and ongoing Navigational Risk Assessment review submitted in latest monthly report. Unintended immersion is new top risk within harbours.	
3	Ensure compliance with the Port Marine Safety Code	Harbours staff to action / rectify points raise in DP PMSC audit reports. Monthly reports to provide regular updates (IM/RHM)	Provide formal progress report against audit report actions at each HSC meeting.	Submitted for consideration.	

4	Ensure DP contract reviewed and renewed	Make tendering and contractual arrangements to ensure PMSC compliant DP is in place at all times (RHM/IM)	Next required for June 2024 – then prior to every contract renewal date (HSC)		
5	To implement the new Harbour Revision Order for Southern half of Loch Ryan once enacted.	RHM to consult with users prior to implementing General Directions, user information and harbour structure to safely manage new harbour area. (RHM)	To tie in with declared start date for new HRO.	HRO formal consultation commenced 19 Jan 2024. General Directions drafted for final consultation.	
6	To update Harbours Terms and Conditions for the benefit of the council and users.	RHM to work with legal services and consult with users to draft updated T&Cs for HSC approval. (RHM/IM/LS)	Approval in time for start of 2024 financial year	Initial draft submitted for consideration and comment.	
7	To design, develop and implement an online booking and payments system for harbour services.	RHM to work with procurement and finance depart to identify a suitable provider and develop the new service to replace spreadsheet based system.	System to be ready for 2024 financial year. This will require considerable time resource from harbours staff to ensure project success.		

Action owners: HSC = Harbours sub-committee, RHM = Regional Harbour Master, IM = Infrastructure Manager, PTI = Principal Technician
Infrastructure