

West Somerset Council

Cabinet – 28 November 2018

Harbour Operations Manual

Report of Localities Manager – Chris Hall

(This matter is the responsibility of the Lead Member for Environment, Councillor Brenda Maitland-Walker)

1. Executive Summary

This report seeks approval of the revised Harbour Operations Manual created by our off site Harbour Master.

This plan has been endorsed by the Harbour Board during September and now requires approval by Cabinet as the Duty Holder.

2. Recommendations

Cabinet are recommended to:

- i) Approve the revised operational manual as set out at appendix 1

3. Risk Assessment

Project risks are set out in more detail in appendix 3.

Risk Matrix

Description	Likelihood	Impact	Overall
Failure to hold an up to date operational manual will limit our ability to evidence compliance with the Department for Transport's Port Marine Safety Code.	Likely (4)	Major (4)	High (16)
<i>A up to date revision is presented for approval</i>	Rare (1)	Major (4)	Medium (4)
Risks within the Harbour are not adequately recognised and mitigated	Possible (3)	Moderate (3)	Medium (9)
<i>The draft risk assessments were shared with Watchet Harbour Advisory Committee and the Minehead user group</i>	Unlikely (2)	Minor (3)	Low (6)

4. Background

- 4.1 Cabinet has delegated responsibility for operational oversight of the harbours to the Harbour Board, but as the nominated Duty Holder it is Cabinet who are the appropriate body to approve the revised Operations Manual set out in appendix 1.
- 4.2 West Somerset Council is the statutory Harbour Authority for Watchet and Minehead. The responsibility for the operation and compliance of these harbours sits with this Council. The simplest way to assess and evidence the competent operation is through compliance with the Department for Transport's (DfT) Port Marine Safety Code (The Code).
- 4.3 As a statutory Harbour Authority The Code applies to West Somerset Council. It is written to apply to ports of all sizes, irrespective of resources, cargoes handled or level of traffic. West Somerset Council must comply with the primary legislation and no allowance is made by the DfT for the resources available to deliver it.
- 4.4 The Code, whilst not being the primary legislation, sets out the requirements of a Statutory Harbour Authority. In the case of West Somerset Council compliance with The Code will also evidence compliance with the legislation. The Operations Manual allows us to demonstrate our understanding of the unique features of the West Somerset harbours and how these features may influence day to day operations.
- 4.5 WSC has an existing document, the Port Marine Safety Code that evidenced compliance with the Department for Transport's code at the time it was written, however this document was created in 2002 with an anticipated revision date 3 years later. With the 2002 document is being the latest in existence, and no longer reflecting the operation of the harbours the appended revision was commissioned.
- 4.6 In addition to a number of general updates, the key differences in the revision are:
 - Change of name to lessen the complexity of various codes
 - Revised risk assessments
 - Revised oil spill contingency plan
 - Revised governance structure to reflect the creation of the Harbour Board
- 4.7 This report identifies actions that will need to be undertaken such as training of employees to support an oil spill emergency, and undertaking annual exercises to ensure the manual remains appropriate. These are not new requirements on us and as such the current budget would support these activities.
- 4.8 The manual identifies the Line of Authority in **section 5.2**, as we are part way through transformation it identifies the previous structure, this element will need to be further updated to reflect those individuals with responsibility once the transformation process is complete. The same point **applies to 5.7** of the report, and any other reference to posts that are subject to the transformation process.

5. Consultation

- 5.1 In creating this revision the risk assessments were shared with the Watchet Harbour Advisory Committee and the Minehead Users group. Where they gave comments these were included in the assessment.

6. Finance / Resource implications

- 6.1 There are no new financial implications, the existing budget will be used to fulfil the requirements identified in the appended manual.

7. Legal Implications

- 7.1 The Council has a duty to conform to the appropriate legislation, some of which is generic and some of which is directly linked to the type of operation being undertaken within the Harbour. The Operations Manual

8. Links to corporate Aims / Priorities

- 8.1 Compliance in this operation meets with our needs to operate a safe, legal, and functioning council.

9. Environmental Implications

- 9.1 The intention of the manual is to ensure our operating compliance and consider the appropriate risks including those that impact the environment.

10. Asset Management Implications

- 10.1 There are no implications as a result of the report.

11. Equalities Impact

- 11.1 There are no implications from this report.

12. Risk Management

- 12.1 The risks for the operation of the harbours are set out in detail within the manual.

13. Partnership Implications

- 13.1 There are no implications from this report.

Appendices:

1 – Minehead and Watchet Port Operations Manual

AVAILABLE ONLINE at <https://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Cabinet-Meetings/Cabinet---28-November-2018>

A hard copy of Appendix 1 can also be obtained from Governance, Democracy and Executive Support

Democratic Path:

- **Scrutiny - No**
- **Cabinet – Yes**
- **Full Council – No**

Reporting Frequency: One off

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Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%