

Port of Workington

Marine Safety Management System

Performance Report covering the 12 month period

1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023



<b><u>Contents</u></b>	<b><u>Page</u></b>
Front cover	1
Contents	2
Background	3
Purpose	3
Summary	3
Marine Safety Plan Performance	3
<i>Reportable Incidents to MAIB</i>	3
<i>Marine Safety Management System Audit</i>	4
<i>Risk Assessments</i>	4
<i>Emergency Planning</i>	4
<i>Health &amp; Safety Committee Meetings</i>	4
<i>Near Miss Reporting</i>	5
<i>Enforcement and Prosecution</i>	5
<i>Environmental</i>	5
<i>Waste Management Service</i>	6
<i>Hydrographic Surveys</i>	6
<i>Dredging Campaigns</i>	6
<i>Notice to Mariners</i>	6
<i>General Bye Laws</i>	7
<i>General Directions</i>	7
<i>Towage</i>	7
<i>Pilotage Directions/Regulations</i>	7
<i>Marine Safety Policy Statement</i>	8
<i>Training</i>	8
<i>Anchorage</i>	8
<i>Aids to Navigation</i>	8
<i>Publications</i>	9
<i>Inspections</i>	9
<i>Harbour Works</i>	9
<i>Marine Processes</i>	9
<i>Communication &amp; Coordination</i>	10
<i>Review of MSMS</i>	10
Conclusion & Recommendations	10

## Marine Safety Management System

### Performance Report

#### **Background**

Under the Port Marine Safety Code every port in the UK is required to establish a Marine Safety Management System (MSMS), to manage and control the hazards and risks that relate to the Port's marine operations, and that marine safety management system should be based on an assessment of its undertaking and purpose.

This Code establishes the principle of a national standard for every aspect of port marine safety and aims to enhance safety for those who use or work in Ports, their ships, crew/passengers and the environment. It applies to Port marine operations the well-established principles of risk assessment and marine safety management systems.

#### **Purpose**

To ensure compliance with the code, the Port has developed and implemented a MSMS that defines its accountability, general/specific duties, powers and actions. In order to identify the level of performance with these requirements, safety plans must be established that can be measured through annual audits.

#### **Summary**

The 3-year Marine Safety Plan for marine operations outlined a number of broad objectives, along with designated responsibilities. This performance report will demonstrate the "duty holders" commitment to maritime safety and also illustrate the level of performance achieved against the required standards within the MSMS.

The "Duty Holder" is the Executive Director for Economy & Infrastructure for Cumbria County Council. The Executive Director has overall responsibility for the Port Authority's operational and financial functions and as Duty Holder, is accountable for marine safety at the Port of Workington.

The report will also identify if any deficiencies exist or where improvements can be made.

#### **Marine Safety Plan Performance Report**

##### **Reportable Incidents to the Maritime Coast Guard Agency/Marine Accident Investigation Branch**

Since 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023 there has been one reportable near miss incident to the regulatory authorities. The incident took place on the 3<sup>rd</sup> November 2022, whereby the 'Ronja' that, under the control of the pilot, developed a fault with its rudder/steering. The rudder jammed at hard port causing the vessel to steer to the

South break channel wall. Contact was avoided, but the incident was formally reported by the Harbour Master to the Marine Accident Investigation Branch.

### **Marine Safety Management System Audit**

The Port has had one external audit carried out on 25<sup>th</sup> November 2021. External audits are carried out every 3 years to assess the effectiveness and compliance with the Marine Safety Management System.

The external audit was undertaken by Capt. Edward Haig Deeley, a self-employed Pilot. The audit identified 10 recommendations and an overall score of 95%. The areas for improvement have been added to the Port's audit action tracker, which is monitored and managed by the Port Manager, individually and collectively with his management team.

The next external audit is provisionally scheduled for November 2024.

The Port carries out internal audits annually however, during this period no internal audits have been undertaken.

### **Risk Assessments**

The Harbour Master and the newly appointed Health, Safety & Environmental Manager have scheduled a full review of the marine operative's risk assessments and safe system of works, which are scheduled to be reviewed every two years. This review task is currently being undertaken and should be completed by the end of April 2023. However, please note that risk assessments appertaining to marine activity that form a significant part of the Port's MSMS were reviewed and updated in February 2022.

### **Emergency Planning**

An on-site emergency exercise has not been undertaken during this period. However, the fire authority has confirmed that an exercise is to be carried out in June 2023. Details of the scenario are yet to be finalised.

An Oil Spill Contingency (OSC) exercise has not been undertaken during this period. However, an exercise has been scheduled to take place during the summer period of 2023.

### **Health & Safety Committee Meetings**

Health & Safety Committee meetings had lapsed during this period, as the Port met a number of challenges in sourcing a new Safety Practitioner. However, the Port Manager did appoint a new Safety Practitioner for the position of Health, Safety & Environmental (H,S&E) Manager who started employment on the 1<sup>st</sup> November 2022.

The Port's HS&E Manager has resurrected the safety committee meetings and these are currently held once every month subject to review.

Managers and representatives from staff, operations employees and marine sector attend these meetings. Minutes of such meetings are distributed to all employees.

Tenants' safety meetings have been managed by the Port Manager and are currently being held every quarter. Minutes are distributed to staff and all tenants. The meetings were held on:

- 7<sup>th</sup> June 2022
- 1<sup>st</sup> September 2022
- 1<sup>st</sup> December
- 8<sup>th</sup> March 2023

### **Near Miss Reporting Within The Port**

The Port has had a near miss reporting process for a number of years, but over recent time the system has not been effective nor used by Port staff/operatives. In November 2022, the newly appointed HS&E Manager made changes to the near miss reporting system and reintroduced it with all Port staff and operatives making, it easier to report and escalate incidents.

Since November 2022 to 31<sup>st</sup> March 2023, 63 near misses have been reported across the Port activities and from these incidents learning and educational opportunities have been identified and implemented.

### **Enforcement and Prosecution**

An Enforcement Policy for Marine Operations has been established to regulate the conduct of vessels within the jurisdiction of the Port of Workington.

The three-year review of the Enforcement Policy was carried out on 9<sup>th</sup> March 2022. No recommendations or amendments were required.

A Prosecution Policy for Marine Operations has been established to enforce relevant legislation at the Port of Workington.

The three-year review of the Prosecution Policy carried out on 9<sup>th</sup> March 2022. Again, no recommendations or amendments were required.

There have been no incidents requiring any enforcement or prosecution notices/penalties over the 12-month period.

### **Environmental**

The Port has a duty of care to protect the environment from its activities and in particular the waterway from which it operates.

In October 2022 the Ports Environmental Policy was reviewed and updated. The review policy statement was displayed upon each noticeboard within the Port, incorporated into the revised MSMS (in October) and published upon the Port's website.

There have been no reportable incidents to the Environment Agency during this period.

### **Waste Management Service**

The Port's Waste Management Plan was approved by the Maritime Coastguard Agency in 2020 for a three-year period. The plan is due for a re-approval in July 2023.

### **Hydrographic Surveys**

Surveys are conducted by the Port on a regular basis using the M.V. Derwent and sounding equipment. Results from surveys are used to identify available depths of water within the dredged areas of the Port, to ensure the safe navigation for vessels.

Five monitoring surveys were conducted and published via Survey Notices, for this 12 month reporting period. They are as follows: -

- 4<sup>th</sup> April 2022
- 1<sup>st</sup> July 2022
- 12<sup>th</sup> September 2022
- 25<sup>th</sup> January 2023
- 27<sup>th</sup> January 2023

### **Dredging Campaigns**

Results from surveys were used to determine if a dredging campaign was required to remove any excess siltation within the navigational channel.

During this 12-month reporting period there was one dredging campaign carried out. The Sospan Dau, a Hopper Dredger, was used to undertake the task for a three week period, starting on the 18<sup>th</sup> August 2022. The Bar, Channel, turning Basin and the Prince of Wales Dock were dredged, removing approximately 90,000 m<sup>3</sup> of material.

### **Notice to Mariners**

Notice to Mariners are issued for important matters affecting navigational safety including new hydrographic information, changes in channels, aids to navigation and other marine information.

There were four Local Notice to Mariners issued by the Harbour Master during this period:

- 14/04/22 No.4 Navigation Allowance
- 15/08/22 No.5 Annual notice of maintained depth of water
- 18/08/22 No.6 Dredging
- 09/09/22 No.7 Navigation Allowance (cancelled)

## **General Byelaws**

General byelaws have been enforced and made available to the general public and Port users.

The three-year General Byelaws review was carried out on 9<sup>th</sup> March 2022. No recommendations or amendments were required.

## **General Directions**

At present the 1989 General Direction for navigation in the Port of Workington and its adjacent Pilotage Area is in force.

The three-year General Direction review was carried out on 9<sup>th</sup> March 2020. No recommendations or amendments were required.

## **Towage**

Towage is used in the Port of Workington as a risk control measure and is the responsibility of the Harbour Master.

In this 12-month period there were a total of two 'acts of towage' assistance for vessels arriving and sailing to/from the Port. This took place on the 19<sup>th</sup> and 22<sup>nd</sup> February 2023.

The three-year Towage review was carried out on 9<sup>th</sup> March 2022. No recommendations or amendments were required.

## **Pilotage Directions/Regulations**

The Harbour Authority under section 7 of the Pilotage Act 1987, enforced the compulsory Pilotage of all vessels except for those vessels whose overall length does not exceed 50m in length and which were not carrying dangerous goods.

The three-year Pilotage Directions review was carried out on 9<sup>th</sup> March 2022. No recommendations or amendments were required.

Pilot Licences:

The Class 1 Pilots had their re-validation assessment interviews carried out during 2022.

Assigned Pilots for the Port of Workington are:

- Captain Edward Deeley - assessment on 19<sup>th</sup> May
- Captain Charles Grant – assessment on 14<sup>th</sup> November

The licence re-validation was conducted in two parts. It assessed competence, ongoing validity of professional certification, physical fitness, time of service, local knowledge, ship handling skills and character. The first part was an assessment trip monitored by a Ship's Master; the second part was an assessment interview with the Harbour Master & the Port Manager.

After completion of both assessments both Pilots were licenced by the Harbour Master & the Port Manager for a further 12 months.

Pilotage Exemption Certificates – No PEC's have been issued by the Port over the last 12 months.

### **Marine Safety Policy Statement**

In October 2022 the Port's Health & Safety Policy was reviewed and updated. The review policy statement is tailored to cover the responsibility of the Ports' undertaking in all of its activity therefore, having one safety policy statement. This revised document is displayed upon each noticeboard within the Port, incorporated into the revised MSMS and published upon the Port's website.

### **Training**

Port management have delivered a comprehensive training programme to ensure all persons with responsibilities for marine activities, have the competence and skill to perform and manage marine operations.

In November 2022, a selection of staff and operatives attended the MCA 1P and 4P marine oil spill response course delivered by Ambipar. These courses were part of refresher training and new skills training to those who attended.

Those persons attending these courses included the, Towing Coxswain, Coxswain, Marine Operative/Deckhands and HS&E and Operations Manager.

In August 2022 the Towing Coxswain completed the IOSH Managing Safely course and also completed the Harbour Master introductory course in October 2022. With all Business Continuity plans it was prudent to enrol the Towing Coxswain onto the Harbour Master Diploma in November 2022. The course is expected to be completed latter part of November 2023.

### **Anchorage Position**

The anchorage position was communicated to and used by vessels arriving at the Port throughout this period.

The three-year anchorage position review was carried out on 9<sup>th</sup> March 2022. No recommendations or amendments were required.

### **Aids to Navigation**

Daily inspections of aids to navigation by marine shift operatives were performed, to ensure they were functioning correctly. Any identified defects were recorded and reported to the maintenance section, using the Port's defect reporting process.

Harbour Master submitted returns of availability of aids to navigation to Trinity House.



The Port's aids to navigation are classed as category 3 and have been maintained, with external inspection carried out on 22<sup>nd</sup> June 2022 reporting that the assessment was overall 'good' status.

## **Publications**

The Harbour Master maintained an up-to-date copy of BA chart 2013, NP 37 (Admiralty Sailing Directions West Coasts of England and Wales), Admiralty List of Lights and Fog Signals Volume A, M-Notices and the Merchant Shipping Act (1995).

As and when corrections are made by the UK Hydrographic Organisation the Harbour Master amended/corrected these publications from notice to mariners and/or from the UKHO web site.

## **Inspections**

Daily, monthly and annual inspections were undertaken to ensure the M.V. Derwent was fit for purpose. Inspections were conducted by the Ports maintenance and marine section operatives.

The Derwent's annual 'out of water' survey was conducted by the Maritime Coastguard Agency on 11<sup>th</sup> August 2022. The next vessel survey, floor survey, is scheduled for August 2023.

The Harbour Master ensured all safety equipment including life jackets, Jason's Cradle and safety lines, flares etc were inspected and maintained in accordance with manufacturer's recommendations or any statutory provisions.

## **Harbour Works (includes contract diving)**

There have been no major construction projects during the last 12 months that have had an impact on marine activities. The newly constructed dock gate gantry was installed during December 2022, with the expectation that the project will be completed during the Spring of 2023. The delay in having this project completed was the development of the hydraulic control system that would safely operate the folding handrail prior to the gates being operated.

The annual dock gate inspection was undertaken by contract divers which included the changing of anodes. The works were undertaken on 6<sup>th</sup> October 2022 and as per the Port's MSMS, stringent control measures were introduced to manage the inherent risk for example, contractors risk assessments and safe systems of work, implementation of the Port's Permit to Dive procedure, and Harbour activity suspended.

## **Marine Processes**

Marine activities for example, towage, Pilot exchanges to and from vessels, mooring etc have been included in the Ports Health and Safety review system. The activities are continuously monitored by managers to ensure safe practices are maintained. The HS&E Manager, working in conjunction with the Harbour Master undertook a full

review of the marine activity risk assessments and safe systems of work, which was completed by the end of March 2023. Gaps in task activities/documentation have been captured on the risk action plan and timescales assigned to a work programme.

### **Communication and Coordination**

The Port undertakes bi-weekly management meetings to discuss marine and operational activities planned for the coming weeks. This meeting is chaired by the Port Manager and involves the Harbour Master, HS&E Manager, Operations Manager, including his assistant Manager and the Administration Supervisor. Discussions from these meeting are disseminated to the relevant workforce.

The Harbour Master holds frequent informal meetings with the marine operatives regarding marine operations.

### **Review of MSMS**

The HS&E Manager and Harbour Master made amendments to the Marine Safety Management System during October 2022, which saw the revised document (V12) being approved by the Port Manager and reissued in November.

A hard copy of the plan have been distributed to all relevant personnel:

- Executive Director for Economy & Infrastructure (Angela Jones)
- Port Manager (Sven Richards)
- Harbour Master (Russell Oldfield)
- Health, Safety & Environmental Manager (Simon Lunken)
- Dock Gate marine operatives

### **Conclusion & Recommendations**

The Marine Safety Management System remains a high priority for the Port of Workington with a commitment from management, to ensure that all hazards and associated risks, whether operational or strategic, for marine activity are identified and suitably controlled.

It is evident that some gaps have been identified in the report for example insufficient internal auditing and lack of emergency procedure testing, all of which are linked to the impact caused by the Covid-19 pandemic. These issues have been added to the Port's action tracker.

The three-year Marine Safety Plan (1<sup>st</sup> June 2019 – 31<sup>st</sup> May 2022) where objectives and key performance indicators are set for marine compliance, is now out of date. This will need to be reviewed by the Harbour Master with support from the Port's Health, Safety & Environmental Manager, to ensure the objectives align with the Port's Marine Safety Management System requirements.

**Report by:** Mr Simon Lunken

**Position:** Port Health, Safety & Environmental Manager

**Report date:** 31<sup>st</sup> March 2023