



# **FIRST CORPORATE SHIPPING**

## **MARINE MANAGEMENT POLICY**

This document lays down the Marine Management Policy of First Corporate Shipping Limited, trading as The Bristol Port Company. The policy meets the standards required by the Port Marine Safety Code (the Code) and Lloyds Register Quality Assurance (ISO 9001:2015).

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Marine Director  
For FCS Board

31 August 2018

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## **1 AUTHORITY**

First Corporate Shipping (FCS) is a Competent Harbour Authority (CHA) under the Pilotage Act 1987 and a Statutory Harbour Authority (SHA) under the Harbours Docks and Piers Clauses Act 1847 (and subsequent acts).

FCS, trading as the Bristol Port Company (BPC), became the harbour authority for the Port of Bristol by The Port of Bristol Harbour Revision Order 1993. At that time FCS assumed all the duties and powers imposed or conferred on the Bristol City Council by any provision of the Bristol Dock Acts and Orders 1848 to 1986 for the designated harbour. The Authority has exercised necessarily its Authority by producing the Bristol Port General Byelaws 2005.

The principal duties of FCS as the Harbour Authority are to:

- a. Provide and maintain harbour facilities.
- b. Provide a 'safe harbour'.
- c. Regulate the activities of persons and vessels using the harbour.

In discharging these duties FCS aims to safeguard the harbour, its users, the public and the environment.

## **2 POLICY**

FCS Board Policy is as follows:

- a. Marine operational policies and plans will be in accordance with both the Port Marine Safety Code (the Code) and with relevant elements of the Guide to Good Practice on Port Marine Operations (the Guide). The standards in the Code will be met by a Marine Safety Management System.
- b. Policies and plans will be directed by a continuous risk assessment process. A review of all policies and plans will take place at intervals of five years. PMSC will be a standing agenda item at Board Meetings.
- c. FCS will discharge efficiently and safely its general and specific statutory duties noted above, through:
  - i) The provision and/or maintenance of facilities, craft, equipment and trained personnel that meet the standards in the Code,
  - ii) The survey, marking and lighting of the harbour to the relevant national or international standards.
  - iii) The monitoring of vessels and activities in the harbour by means of a Vessel Traffic Service (VTS) operating to international standards.

- iv) The provision of pilotage services that are integrated fully with other port safety services under FCS control,
  - v) Exercising all of the above functions with regard to environmental considerations, including the prevention of pollution and nature conservation.
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- d. FCS will take steps to eliminate where possible or to control any marine operational risks identified through the risk assessment process as being 'intolerable'. All risks will conform to the standard of 'as low as reasonably practicable' (ALARP) or better.
  - e. FCS will provide adequate resources to permit the proper discharge of its duties through the possession of sound operational policies, plans, procedures, equipment and personnel.
  - f. FCS will seek where appropriate to consult with harbour users and other interests when considering relevant marine operational matters.
  - g. FCS will keep under review its powers and, in that context, the limits of the harbour, in order to ensure that marine operations are underpinned appropriately.
  - h. Through the monitoring of marine operations FCS will actively seek to ensure compliance with its harbour byelaws.

### **3 PRINCIPAL OBJECTIVES**

The principal objectives of FCS are to:

- Establish FCS' operational policies and supporting performance standards to meet the relevant requirements of the Code and the Guide
- Establish annual performance criteria.

### **4 ORGANISATIONAL STRUCTURE AND RESPONSIBILITIES**

The FCS Board is the duty holder with responsibility for ensuring that the Harbour Authority discharges its duties to the standard laid down in the Port Marine Safety Code. FCS Board Members are collectively and individually responsible for compliance with the Code; this accountability cannot be re-assigned or delegated on the grounds that a Board Member does not have particular skills. The Duty Holder has appointed the Harbour Master as the Designated Person (DP). Independence of the DP function is assured by periodic external audits of PMSC compliance, with reports to QM and CEO.

The organisational structure supporting the marine management system is shown at Annex A.

## **5 THE MARINE SAFETY MANAGEMENT SYSTEM**

### **5.1 RISK ASSESSMENT**

Current hazards are monitored and analysed continuously using, where appropriate, information resident in a hazard management database. Linked risk control measures that are identified take into account relevant legislation, minimum standards, human factors and cost-benefit analysis where appropriate. A complete review of hazard and risk is carried out every two years by an external auditor and annually by the Marine Department.

Any significant changes to trade and/or types of vessels using the port will trigger an individual risk assessment process.

### **5.2 REPORTING SYSTEM**

The reporting system provides the means by which all involved in marine operations in the port or harbour can raise any relevant matters, including safety, in recognised formats. Such reports cover policies and procedures, incidents, acts or omissions and system failures in addition to the more routine reports of equipment failures, damage to vessels or infrastructure.

The reports cover all areas of operation including but not limited to;

- 1) Accident/ incident.
- 2) Vessel defects.
- 3) Damage to vessels and port infrastructure.
- 4) SMS and QMS system failures.
- 5) Aids to Navigation (lights, buoys) defects.
- 6) Equipment defects.
- 7) Pollution.
- 8) Customer complaints.

The objective of the reports is to provide data that will permit trend analysis and performance measurement in addition to the more immediate rectification of system or equipment failures.

The reporting system incorporates a feedback loop that provides both an action and checking process and also an audit trail.

The reporting system itself is audited in order to monitor its effectiveness at both capturing and recording operational and safety information and taking effective action on these reports.

### 5.3 ACCIDENT AND INCIDENT INVESTIGATION

Subject to the categorisation of any incident a decision will be made whether the facts need to be reported to the MAIB/HSE and/or whether further investigation is required by FCS.

Incidents may be categorised as:

- a) Incidents which require reporting to the MCA/MAIB/HSE.  
Such incidents may be subject to an investigation.
- b) Incidents not reported to MAIB meriting investigation.  
Based on the facts FCS will decide whether or not the incident merits further investigation.
- c) Incidents not requiring investigation.  
The facts of these will be recorded for analysis.

The Haven Master will nominate an officer to lead any investigation. In most cases this is likely to be a Deputy Haven Master. MAIB investigations, where the HSE take responsibility then the Safety and Training Manager will lead.

The object of any investigation will be to prevent further accidents through the identification of its causes and circumstance, by establishing the facts. At any point throughout the investigation it may be decided to enlist expert advice.

MAIB and other reports/publications will be disseminated to relevant personnel.

### 5.4 MARINE AUDIT SYSTEM

Audit of the marine safety management system is carried out as part of the ISO 9001:2015 process. The purpose of the audit process includes both a check of compliance with the Code and the provision of a means to report deficiencies, thereby providing to the Board an independent view of the effectiveness of the management system. The nominated Designated Person (PMSC 2.8) is the Haven Master. Independence is assured by an audit programme, with all audit reports being held by the Quality Manager, and made available to the Chief Executive Officer for input to the FCS Board as required.

The audit process follows a 5 year review and reporting cycle that includes both internal audits and external verification. Co-ordination of this will be achieved through the TBPC Quality Manager.

## **5.5 REVIEW**

All modules of the Safety Management System are designed to be reviewed on an annual basis. A full description is contained within Marine Procedure 3.1 Management Review. Daily departmental operational and safety reviews feed into a sequence of higher level meetings, which include:

- i) FCS Board Meetings – every two months
- ii) Marine Operations Group Meeting of principal stakeholders – every six months, a sub group consisting of Recreational Stakeholders meets annually.
- iii) Internal Port Marine Safety Code Management Review Meeting – held annually and at which TBPC's compliance with the PMSC is confirmed.

## **6 OPERATIONAL POLICIES**

The operational areas covered by the Marine Management Policy are:

- a) Contingency Planning and Emergency Response.
- b) Conservancy.
- c) Management of Navigation.
- d) Pilotage.
- e) Marine Services.
- f) Enforcement and Prosecution.
- g) Environment.

### **6.1 CONTINGENCY PLANNING AND EMERGENCY RESPONSE POLICY**

FCS maintains a number of plans to satisfy statutory requirements. These cover:

- a) Oil Pollution Preparedness.
- b) Port Emergencies.

These plans are reviewed periodically to ensure that they continue to meet the needs of the port, in addition to its statutory responsibilities.

Plans are tested with the emergency services and other authorities when possible.

### **6.2 CONSERVANCY POLICY**

- FCS will use the most appropriate means to find, mark and monitor navigable channels as appropriate.

- Hydrographic surveys are conducted to conform to relevant International Hydrographic Office (IHO) Standards for Hydrographic Surveys.
- Regular surveys are carried out to monitor the changing circumstances and conditions of the navigable channels. The period of survey of different areas is kept under constant review.
- FCS will promulgate, as appropriate, relevant hydrographic information to the United Kingdom Hydrographic Office (UKHO), Trinity House and port users.
- As a Local Lighthouse Authority under the Merchant Shipping Act 1995, FCS's harbour is marked with lights, buoys and daymarks to ensure a safe harbour is maintained. The harbour meets the criteria laid out in the Provision of Lights and Navigational Aids (Trinity House Guide to Good Practice).
- The characteristics of these aids will comply with the recommendation laid down by the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA).
- Under the Ports Act 1997 and the Harbours Act 1964 FCS ensures that notifications are promulgated in accordance with the provisions set out in the Provision of Hydrographic Information Code of Practice.
- FCS will act in accordance with the Merchant Shipping Act 1995, Section 252 as embodied in the Bristol Corporation Act 1951, Section 21 in the removal of stranded, sunk or abandoned vessels.
- FCS will assess the risk posed by all wrecks in the harbour area and its approaches and, as appropriate, promulgate the results.
- FCS will facilitate external audits of navigational aids by the appropriate authority to ensure compliance.

### **6.3 MANAGEMENT OF NAVIGATION POLICY**

- FCS will issue directions as appropriate to regulate all vessel movements.
- FCS's harbour master and his assistants will use authorised powers of direction to regulate the movement of shipping.
- FCS will operate a Vessel Traffic Service (VTS) system providing a Traffic Organisation Service and Information Service to control the safe movement of shipping.
- FCS will enforce adherence to safe operations by the use of its local byelaws and national legislation.

### **6.4 PILOTAGE POLICY**

In accordance with the Pilotage Act 1987, FCS as a CHA will keep under review the provision of pilotage services that are required to support the safe navigation of vessels either in the port limits or in their approaches. In considering such a service due regard will be given to the area under which pilotage is carried out and the type and size of vessel for compulsory pilotage.



In order to meet the above requirement FCS will ensure that the appropriate level of pilotage service is provided. The pilotage service provided will adhere to published National Occupational Standards.

Note: FCS as agents provide a pilotage service for Bristol City Council.

#### **6.4.1 Pilotage Exemption Certificates (PEC)**

- FCS will issue pilotage exemption certificates to appropriately qualified mariners and,
- FCS will ensure the provision of appropriate formal procedures for assessing the suitability of PEC applicants. The standards and procedures adopted by FCS will be published and available to applicants.

### **6.5 MARINE SERVICES POLICY**

#### **6.5.1 Towage**

FCS operates a licensing system to ensure that towage operators comply with published guidelines (the Towage Guidelines).

#### **6.5.2 Linesmen**

FCS will operate a licensing system to ensure that line handling is carried out in a safe and efficient manner by appropriately trained personnel.

#### **6.5.3 Workboats/Pilot Cutter/Dredgers**

FCS will ensure that Workboats/Pilot Cutters/Dredgers used in the harbour are fit for purpose for any use which they are put and that they comply with the Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998.

## **7 ENFORCEMENT AND PROSECUTION POLICY**

FCS is a Statutory Harbour Authority and issues Byelaws. Contravention of Byelaws may result in prosecution through the Magistrates Court. FCS may consider prosecution where appropriate using other legislation such as the Merchant Shipping Act, the International Regulations for Prevention of Collision at Sea and the Pilotage Act should it be considered in the public interest to do so.

In making decisions about enforcement action, FCS will act in wider public interest with a primary aim of securing a safe and pollution free environment.

Enforcement action can take the form of:

- (a) A warning.
- (b) Suspension or revocation of a licence issued in accordance with the Bye-laws.
- (c) A formal caution.
- (d) Prosecution.
- (e) A combination of any of the above.

In considering the appropriate enforcement action, FCS will take into account the following:

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

Prosecution will be considered in the following circumstances.

- (a) Where the alleged offence is a flagrant breach of Byelaws or legislation such that public safety or well-being is put at risk.
- (b) Where the alleged offence involves failure to comply with a warning.
- (c) Where there is a history of similar offences.
- (d) Where the alleged offence involves risk of damage to the environment.
- (e) There are other public interest factors mitigating in favour of prosecution.

## **8 MARINE ENVIRONMENT POLICY**

As a SHA, FCS will exercise its duties and functions with regard to nature conservation, biodiversity and other environmental considerations, including its role as a relevant authority under the Habitats Regulations 2010 and the Countryside and Rights of Way Act 2000.

The environment is a central consideration for FCS, which is demonstrated through a wide range of conservation projects and real environmental improvements in the port estate. FCS, implements a long-term environmental programme to actively enhance the habitats and wildlife in the port area and reduce its carbon footprint. This programme will continue to expand and evolve into the future.

FCS will manage its marine operations and projects in a responsible manner and in doing so will seek to maintain an appropriate balance between meeting its commercial need for economic growth and its environmental responsibilities.

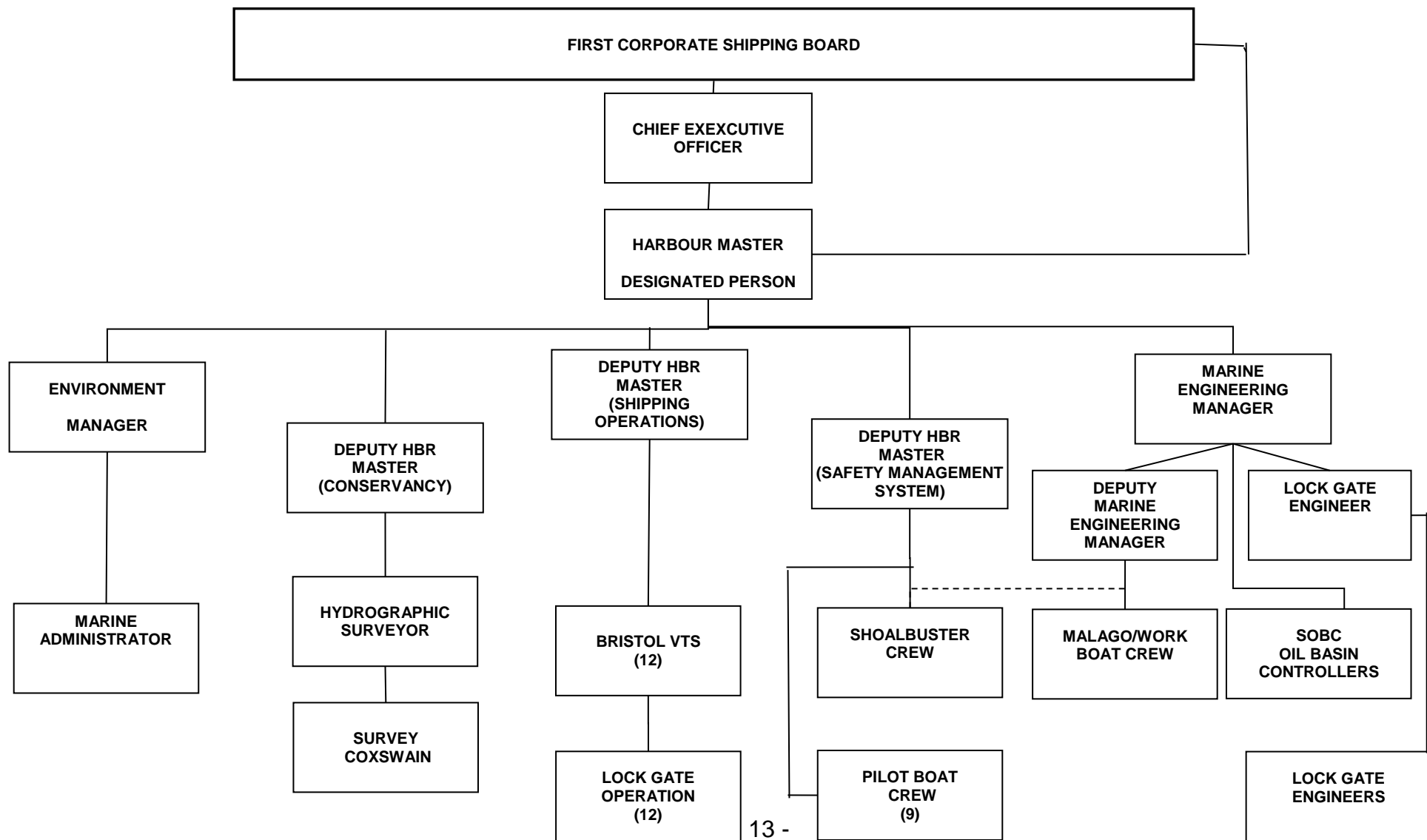
In order to achieve this, FCS will:

- Conserve the natural environment of the port and harbour, promoting its sustainable use and protecting environmentally sensitive areas.
- Comply with the requirements of all applicable environmental legislation and best practice.
- Minimise the environmental impacts of its marine operations and seek ways to conserve resources and improve energy efficiency.
- Meet commitments towards the prevention of pollution and manage wastes effectively, including ship-generated waste.
- Respond immediately and effectively to any environmental incidents or threats within the port and harbour in accordance with the Port's oil spill contingency and emergency plans.
- Continue to work in partnership with relevant authorities, government agencies and environmental bodies towards managing the Severn Estuary in an environmentally and economically sustainable way and in conserving and enhancing our port environment; and
- Monitor the natural environment in which the port operates in order to improve understanding of the estuary regime and to support effective and scientific decision making.

# **ANNEX A**

## **MARINE MANAGEMENT SYSTEM ORGANISATIONAL STRUCTURE**

# MARINE MANAGEMENT SYSTEM ORGANISATIONAL STRUCTURE



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### First Corporate Shipping Board

- As the duty holder the Board has responsibility for ensuring that the Harbour Authority discharges its duties to the standard laid down in the Port Marine Safety Code.

### Harbour Master (HM)

- Is responsible for the maintenance of a Marine Safety Management System.
- Has responsibility for the provision of buoys, markers, beacons, moorings and navigational aids in order to provide a safe harbour.
- Regulates all traffic and the safety of navigation within harbour limits.
- Is responsible for the management of pilotage.
- Regulates the transit of dangerous goods and corresponding contingency plans and procedures.
- Is responsible to the Competent Authority (Maritime and Coastguard Agency) for VTS operations.
- Is responsible for the formulation and implementation of marine emergency plans and procedures.
- Performs the role of Designated Person.
- Advises the FCS Board on appropriate marine and navigation issues including training.
- Instigates incident investigations and introduces measures to prevent recurrence.
- Is responsible for ensuring compliance with marine environmental legislation and for exercising above functions with regard to nature conservation and other environmental considerations.
- Is responsible for oil spill contingency plans and response capability.
- Acts as the Marine Incident Controller when required.

### Deputy Harbour Master (Shipping Operations) DHM (SO)

- Deputises for the Haven Master as required.
- Has delegated responsibility for the regulation of the harbour.
- Is responsible for operational oversight of all marine operations and procedures to comply with the Port Marine Safety Code.
- Is responsible for the management of Navigational Safety.
- Provision of VTS to comply with statutory regulations.
- Maintenance of passage planning records.
- Proper observance of MPX.
- Harbour Patrols.
- Determination of Towage Requirements.
- In support of which he is responsible for Operational Procedures, Work Instructions, and the processing of Reports.
- Is responsible for the operation of the VTS centre and the outputs of its staff including DAHMs, VTSOs, and Marine Support Officers.

- Is responsible for the management of pilotage, including the publication of Directions and Regulations.
- Acts as a Marine Advisor with regard to commercial shipping operations.
- Is responsible for the management of the marine permit-to-work system.
- Acts as Marine Incident Controller when required.
- Is responsible for emergency preparedness and response, including exercise planning.
- Responsible for the professional competence and training requirement of his respective staff.

#### Deputy Harbour Master (Safety Management System) DHM (SMS)

- Is responsible for the Port Marine Safety Code administrative support systems, including the Marine Safety Management System, incorporating the Authority's navigation risk assessment database ('Hazman').
- Is responsible for the Marine Department Safety and Quality Management Systems (QMS).
- Is responsible for the coordination of the Marine Department professional competence training and record keeping.
- Is responsible for oil pollution response capability and the review of plans
- Is responsible for the management of the pilot cutter crew.
- Is responsible for the Navigational competencies of all port craft crew, including Boatmaster qualifications.
- Acts as recreational craft and River Avon liaison officer.
- Provides technical support/liaison for radar and navigation systems.
- Delivery of towage standards, including Towage Guidelines.
- Assignment of Incident Investigation Reports.
- Responsible for the professional competence and training requirement of his respective staff.

#### Marine Engineering Manager

- Is responsible for the planned maintenance and defect repair of all department water craft.
- Ensures vessel compliance with statutory regulations.
- Is responsible for the designs and implementation of modifications to vessels to improve reliability, cost effectiveness, stability, safety, efficiency and production.
- Is responsible for compiling dry dock tender documents/contracts.
- Is responsible for managing in-house CSD dredging operations.
- Is responsible for CSD vessel crew management and engineering training.
- Is responsible for the management of the Avonmouth Oil Terminal and the Bristol Aviation Fuel Terminal in accordance with the Oil Terminals Management Policy.
- Is responsible for the professional competence and training requirement of his respective staff.

- Is responsible for the management of the Lock Gate Engineering section.

#### Deputy Marine Engineering Manager

- Assists and deputises for the Marine Engineering Manager as required.
- Is responsible for delivering the planned maintenance and defect repair of all department water craft.
- Ensures vessel compliance with statutory regulations.
- Designs and implements modifications to vessels to improve reliability, cost effectiveness, stability, safety, efficiency and production.
- Manages dry docking periods.
- Is responsible for the detailed management of in-house CSD dredging operations.
- Is responsible for the detail of CSD vessel crew management engineering training.
- Is responsible for the professional competence and training requirement of his respective staff.

#### Environment Manager

- Is responsible for promoting compliance with environmental legislation and supporting the Harbour Authority's duty to take environmental considerations into account when undertaking all of its functions.
- Is responsible for Port Waste Management Planning for ship-generated waste.
- Seeks to prevent and minimise disturbance from marine operations in environmentally sensitive areas and to encourage the protection and enhancement of the Port's environment.
- Communicates with regulators, relevant authorities and stakeholders on environmental matters on behalf of BPC, representing the Port on Severn Estuary management groups.
- Provides specialist environmental advice and support to BPC in the pursuit of sustainable marine operations and port development.
- Provides oversight of Marine Administration.
- Management of the Marine Geographic Information System.
- Responsible for the professional competence and training requirement of his respective staff.

#### Deputy Harbour Master (Conservancy) DHM(C)

- Is responsible for planning surveys within the harbour limits and the production of survey data to relevant IHO standards and any prevailing Hydrographic Codes of Practice.
- Is responsible for the promulgation of information regarding aids to navigation and survey.



- Liaises with Deputy Harbour Master, Marine Engineering Manager and Deputy Marine Engineering Manager for planning dredging operations.
- Maintains the markers and lights supporting the Authority's duties as the Local Lighthouse Authority in accordance with the standards laid down by the General Lighthouse Authority (Trinity House).
- Is responsible for the training and review of hydrographic surveyors.
- Responsible for the professional competence and training requirement of his respective staff.

#### Duty Assistant Harbour Masters (DAHM)

- Are responsible for planning the movement of vessels in the harbour and its approaches.
- Supervise the day-to-day operation of the VTS Centre to monitor the movement of all vessels and provide information and advice to ensure a safe passage.
- Are to ensure that the VTS centre is operated to the appropriate legislated standard.
- Exercise the powers of a Harbour Master within the Dangerous Substances in Harbour Areas Regulations.
- Exercise the delegated powers/duties of the Harbour Master in the issuing of Directions conferred under the provision of the Bristol Dock Acts and Orders 1848 to 1993 and other legislation.
- Is responsible for the marine administration of the pilotage accounts system.
- Are responsible for issuing permits to ships with regards to hot work and immobilisation

#### Duty Marine Support Officers (DMSO)

- Are responsible to the DAHM for operational control within the docks.
- Are to ensure that vessels are berthed correctly in accordance with instructions from the Operations Department (as detailed in the Operations Database).
- Ensure that all shipping within the docks is moored effectively.
- Are to report to the Marine Department any operational or infrastructure deficiencies.

#### VTS Officers

- Are responsible for effective monitoring of the VTS area in accordance with published procedures.
- Must maintain operational accuracy of the operations database for shipping movements.
- Carry out other administrative duties pursuant to effective operation of the VTS centre.

Senior Pilot Boat Coxswain:

- Is responsible for the day-to-day maintenance and safe operation of the pilot launch.

All Categories of Supervision (i.e. Hydrographic Surveyor, Dredge Officers, VTS Assistants, Lock Controllers, Pilot Boat Crew)

- Are responsible for the effective implementation of the marine safety management system within their sections and area of control.
- Will react to all incidents/ accidents in the areas under their control and report to their line manager any action taken or required to be taken to make safe and/or prevent recurrence of any incident.

Service Providers (including Bristol Pilots' Partnership, Pill Hobblers Ltd, Svitzer Marine (UK) Ltd)

- The companies above are required to comply with the FCS marine management policy in their areas of interest.

Lock Gate Engineering, and Oil Terminals Operation and Maintenance

- The responsibilities of the Lock Gate Engineer and Senior Oil Basin Controller are laid down in the appropriate Quality Manuals.