

PMSC AUDIT OF MARINE AIDS TO NAVIGATION

Audit No.

AUDI/0034/RA03

Auditor

Gillian Burns/ Adam Lewis

Date

1st November 2023

PORT MARINE SAFETY CODE RE-AUDIT OF MARINE AIDS TO NAVIGATION

Under the Merchant Shipping Act 1995 (Sections 193 and 198), the Northern Lighthouse Board (NLB) has the duty of superintendence over all 'Local Lighthouse Authority' Aids to Navigation (AtoN). The aim of this legislation is to work in partnership with Authorities to provide a seamless interface between Statutory and Local Aids to Navigation, for the safety of the mariner.

NLB audits LLAs' AtoN Management System against the requirements of the Port Marine Safety Code (PMSC), as supported by International Association of Lighthouse Authorities (IALA) recommendations. The audit examines a number of key areas including but not limited to:

- Risk Assessment
- AtoN Availability
- AtoN Maintenance & Inspection Regime
- Recording & Dissemination of Information

Summary of Report

Angus Council is the Statutory Harbour Authority for Arbroath Harbour. The harbour services a fleet of shellfish boats, commercial recreation vessels (including sea angling and sightseeing) and a 59 berth marina in the inner harbour catering for annual & visiting recreational vessels. The harbour also supports an adjoining boat builders yard.

Over the period since the last NLB audit there has been considerable effort by the Harbour Master along with the appointment of a Designated Person to support the requirements of the PMSC. The MSMS has been rewritten and existing good practice associated with the harbours AtoN have been included within the procedures undertaken by the Harbour Master and assistants.

The Harbour Master volunteered for an MCA Health Check in 2023 and along with improvements noted by the annual DP audit reports the harbour is now considered to be compliant with the code, a Statement of Compliance will be submitted during the next round, expected to be early 2024.

No Non-conformances with the Port Marine Safety Code were identified, however one observation was recorded:

- Risk Assessments for the MSMS are currently being worked on for vessel activities, the inclusion of AtoN provision and AtoN maintenance as a mitigating factor would be beneficial.

Question No.	Document Reference	Question	Comment
MARINE SAFETY MANAGEMENT SYSTEM			
1.	<p><i>PMSC Sections 2.1 – 2.17</i></p> <p><i>Guide to Good Practice Section 4.1 & Annex A</i></p>	Has 'Authority' carried out any revisions within their Safety Management System with respect to the provision of their Aids to Navigation?	<p>The MSMS has undergone a full review since the last audit, with section 3.3.3 referring to AtoN. The MSMS is a 'live' document and is updated throughout the year by the Harbour Master. The MSMS is also presented to the Communities Committee annually (as the Duty Holder) for approval. The current approved version is Version 2 Nov 2022.</p> <p>Documented evidence: provided at audit, excerpt of MSMS Section 3.3.3, and downloaded pre audit MSMS Ver 2 Nov 2022 (as attachment to Report 387_22).</p>
2.	<p><i>PMSC Sections 2.14 - 2:15; 2.24</i></p> <p><i>Guide to Good Practice Section 4.1.1</i></p>	What are the measures/objectives in place to ensure that they meet this SMS?	<p>Regular inspections of AtoN are completed and recorded.</p> <p>The 3-year availability figures are submitted to NLB annually as well as the next meeting of the Arbroath Harbour Joint Consultative Committee (AHJCC). The minutes of the AHJCC are sent to the Communities Committee for approval, therefore the Duty Holder (DH) has sight of AtoN performance.</p> <p>The Council have in place a Marine Safety Plan that includes AtoN availability thresholds as a standing objective.</p> <p>Documented evidence: provided at audit, excerpt of AHJCC meeting minutes 21/04/23, with note of annual submission to NLB. Downloaded pre audit, minutes of AHJCC dated 25/11/22, highlights committee objectives and PMSC work. Downloaded pre audit, Marine Safety Plan 2021-2024</p>
3.	<p><i>PMSC Section 2.24</i></p>	Is there an independent review of the full Marine Safety Management System?	<p>Yes, ABPmer are the DP, with an annual audit being undertaken usually in Sept/ Oct each year. Findings of the audit are presented to the Duty Holder (by the DP) at the Communities Committee.</p>

**Guide to Good
Practice Section
4.4**

Documented evidence: downloaded pre audit, PMSC Audit by ABPmer dated Oct 2022 (as attachment to Report 387_22), and, Communities Committee Report 387/22 Agenda Item No 8, dated 22/11/22.

ACCOUNTABILITY

- | | | | |
|----|--|--|--|
| 4. | <p>PMSC Sections
1.11 - 1.12</p> <p>Guide to Good
Practice
Sections 2.2.25 -
2.2.45</p> | <p>Are there a nominated 'Designated Person' and/or 'Deputy' with contact details and location available in the event of an incident or occurrence?</p> | <p>Yes, the DP details are published on the Harbour web site (Monty Smedley ABPmer), deputy DP available from ABPmer as needed.</p> |
| 5. | <p>PMSC Sections
1.6 - 1.10</p> <p>Guide to Good
Practice
Sections 2.2.16,
2.2.19 – 2.2.23</p> | <p>Does the Designated Person provide independent assurance to the 'Duty Holder'?</p> <p>Is the 'Duty Holder' a Board of Trustees, Board of Management or Local Authority Committee?</p> | <p>Yes, independent company, therefore provides assurance.</p> <p>The Duty Holder is the Communities Committee of Angus Council, comprising of 16 elected members (local councillors).</p> <p>All DH members are required to undertake induction training presented by ABPmer on their roles and responsibilities. This also includes a familiarisation visit to the Harbour, with refresher training every 3 years.</p> |

SPECIFIC DUTIES AND POWERS

- | | | | |
|----|---|---|--|
| 6. | <p>PMSC Sections
4.11 – 4.16</p> <p>Guide to Good
Practice
Sections 8.1 –
8.2</p> | <p>Does 'Authority' exercise powers as either a Statutory or Competent Harbour Authority?</p> | <p>Angus Council is a Statutory Harbour Authority.</p> |
| 7. | <p>PMSC Section
3.6</p> <p>Guide to Good
Practice
Sections 6.2.15
& 6.5</p> | <p>Does 'Authority' have responsibility over all Marine AtoN within their regional area?</p> | <p>Yes, all AtoN within their harbour limits, however there are two lit AtoN belonging to Veolia just outside the harbour limits that have been problematic over recent years with the buoy being damaged and unlit for most of 2023 (owners are aware).</p> |

- | | | | |
|-----|---|--|--|
| 8. | <p>PMSC Sections 2.7 – 2.11 & 3.6</p> <p>Guide to Good Practice Sections 6.5.6 & 6.5.11</p> | <p>What is the risk Assessment procedure for deciding the number and category of AtoN provided. Are IALA Guidelines or other documents used?</p> | <p>No formal risk assessment for the deployment of the AtoN as they are long established and would have been subject to local knowledge and experience at the time of installation. Any incidents or change in vessel traffic would promote a review of the AtoN as needed.</p> <p>Observation: Risk Assessments for the MSMS are currently being worked on for vessel activities, the inclusion of AtoN provision and AtoN maintenance as a mitigating factor would be beneficial.</p> |
| 9. | <p>PMSC Section 3.6</p> <p>Guide to Good Practice Section 6.5.5</p> | <p>Is 'Authority' using the NLB Web-based Reporting System?</p> | <p>Yes, completes annual availability figures report, no outages reported in the last 3 years.</p> |
| 10. | <p>PMSC Section 3.6</p> <p>Guide to Good Practice Sections 6.5.7, 6.5.12 & 6.5.13</p> | <p>What other procedures or reporting methods are used to ensure proper close out of reported casualties?</p> | <p>Lights are checked and if needed repaired by HM or assistants. NtMs would be issued if necessary. Any issues with the Cat 1 mains powered light (with battery backup) would be dealt with by the Council's street lighting team.</p> |
| 11. | <p>PMSC Section 3.6</p> <p>Guide to Good Practice Sections 6.5.2 & 6.5.11</p> | <p>Is 'Authority' in possession of the latest version of the NLB Guidelines on the Provision and Maintenance of Aids to Navigation?</p> | <p>Yes, 2018 version.</p> |
| 12. | <p>PMSC Sections 4.21 – 4.24</p> <p>Guide to Good Practice Section 6.5.7</p> | <p>Is there a current maintenance regime in operation?</p> | <p>Yes, the lights are inspected on a regular basis (daily), no issues with access as the lights are all very close to the Harbour Office. Also see details in Q10.</p> |
| 13 | <p>PMSC Sections 4.21 – 4.24</p> | <p>Are the AtoN checked as part of a regular inspection regime for published characteristics and range?</p> | <p>Formal monthly checks completed by HM or assistant are recorded within the 'Aids to Navigation (Monthly)' check sheet.</p> |

Guide to Good Practice Section 6.2.15

- | | | | |
|-----|--|---|---|
| 14. | | Have there been any significant problems with AtoN repair – i.e. location, specialist equipment or supply? | No, as the AtoN are all within the Harbour, the use of LEDs has increased reliability over the traditional lamp and lamp changers. Also, regular users would highlight any issues to the HM immediately. |
| 15. | PMSC Sections 3.6 | Do you have in place a procedure for monitoring contracted work? | All works are regulated by Council policy, with any works carried out by the street lighting team (under an external maintenance contract) and are therefore the responsibility of the street lighting team. |
| | Guide to Good Practice Sections 6.4.10 & 6.5.10 | | |
| 16. | PMSC Sections 3.6 – 3.7 | Promulgation of formal notification procedures? (NTMs, MS Licence Applications, Statutory Sanctions etc. | NtMs are issued locally as needed, (requested NLB navigation@nlb.org.uk be added to the distribution list). |
| | Guide to Good Practice Sections 6.5.12 - 6.5.13 | | |
| 17. | PMSC Section 2.17 & 2.29 | Evidence of other bodies involved in the decision making process, i.e. RNLI, Fishermen's Association, Port Control, Towage Providers, Tug Masters and other Port Users? | Marine Directorate (formerly Marine Scotland), maintenance dredge licence for spoil deposit will be renewed in the coming year or so.

AHJCC meetings are held three times per year, usually spring, autumn and winter, and include representatives from harbour users. |
| | Guide to Good Practice Sections 3.1 & 3.3 | | Documented evidence: downloaded pre audit, minutes of AHJCC dated 25/11/22, 02/09/22 and 04/03/22. |

PUBLICATION OF PLANS, REPORTS AND MONITORING COMPLIANCE

- | | | | |
|-----|----------------------------------|---|---|
| 18. | PMSC Sections 2.26 – 2.28 | Periodic reports demonstrating the achieved performance and with the standards set by the Code? | HM sends 3-year availability figures to NLB on time each year. These figures are included in the April meeting of the AHJCC, with the minutes of the AHJCC sent to the Communities Committee (DH) for their next scheduled meeting. |
|-----|----------------------------------|---|---|

19.	Guide to Good Practice Section 4.1 (b) PMSC Section 4.24	How is the availability of each category of AtoN calculated? (Cat 1 99.8%, Cat 2 99.0%, Cat 3 97.0%)	Latons online used to generate the figures, along with IALA recommendations.
20.	Guide to Good Practice Sections 6.5.6 – 6.5.7	For the purposes of the audit trail, how long are records kept on file?	Records kept for 5 years in line with Council policy. AtoN information available via Latons online as far back as that goes.
21.	PMSC Section 2.32	Has 'Authority' been subject to an MCA verification visit?	Yes, MCA visited 31/08/23 as a voluntary Health Check.
22.	Guide to Good Practice Sections 4.6.2 & 4.6.4 PMSC Section 2.30 – 2.31 Guide to Good Practice Sections 4.6.2 & 4.6.4	Has 'Authority' submitted a documented Statement of Compliance for the Port Marine Safety Code to the MCA within the last 3 years?	No, however, the recent DP audits and MCA Health Check have demonstrated the Harbour is now considered compliant due to the work completed within the last few years to attain standards set out by the Code. The Council will be able to submit a Statement of Compliance during the next round, expected to be early 2024.

Lead Auditor	Gillian Burns
---------------------	---------------

Lead Auditor (Signature)	Gillian Burns	Date	15 th November 2023
---------------------------------	---------------	-------------	--------------------------------