



Harbours Board

Maritime Management Policy

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This document lays down the Maritime Management Policies of Cornwall Council Harbour Board. The policy meets the standards required by the Port Marine Safety Code.

SECTIONS

1. **AUTHORITY**
2. **STATEMENT OF POLICY**
3. **MARINE SAFETY POLICY**
4. **CONSERVANCY POLICY**
5. **ENFORCEMENT AND PROSECUTION POLICY**
6. **ENVIRONMENT POLICY**

1. AUTHORITY

Cornwall Council is a Statutory Harbour Authority (SHA) under the Harbours Docks and Piers Clauses Act 1847 (and subsequent acts) for Bude, Penryn, Penzance, Prince of Wales Pier, St Ives and Truro. Cornwall Council Maritime section also manage the Non-Statutory Harbours of Downderry, Newquay, Portreath, Portscatho, Portwrinkle and Saltash.

Cornwall Council is also Competent Harbour Authority (CHA) under the Pilotage Act 1987 for Truro, Penryn, Penzance & St Ives.

2. STATEMENT OF POLICY

As required by the Port Marine Safety Code (PMSC), Cornwall Council publishes its policies, plans and periodic reports, setting out how they comply with those standards and these are found below:-

- Cornwall Council as the SHA and CHA is committed to providing and operating their ports safely and efficiently for the benefit of all users and staff.
- Conduct regular reviews of all its activities and safety provisions to ensure that they remain the most appropriate and continue to be carried out to the highest standards.
- Ensure that the best standards of good governance and management current at any time are applied to their ports.
- Ensure authorised officers are aware of their environmental commitments and strive to ensure that their ports are managed in accordance with best practice.
- Continue to ensure that standards within their ports meet the demands of Government Policy and Regulation.

In discharging these duties Cornwall Council aims to safeguard its harbours, the users, the public and the environment.

3. MARINE SAFETY POLICY

The Cornwall Council and its staff will ensure marine safety by:

- Undertaking regular risk assessments.
- Providing a safe environment for navigation through aids to navigation and conservancy.
- Operate port infrastructure safely and efficiently.
- Regulating activities within the port as required by statute.
- Training and educating staff and stakeholders as appropriate.
- Apply strict application of the Port Marine Safety Code and its supporting Guide to Good Practice.

4. CONSERVANCY POLICY

Cornwall Council will use the most appropriate means to find, mark, maintain and monitor its navigable channels as appropriate by:

- Ensure that 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 and surveys are conducted to conform to relevant International Hydrographic Office (IHO) Standards for Hydrographic Surveys.
- Promulgating, as appropriate, relevant hydrographic information to the United Kingdom Hydrographic Office (UKHO), Trinity House and harbour users.
- Recognise the need for maintenance dredging within berths and marinas. Cornwall Council will support dredging regimes undertaken where necessary to maintain efficient depths for the safety of navigation within the Harbours.
- Obtain necessary permissions for all dredging activities in accordance with the Marine and Coastal Access Act 2009.

- Ensure harbours are marked with lights, buoys and daymarks to ensure safety to navigation as a Local Lighthouse Authority under the Merchant Shipping Act 1995,
- Harbours meet the criteria laid out in the Provision of Lights and Navigational Aids (Trinity House Guide to Good Practice).
- Cornwall Council will assess the risk posed by all wrecks in the harbour area and its approaches and, as appropriate, promulgate the results.
- Cornwall Council will facilitate external audits of navigational aids by the appropriate authority to ensure compliance.

5. ENFORCEMENT POLICY

Statutory Harbour Authorities and have powers to make Byelaws, General Directions (Penzance) and Special Directions. Contravention of Byelaws or Directions may result in prosecution through the Magistrates Court.

Cornwall Council Harbours Board may consider prosecution from time to time 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, the Harbours Board will act in the wider public interest with a primary aim of securing a safe and pollution free environment.

Enforcement action can take the form of;

- A warning.
- Suspension or revocation of a licence issued in accordance with the Byelaws.
- A formal caution.
- Prosecution.
- A combination of any of the above.

In considering the appropriate enforcement action, the board members will take into account the following;

- The risk of harm to the public and others.
- What is in the public interest?
- The seriousness of the complaint.
- The explanation of the offender.
- Whether the matter is a recurrence.
- Whether there have been other contraventions of Byelaws or Legislation.

- The willingness of the alleged offender to prevent a recurrence of the incident.
- The availability of witnesses.
- The reliability of witnesses.
- The sufficiency of evidence.

Prosecution will be considered in the following circumstances;

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

7. ENVIRONMENT POLICY

The Cornwall Council Harbours Board are committed to maintaining certification to BS EN ISO 14001:2015 Environmental Management Systems for our current scope and the protection and conservation of the environment.

The Harbour Authority shall seek to maintain and continually improve, wherever possible, high environmental quality through the strict adherence to environmental legislation and internationally agreed convention, directives and resolutions and other compliance obligations intended to prevent pollution and protect the environment.

The Harbour authorities recognise the need to conserve the natural environment of the waters under their control through sound environmental management. Environmental policies for the Ports will ensure, wherever possible, that duties carried out by harbour staff and recreational and commercial activities within the areas of jurisdiction will take place without any adverse effects on the quality of the environment.

The Harbour Authorities Environmental Policy and Objectives, Targets and Opportunities will be made available on-line and at the Harbour Offices to all staff, interested parties and harbour stakeholders. The Objectives, Targets and Opportunities are set and reviewed annually which helps us to monitor progress and ensure we are continually improving.

The waters within the control of the Harbour Authorities are of National and European importance and include many areas that have an environmental designation i.e. Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty, Heritage Coast, Special Area of Conservation, Special Protection Area and Marine Conservation Zones.

It is the Harbour Authorities intention to work closely with environmental agencies to ensure that the quality of the environment is improved upon, thereby enhancing the natural resources for future generations. The Harbour Authorities will work collaboratively with the Local Authority and environmental agencies in the mitigation and adaptation to climate change.

They shall also seek to influence and encourage users of the harbours and suppliers of services to adopt practices compatible with the aims of the environmental management system.

It is believed that educating and training employees and raising awareness with stakeholders, interested parties and the public, on the importance of conserving and enhancing the environment will contribute to achieving environmental goals.

The Environmental Policy Statement and objectives and targets will be reviewed on an annual basis to ensure they remain current and are documented, implemented and maintained to that effect.