



**River Hamble Harbour Authority**

**Port Marine Safety Code Audit**

**2nd November 2021**

Author:	ARL	Checked by:	MB	Authorised by:	ARL
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## 1 Background

We are appointed as the Designated Person required by the Port Marine Safety Code. Our role is to provide independent assurance directly to the Duty Holder that the Marine Safety Management System (MSMS), for which the duty holder is responsible, is working effectively. Our main responsibility is to determine, through assessment and audit, the effectiveness of the Marine Safety Management System in ensuring compliance with the Code.

We audit Hamble Harbour Authority's compliance with the Port Marine Safety Code twice a year, reporting to the Duty Holder annually, or directly should we have any concern which requires their immediate attention.

This audit was conducted by Andy Langford 2<sup>nd</sup> November 2021.

## 2 Executive Summary

As a consequence of this audit and subject to the findings in this report we can continue to independently assure the Duty Holder that the Marine Safety Management System (MSMS) for which they are collectively and individually responsible, continues to operate effectively.

### 3 Recommendations

We have the following recommendations from this audit:-

#### **Recommendation 1 (11/20)**

Adopt robust procedures to ensure that body-worn cameras are signed out as a matter of routine prior to the commencement of a harbour patrol.

#### **Recommendation 2 (11/20)**

We recommend that Operational and Safety Meetings are held more frequently so to increase the speed of 'lessons learned' being incorporated into the MSMS.

#### **Recommendation 3 (11/20)**

We recommend instigation of a simplified internal audit process to verify adherence to the requirements of the MSMS. Any non-conformities found should be reported at Operational & Safety Meetings as action items.

## 4 Close-out of previous recommendations

### Recommendation 1 (05/21)

#### Dissemination of ‘Lessons Learned’

We recommend that ‘lessons learned’ from Incident and Near Miss reports are disseminated externally through a ‘Harbourmaster’s Newsletter’ published twice yearly in the Spring and Autumn.

This newsletter may also be used to reinforce the HM’s requirements regarding Stakeholder use of the river and as an additional means of public engagement.

*The first Hamble Harbourmaster’s Newsletter was published in May and was reported to be well received by Stakeholders. **Closed.***

### Recommendation 1 (11/20)

#### Effectiveness of Local Port Services (LPS) (14.4, 14.5)

The effectiveness of Local Port Services (LPS) has been subject to informal review against a backdrop of similar year-on-year traffic (and berth numbers), however, this is not documented. Formal review of the RA and provision of services, equipment and manning is recommended.

*Documented review has taken place and a Risk Assessment produced. **Closed.***

### Recommendation 2 (11/20)

#### Review of Objectives (or KPIs) from RHHA Marine Safety Plan 2017-2020 (7.3.2)

The first iteration of the RHHA Marine Safety Plan has now been replaced with an updated Plan covering the period 2020-2023. The Objectives (which can be regarded as KPIs) can now be measured against performance over the last 3 years. We recommend that these are reviewed internally as a ‘Management health check’ on the effectiveness of the SMS.

*Ongoing.*

## 5 Incident reports

Selected Incident Reports were reviewed as standard audit practice. Reports were fully completed with frank and factual disclosure and the findings acted upon where appropriate. A process is in place to use findings to amend, if necessary, the Risk Assessment and underlying Operating Procedure and understand lessons learned.

We note in particular the following report:-

Incident RHHA/SOI/002 21 Sep 21 – Jet ski speeding and aggressive behaviour.

Harbour Patrol Officers were verbally abused and threatened after engaging with a speeding jet skier.

An ongoing case with Hampshire Police involvement – reports are being prepared for the Crown Prosecution Service to determine whether a prosecution is in the public interest.

In common with lifejackets and kill-cords, body-worn cameras are only useful as evidence gathering devices if they are already being worn at the time of the incident, which regrettably they were not. They also provide a visible deterrent to antisocial behaviour.

Standard Operating procedures have been updated to underline the requirement to wear the body-worn cameras when on routine patrol. We recommend alongside this procedural issue and sign-out of the cameras to maintain admissible chain-of-custody routines issue for Harbour Patrol.

### **Recommendation 1 (11/20)**

Adopt robust procedures to ensure that body-worn cameras are signed out as a matter of routine prior to the commencement of a harbour patrol.

Groundings on Hook Spit (southern side of River at entrance)

Hook Spit is static bank of hard shingle, on the southern side of the river entrance. Last surveyed in 2018 by ABPMer under the UKHMA/UK Hydrographic Organisation MoU, the survey data was incorporated and is shown on Chart 2022 issued 19 Feb 20, so is considered recent.

There has been no change to the nature of the bank for a many years, which although navigationally hazardous if crossed, is well marked both on chart and by Aids to Navigation (and is well outside of the buoy-line.) There is additional local dissemination of the information through LNTM 1 and River Hamble Handbook.

Two chartered yachts went aground on the spit this summer; one a bareboat chartered yacht in a 40kn wind; a blow-on situation. The skipper was engaged by the Harbour Master to ascertain the reasons behind the grounding and requested the skipper to forward an incident report to MAIB, which was duly submitted.

The second yacht, owned by the same charter company grounded similarly. On this occasion, the yacht was chartered by an RYA instructor for a Day Skipper course. Outbound and on wrong side of channel, with a W'ly 20kn wind and a spring ebb tide at full rate, it was inevitable the yacht would ground once it had navigated outside of the buoy line, as seemed the case.

Despite the Harbour Master again engaging the skipper and requesting reporting to the MAIB, the skipper's response was disappointingly vague. (The skipper been asked for a more detailed follow-up to his report.)

We regard the Harbour Master's response to these incidents as being entirely correct; requesting that appropriate authorities are informed, checking that MAIB/MCA correctly receives quality reporting and promulgating those 'lessons learned' to the wider audience.

## 6 Safety Newsletter

The first Harbour Master's Newsletter was published in May and we are pleased to note was well received. It has proved an effective method of Stakeholder engagement, being pitched across the whole spectrum of river users – the next instalment will be published in the coming weeks in the form of a post-season washup. The themes of the first will be extended into the second newsletter to provide a degree of continuity of message across successive issues, notably swimming and ASB at Hamble Jetty and speeding.

## 7 Antisocial Behaviour

We discussed at length the ongoing issues with swimming and other antisocial behaviour at Hamble Jetty.

Under RHHA ownership but as a public space within the meaning of the Public Order Act, the Jetty is policeable, however, there has been some confusion with attending Hampshire Police PCSOs regarding jurisdiction. Where such confusion exists, it has been taken advantage of.

This is understood to have led to some mixed messaging at operational level within Hampshire Police – which is likely exacerbated by a lack of continuity caused by the frequent turnover of local beat personnel.

The issue was highlighted by the Harbour Master in a meeting on 5<sup>th</sup> August 21 in which the status of the jetty and the areas of responsibility of both Hampshire Police and RHHA were clarified and where it was agreed that Hampshire Police would not countenance swimming from Hamble Jetty if in attendance. It was further agreed that where appropriate, RHHA would provide marine resources to such incidents.

It is understood that Police forward staging at Hamble RNLI has had some positive effects, however, the coverage is in a quiet part of the week, 0930-1530 hours.

The Harbour Master is intending to brief Hampshire Police prior to each season and to draft a Memorandum of Understanding to make clear each parties' respective responsibilities.

Identifying stakeholders:- Hamble Parish Council; HPCC, Independent Police & Crime Panel (Craig Palmer) RHHA, HP Marine Unit (PC Mark Arnold)

## 8 Operational & Safety Meetings

We note that Operational & Safety Meetings (O&SM) were held in May & October. Whilst the output was comprehensive, there is a risk that operational experiences, safety action items and ‘lessons learned’ through the season are not being reabsorbed into the MSMS and associated Operating Procedures in a timely manner.

We recommend that O&SM are made shorter (to not create an onerous admin burden in terms of lengthy minutes or unduly interrupt daily operations) and held more frequently, (perhaps at 6-week intervals during the season) – this will shorten the time which action items remain unaddressed and corresponding updates being made to the MSMS.

### **Recommendation 2 (11/20)**

We recommend that Operational and Safety Meetings are held more frequently so to increase the speed of ‘lessons learned’ being incorporated into the MSMS.

## 9 Internal Audit

The Authority has a numerous SOPs and checklists which constitute the MSMS. The majority of these are externally moderated (e.g. Trinity House inspections, our PMSC work.) There is, however, no scheduled, documented formal internal verification of the MSMS.

We recommend instigation of a simplified (annual) internal audit process which will ensure that procedures are being applied at all levels in the manner desired of the SMS. The results of such audits should be promulgated at Operational & Safety Meetings.

### **Recommendation 3 (11/20)**

We recommend instigation of a simplified internal audit process to verify adherence to the requirements of the MSMS. Any non-conformities found should be reported at Operational & Safety Meetings as action items.

## 10 Risk Assessments

Sample risk assessments were examined and were found to be comprehensive and related to the underlying SOPs. At the time of audit, review of all Risk Assessments as part of the annual review cycle was up to date.

## 11 Record Keeping

Throughout the audit there was continued evidence of robust and quality record keeping, consistent with attention to the provisions and requirements of the MSMS.

## 12 Review of KPIs.

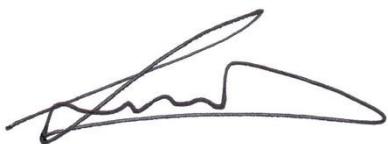
Listed in the Safety Plan for Marine Operations, the period for which currently ends 31 Dec 2023; we recommend a brief ‘howgozit’ against its requirements is presented to the Board at the first meeting after 31 Dec 21 (as part of the Harbour Master’s Report). Where appropriate, these should introduce relevant statistics.

## 13 Key Dates

Last letter of compliance to MCA	8 Jan 2021 (3 years)
Last Tier 2 oil spill exercise	1 <sup>st</sup> Oct 2019 (3 years)
Latest published Safety Plan for Marine Operations	6 <sup>th</sup> Nov 2020 (3 years)

We would like to thank the Director and Harbourmaster, Jason Scott, for his help in conducting this audit.

Respectfully submitted,



Andy Langford

For and on behalf of NautX Ltd

Appendices:-

Nil.

*The following forms part of this report:-*

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