

KING'S HARBOUR MASTER
DOCKYARD PORT OF PLYMOUTH



Safety & Environmental Management System
Head Document

Purpose: This SEMS document is issued for the instruction and guidance of all personnel who are engaged in KHM duties or whose areas of responsibility make them responsible for the provision of the Safety & Environmental Management practices.

APPROVAL

Dated: October 2024

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0.0 Key Definitions

<u>Abbreviation</u>	<u>Definition</u>
1SL	1st Sea Lord
2LOD	2nd Line of Defence
ABP	Associated British Ports
AKHM (SE)	Assistant King's Harbour Master- Safety & Enforcement
ALARP	As Low As Reasonably Practicable
AMOVO	Assistant Movements Officer
AP	Admiralty Pilot
CAP POM	Chief Admiralty Pilot & Port Operations Manager
CHC	Cattewater Harbour Commissioners
DAIB	Defence Accident Investigation Branch
DfT	Department for Transport
DKHM	Deputy King's Harbour Master
DMR	Defence Maritime Regulator
DMRegs	DSA02-DMR – Defence Maritime Regulations for Health, Safety and Environmental Protection
DNBC(D)	Deputy Naval Base Commander (Devonport)
DNSR	Defence Nuclear Safety Regulator
DP	Designated Person
DPoP	Dockyard Port of Plymouth
DSA	Defence Safety Authority
FM	Facilities Manager
HALC	Harbour Authority Liaison Committee
HAZMAN	Hazard Management System
HS&EP	Health, Safety & Environmental Protection
KHM	King's Harbour Master
MAIB	Marine Accident Investigation Branch
MCA	Maritime & Coastguard Agency
MDP	Ministry of Defence Police
MoD	Ministry of Defence
MOVO	Movements Officer
MSS	Marine Services Superintendent
MWUC	Military Water Users Committee
NBC(D)	Naval Base Commander (His Majesty's Naval Base Devonport)
OPRC	Oil Pollution Preparedness Response & Co-Operation Audit
PCO	Port Conservancy Officer
PEC	Pilot Exemption Certificate
PMSC	Port Marine Safety Code
POL	Project Online
PPMLC	Port of Plymouth Marine Liaison Committee
PSO	Port Safety Officer
SEMS	Safety & Environmental Management System
SHA	Statutory Harbour Authority

SMT	Senior Management Team
SUPT MGR	Support Manager
TECF	Tamar Estuaries Consultative Forum
TORs	Terms of Refence
VTS	Vessel Traffic Service
VTSM	Vessel Traffic Service & Movements Manager
VTSO	Vessel Traffic Service Operator
VTSS	Vessel Traffic Service Supervisor

0.1 Document Organisation

This document is the head document in the Dockyard Port of Plymouth Safety and Environmental Management System (SEMS). The policies, procedures and supporting documents associated with the SEMS are part of a controlled system as described below, in line with the 'Plan, Do, Check, Act' methodology:

Level 1- This document is a level 1 document, the top-level overarching document which describes the system and its organisation.

Level 2- Policy level. These documents are strategic documents which set out our intent for safety and environmental management in the Dockyard Port of Plymouth.

Level 3- Procedures and plans. These are operational documents which detail how the KHM Authority operate on a day-to-day basis in accordance with the policies set out at level 2.

Level 4- Checklists and supporting documents. These are tactical documents which assist the KHM team with following procedures and ensure appropriate records are kept.

Level 5- Audit and Exercise. Independent of level hierarchy, these documents evidence how the KHM team are audited, assure the system, and how the system is tested through exercise.

A master list of all controlled documents including their location, responsible officers, and date of issue and review is kept at level 1.

Any suggested amendments to the SEMS documentation should be sent to the Port Safety Officer Plymouth at the following address:

Port Safety Officer
Longroom Port Control
RM Stonehouse Barracks
Plymouth
PL1 3RT
NAVYNBCD-KHMSAFETY@mod.gov.uk

All changes to this SEMS Head Document and any of the listed SEMS controlled documents are to be approved by KHM or a suitable delegated officer and shall be recorded in the document control page of the respective document.

0.2 Aim of the SEMS

The aim of this SEMS is to gather data, analyse activity, and set the framework for safe, efficient and environmentally responsible port operations in the Dockyard Port of Plymouth (DPoP).

Section 1. Accountability for Marine Safety

1.0 Duty Holder

Naval Base Commander Devonport (NBC(D)) (Port Duty Holder (PDH) and Accountable Person)

The Naval Base Commander Devonport is the 'Port Duty Holder' and is appointed the 'Accountable Person' by the 2* Director Submarines. NBC(D) is directly accountable to the Director Submarines for the safe conduct of activity within the area of NBC(D)'s responsibility. NBC(D) is to implement appropriate Health, Safety and Environmental Protection management arrangements. When not available for any reason the Port Duty Holder responsibility is delegated to Deputy NBC(D).

1.1 Duty Holder Commitment Statement

Brigadier M J Tanner OBE ADC Royal Marines



NAVY COMMAND

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Port Duty Holder Commitment Statement

12th October 2023

As the Naval Base Commander of His Majesty's Naval Base Devonport (NBC(D)), under the terms of the Defence Maritime Regulations for Health, Safety and Environmental Protection (DSA02-DMR 200 and 700 series), I am the Duty Holder for marine safety and environmental protection of the Dockyard Port of Plymouth.

I am committed to the principles of the Port Marine Safety Code (PMSC), and compliance thereof, for the safe management of marine operations throughout the Dockyard Port. I delegate functional authority for ensuring port marine safety and environmental protection of the Dockyard Port of Plymouth to the King's Harbour Master (KHM) Plymouth, who is accountable directly to me for all marine safety matters. The KHM is to report progress in achieving compliance with the PMSC and any problems in doing so directly to me. KHM Plymouth oversees a diverse range of functions including vessel traffic services, pilotage, maintenance of navigation aids, oil pollution response and management of marine operations across the Naval Base, Plymouth Sound and the wider Dockyard Port of Plymouth.

The Safety and Environmental Management System (SEMS) describes KHM's organisation and arrangements for the management of Health, Safety and Environmental Protection (HS&EP) within the Dockyard Port of Plymouth.

As NBC(D), I recognise my legal and moral duties for HS&EP across the Naval Base and the Dockyard Port. I require KHM Plymouth to maintain and implement suitable and sufficient safety and environmental management arrangements to support my duty and the First Sea Lord's (1SL) Generic Safety Argument.

In particular, I expect that:

- Where applicable, MOD policy and legislative requirements are fully implemented.
- KHM Plymouth undertakes and regulates marine operations in a way that safeguards the port, its users, the public and the environment.
- All risks are identified, assessed, recorded and managed to acceptable levels- 'As Low As Reasonably Practicable' (ALARP). Where they cannot be managed, I expect KHM to elevate risk to an appropriate management level for ownership and control.
- All incidents are reported and investigated in order to identify root causes and ensure that lessons learned are promulgated and implemented to improve controls and prevent reoccurrence.
- An effective safety culture is maintained and continuously improved.
- Emergency and contingency procedures are implemented and continuously improved.
- The Safety and Environmental Management System will be reviewed annually.

Sincerely,
A handwritten signature in black ink, appearing to read "M J Tanner".

1.2 Designated Person

Captain Port Operations (Designated Person (DP))

Captain Port Operations is Head of Profession for King's Harbour Masters and Admiralty Pilots, part of the MoD Maritime Specialist Services. In accordance with Defence Maritime Regulations and the Port Marine Safety Code, Captain Port Operations is the Designated Person for MoD Dockyard Ports, Harbours and Marine Facilities. Captain Port Operations provides independent assurance direct to the Port Duty Holder on the effectiveness of their Marine Safety and Environmental Management Systems. Captain Port Operations is appointed to this position by Director Force Generation, and, through agreement with Director Submarines, acts as the Designated Person for the Dockyard Port of Plymouth.

1.3 Harbour Master

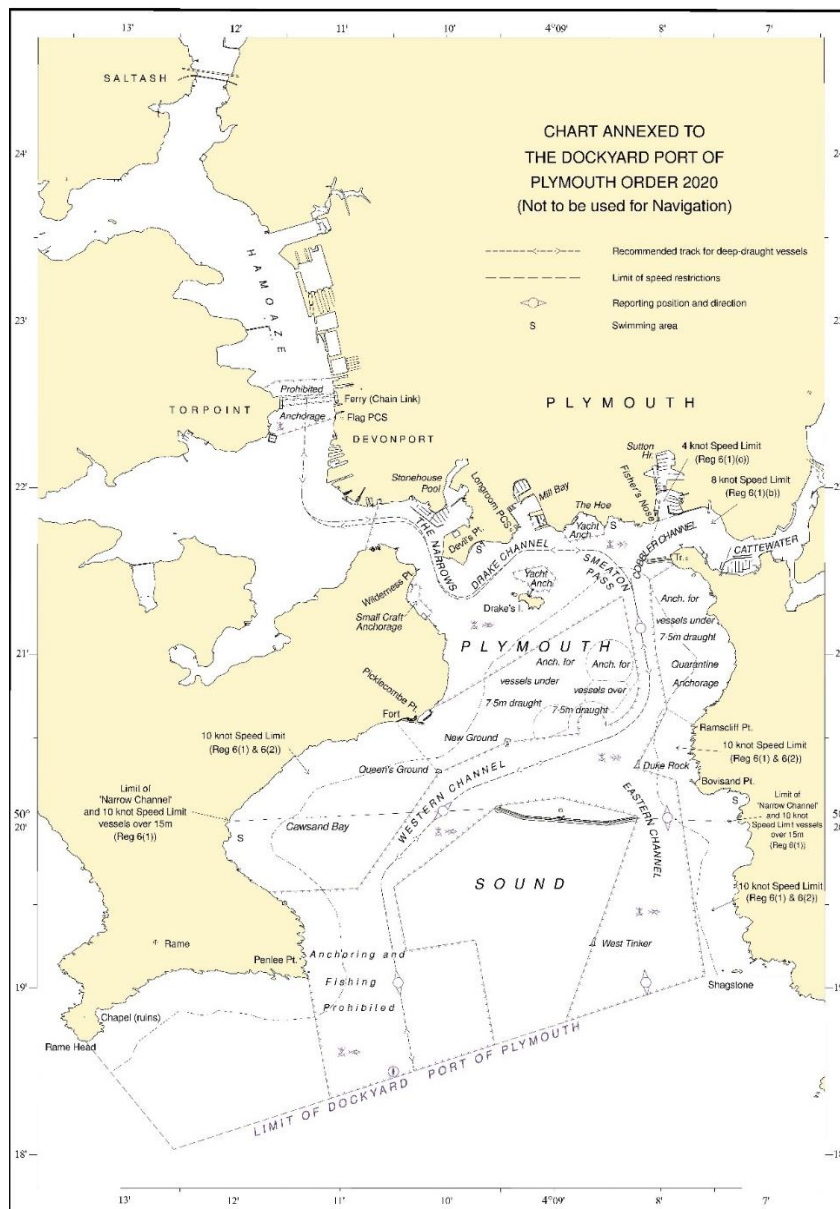
King's Harbour Master (KHM)

The Naval Base Commander delegates the authority and responsibility for marine safety and environmental protection in the Dockyard Port of Plymouth to the King's Harbour Master. KHM is accountable through NBC(D) to Director Submarines. KHM is responsible for the Protection of the Port, which includes the preservation of life, protection of the environment, protection of property and continuity of the business within the port whilst overseeing MoD primacy. KHM is responsible for the implementation of the port's policies, plans and procedures based on the requirements of their Safety and Environmental Management System (SEMS) in accordance with Defence Maritime Regulations and the Port Marine Safety Code. KHM briefs the Port Duty Holder at least monthly on all of the above matters.

1.4 Legislation

KHM's powers derive from the Dockyard Ports Regulation Act (1865), which establishes the role of KHM in Dockyard Ports. This legislation empowers KHM to create secondary legislation in the form of Dockyard Port Orders. The Plymouth specific Order is the Dockyard Port of Plymouth Order (2020), which details up-to-date rules and regulations. Together, they prioritise the port for military use and establish KHM authority to direct all traffic within Dockyard Port of Plymouth (DPoP) limits, in furtherance of achieving the outcomes of this legislation.

The statutory port limit encompasses all waters north of the port limit line shown to the South of the Plymouth Breakwater (in Figure 1), to as far as the tide flows north of this limit, noting that this extends further than that displayed in figure 1.



**Figure 1. Dockyard Port of Plymouth
 (Reproduced from The Dockyard Port of Plymouth Order 2020 © Crown
 Copyright 2020)**

Most ports in the UK are established under the Harbours, Docks, Piers and Clauses Act (1847) and the Harbours Act (1964). In terms of governance, standards are set by the Department for Transport (DfT) as they form part of the UK Civilian Transport Network. The Port Marine Safety Code (PMSC) was established by the DfT. It sets out guidance for a national standard for port marine safety. DfT ports are strongly encouraged to conform with the PMSC and declare compliance.

The DPoP is not subject to the DfT legislation above but is nevertheless a Ministry of Defence (MoD) Statutory Harbour Authority (SHA) with significant amounts of complex and diverse port activity.

For oversight of the DPoP, the Defence Maritime Regulator (DMR), part of the Defence Safety Authority (DSA), is responsible for the regulation of Health, Safety and Environmental Protection in the defence maritime domain. DMR's authority flows from the DSA Charter issued by the Secretary of State for Defence to the Director General of the DSA.

For DPoP port safety, the main governing document is DSA02-DMR – Defence Maritime Regulations for Health, Safety and Environmental Protection (DMRegs). DMRegs 701 states KHM ports are to comply, as closely as is practicable, with the PMSC, and will be audited in this compliance.

1.5 KHM Plymouth Organisational Structure

The KHM Plymouth team, headed by the King’s Harbour Master, is located within the Naval Base Commander Devonport (NBC(D)) organisation, part of Director Submarines’ 2* Business Unit.

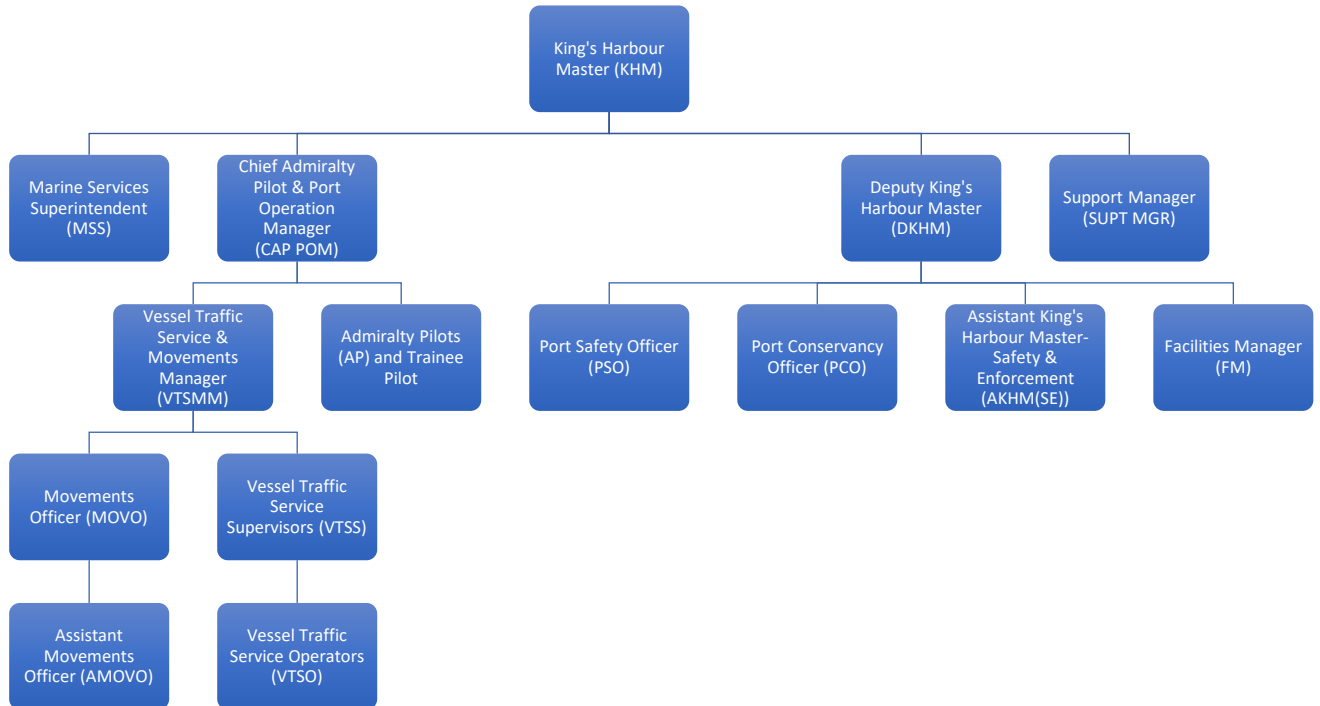


Figure 2. KHM Plymouth Organisation Structure

Deputy King’s Harbour Master (DKHM)

DKHM is responsible to KHM for delivery of a safe and legislatively compliant environment in the DPoP. This involves supervision of the DPoP Safety and Environmental Management System, conservancy matters, events, facilities and liaison with a wide variety of environmental agencies and other stakeholder groups. DKHM is also responsible for representing KHM in a variety of emerging operational issues to enable continued safe port operations. Implicit with safety and environmental management is the timely and effective investigation of incidents and DKHM takes the lead for this and subsequent follow-up action.

DKHM also oversees all planning and licensing applications which affect the water and manages the safety assurance of a broad range of public events which occur in DPoP limits. They also have responsibilities supporting KHM as Nuclear Facility Operator.

Port Safety Officer (PSO)

PSO is responsible for the management and delivery of the SEMS, for ensuring KHM Maritime Emergency Plans are reviewed and exercised appropriately and for overseeing the risk management system of the DPoP. PSO is a focal point for port safety issues and incident reporting and investigation. They also have responsibilities supporting KHM as Nuclear Facility Operator.

Port Conservancy Officer (PCO)

PCO is responsible for conservancy matters within the DPoP. They are to ensure the harbour is in a fit condition for a vessel to utilise safely as well as providing users with adequate information about conditions in the harbour. The PCO is responsible for the oversight and assurance of, and the maintenance and delivery of, navigation marks, dredging and chart updates. Additionally, the PCO manages the licensing of local mooring areas and is a focal point for a variety of external stakeholders (Trinity House, United Kingdom Hydrographic Office etc).

Assistant King's Harbour Master– Safety and Enforcement (AKHM(SE))

AKHM(SE) supports the operation of the DPoP and KHM's function through assisting DKHM and PSO in delivery elements of the port's SEMS and administration of the department. AKHM(SE) is responsible for managing the KHM patrol vessel and enforcement and on water presence.

Facilities Manager (FM)

FM manages the maintenance of VTS equipment and port fixed navigational equipment as well as the buildings in which KHM staff work.

Chief Admiralty Pilot and Port Operations Manager (CAP POM)

CAP POM is the senior professional advisor to KHM on all pilotage matters. They provide and manage a compliant pilotage service for the DPoP. The CAP POM also oversees the provision of operational movements, including compilation and distribution of the short, medium and long-term movement & berthing programme. The CAP POM also oversees the Vessel Traffic Service (VTS) team.

Admiralty Pilots (AP)

Admiralty Pilots are responsible to KHM and CAP POM for conducting pilotage of MoD vessels and other vessels coming to and from MoD berths within the DPoP. This service may range from an advisory role, to taking full conduct for the safe navigation and handling of the vessels, including nuclear powered vessels and vessels without power.

Vessel Traffic Service & Movements Manager (VTSMM)

VTSMM manages and oversees the provision of a Vessel Traffic Service for the DPoP which includes maintaining policy, monitoring training, provision of workforce and roster management, management of equipment and overseeing associated VTS activities. VTSMM is also manages the Navigation Coordination Service for the DPoP.

Movements Officer (MOVO)

As part of the navigation coordination service, MOVO plans and coordinates the DPoP daily movements programme and short to long term Dockyard berthing plot, to satisfy the operational requirements of Navy Command.

Assistant Movements Officer (AMOVO)

AMOVO assists MOVO in the planning and coordination of the DPoP daily movements programme and short to long term Dockyard berthing plot, to satisfy the operational requirements of Navy Command.

Vessel Traffic Service Supervisor (VTSS)

VTSSs are responsible to CAP POM and KHM, via the VTSMM, for the execution of the movements programme and oversight of all vessel movements in the port. VTSSs regulate shipping movements and associated activities to facilitate the safe, efficient and effective running of the port. They are also delegated authority to act on behalf of the KHM with the power to issue directions to all vessels within the port. The on watch VTSS facilitates issue of Local Notices to Mariners and Navigation Warnings keeping the on-call Duty King's Harbour Master informed as appropriate.

Vessel Traffic Service Operator (VTSO)

VTSOs assist the VTSSs in the provision of VTS services, co-ordinate sonar transmissions and diving operations for vessels berthed alongside the Naval Base and provide communication and message handling support.

Duty King's Harbour Master (Duty KHM)

Suitably qualified and experienced members of the department undertake on-call duties as Duty KHM. For the period of their duty, they represent KHM in ongoing port control situations which require KHM input or decision. The Duty KHM is available to any on watch KHM staff for advice and guidance as soon as is practicable. They are to be able to return to the port within 1 hour in the event of a serious emergency. Occasions for calling the Duty KHM are contained in KHM Standing Orders. In certain more serious cases however, KHM will also need to be called in addition to the Duty KHM.

Support Manager (SUPT MGR)

SUPT MGR acts as a focal point for KHM on management planning matters (including waterfront infrastructure) and manages specific areas of KHM department responsibilities, particularly future developments. They also provide support to the Nuclear Emergency Arrangements as part of the Nuclear Emergency Response Organisation (NERO).

Marine Services Superintendent (MSS)

MSS is responsible to KHM for general oversight of the Marine Services contractors' performance against the Continued Provision of Marine Services Contract (CPMS) (to be replaced by the 'Next Generation' Marine Services Contract), as well as having key responsibilities to KHM's Safety and Environmental Management System. This includes assuring the contracted marine services are provided in accordance with port safety and environmental management plans and safety cases.

Section 2. Key Measures to Secure Marine Safety and Environmental Protection

The SEMS policies, procedures, plans and supporting documents cover the following areas, governing how safety and environmental activities are carried out in the DPOp on behalf of KHM.

2.0 Periodic review of duties and powers

Review of duties and powers is an ongoing process. KHM and officers involved in port safety monitor the ports environment for legislative changes and analyse port usage trends to understand whether changes in duties and powers are necessary. This is reviewed at the 3 monthly KHM Senior Management Team (SMT) meetings. Duties and powers are also reviewed and monitored by:

- Attendance at Captain Port Operations KHM and defence fora (twice yearly).
- DKHM chairing the Military Water Users Committee (MWUC) (3 times yearly).
- KHM chairing the Harbour Authority Liaison Committee (HALC) (4 times yearly).
- KHM chairing the Port of Plymouth Marine Liaison Committee (PPMLC) (3 times yearly).

2.1 Formal risk assessment of whole Port activity

A formal risk assessment tool, 'HAZMAN II', is used to assess all reasonably foreseeable risks in port activity, in line with the requirements of the PMSC.

The underlying principle is to reduce risk within the port to a level that is 'As Low as Reasonably Practicable' (ALARP). The risk assessment process enables additional risk management strategies to be identified. KHM works in consultation with port stakeholders to ensure that appropriate risk management strategies are identified and developed to deliver continued safety and environmental improvements throughout the DPOp. The top ten ranked risks are published on the KHM website. Each ranked risk is reviewed annually by the Harbour Authorities Liaison Committee (HALC), a quarterly meeting of the harbour and port subject matter experts. Input is taken from the PPMLC group, the port user advisory body to KHM.

High-level safety related KHM business risks are monitored through the Risk Register (Project Online (POL)) as the mandated risk management tool for Navy Command, to record risks which could affect Navy Command's objectives and key outputs.

2.2 Engagement of competent people

Competent people, who are suitably trained, qualified and experienced, as defined in role specific Terms of Reference (TORs), are crucial to the management of safety and the environment within the DPOp. In recruiting staff to safety related roles, due regard is had for the minimum safety qualification, experience, and aptitude for each role, within the bounds of civil service recruitment rules.

Mandatory training for all staff is completed in accordance with directives laid out by NBC(D) as well as in accordance with broader civil service training requirements and job specific training which is detailed in the corresponding Terms of Reference (TORs). KHM personnel are expected to manage their own training programmes. Records are monitored at a twice monthly departmental meeting. Training needs and standards shall be reviewed at the Management Review, as part of each team member's performance and development review cycle and at any such time deemed necessary by KHM, DKHM or CAP POM. A detailed training matrix showing the completion and renewal dates of training for every member of the KHM team can be found at level 4, checklists and supporting documents.

2.3 Incident reporting and investigation

In accordance with DSA 02-DMR- Defence Maritime Regulations for Health, Safety and Environmental Protection, KHM requires all incidents within KHM's area of responsibility to be recorded and, if necessary, investigated to:

- Ensure commercial and/or defence maritime authorities are notified as appropriate, so any external investigation by such agencies are supported. These include, but are not limited to, the Marine Accident Investigation Branch (MAIB), the Defence Accident Investigation Branch (DAIB), and the Health and Safety Executive (HSE).
- Ensure learning opportunities are recognised to improve safety of port operations and prevent reoccurrence.
- Determine whether enforcement action is appropriate.

Any incident can be reported on the KHM public website. The prime purpose of this is to gather information on any of the range of incidents or near misses which occur within the DPoP, and to provide a source of statistical data. The aim of the online reporting system is not to apportion blame but to gather facts.

2.4 Monitoring performance and auditing

This SEMS is audited both internally and externally to ensure it is being followed and the SEMS complies with the PMSC, as far as is reasonably practicable. KHM welcomes and is subject to the following audit regimes:

- KHM internal audit in accordance with the Internal Audit Procedure (monthly). This also supports the NBC(D) Quality Assurance Programme, and forms KHMs 1st Party Assurance Audit.
- Captain Port Ops Independent 2nd Line of Defence (2LOD) Assurance Audit regime in accordance with Captain Port Ops instructions (annual).
- NBC(D) external audit (annual).
- Defence Nuclear Safety Regulator (DNSR) administrative audits (as required).
- Oil Pollution Preparedness Response & Co-Operation Audit (OPRC) by the MCA. (Annual)
- KHM elective audits for VTS teams (as required).

2.5 Enforcement

KHM has a legal obligation, in accordance with the DPoP Order (2020), to ensure as far as reasonably practicable that all port users navigate in accordance with the order, without danger to life or property and with a commitment to comply with the measures set out in the Port Marine Safety Code. To that end, those who wilfully or negligently contravene any order or direction may be subject to enforcement action in accordance with the KHM Enforcement Policy, which can be found at Level 2, Policies.

KHM is assisted in regulating the waters of the DPoP by the Ministry of Defence Police (MDP).

2.6 Publication of plans and reports

KHM publishes a range of information on the KHM Plymouth public website - www.royalnavy.mod.uk/khm/plymouth. This includes tide times, local notices to mariners, navigational warnings, shipping movements and information on port regulations, VTS and pilotage.

The following documents are published on the website, available to all:

- This SEMS head document.
- The 'Hazard Ranked Risk Assessment' lists the top ten identified hazards in the port in order of priority.
- The 'Harbour Safety Plan' illustrates how policies and procedures are developed to satisfy the requirements of the PMSC. This includes information on how KHM reviews its performance against defined indicators.
- The 'Annual Report' demonstrates the DPoP's compliance with the PMSC and monitors performance against the indicators defined in the Harbour Safety Plan.

There are also more detailed sections covering fishing, recreational diving, recreational swimming and use of personal watercraft. A link to the 'Plymouth Waterways Guide for Small Crafts', published by the KHM chaired Tamar Estuaries Consultative Forum (TECF) directs users to a guide produced to enable small craft users to enjoy the DPoP safely by providing information about the rules and regulations which govern the port.

2.7 Consensus

KHM consults and shares information with a wide variety of authorities, organisations and groups in order to discharge KHM statutory duties. This ensures navigational safety and promotes collaborative working, thereby enabling a diverse and fair use of the waters within the DPoP.

Key bodies are:

- The Harbour Authorities Liaison Committee (HALC) which consists of KHM and the Harbour Masters of Cattewater Harbour, Millbay Docks and Sutton Harbour (which are all statutory harbour authorities within the DPoP) as well as the Plymouth City Council Pier Master. This forum brings together regulatory stakeholders to promote the delivery of integrated safety and

environmental management for the DPoP. A key function of the HALC is to annually review all the hazards within the whole port risk assessment.

- Tamar Estuaries Consultative Forum (TECF) comprises all the organisations with statutory powers or functions relating to the Plymouth Sound and Tamar Estuaries Environment and is chaired by KHM. It has developed and oversees the Tamar Estuaries Management Plan which delivers statutory compliance and best practice in the management of Plymouth Sound and Tamar Estuaries Marine Protected Area.
- Port of Plymouth Marine Liaison Committee (PPMLC) supports the TECF by providing a mechanism for consultation with port users.
- Plymouth Autonomous Technology Waterspace User Group – a group to exchange relevant information between representative stakeholders to grow understanding of activities and maintain local coherence in Maritime Autonomous operations including developing national policy for autonomy within the DPoP.
- Military Water Users Committee (MWUC) – a stakeholder group for all DPoP military water users.

2.8 Monitoring Compliance

Ports subject to the 1847 and 1964 harbour Acts are invited to declare compliance with the PMSC via the Maritime and Coastguard Agency (MCA) website every 3 years. However, this does not apply to MoD ports. The ongoing 2LOD Assurance Audit regime of auditing is the MoD accredited statement of KHM performance relative to DMRegs.

KHM further tracks comments and observations made by internal auditing teams and DNSR.

Section 3. General Duties and Powers

3.0 Safe and efficient port marine operations

The DPoP is one of the busiest ports in the Southwest of the United Kingdom. The table below depicts key activities which take place in the port, identifies the vehicle KHM uses in response to create safe and efficient activity, and lists which body or individual is responsible to KHM for its delivery. To safely manage this activity KHM requires a staff of 38 marine professionals to discharge the role of safe and efficient port marine operations.

Key activity	Response vehicle	Responsible body or individual
The largest Dockyard Port in Western Europe with more than 4,000 movements per year (vessels greater than 20m in length)	Dockyard Port Control Stations (Longroom and Flag)	VTS
	Navigation Coordination Service	VTS & Movements team
2,000 military movements	Pilotage	CAP
2,000 commercial movements	Pilotage	Cattewater Harbour Commissioners (CHC)
750 events	Events Management Team	DKHM
High volume of individual leisure activity including PWC, paddleboarding, canoeing, diving and swimming.	PPMLC	DKHM
Increasing amount of autonomous vehicle activity	Plymouth Autonomous Technology Waterspace User Group	DKHM
Military sea training establishment	MWUC	DKHM
Multiple Marine Protected Areas	TECF	PCO
3 other harbours within the port	HALC	KHM

3.1 Open Port Duty

The PMSC states ports are to: “Take reasonable care, so long as the harbour or facility is open for public use, that all who may choose to navigate in it may do so without danger to their lives or property.”

Most UK Ports will permit this, coupled with charging tariffs for accessing the port and its facilities. KHM is not subject to the 1964 Harbours Act, and so does not have the legal basis to charge dues or fees in this way. Paradoxically, unlike other ports, KHM has the power to reserve areas for military use only, and/or exclude non-military users from defined areas of the port. This responsibility is not taken lightly, noting the degree of non-military use in the port, the volume of leisure traffic and the KHM principle of maintaining business continuity. Decisions to restrict open port duty are made on a case-by-case basis, prioritising the primary role of the port, and for safety reasons. KHM therefore has a vital responsibility in maintaining open port duty at all other times, in support of all port users. This may include, but is not limited to, response to development applications which restrict the right to navigate, and open port duty.

3.2 Conservancy Duty

KHM has the responsibility under the PMSC to conserve, maintain, monitor and improve the DPoP and to ensure the port is in a fit condition for permitted vessels to utilise it safely. To achieve this KHM:

- Manages surveying and dredging of navigable channels to maintain expected depth and width of channels throughout the port
- As the Local Lighthouse Authority, provides and maintains industry standard aids to navigation, by agreement with the UK General Lighthouse Authority, Trinity House, for safe and efficient navigation within port limits, noting the diverse requirements of military vessels.
- Monitors Aids to Navigation and arranges for the rectification of defects to any navigation equipment or other equipment which contribute to port safety.
- Monitors the integrity and state of berths to assure safe berthing of vessels within the DPoP.
- Keeps a vigilant watch for changes to the bathymetry throughout the port and projects that may affect it.
- Keeps mariners informed through official channels of any changes to navigation within the port.

3.3 Environmental Duty

KHM has a responsibility under the PMSC to support environmental protection and nature conservation in line with legislation and Codes of Practice. The DPoP is a designated Marine Protected Area, meaning it encompasses and contains several formal, and legally obliging, environmental protections as follows:

- Special Area of Conservation
- Special Protection Area
- Marine Conservation Zone
- Site of Special Scientific Interest
- Area of Outstanding Natural Beauty

To meet this responsibility KHM chairs the local committee of statutory bodies (TECF) and water users (PPMLC). One of the objectives of these groups is to work collaboratively across the port to promote good environmental management. KHM remains available to advise the Port Duty Holder on environmental matters.

3.4 Civil Contingencies Duty

KHM has established emergency response plans and procedures for a range of maritime emergencies. These can be found at Level 3, Procedures and Plans. KHM cooperates with and shares information to the extent to which they are permitted to do so with Category 1 responders (Emergency Services and Local Councils) and other Category 2 responders established within the DPoP. KHM ensures plans and procedures are exercised at appropriate intervals, most notably with the 'Sound Move' exercise, which exercises the 'Sound Off Plan'. Details of these exercises are found at Level 5, Audits and Exercises.

KHM also hosts exercises and observes, contributes to, participates in and assists with the development of exercises of many more specific emergency plans for scenarios within or adjoining the DPoP. Details of these plans can also be found at Level 3, Procedures and Plans.

Section 4. Specific Duties and Powers

4.0 General Directions

The following Statutory Harbour Authorities (SHAs) are established within the DPoP:

- Cattewater Harbour Commissioners (CHC)
- Associated British Ports- Millbay Docks (ABP)
- Sutton Harbour Authority

Each of the above mentioned SHAs are accorded powers to regulate operations within their statutory harbour limits. Agreements relating to the understanding between KHM and both ABP and CHC can be found at level 2, policies.

KHM is the senior harbour authority for the whole of the DPoP. The statutory powers of KHM are extensive, including the ability to close the port and, where necessary, to stop activity to protect the dockyard and meet the requirements of the Royal Navy. As one such example KHM may impose exclusion zones around vessels; such regulations are laid down as General Directions. General Directions can take many forms. KHM legislation (Dockyard Ports Regulation Act (1865) and DPoP Order (2020)) contain regulations and restrictions which can be inferred by port users as General Directions. General Directions can also take the form of Plymouth Local Notices to Mariners, published on the KHM website and identified as such, and with the widest email distribution available to all port users. Navigation Warnings are also published by the same method – these direct mariners to avoid areas of the port for safety.

4.1 Special Directions

KHM maintains an effective Vessel Traffic Service (VTS) organisation which operates 24 hours a day to assure navigational safety. VTS duties may include, but are not restricted to, provision of a Navigation Coordination service, a Navigational Information Service and a Navigational Advisory Service, delivered by qualified supervisors and operators in accordance with international regulations. VTS teams use all sensors at their disposal to monitor port activity, and if necessary, will issue special directions to vessels and/or other entities to maintain safe activity within port limits. These special directions can be written, verbal or by other means.

4.2 Dangerous Vessel Directions

KHM is empowered to remove anything which may be regarded as an obstruction to the DPoP (Dockyard Ports Act (1865)). More detail is supplied in the DPoP Order (2020) regarding Dangerous Goods, which may make a vessel a 'Dangerous Vessel'. Such vessels include but are not restricted to:

- Vessels carrying dangerous goods (DPoP Order Schedule 1, Pt 1 Para. 25)
- Vessels over 20m in length with mechanical or structural defects (DPoP Order Schedule 1, Pt 2 Para. 40)

On dynamic risk assessment by KHM, special directions may be issued to vessels inferred to be in a dangerous condition, for the safety of the Port.

4.3 Pilotage and Pilotage Directions

The Port of Plymouth 'Port Guidance Pilotage and Towage Directions' provide guidance and direction related to navigation and seamanship in the DPoP for the Royal Navy, Royal Fleet Auxiliary, International Navies, MoD contractors and other commercial vessels operating under MoD charter. They can be found at Level 2.

Cattewater Harbour Commissioners (CHC) is a Competent Harbour Authority operating within the DPoP and is, through arrangement with KHM, responsible for the pilotage of ships engaged in commercial activity within the DPoP.

4.4 Authorisation of Pilots and Pilot Exemption Certificates

Admiralty pilots undergo their own bespoke training and engage in continuous professional development. The Admiralty Pilotage and Harbour Control Service Handbook provides general instructions, an overview of relevant training and qualifications and other pertinent information for Admiralty Pilots.

KHM issues Pilot Exemption Certificates (PECs) where appropriate. More detail can be found in Standards and Criteria for the Issue of Pilot Exemption Certificates (PECs).

CHC, as a Competent Harbour Authority, by agreement with KHM, determines the conditions for granting a Pilot Exemption Certificate (PEC) for Masters of vessels engaged in commercial activity within the port.

4.5 Wrecks and Abandoned Vessels

KHM is empowered to remove a wreck, or any other obstruction from the waters and shores of the DPoP, through the Dockyard Ports Regulation Act (1865).

This primary legislation also gives provision to remove neglected or unserviceable vessels and the ability to recover expenses for the removal of such.

KHM have provision with the Marine Service Provider and the Ministry of Defence Police (MDP) Marine Unit to remove such vessels/obstructions to a suitable place within the DPoP, thereafter due diligence of three months is provided to give an owner the ability to claim the vessel; either by the MDP through the found property route or by KHM through the KHM stakeholder engagement route.

Section 5. List of SEMS Documentation

This is not an exhaustive list. For the full and up to date list of SEMS documentation, the SEMS Master Document Tracker in Level 1 should be consulted.

<u>Level 1 Documents</u>
SEMS Head Document
Letters of Delegation and Authority
SEMS Master Document Tracker
<u>Level 2 (Policy Level) Documents</u>
KHM Standing Orders
Memorandums Of Understanding
Port Guidance Pilotage and Towage Directions
TORs
Enforcement & Prosecution Policy
VTS Policy
Pilotage Policy
Navigation & Conservancy Safety Policy
<u>Level 3 (Procedures and Plans) Documents</u>
Harbour Safety Plan
Incident Reporting Procedure
Internal Audit Procedure
Joint Functional Procedures
Oil Spill Pollution Contingency Plan
External Emergency Plans
Code of Practice for Embarkation & Disembarkation of APs
Sound Off Plan
RIB Operating Procedure
DPoP Amphibious Training Guide
Desk Top Instructions
Fleet Operating Orders
Training Procedure
<u>Level 4 (Checklists and Supporting Documents) Documents</u>
Emergency Response Cards
Naval Base Forms
Oil Spill Pollution Return
Risk Assessments
Training Matrix
Whole Port Risk Assessment

<u>Level 5 (Audit and Exercise) Documents</u>
DPOP Annual Report
Oil Pollution Preparedness Response & Co-Operation Audit
Trinity House Audits
2LOD Assurance Audits
Sound Move Reports
VTS Audits