



EAST SUFFOLK COUNCIL - SOUTHWOLD HARBOUR

Safety of Navigation Policy

Version 1.0 January 2023

East Suffolk Council has a duty of care to harbour users for ensuring navigational safety and will:

1. **Provide** a fair and balanced opportunity for all recreational sectors to enjoy the harbour in safety through the application of local rules and Directions, and, where applicable, permits and licences.
2. **Apply** restrictions and controls in accordance with formal risk assessments for specific activities and will where practicable consult with user groups in identifying and imposing control measures. Many of these controls are applied through the Conservancy Policy and other policies.
3. **Maintain** up to date legislation, byelaws as appropriate in consultation with port users and enforce them to effectively regulate harbour use.
4. **Enforce** all relevant statutory Harbour legislation, Health and Safety regulations, the Merchant Shipping Act and Harbour byelaws as necessary.

Powers

ESC recognises its duty to make proper use of powers to give Directions and to regulate all vessel movements in its waters, and if necessary, its powers to make byelaws as required. These powers shall be exercised in support of the policies and procedures developed in the ESC Marine Safety Management System and are used to manage the navigation of all vessels.

The Harbour Master has powers of direction to regulate the time and manner of ships' entry to, departure from and movement within the harbour waters, and related purposes. These powers are given for the purpose of giving specific directions to specific vessels for specific movements unless the powers have been extended for other purposes. Harbour Master's directions may be referred to as 'Special Directions' to distinguish them from

‘general directions. (Special directions are not for setting general rules but relate to specific vessels – or in an emergency, to a class of vessels –on occasions.)

It is an offence not to comply with directions, but the master of a vessel is not obliged to obey directions if he believes that compliance would endanger the vessel. It is the duty of a harbour master in exercising these powers to consider the interests of all shipping in the harbour.

The Harbour Authority currently has no powers to issue General Directions.

Dangerous Vessels

Under the Dangerous Vessels Act 1985, the Harbour Master (or appointed Deputy) may give directions prohibiting the entry into, or requiring the removal from, the harbour of any vessel if, in his opinion, the condition of that vessel, or the nature or condition of anything it contains, is such that its presence in the harbour might involve a grave and imminent danger to the safety of persons or property or risk that the vessel may, by sinking or foundering in the harbour, prevent or seriously prejudice the use of the harbour by other vessels.

The Harbour Master must have regard to all the circumstances and to the safety of any person or vessel. Directions given under the Dangerous Vessels Act 1985 may be overridden by the Secretary of State. This power is likely to be exercised through SOSREP, having assumed powers of intervention relating to the salvage of the casualty.

Vessel Traffic Management

A Vessel Traffic Service for Southwold would be inappropriate and excessive; instead, a Local Port Service is provided. A periodic Local Port Service is provided via VHF and landline during office hours on weekdays year-round and also on weekends. Contact information for the Local Port Service is listed under Southwold Harbour ” in the ‘Admiralty List of Radio Signals’ Volume 6 Southwold Harbour has an effective system for promulgating navigation warnings affecting the Harbour via various channels.

Specific Controls on Some User Groups

Southwold Harbour may implement management policies for specific groups of vessels in response to incidents and after consultation with stakeholders.

The option of further schemes relating to jet skis. Houseboats and Paddle craft etc. may be considered.

Events

Organisers of recreational events proposed within harbour limits must ensure that they consult with the Harbour Master and relevant landowners and mooring operators regarding events both on and over the water, about the need for risk assessments. The need will be proportional to the activity.

The Harbour Master may be able to agree that formal assessments are not needed for some low-key leisure activities.

The Harbour Master liaises on safety issues with Harbour Users. The PMSC applies to all organisations that own or manage marine facilities.

Passage Plans

There is no standing requirement for any vessel in Southwold Harbour to file a port passage plan. If they were appropriate in a particular case, powers of Direction would be used to require the use of a port passage plan.

Incident Investigation

Major incidents are subject to immediate investigation to establish cause and to validate control measures. The reporting requirements of RIDDOR and of the MAIB are followed.

Incidents, accidents, complaints and near misses are recorded in **an incident log** with contemporaneous information. This log records follow-up action where appropriate and is used to generate yearly KPIs and identify trends:

- Breakdown of incidents by type with annual comparisons
- Number of interviews under caution and other enforcement metrics
- Number of Local Notice to Mariners (LNtM) published
- Lifeboat service statistics

Consent for Marine Works

Southwold Harbour has powers to grant or reasonably withhold consent for marine works.

Installation of moorings within the harbour remains subject to formal Southwold Harbour consent for marine works and other **third-party licenses/permissions if required**.