



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

PORTHMADOG HARBOUR CONSULTATIVE COMMITTEE

Date and Time

5.30 pm, WEDNESDAY, 7TH MARCH, 2018

Location

Y Ganolfan, Porthmadog, Gwynedd, LL49 9LU

Contact Point

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(DISTRIBUTED 27/02/18)

MEMBERSHIP:

Gwynedd Council:

Councillor E. Selwyn Griffiths
Councillor Alwyn Gruffydd
Councillor Nia Wyn Jeffreys

Local Member
Local Member
Local Member

Co-Opted Members:

Councillor Jason Humphreys
David Mclean
David Eastwood
Dr John Jones-Morris
Ian Roberts
Robert Owen
Peter Lunt Williams

Representing Porthmadog Town Council
Representing Landowners' Interests
Representing Harbour Interests
Representing Leisure Interests
Representing Industrial Interests
Representing Commercial Interests
Representing Criccieth Lifeboat Insitution

Observers:

Councillor Ioan Thomas
David Williams
Councillor Rob Triggs
Councillor Peter Read

Cabinet Member for Economic Development
Aberdyfi Harbour Consultative Committee
Barmouth Harbour Consultative Committee
Pwllheli Harbour Consultative Committee

A G E N D A

1. APOLOGIES

To receive any apologies for absence.

2. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

3. URGENT BUSINESS

To consider any items which are urgent matters in the opinion of the Chairman.

4. MINUTES

4 - 7

The Chairman will propose that the minutes of the meeting of this committee, held on 11 October 2017, be signed as a true record.

5. UPDATE ON HARBOUR MANAGEMENT MATTERS

8 - 23

To submit a report by the Maritime and Country Parks Officer.

6. DATE OF THE NEXT MEETING

To note that the next meeting of the Porthmadog Harbour Consultative Committee will be held on 10 October 2018.

PORTHMADOG HARBOUR CONSULTATIVE COMMITTEE 11/10/17

PRESENT:

Councillor Alwyn Gruffydd (Chair)
Councillor Nia Jeffreys (Vice-chair)

David Eastwood (Harbour Interests Representative), Dr John Jones-Morris (Leisure Interests Representative) and Robert Owen (Commercial Interests Representative).

ALSO IN ATTENDANCE: Barry Davies (Maritime and Country Parks Officer), Malcolm Humphreys (Porthmadog Harbour Master), Arthur Francis Jones (Senior Harbours Officer), Llŷr B Jones (Senior Manager Economy and Community Department) and Bethan Adams (Member Support Officer).

APOLOGIES: Councillor Selwyn Griffiths (Gwynedd Council), Jason Humphreys (Porthmadog Town Council Representative) and Peter L. Williams (RNLI Representative).

1. CHAIR

RESOLVED to elect Councillor Alwyn Gruffydd as Chair of this Committee for 2017/18.

2. VICE-CHAIR

RESOLVED to elect Councillor Nia Jeffreys as Vice-chair of this Committee for 2017/18.

3. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

4. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, held on 8 March 2017, as a true record.

5. UPDATE ON HARBOUR MANAGEMENT MATTERS

The Maritime and Country Parks Officer guided the members through the report, drawing attention to the following main points:

- That the Consultative Committee was statutory and that the membership was in accordance with Section 6(2) (a-j) of the Porthmadog Harbour Revision Order. A request had been received by Porthmadog Rowing Club to have representation on the Consultative Committee. It was noted that it had been explained to them that Dr John Jones-Morris represented leisure interests on the Consultative Committee and matters could be referred to him to be considered.
- There were 135 boats on annual moorings in Porthmadog Harbour in 2017 compared with 129 in 2016. It was encouraging to see a small increase in the numbers this year.
- That the Government's Department for Transport had published modifications to the Ports' Safety Code in November 2016. Copies of the new code had been circulated to all Members of the Consultative Committee and copies could also be obtained on the Maritime and Coastguard Agency's website.

- Between 19 and 21 September 2017, a thorough inspection was carried out by the Coastguard Agency's auditors on the current safety arrangements and systems of Gwynedd municipal harbours in order to ensure compliance with the Ports' Safety Code. The initial opinion of the auditors was that the Council complied with the requirements in general but that some aspects relating to recording duties and noting the Duty Holder needed to be amended. The auditors visited the harbours of Aberdyfi, Porthmadog and Pwllheli during the audit. In regards to Porthmadog Harbour, the observations received were excellent and no problems had become apparent. The Harbour Master and the Senior Harbours Officer were thanked for their work in ensuring that the appropriate documentation was in place.
- A written report had been received by the auditors on the day of the meeting outlining matters requiring attention from the Council. It was explained that the Council had a specific period to revise its arrangements and the Coastguard Agency would revisit the service within 12 months of submitting the report when recommendations submitted in the report would be expected to be actioned. It was noted that copies of the report would be circulated to members.
- Following a discussion with the auditors, it was agreed in principle that it would be beneficial for the date of the second visit to coincide with the date of the Harbour Consultative Committee. It was suggested to the auditors that it could be beneficial for the auditors to attend a meeting of the Porthmadog Harbour Consultative Committee and invite representatives from the Consultative Committees of Aberdyfi, Barmouth and Pwllheli to the meeting in October 2018.
- No observations had been received relating to the Marine Safety Code since the previous meeting.
- A detailed inspection was conducted by Trinity House Lighthouse Authority inspectors on 2 August 2017. Compared with previous reports, the 2017 report confirmed a further improvement in the condition and locations of Porthmadog Harbour's Navigation Aids. A chart displaying the current locations of the navigation aids was shared in the meeting.
- One Mariners' Notice (Rh-15/2017) was in operation in Porthmadog Harbour. The notice had been released as buoy number 8 was not in its correct station. It was explained that the buoy had moved to the direction of Buoy number 6 and it would be re-located at the first available opportunity.
- Buoys number 1, number 3 and number 11 had been terminated. If needed, these buoys would be relocated in the appropriate locations. It was noted that the service had informed Trinity House.
- The employment period of the Porthmadog Harbour Assistant (seasonal) had been extended to the end of December 2017 in addition to the Harbour Assistants of Aberdyfi and Barmouth. Extending the employment period would ensure support and continuation of the service across the County over the winter months.
- Thanks was given to the Harbour staff for the quality of their work and their dedication to the service which was praiseworthy.
- The users of small boat moorings in the area of Borth y Gest would be charged a nominal fee from April 2018 onwards.
- In order to meet with the budget challenge and the service's income target, it was suggested to increase Porthmadog harbour fees by 2% on average for the 2018/19 financial year. It was emphasised that only a draft had been submitted in the agenda, and that the fees were subject to receiving confirmation from the Cabinet Member - Economic Development, and they would be confirmed in the next meeting.
- That there was now a provision in the Harbour to pay with a card, which was a significant improvement that facilitates payment arrangements for customers.

The Harbour Master provided details on the maintenance work programme and members were asked to inform the service of any other work that should be considered. The Leisure Interests Representative noted that the area of Pencei looked tidier and he shared his

appreciation that the Harbour Master had cut the grass. The Maritime and Country Parks Officer noted that the Service was eager to assist Y Ganolfan to maintain their green area.

The Leisure Interests Representative gave an update on the Madog Sailing Club's intention to submit an application to increase the number of pontoons in the Harbour. It was noted that two estimates had recently been received to realise the plan. It would be necessary to assess the need for the provision in addition to how the plan would be funded. He confirmed that he would contact the Maritime Service to confirm the situation.

In response to a question by a member in regards to the sea stairs, the Maritime and Country Parks Officer noted that the stairs were made of slate and that a handrail had been installed as many people had slipped on the stairs. He added that they had been out of use since the installation of the pontoons and that the public could gain access via the pontoons. He noted that there was no lock on the gate, therefore there was no restriction to the public's use.

The Maritime and Country Parks Officer reported that the service had undertaken a risk assessment in order to identify and reduce any risks relating to driving and parking vehicles on lands abutting the Harbour Master's office. He explained that due to the increase in the number of pedestrians walking from the highway along the quay to the direction of the office, the service's vehicles were not permitted to drive along this path. He noted that an alternative route had been identified which would mean that access could be gained to the workshop along the rear of Y Ganolfan building.

He added that access to the building would not be permitted except for times when there would be a need to load or unload goods associated with the harbour's work. No vehicles were permitted to park on the plot running parallel with the Harbour Master's building. Alternative parking areas were available to visitors either at Y Ganolfan or in the pay and display car park to the rear of the harbour building.

The Leisure Interests Representative noted that he had no objection to the intention.

The Maritime and Country Parks Officer explained that the Property Service were holding discussions with Y Ganolfan, and that he would contact the Service to receive an update on the discussions.

A member noted that it should be possible for a matter to be referred higher in the Department rather than having conflicts between Y Ganolfan and officers. In response, the Maritime and Country Parks Officer noted that the communication between the Council and Y Ganolfan could have been better, but that he was hopeful that it could be possible to reach an understanding that would be acceptable to Y Ganolfan.

A copy of the final budget summary for 2016-17 and an update on the 2017-18 budget up to the end of September 2017 was shared in the meeting. Attention was drawn to the fact that there was a deficiency against the target income for 2016-17, but that there was an underspend of £2,168 in the 2016-17 budget. The Maritime and Country Parks Officer noted that he was proud of the staff's dedication who worked efficiently within the scarce resources. The 2017-18 financial situation up to the end of September 2017 was referred to, and it was noted that the investment of a new boat for the Harbour had been necessary in order to carry out the work and due to this, an overspend was predicted for the financial year. It was noted that it would be sought to fund the expenditure from funds and as a result the financial situation would be better than the previous year.

In response to an enquiry from a member in regards to the Black Rock Sands Beach budget, the Maritime and Country Parks Officer noted that the beaches' budget was not within the remit of the Consultative Committee. He noted that he would send the beaches' budgetary information to the members.

The Maritime and Country Parks Officer referred to the events held at Porthmadog Harbour during 2017, which included a Celtic Longboats Race from Pwllheli to Porthmadog and an RNLI activity day.

The Commercial Interests Representative noted that a Personal Watercraft event had also been held which raised £4,237 for the Wales Air Ambulance charity. He added that it was anticipated to hold the event again next year.

A member noted that the Caru Port group had received funding from TESCO to hold an event such as Fun at the Harbour as there was a local desire to increase community use of the Harbour area. The Maritime and Country Parks Officer noted that he welcomed discussions with the group.

The Senior Manager – Economy and Community Department highlighted that Visit Wales were to conduct a year of the sea campaign in 2018, and most activities would be held in Cardiff Bay but consideration was being given to holding some community events and Porthmadog should be kept in mind.

RESOLVED to note and accept the report.

6. ELECTION OF OBSERVERS

It was reported that observer(s) needed to be elected to serve on the Aberdyfi, Barmouth and Porthmadog Harbour Consultative Committees.

RESOLVED to elect Dr John Jones-Morris to serve as an observer on the Aberdyfi, Barmouth and Pwllheli Harbour Consultative Committees.

7. DATE OF THE NEXT MEETING

It was noted that the next meeting would be held on 7 March, 2018.

The meeting commenced at 5.30pm and concluded at 6.40pm.

CHAIRMAN

Agenda Item 5

MEETING	Porthmadog Harbour Consultative Committee
DATE	07 March 2018
TITLE	Update on Harbour Management Matters
AUTHOR	Maritime and Country Parks Officer

1. Port Marine Safety Code

- 1.1 The Safety Code is a 'live document' and is regularly reviewed by Service harbour staff. It is necessary for the Service to receive the comments and views of Consultative Committee Members on the suitability of the Marine Safety Code and to regularly receive observations on its contents, in order that it may be reviewed as relevant to the harbour activities, navigational aids, suitability of the by-laws, safety matters, and general day-to-day work at Porthmadog Harbour.
- 1.2 Between the 19 and 21 September 2017, a thorough inspection was carried out by the Coastguard Agency's auditors on the current safety arrangements and systems of Gwynedd municipal harbours in order to ensure compliance with the Ports Safety Code.
- 1.3 Following the Coastguard Agency's review which was undertaken in September 2017, the Service has received a subsequent report pursuant to the inspection by the external expert. A copy of the report is appended and the Service will implement the recommendations of the inspector in the coming months. The Committee members' observations on the content of the report are welcomed.
- 1.4 As reported to the Consultative Committee in October, the inspectors' initial opinion was that the Council complied generally with the requirements, but that some aspects relating to recording duties and noting the Duty Holder and Designated Person needed to be revised.
- 1.5 During the inspection, the inspectors visited the harbours of Aberdyfi, Porthmadog (the centre of the inspection work) and Pwllheli. They did not visit Barmouth due to time restrictions.
- 1.6 It is emphasised that no improvement notice was issued relating to serious safety issues or shortcomings at the harbour. The inspectors noted that there was an opportunity to improve the general appearance of the area around Aberdyfi harbour quay as effects and ropes have been left on the quay in a way that could pose a risk. Service staff must address these matters during the winter months. Observations were submitted regarding the lack of the width of the channel in Pwllheli harbour. No observations were submitted on Safety matters in Porthmadog harbour.
- 1.7 Although the Ports Safety Code is regularly reviewed by the service, Members of the Consultative Committee must be reminded of their duty to submit observations on the suitability of the Safety Code and to receive observations on the work arrangements of the harbours so that the Safety Code can be reviewed to ensure that it is relevant to harbour operations, local propriety
- 1.8 The Coastguard Agency inspectors will revisit the Council next Autumn. It is intended for a follow up to the review to be held at the same date as a meeting of the Porthmadog Harbour Consultative Committee; members of all of Gwynedd's Harbour Consultative Committees will be invited to the meeting to be given a presentation from the inspectors on matters

related to the Port Marine Safety Code. This will also be an opportunity for Members of the Consultative Committee to ask the experts about matters related to the Port Marine Safety Code and for the Inspectors to confirm the responsibilities for the content and operation of the Safety Code.

2. Operational Issues

- 2.1.1 It is anticipated that a detailed inspection will be carried out on the Barmouth navigational aids by Trinity House Lighthouse Authority inspectors on 14 August 2018.
- 2.1.2 Three Mariners' Notices are in operation in Porthmadog harbour.
- 2.1.3 52°52.543' N 004°09.620' W Port Navigation Aid - Number 2 QFI R is not in its proper station.
- 2.1.4 52°54.021'N 004°09.137'W Starboard Navigation Aid - Number 9 FI G 4 (15s) is not in its proper station.
- 2.1.5 52°52.746'N 004° 09.211'W Port Navigation Aid - Number 4 FI R (2s) is not in its proper station.
- 2.1.6 The Dwyfor vessel was being maintained to ensure that the boat complied with the Code that was relevant to working vessels. The Navigational Aids will be relocated once the work on Y Dwyfor has been completed.
- 2.1.7 The Navigational Aids maintenance work programme has been completed in accordance with the agreement, instruction and guidance of the Consultative Committee. The Senior Harbours Officer will give Members an update on the current situation at the meeting.
- 2.1.8 The Porthmadog Harbour navigation channel has changed considerably over the winter months. The Service regularly inspects the channel at low tide in order to try to ensure that the navigational aids are in the most suitable location. Due to constant changes to channel, ensuring that the aids are in the proper position is very challenging.

2.2 Maintenance

- 2.2.1 The Senior Harbour Master will introduce the maintenance work programme he carried out at Porthmadog Harbour during the October - December 2017 period, along with an outline of the work to be carried out during the January - February 2018 period. Feedback from Committee members is requested on any additional work that will need to be considered and included in the work programme.
- 2.2.2 Tree roots are causing concern and are a risk in the harbour area. The harbour staff have received instructions to ensure that the risk posed to walkers because of the unstable nature of the paving slabs is reduced without delay.
- 2.2.3 All moorings in the harbour have been inspected by a Diving company. It has been identified that there is a need to renew 35 moorings. A quotation has been received for chains and shackles and the most competitive quotation is £5,100. It is anticipated that the work of installing the new moorings will be around £3,000

2.3 **Staffing Matters**

- 2.3.1 The employment period of the Porthmadog Harbour Assistant (seasonal) ended on the 30 September 2017. To ensure assistance with harbour work over the winter months, the contract was extended and came to an end on 31 December 2017.
- 2.3.2 At the beginning of January 2018, a request was received from the Caernarfon Harbour Trust asking for the right to discuss the temporary work contract with the Harbour Trust. The request was approved and the Officer is now employed by the Harbour Trust. This is advantageous to the Harbour as it will increase the Officer's experience by working in another harbour and we are confident that this experience will contribute to the knowledge and experience of working in other harbours in Gwynedd.
- 2.3.3 It is also a pleasure to report that the former Barmouth Harbour Assistant (seasonal) has accepted a post with the Coastguard Agency in Holyhead. His experience of working with the Gwynedd harbours team had increased his experience and given him a strong foundation in his job application. We wish them both the very best.
- 2.3.4 As part of the wider team, the seasonal harbour assistant (Aberdyfi) is continuing with the work contract and will be part of the wider team within the Maritime and Country Parks Service and will support and enable the Service to respond to incidents and complete the maintenance work programme at Aberdyfi and Barmouth harbours.
- 2.3.5 It is anticipated that the posts will return to a full-time basis in the harbours of Porthmadog, Barmouth and Aberdyfi on the 1st of April 2018 until 30 September 2018. The Maritime Service has seven full-time staff members and one who works part-time (admin) with nine staff members at Hafan.

2.4 **Other matters**

- 2.4.1 **Safety Signs.** The Service, jointly with the RNLI, has carried out a detailed review of all safety signage in the Harbour near the Morfa Bychan beach. In response to the inspection and in consultation with the RNLI, the Service intends to order new signs to be erected on several sites around the area of the harbour that abuts Black Rock Beach.
- 2.4.2 The main signs will be erected on the Main Entrance and the Ffordd Gwydryn access with smaller signs erected near Black Rock (coast path), the Greenacres access and the Cwt Powdr area.
- 2.4.3 It is anticipated that the total costs of the signage will be £4,000 with a cost of £500 (excl. VAT) for the design and preparatory work, i.e. preparing the templates. The signs will be sent to the harbour by the middle of June 2018 and it is very much hoped that the main safety signs will be in place before the main school holiday period. Due to the nature of the beach at Black Rock Sands, it is anticipated that there the signs will need to be removed from the site during winter months to reduce potential damage from severe weather. The expenditure was funded through the TAIS scheme, which is the Welsh Government Tourism fund.

3. **Financial Matters**

- 3.1 A summary of the Harbour budget is attached reporting on the current financial position. The financial position as at the end of February 2018 will be circulated at the meeting.
- 3.2 **Fees and Charges 2018/19.** The spreadsheet for Porthmadog Harbour proposed fees in 2018 has already been submitted to the Harbour Committee for comment. It was reported that the Harbour inflation for 2018/19 was anticipated to be at 1.85%, the percentage inflation has been revised following a number of factors that affect inflation. It is confirmed that the inflation rate for Porthmadog harbour in 2018/19 will increase to 2.19% with the average inflation rate for Gwynedd harbours being 2.9%. This means that the harbour's income target will increase to £79,180 in 2018/19.
- 3.3 The service has already corresponded with the harbour customers, the intention is to suggest that the fees and payments should continue to increase by 2% on average for the 2018/19 financial year. As there may be a deficit in the income, there will be a need to ensure that the Service identifies alternative income opportunities and reduces possible spending during the next financial year.
- 3.4 In 2017 the Council was required to charge a fee for every mooring, for all Harbours under the control and responsibility of the Council. The fee has been added by the Crown Estate which claims £25.00 from each individual with a mooring in the harbour. It is a requirement that the Council, as the Harbour Authority, charge and collect this fee on behalf of the Crown Estate. There is no VAT on the additional fee. The additional fee is also payable on visitor moorings and this payment will need to be funded via the Harbour budget.
- 3.5 As the agreement with the Crown Agent had not been confirmed, the fee was not payable in 2017/18. It is anticipated that a new lease will be confirmed by the Crown's Agent during 2018 and therefore the additional fee will be payable by all mooring holders.

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Type: Port Marine Safety Code Health Check

Port: Gwynedd Council as the Harbour Authority for Porthmadog, Pwllheli, Barmouth and Aberdyfi

Purpose: External Visit

Author:	Date	Signature
Forkanul Quader David Turner	19 & 20 September 2017	

Version History	Date	Remarks
1st Draft	21 September 2017	

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GLOSSARY

ALARP	As Low as Reasonably Practical
CHA	Competent Harbour Authority
CPD	Continuing Professional Development
DP	Designated Person
HM	Harbourmaster
GTGP	Guide to Good Practice
KPI	Key Performance Indicator
MAIB	Marine Accident Investigation Branch
MPX	Master/Pilot Exchange
PMSC	Port Marine Safety Code
PEC	Pilot Exemption Certificate
MAIB	Marine Accident and Investigation Branch
MSMS	Marine Safety Management System
SHA	Statutory Harbour Authority
VTS	Vessel Traffic Service
LPS	Local Port Services

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1. Background

Gwynedd Council is the statutory harbour authority having municipal status for the following harbours – Pwllheli, Porthmadog, Barmouth and Aberdyfi. The ports mainly cater for leisure and fishing activities and are located in the north-west area of Welsh coast adjacent to Cardigan Bay.

Prior to the visit the MCA sent an aide-memoire to the Harbourmaster and requesting comments that corresponded to the PMSC and the relevant section of the port's Safety Management System. The purpose of this is to assist the MCA with the "Health Check" and forms the basis for further examination during the visit. While the Gwynedd Council has the responsibility of the duty holder, the Maritime and Country Park's Officer oversees the operational activities along with a team of Harbourmasters.

2. Introduction

The Maritime & Coastguard Agency (MCA) conducted a "Health Check" of Gwynedd Harbour Authority Safety Management System which was reviewed to ensure compliance with the requirements of the Port Marine Safety Code (PMSC).

The visit was carried out on the 19th and 20th September with Porthmadog Harbour office being used as a base for the visit. The team from the MCA was led by Forkanul Quader and David Turner.

The Maritime and Country Park Officer provided facilities for the conduct of the verification process at the Porthmadog harbour office, including access to all necessary documentation.

This report summarises observations made during the visit and is not to be construed as a statement of compliance to all or part of the Code.

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3. Scope

The purpose of a “Health Check” visit is to assess whether the port is, on the days in attendance, effectively implementing the PMSC. The PMSC applies to all Harbour Authorities in the UK with statutory powers and duties. The visit is designed to provide advice and to assist the port in implementing the Code and in so doing, to enhance port safety.

This scope of this health check covered the following elements:

1. Port details	Y
2. Designated Person	Y
3. Duty Holders	Y
4. Duties and Powers	Y
5. Consultation and Information Dissemination	Y
6. Risk Assessment	Y
7. Safety Management System	Y
8. Powers and Enforcement	Y
9. Pilotage and Passage Plans	N/A Porthmadog only
10. Tugs, Workboats and Marine Services	Y
11. Conservancy Obligations	Y
12. Directions	Y
13. Training	Y
14. Vessel Traffic Services	N/A
15. Published Documents	Y
16. Final check	Y

Following a visit, the MCA “Health Check” team produce a brief report which summarises examples of enhancements agreed with the harbour authority. This report summarises the areas of enhancements observed during the visit and is not construed as a statement of compliance to all or part of the code.

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Overview

Gwynedd Council is the Statutory Harbour Authority (SHA) for four ports - Pwllheli, Porthmadog, Barmouth and Aberdyfi. All of those fall within the provisions of the Port Marine Safety Code (PMSC). The main area of coastal jurisdiction extends from Abergwyngregyn to the east of Bangor through to Victoria Dock at Caernarfon on the Menai Strait and to Aberdyfi in Cardigan Bay. Each Harbour is managed on a day to day basis by the Council's appointed Harbourmaster and each port is technically operated under unitary policies and control by the Council. Porthmadog Harbour has the status of Competent Harbour Authority (CHA) and provides a pilotage service as and when required, although such a service has not been required or requested for many years. Porthmadog is the only harbour with such status within Gwynedd Council and the status of the CHA is under continuous review.

Under Gwynedd Harbour the potential maximum available mooring berths at each port are:

Porthmadog - 238, Pwllheli – 490 (of which 412 are Marina Berths), Barmouth – 140, and Aberdyfi - 120. These are maximum potential mooring possibilities with 2017 mooring boats being Porthmadog - 135, Pwllheli – 490 (of which 306 are Marina Berths and 60 on other moorings), Barmouth – 86, and Aberdyfi - 78.

Visit

The visit was carried out on the 19th and 20th September 2017. The Maritime & Country Park Officer as well as the Senior Harbour Officer and the Harbourmaster (Porthmadog) demonstrated a clear commitment to the PMSC and assured the visiting team they were undertaking necessary steps towards implementing the provisions of PMSC.

Gwynedd attendees during the Health Check were as follows: -

- Mr. Barry Davies – Maritime & Country Park's Officer
- Mr. Arthur Francis Jones – Senior Harbour Officer
- Malcolm Humphreys – Harbourmaster (Porthmadog)
- William Williams – Harbour Manager (Pwllheli - part attendee)
- William Stockford – Harbourmaster (Aberdyfi – part attendee)
- Capt. Mathew Forbes – Designated Person (Conwy Harbourmaster)

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4.1 Gwynedd Harbour Findings

Enhancements

Whilst some specific amendments were identified, in general it was seen that a substantial and well documented approach had been taken towards drawing up a Marine Safety Management System (MSMS), and associated Marine Operation Plan. However, the Health Check team found that vital tasks including internal audit, external audit and correct identification of the Duty Holder remained incomplete. It is worth mentioning here that the Health Check team found observed operational processes to be in good order.

The findings below are associated with comments and observations on the status of the Marine Operational Plan (SMS). The current Marine Operational Plan will need revisiting to align the Marine Safety Management System with the PMSC and GTGP.

The Maritime and Country Park's Officer, Senior Harbour Officer, the relevant Harbourmaster's and the Designated Person agreed that a further health check visit will have to be undertaken by the MCA Health Check team during the next 12 month period.

Several enhancements that would improve Gwynedd Council's implementation of the Code were identified. These are:

Duty Holder

Currently the Deputy Head of Economy & Community (DHEC) Department is the assumed Duty Holder. The Maritime and Country Park's Officer oversees the operation of all four ports under the DHEC. In accordance with PMSC, a member of the management team or a Board can be the Duty Holder having public accountability for PMSC Code.

It is understood that the current DHEC is the Duty Holder for Gwynedd Harbour Authority (GHA), and is not an Elected Council member and so therefore does not have direct public accountability. While council members can collectively (and individually) sign up to the PMSC, they should consider forming a core committee to take up the responsibility for the Duty Holder or nominate a council member to act as the duty holder. The Duty Holder can then be assisted by the appointed DHEC.

GTGP: 2.2.19, 2.2.23, 2.2.31

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Designated Person

The Harbour Authority has recently appointed a qualified Designated Person. This appointment has not been officially finalised. The DP appointment therefore needs to be formalised by letter to the appointed DP.

GTGP: 2.2.25

MSMS

The Harbour Authority has opted to use Marine Operations Plan as their MSMS. The document needs to be reviewed to reflect the correct roles and responsibilities of the duty holder. The Current Operation Plan also needs to be formalised into a MSMS. The Harbour Authority can use a common MSMS and each port can then develop risk based system to address port specific operational risks.

GTGP: 4.1.3, 5.1.5

Internal Audits

No record was found of any internal audits. Internal audits should be carried out at least once a year.

GTGP: 5.1.1

DP Audit

There were no records of any audits being carried out by the DP in accordance with GTGP section 2.2.30. There was no evidence of any report being submitted to the Duty Holder or to the governing body. The DP should submit a monitoring report to the Duty Holder and to the management board.

GTGP: 2.2.30

External Audit

No record was found of any external audit. External audits should be carried out at regular intervals.

GTGP: 5.1.1

Safety Plan

Gwynedd Harbour Authority (GHA) should consider publishing a 3 yearly Safety Plan in accordance with PMSC showing how the standards will be met.

GTGP: 2.2

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Conservancy: GLA/Trinity House

GHA should obtain a letter from GLA/Trinity House once all outstanding conservancy works have been carried out. GTGP: 7.5.5

PMSC Compliance

When content that they comply with the PMSC GHA should send a letter to the MCA. This has not been done since 2013.

PMSC: 2.31 GTGP: 2.12

CHA Status

GHA should review their CHA status to see whether CHA status is required with full compliance. GTGP: 9.2

H&S

GHA to review current H&S inspection status to cover marine as well as associated pier activities. GTGP: 6.6

Training Matrix

It was agreed that the compilation of a staff training matrix and associated training plan would be beneficial and therefore needs to be completed.

GTGP: 12.2.1

Pwllheli Harbour silting

It was observed that the approach channel into the harbour continues to silt up. This has significantly reduced the width of available water in the most critical area of the harbour approaches. The limiting factors preventing adequate dredging should therefore be addressed.

GTGP: 7.4.2

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Consultation

The incorporation of the Aberdyfi commercial fishing sector into harbour consultative committee meetings was a positive step forward and the availability of EFF funded Mullion PFDs for local fishermen should be explored further.

Marine Facilities

The facilities at Porthmadog were comprehensive and accompanied by well-structured checklists and procedures. Of particular note were the anchoring weights made from concrete and fitted inside tyres which could be wheeled into place.

Risk assessment

All the ports visited maintained well-structured risk assessments.

5. Conclusion

It was evident that; the Maritime and Country Park's Officer has made a lot of effort in preparing the newly developed MSMS and associated procedures. The document appears to broadly reflect current practices.

The priority now is to start a review of the current Safety Management System and the Operational Plan to formally operate and regulate marine activities under the SMS. This is vital in moving towards PMSC compliance as the principles of the SMS do not currently appear to have been followed through.

It is therefore the intention of the MCA to conduct a further health check within 12 months to verify that the SMS and its associated procedures are functioning and regulating harbour activities effectively. That would help provide assurance that the harbour is compliant with the PMSC. A suggested core committee of Duty Holder and the Council members should therefore be ready to recognise their roles and responsibilities under the PMSC and provide the senior level staff with the appropriate support and resources to finish off the good work which has already been initiated.

The Gwynedd Council as the Duty Holder should also recognise that whilst the Harbour Authority is presently not fully compliant, the Council Members collectively

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and possibly remain particularly exposed to liabilities from any incidents of negligence which may occur within the harbour.

6. Harbour Authority Comment

All Gwynedd Council Officers that were involved with the work undertaken by the Health Check team whom were acting on behalf of the MCA fully appreciated the positive and constructive method used to undertake the health check. The professional, informative and courteous approach taken by the Health Check team was fully appreciated.

The Maritime and Country Parks Unit has demonstrated compliance with the principles of the PMSC since its introduction and has taken appropriate action to ensure compliance within the code's main principles.

The positive comments and suggested enhancements provided by the Health Check team will be actioned accordingly and are to be implemented before the visit scheduled for October/November 2018.

The Maritime and Country Parks Unit recognises the potential that Gwynedd Council Members possibly remain exposed to liabilities from potential incidents and a defined Duty Holder is to be considered and established if such procedures is permitted.

However, it is emphasised that all harbour staff are suitably trained and qualified in Health & Safety processes. A procedure is already in existence to identify all potential risks within the harbours under the jurisdiction of the service. Action in accordance with the ALARP principle has, and will continue to be taken, to ensure that all identified risks remain as low as is reasonably practicable in order to eliminate any such exposure.

Through a consultative process, Gwynedd Council as a responsible Local Authority, ensures that the harbours under its jurisdiction are provided with a high level of administrative support and service. This is required to ensure that the Harbour Consultative Committees for each individual harbour, function in accordance with the expectations of the communities they serve.

The Harbour Consultative Committee meetings are held twice annually at Aberdyfi, Barmouth, Porthmadog and Pwllheli. They are essential to the service. Members

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are fully conversant with the contents of the Port Marine Safety Code and the subject matter is a primary agenda item at each Committee meeting.

This ensures that the Council receives feedback on all matters relating to harbour operations under the remit of the Port Marine Safety Code. Having a wide range of local representatives elected on each Consultative Committee ensures that the Council is provided with a broad range of expertise from across the marine industry and the marine leisure and fishing community.

The observation conveyed by the Health Check team identified that currently the Deputy Head of Economy & Community (DHEC) Department is the assumed Duty Holder with the Maritime and Country Park's Officer overseeing the operation of all four ports under the jurisdiction of Gwynedd Council.

Whilst the DHEC is the senior line manager for the service the Council Board (previously identified as the Council Cabinet) had previously been identified as the collective Duty Holder for the PMSC within Gwynedd.

The DHEC is the Duty Holder for Gwynedd Harbour Authority (GHA), and is not an Elected Council member and so therefore, as noted by the Health Check team, possibly does not have direct public accountability.

The Maritime and Country Park's Officer will ensure that this matter regarding the DH is clarified and confirmed as a matter of urgency.

We are of the collective conclusion that despite earlier apprehension the Health Check was of great benefit to the Maritime and Country Park's Unit and the service looks forward to regular dialogue with the Health Check team on matters relating to the PMSC for Gwynedd and look forward to the Health Check review in October/November 2018 where we envisage that the issues raised by the health Check team will have been addressed.



HARBWR PORTHMADOG HARBOUR

Mae'r sianel yn newid cwrs yn rheolaidd. Cynghorir bod morwyr yn cysylltu gyda'r Harbwrfeistr am y wybodaeth diweddaraf.

The channel changes course regularly. Please contact the Harbourmaster for the latest information

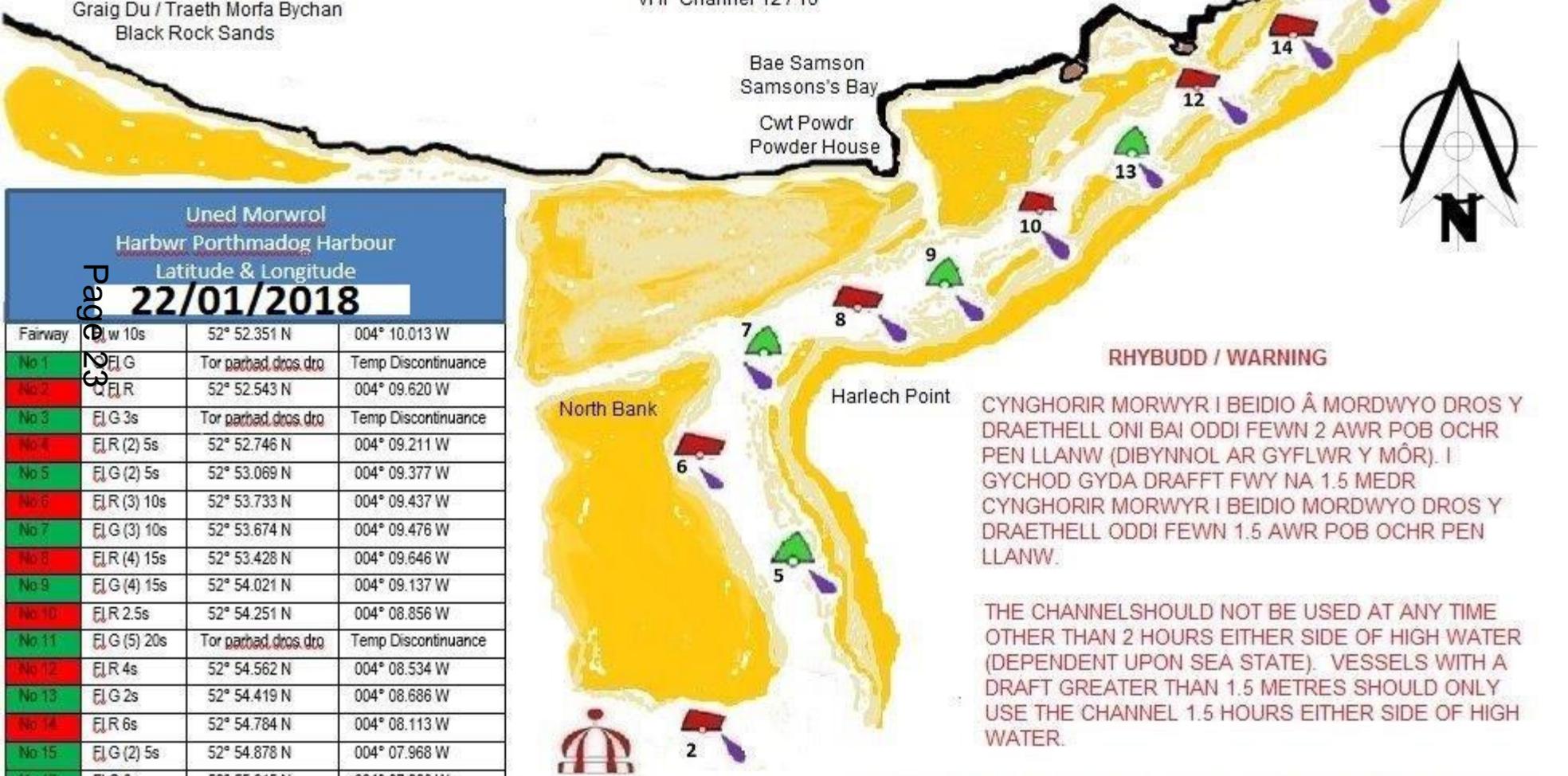
01766 512927 / 07879433147
VHF Channel 12 / 16

Graig Du / Traeth Morfa Bychan
Black Rock Sands

Bae Samson
Samsons's Bay
Cwt Powdr
Powder House

Borth-Y-Gest

**CEI
BALAST**



Uned Morwrol
Harbwr Porthmadog Harbour
Latitude & Longitude
22/01/2018

Fairway	W 10s	52° 52.351 N	004° 10.013 W
No 1	ELG	Tor parhad, dros dro	Temp Discontinuance
No 2	ELR	52° 52.543 N	004° 09.620 W
No 3	ELG 3s	Tor parhad, dros dro	Temp Discontinuance
No 4	ELR (2) 5s	52° 52.746 N	004° 09.211 W
No 5	ELG (2) 5s	52° 53.069 N	004° 09.377 W
No 6	ELR (3) 10s	52° 53.733 N	004° 09.437 W
No 7	ELG (3) 10s	52° 53.674 N	004° 09.476 W
No 8	ELR (4) 15s	52° 53.428 N	004° 09.646 W
No 9	ELG (4) 15s	52° 54.021 N	004° 09.137 W
No 10	ELR 2.5s	52° 54.251 N	004° 08.856 W
No 11	ELG (5) 20s	Tor parhad, dros dro	Temp Discontinuance
No 12	ELR 4s	52° 54.562 N	004° 08.534 W
No 13	ELG 2s	52° 54.419 N	004° 08.686 W
No 14	ELR 6s	52° 54.784 N	004° 08.113 W
No 15	ELG (2) 5s	52° 54.878 N	004° 07.968 W
No 17	ELG 6s	52° 55.015 N	004° 07.866 W

RHYBUDD / WARNING

CYNGHORIR MORWYR I BEIDIO Â MORDWYO DROS Y DRAETHELL ONI BAI ODDI FEWN 2 AWR POB OCHR PEN LLANW (DIBYNNOL AR GYFLWR Y MÔR). I GYCHOD GYDA DRAFFT FWY NA 1.5 MEDR CYNGHORIR MORWYR I BEIDIO MORDWYO DROS Y DRAETHELL ODDI FEWN 1.5 AWR POB OCHR PEN LLANW.

THE CHANNEL SHOULD NOT BE USED AT ANY TIME OTHER THAN 2 HOURS EITHER SIDE OF HIGH WATER (DEPENDENT UPON SEA STATE). VESSELS WITH A DRAFT GREATER THAN 1.5 METRES SHOULD ONLY USE THE CHANNEL 1.5 HOURS EITHER SIDE OF HIGH WATER.

DARLUN EGLURHAOL: NID YW CAEL EI DDEFNYDDIO AR GYFER MORDWYO
ILLUSTRATION: NOT TO BE USED FOR NAVIGATION