

Northern Ireland Fishery Harbour Authority

Marine Safety Management System Manual (MSMS)

Version 2.0 / January 2026



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Version Control

Table 1 Version control table

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Document owner: NIFHA CEO

Executive Summary

The Ports & Marine Facilities Safety Code (DfT 2025) (PMSC) ('the Code') sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses, or works in, the UK port marine environment. It is authored by the UK Government, supported by the devolved administrations and representatives from across the maritime sector and, whilst the Code is not mandatory, it sets out many existing requirements under various legislation, and these bodies have a strong expectation that all organisations will comply. The Code is applicable both to Statutory Harbour Authorities and to Organisations that own and operate marine facilities.

This 'Marine Safety Management System' (MSMS) Manual has been produced to detail how the Northern Ireland Fishery Harbour Authority (the Authority)

- Ardglass;
- Kilkeel; and
- Portavogie.

meet the requirements of the Code for its Statutory Harbour Authority areas of operation and its approaches. Within this MSMS the statutory harbour areas are identified as ' Authority Harbours '.

This MSMS has been created with reference to the latest version of the Code and its accompanying 'Guide to Good Practice on Port and Marine Facilities' (DfT 2025) (GtGP) with significant Harbours internal stakeholder input.

This MSMS is informed by both the policies and formal risk assessment of the Authority's Harbours and is adopted by the duty holder.

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PMSC-Section Name	PMSC Subject Heading	PMSC Paragraph Reference	GtGP Reference
1 – Duty Holder	Duty Holder	1.1 - 1.3	1.1 – 1.2
	Responsibilities	1.4 - 1.8	1.3, 1.5-1.9
	Reporting Compliance	1.9 - 1.10	1.4
2 – Designated Person	Designated Person	2.1 - 2.4	2.1 – 2.2
3 – Legislation	Legislation	3.1 - 3.2	3.1
	National Legislation	3.3 - 3.6	3.2
	Local Acts and Orders	3.7 - 3.12	3.4 - 3.5
	Review	3.13 - 3.14	3.3
	Revising Statutory Powers	3.15 - 3.18	3.6 - 3.7
4 – Duties and powers	Duties and powers	4.1 - 4.2	1.3 – 1.4
	Safe and efficient marine operations	4.3 – 4.8	4.1 – 4.3
	Open port duty	4.9	4.1 – 4.2, 10.15.4
	Appointment of Harbour Master	4.10 – 4.11	4.1, 8.5
	Byelaws	4.12 - 4.14	3.2, 3.3, 3.7, 4.1, 4.3, 10.15.2, 10.15.5, 10.18,
	Special Directions	4.15 – 4.17	3.4, 4.1, 10.15.5, 10.15.13
	General Directions	4.18 -4.20	3.5, 4.6.5, 10.15.5, 10.15.13, 10.18, 10.20
	Harbour Directions	4.21 -4.22	3.4, 3.5, 4.1, 4.3 - 4.4, 10.15.5,
	Dangerous Vessel Directions	4.23 – 4.24	3.2, 4.9.6, 10.11,
	Pilotage	4.25 – 4.30	3.2, 3.6, 3.8, 4.1, 4.4, 4.5-4.5.46, 4.7.7 6.5-6.6, 10.9, 10.15.2, 10.15.5, 10.16.1 10.16.4
	Towage	4.31 – 4.33	4.6 – 4.7.1
	Pilot Tug Master Exchange	N/A	4.6.6
	Regulation of marine craft	4.34	4.7.2 – 4.7.7
	Environmental duty	4.35 - 4.36	1.5, 4.1 – 4.2, 4.9.1.2, 4.9.17, 6.1, 6.5, 10.9.2

	Emergency preparedness and response	4.37 – 4.38	4.1, 4.9 – 4.91, 4.9.10, 4.9.11, 4.9.20,
	Civil contingencies duty	4.39 -4.41	4.1, 4.2, 4.9, 4.91
	Collecting dues	4.42 – 4.43	3.2, 4.1, 10.15.4
5 – Risk Assessment	Risk assessment	5.1 – 5.7	1.3, 3.12 – 3.16, 5.1 – 5.3, 5.6-5.10
	Formal Safety Assessment	5.8 – 5.9	N/A
	Reviewing Risk Assessments	5.10 – 5.12	5.3 – 5.4
	Dynamic Risk Assessment	5.13	5.7 – 5.8
6 – Marine Safety Management System	Marine Safety Management System	6.1 – 6.3	6, 6.1 – 6.4
	Implementation	6.4 – 6.7	6.5
	Accountability for marine safety	6.8 – 6.13	1.2, 1.4, 4.5.1, 4.5.19, 6.9,
	Stakeholder engagement and consultation	6.14 – 6.18	3.10 - 3.16
	Incident reporting and investigation	6.19 – 6.23	4.5.27, 6.1, 6.9, 6.9.1 – 6.9.11
	Enforcement	6.24 – 6.25	3.9, 6.1, 6.9.8 - 6.9.9
	Bridging Document	N/A	6.8
7 – Review and Audit	Review and Audit	7.1 – 7.3, 7.8	7.1 – 7.2
	Marine Safety Management System	7.4 – 7.6	6.7
	Plan, Do, Check, Act	7.7	N/A
8 - Competence	Competence	8.1 – 8.4	8.1 – 8.10
9 - Plan	Publication	9.1 – 9.2	9.1
	Format	9.3	9.1
	Review	9.4 - 95	9.1
	Timing	- 9.7	9.1
10 - Conservancy Duty	Conservancy duty	10.1	3.1.5, 4.2, 10.1,
	Harbour Authorities	10.2 – 10.5	10.7
	Aids to Navigation	10.6 – 10.9	10.10.1 -10.10.4 10.15.1, 10.15.2.
	Wrecks and Abandoned Vessels	10.10 – 10.17	4.1, 10.1 – 10.2, 10.8.4, 10.11, 10.12, 10.13,
Miscellaneous			
	Public Right to Navigate	N/A	10.15.4
	Local Port Services (LPS)	N/A	10.15.7
	Vessel traffic Services (VTS)	N/A	10.15.8

	Traffic Management	N/A	10.15.9 – 10.15.14
	Port Passage Plan	N/A	10.16 – 10.16.4
	Master Pilot Exchange (MPX)	N/A	10.16.4

MSMS: Distribution List

A Controlled Electronic Copy of the Authority's Port Marine Safety Management System Manual (MSMS) is kept within the Authority's computer network. Any printed copies are non-controlled.

The Chief Executive shall ensure that all amendments are circulated and communicated to relevant personnel and or departments

The following all have access to the Controlled Electronic Copy

1	Duty Holder (Board)
2	CEO
3	Harbour Masters
4	Senior Project Manager and Relevant NIFHA role holders
5	Designated Person (is emailed an uncontrolled electronic copy when amendments are made)

Section 1: Harbour Authority & Duty Holder

1.1 Harbour Authority

1.1.1 Harbour Origins

The Northern Ireland Fishery Harbour Authority (the Authority) is an executive Non-Departmental Public Body sponsored by the Department of Agriculture, Environment and Rural Affairs (DAERA). The Authority, which was formed in 1973 under the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973' authorised under the Harbours Act (Northern Ireland) 1970, has statutory responsibility for improving, managing and maintaining the three fishery harbours and harbour estates of:

- Ardglass;
- Kilkeel; and
- Portavogie.

and for operating the facilities which are provided at these harbours. The Authority's Harbours are referred to as the 'NIFHA harbours henceforth in this document.

The NIFHA harbours are primarily fisheries harbours, each of the three harbours accommodate various levels of commercial fishing vessels, other commercial vessels, recreational craft and in the case of Kilkeel a lifeboat. The Authority operates a number of marine facilities, including slipways, ice making plant, fish handling equipment, refrigerated stores and pontoons. Marine functions for these Authority operated facilities are operated in line with this MSMS, land side operations for slipways, fish handling facilities and cold storage are operated in line with relevant landside legislation. Third parties operate various levels of marine facilities within the statutory limits of NIFHA Harbours, including marinas and RNLI Lifeboat Stations. Organisations that operate marine facilities within the NIFHA Harbours limits operate independently from the NIFHA Harbours MSMS, with appropriate interfacing and bridging arrangements, and are responsible for their own PMSC compliance reporting.

1.1.2 Harbour Authority Status

The Authority is the Statutory Harbour Authority (SHA¹) for the NIFHA Ports by virtue of the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'.

¹ The Harbours Act (Northern Ireland) 1970 refers to 'Harbour Authorities' and not 'Statutory Harbour Authorities'. The term 'Statutory Harbour Authority' is used in this MSMS document for alignment with PMSC terminology and is considered synonymous with the term 'Harbour Authority' for the purpose of this PMSC required MSMS document.

The authority's Board, in operating the NIFHA Harbours do so with SHA status, and as a Local Lighthouse Authority (LLA) with respect to aids to navigation by virtue of Section 193 of the Merchant Shipping Act 1995.

The NIFHA Harbours SHA limits are described as follows in section 24 of the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'

"The limits within which the Authority shall have authority by virtue of any function conferred on it by this Order or by any enactment incorporated therewith and within which may be exercised the powers of any harbour master it may appoint shall comprise the transferred harbours and the conveniences connected therewith and, in the case of the harbour of Kilkeel and the harbour of Portavogie, the waters up to the high-water mark within these harbours together with the seaward approaches within a radius of five hundred yards of the entrances of the said harbours. The limits (hereinafter referred to as the "harbour limits").

The harbour limits of Ardglass, Kilkeel and Portavogie Harbours are set out respectively as follows:

- Ardglass ariel and admiralty chart in Figure 1 and Figure 2
- Kilkeel ariel and admiralty chart in Figure 3 and Figure 4
- Portavogie ariel and admiralty chart in Figure 5 and Figure 6

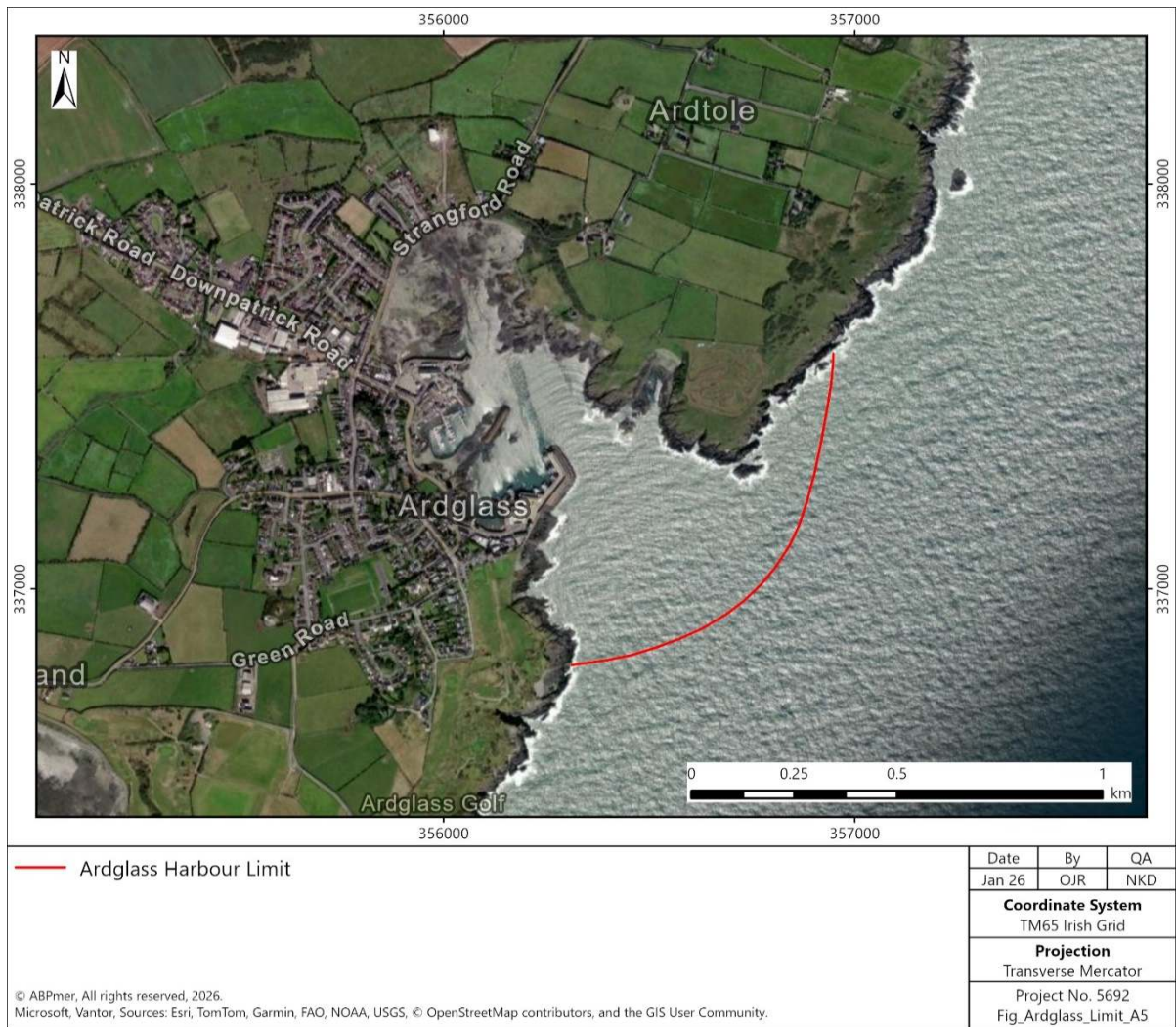


Figure 1 **Ardglass Harbour Limits**

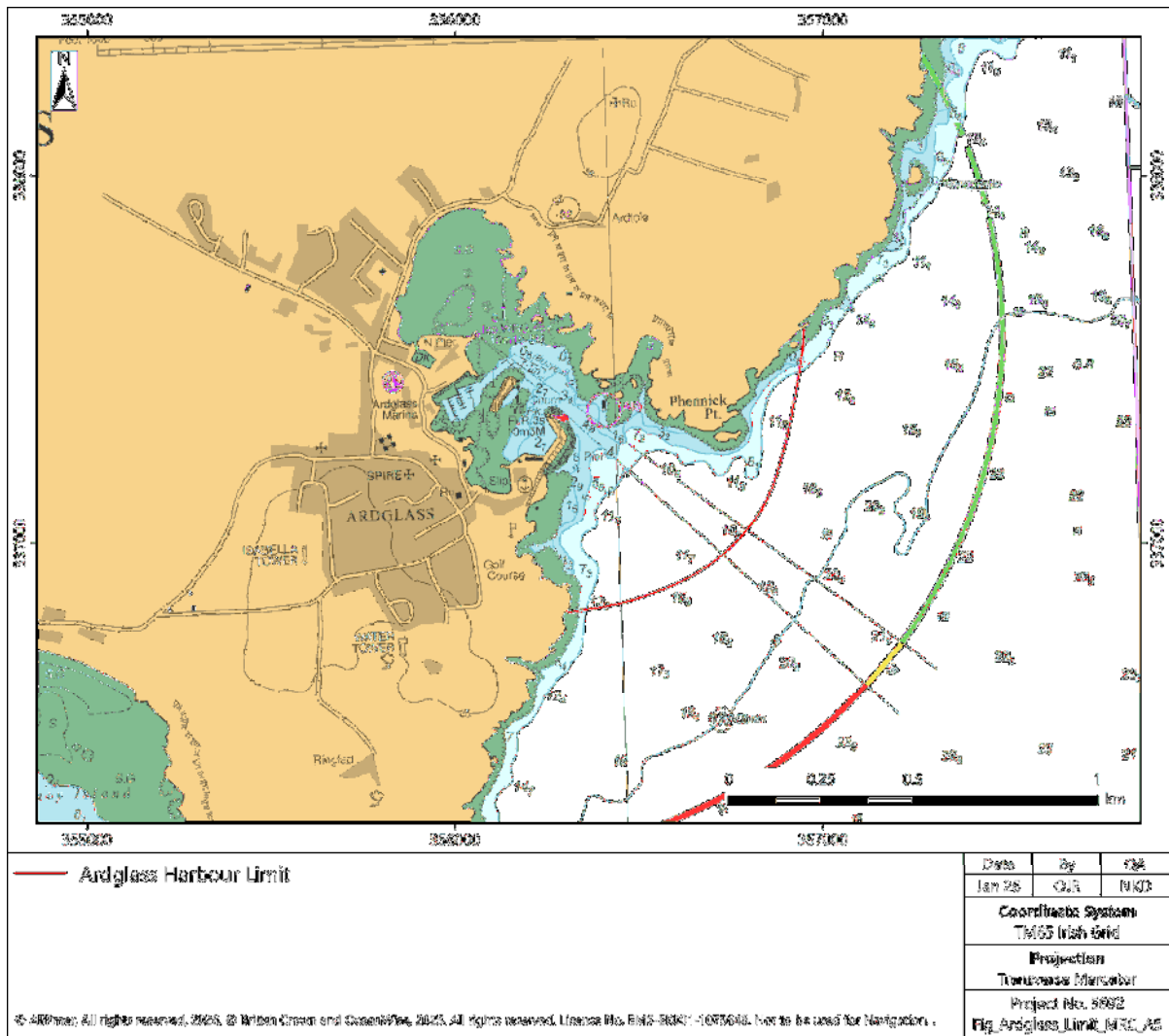


Figure 2 **Ardglass Harbour Limits Admiralty Chart**

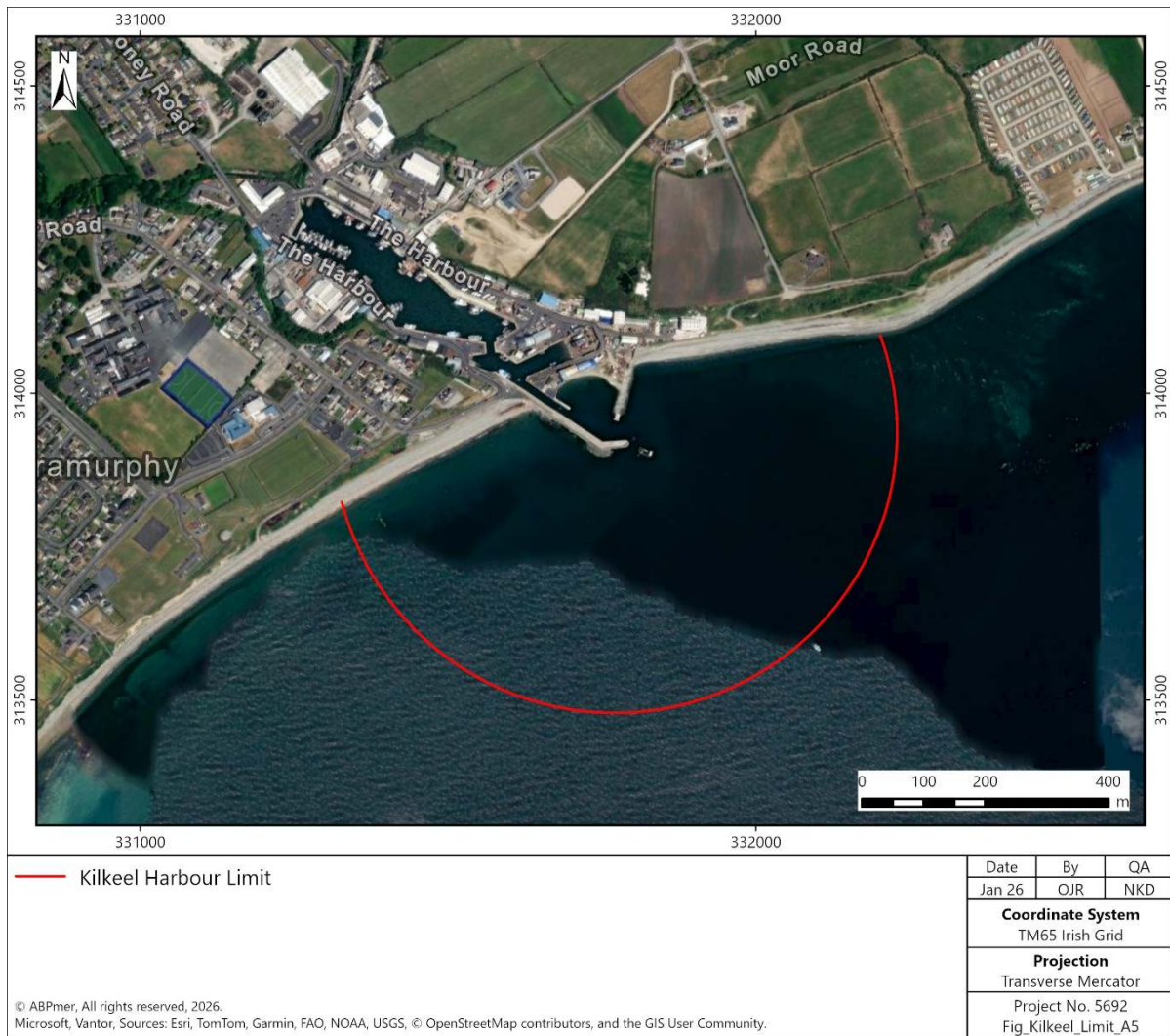


Figure 3 **Kilkeel Harbour Limits**

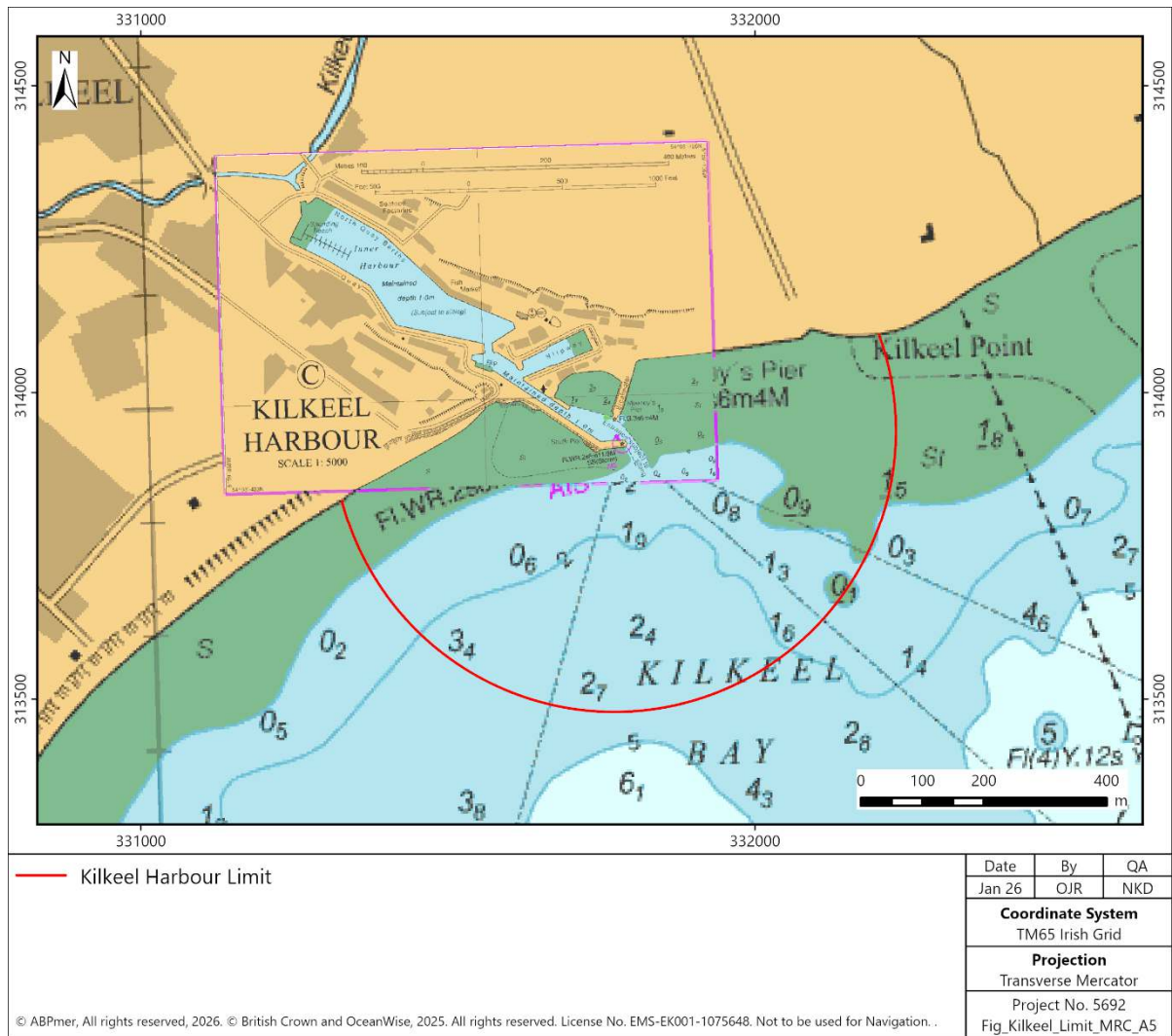


Figure 4 Kilkeel Harbour Limits Admiralty Chart

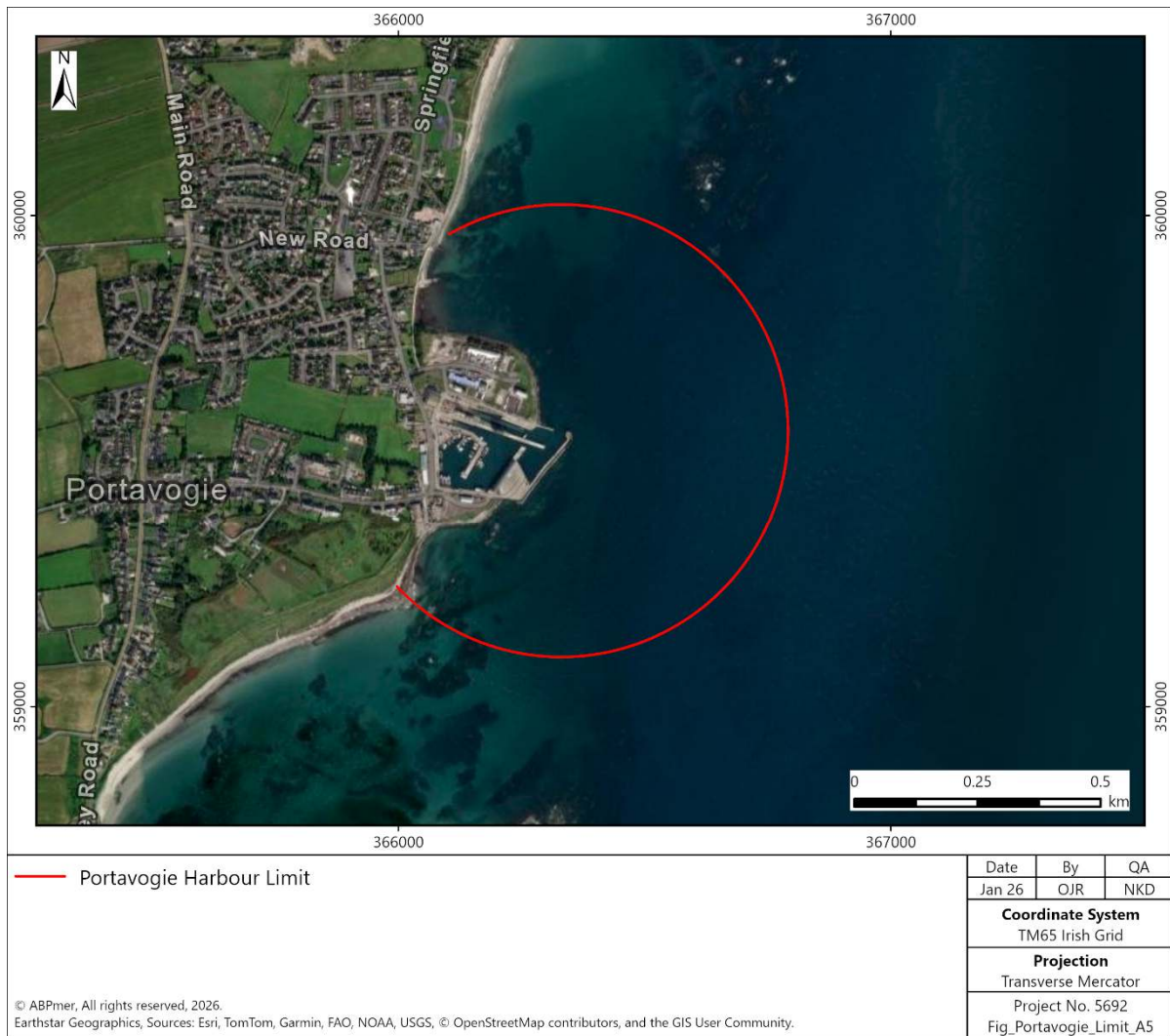


Figure 5 Portavogie Harbour Limits

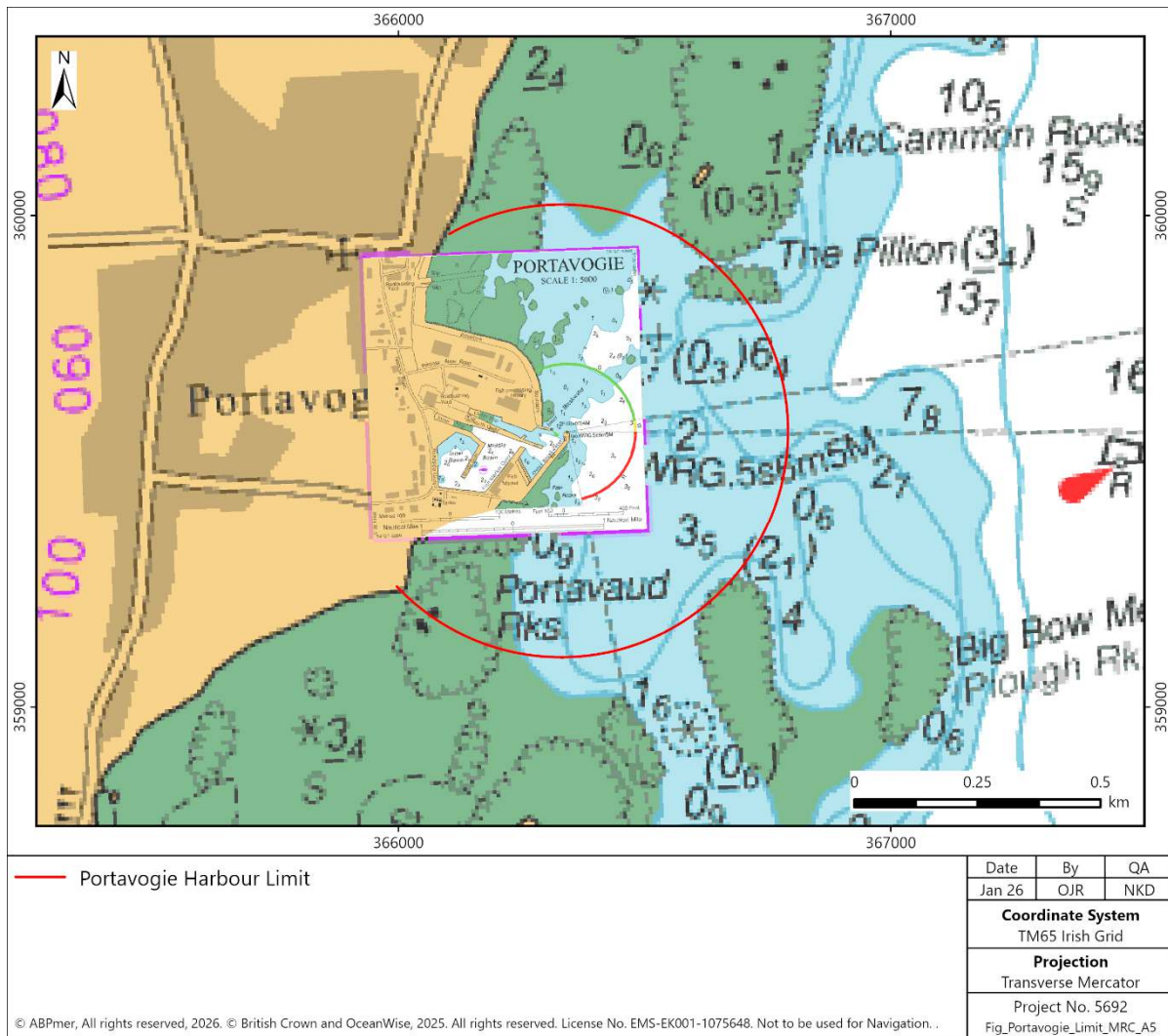


Figure 6 Portavogie Harbour Limits Admiralty Chart

Outside of the SHA limits, the Competent Authority with respect to marine and navigational safety is the Maritime and Coastguard Agency (MCA). Out with the harbour authority limits, the Commissioners of Irish Lights in its role as General Lighthouse Authority (GLA), is responsible for Aids to Navigation.

1.2 The Duty Holder

The Authority's Board (Duty Holder) acknowledges its responsibilities for marine safety. NIFHA is committed to adherence to the standard set out in the Code, and to periodic attendance at Duty Holder Awareness Training sessions. The CEO role is the point of contact for the appointed independent Designated Person.

The Code requires all organisations to confirm who the Duty Holder is. **The Duty Holder is confirmed to be the Authority's Board.** The Board are both individually and collectively accountable for marine safety and compliance with the Code.

In order to comply with the Code, the Duty Holders on behalf of the Authority will:

- Comply with the duties and powers under existing legislation, as appropriate.
- Attend as regularly as necessary, PMSC awareness training to understand the organisation's powers and duties related to marine safety.
- Ensure that a suitable MSMS, which employs formal safety assessment techniques, is in place.
- Ensure adequate resources and support is available for the discharge of duties and responsibilities relating to marine safety.
- Appoint a suitable Designated Person to monitor and report the effectiveness of the MSMS and provide independent advice on matters of marine safety.
- Appoint competent people to manage marine safety.
- Ensure that the management of marine safety continuously improves by publishing a 'Marine Safety Plan' (MSP) for marine operations and report performance against the plan's objectives.
- Report compliance with the Code to the MCA in line with the 'Compliance Exercise' timescale promulgated by the MCA.

1.3 Organogram

Figure 7 sets out the NIFHA Ports Organisational Structure

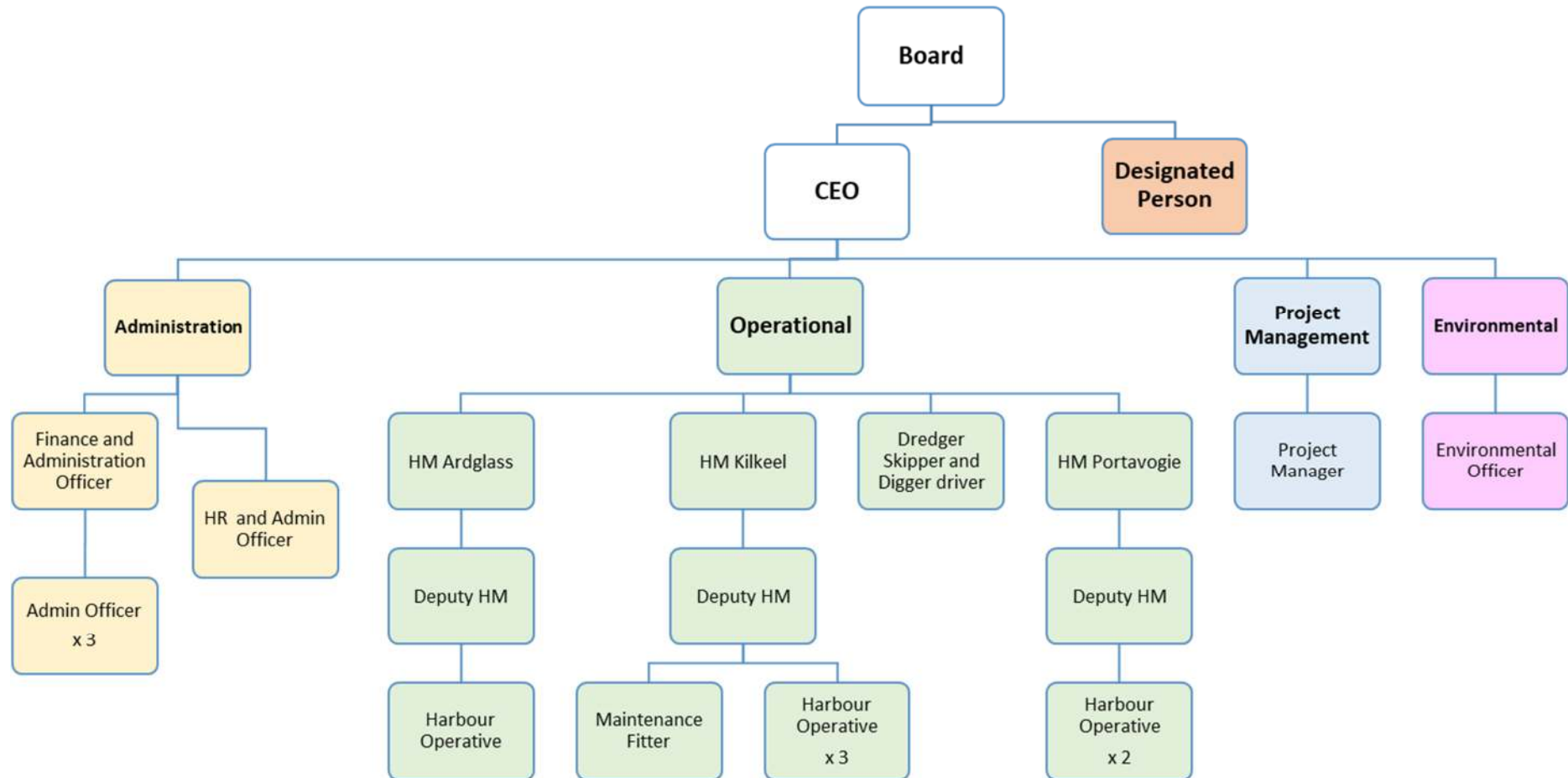


Figure 7 NIFHA Harbours Organogram

Members of the Authority's Board have been appointed by the Minister for the Department of Agriculture, Environment and Rural Affairs (DAERA) and regulated by the Commissioner for Public Appointments for NI (CPANI). Board member details can be found on the Authority's website. <https://nifha.net/our-board/>

Section 2: Designated Person

2.1 The Designated Person

The PMSC requires that organisations appoint a Designated Person to oversee the organisations obligations with respect to the provision of an effective MSMS. The function of the Designated Person is to provide independent assurance directly to the Duty Holder that the MSMS is working effectively. To fulfil this requirement, the Designated Person must have a thorough knowledge and understanding of the requirements of The Code (and the GtGP) and associated marine legislation. The Designated Person needs to have direct access to the Duty Holder.

The Designated Person for the authority is Capt. Rod Lewis of Associated British Ports Marine Environmental Research (ABPmer) and will:

- Determine through assessment and audit that the Authority has an effective and appropriate Marine Safety Management System. This will be conducted as a three yearly audit, with the output provided as a written report to the Duty Holder.
- Monitoring the thoroughness of the marine risk assessment process and the validity of the assessment conclusions.
- Monitoring the thoroughness of the incident reporting and any subsequent investigation to confirm the validity of the investigation conclusions.

Section 3: Legislation

3.1 Review Existing Powers

3.1.1 National Legislation

General legislation provides a range of duties and powers that as an SHA, and LLA, NIFHA Ports understand and applies within its approach to managing the harbour undertakings, this includes (but is not limited to) the following:

- Environment Act 2021
- Conservation of Habitats and Species Regulations 2010
- Conservation of Habitats and Species Regulations 2017
- Marine and Coastal Access Act 2009
- Marine Licencing (Exempted Activities) Order 2011
- Dangerous Vessels (Northern Ireland) Order 1991
- Dangerous Goods in Harbour Areas Regulations 2016
- Harbours Act 1970 (Northern Ireland)
- The Health and Safety At Work (NI) Order 1978
- Marine Navigation Act 2013
- Merchant Shipping Act 1995
- Railways and Transport Safety Act 2003
- The Northern Ireland Civil Contingencies Framework 2023
- Management of Health and Safety at Work Regulations 1999
- Criminal Justice (Northern Ireland) Order 1994

3.1.2 Local Legislation

The following Order provides the Authority specific duties, powers and responsibilities:

- Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973.

Schedule 2 of the above act sets out the repeal and revocation of the, until then acts and orders in relation to the Harbour of Ardglass, which was originally constituted as a private port, and was later transferred to the Ministry of Commerce.

The explanatory note in Schedule 2 states as Follows:

“This Order constitutes a fishery harbour authority and transfers to it from Down County Council the harbours of Kilkeel and Portavogie and from the Ministry of Commerce the harbour of Ardglass. It confers powers on the harbour authority including the improvement, maintenance and management of the transferred harbours”.

3.1.3 Harbours, Docks and Piers Clauses Act 1847

The Harbours Docks Piers and Clauses Act 1847(HDPC 1847) is incorporated into Part I of the Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973 as follows:

The following provisions of the Harbours, Docks, and Piers Clauses Act 1847, that is to say, sections “1 to 5, 14, 5, 21, 22, 24, 27 to 29, 33 to 41, 43 t 46, 48, 51 to 72 74, to 82, 92, 94, 99, 100,102 and 103 are hereby incorporated with this Order (but without prejudice to any other provisions of this Order) and shall apply to the transferred harbours as if:

(a) the transferred harbours had been constructed in pursuance of an Act which incorporated that Act;

(b) this Order were the Special Act for the purposes of that Act;

(c) the Authority were the undertakers for those purposes, and subject to the following modifications, that is to say:

(a) for any references in any of the said sections to the Special Act, the undertakers and the prescribed limits; there shall be substituted references to this Order, the Authority and the limits of the transferred harbours respectively;

(b) any references in any of the said sections to a vessel shall be deemed to include a sea-going hovercraft and the reference in section 28 to a vessel shall include a floating dock and a vessel of exceptional construction or method of propulsion;

(c) in section 15 for the words from “shall forever” to the end of the section there shall be substituted the words "shall be liable on summary conviction to a fine not exceeding £100:

(d) in the application by virtue of this Article of section 52 to; a harbour master employed by the Authority that section shall authorise a harbour master to:

(i) give directions prohibiting the mooring of any vessel in any part of the transferred harbours specified by him;

(ii) impose terms and conditions upon which a pleasure craft, hovercraft or hydrofoil may enter the transferred harbours, or any part of them specified by him;

(iii) give, in an emergency, general directions to all vessels or to any specified class of vessels;

(e) section 53 shall be construed as authorising a harbour master to give directions to the master of a vessel otherwise than in writing;

(f) in section 56 there shall be added at the end of the section the words "Where the amount realised by such sale is insufficient to meet any expenses incurred by the Authority in removing the wreck the Authority may recover the amount of the deficiency from the person who was the owner of the vessel at the time when it was wrecked;

(g) in section 69 for the words from "a sum" to the end of the section there shall be substituted the words "a sum not exceeding £100;

(h) where in any of the said sections reference is made to any person being liable to a penalty or a forfeiture such reference shall be construed as being a reference to a fine on the conviction of such person".

Review of Statutory Powers

The Authority's Duty Holder is committed to keeping its local legislation under review with regard to identifying the implications on their operations of any new legislation being developed. Where that legislation creates any new duties or responsibilities on organisations, these will be incorporated into the Authority's MSMS.

Section 4: Duties and Powers

The Authority's duties and powers are provided in its local legislation (Section 3.12), plus obligations drawn from national legislation (Section 3.1.1). As SHA's, the Authority's Duty Holder recognises its statutory duties in relation to safe and efficient port marine operations. This includes the duty of care to those using the harbour which means they have an obligation to conserve and facilitate the safe use of the harbour as well as a duty of care against loss caused by the harbour authority's negligence. Duties to ensure the safety of marine operations are matched with general and specific powers to enable the authority to discharge these duties. There are procedures for these to be changed where necessary.

The following sections describe how the Authority's Duty Holder meets its obligations.

4.1 Vessel Traffic Management

The authority has established Local Port Services (LPS) for the harbours of:

- Ardglass;
- Kilkeel; and
- Portavogie.

Each harbour LPS function is assessed to meet the requirements of the Authority in consideration of the guidance set out in MGN 401 (M+F) Amendment 3 Navigation: Vessel Traffic Services (VTS) and Local Port Services (LPS) in the UK.

Contact details, operating hours and key marine safety advice is published on the NIFHA website for each port:

<https://nifha.net/ardglass-harbour/>

<https://nifha.net/kilkeel-harbour/>

<https://nifha.net/portavogie-harbour/>

Marine Operations are monitored and controlled from the respective Harbour Master offices which are primarily manned office hours Monday to Friday throughout the year (excluding public holidays and is where most of the ship to shore communications occur.

There is provision for Saturdays from 0800-1200 at Portavogie.

Traffic image is maintained by Closed Circuit Television (CCTV) covering strategic areas of each of the Authority's harbours .

The provision of LPS is designed to improve port safety and co-ordination of port services within the port communities by dissemination of port information to vessels and berth or terminal operators. It is mainly concerned with the management of the ports, by the supply of information on berth and port conditions. Provision of LPS can also act as a medium for liaison between vessels and operational staff /port operations as well as providing a basis for implementing port emergency plans.

The objectives of the Authority's LPS functions include:

- To comply with National and International laws and conventions relating to marine operations in so far as they are applicable to Authority Harbours .
- To ensure vessels comply with Authority Harbours Byelaws, and Directions.
- To safely and efficiently co-ordinate and, where appropriate, regulate traffic movements within the harbours.
- To provide master's with necessary information to assist passage planning.
- To use all available resources to obtain information which is likely to be relevant and of assistance to those navigating within the harbour and disseminate that information as appropriate.
- To provide such navigation information as may be needed to aid a vessel in difficult navigational or meteorological circumstances or in cases of defects or deficiencies. The advice is given both on request by a vessel and when deemed necessary.
- To keep an accurate and comprehensive record of vessel movements and other activities.
- To act as co-ordinating function in the event of an incident within a harbour which requires the implementation of the Authority's OPRC Plan or the respective Port Emergency Plan and to carry out the procedures defined within those Plans.
- To act as the harbour's central point of contact for VHF Radio and for all incoming enquiries. To provide advice and information to the fishing, other commercial, recreational and port community as required.
- To report all failures or malfunction
- To maintain a check routine covering but not limited to:
 - dock lighting,
 - safety fencing,
 - safety signage
 - Safety equipment such as life rings
 - Quay ladders
 - security fencing and gates.

4.1.1 Navigational Advice and Guidance

Changes to the conservancy regime require the promulgation of navigational information to port users. Changes to seabed topography that may cause a navigational hazard or any other navigationally significant events such as wreck or major navigation aid casualty require to be communicated by the relevant Harbour Master or Deputy Harbour Master to port users at the earliest possible opportunity.

More minor changes can be promulgated less urgently. There is a hierarchy of methods by which the information may be promulgated. The most appropriate will be chosen following an assessment of the risks posed by the newly found information. This methodology is used for any event of navigational significance, whether it is hydrographic survey revealing changes to the seabed topography, or navigational aid changes or casualty, or notice of works in progress in the harbour area, or particular events taking place in the harbour .

The available methods in order of priority (most urgent through to least urgent) are:

1. Immediate radio navigation warning by the relevant Harbour Master or Deputy Harbour Master to all vessels within the harbour t area. In the case of a very significant event the Harbour Master or Deputy Harbour Master would also notify the UKHO Radio Navigation Warning Section who will in turn decide whether to issue coastal radio navigation / Navtex warnings.
2. A text via group text messaging
3. A Local Notice to Mariners will be immediately issued by the relevant Harbour Master or Deputy Harbour Master. The local marine community and others on the Local Notice to Mariners distribution list will thus be advised as soon as practicable.
4. The Local Notices to Mariners will also be sent to UKHO who may choose to issue an Admiralty Notice to Mariners for distribution.
5. More minor changes (to the seabed topography for example) will be included in the data sent to the UK Hydrographic Office (UKHO) at Taunton following each survey. The UKHO will then decide, in consultation with the relevant Harbour Master, whether to amend affected Admiralty charts by issuing an Admiralty Notice to Mariners or to withhold the amendment until a new edition of the chart is published. Locally produced hydrographic charts are in effect always “new editions” and so The Authority’s harbours will always have the latest depth information to hand upon completion of any survey.

The authority’s harbours promulgate harbour information on the Authority’s website. This information includes:

- Ardglass Harbour Marine Safety Notice and Notice to Mariners - <https://nifha.net/ardglass-harbour/>
- Kilkeel Harbour Marine Safety Notice and Notice to Mariners - <https://nifha.net/kilkeel-harbour/>
- Portavogie Harbour Marine Safety Notice and Notice to Mariners - <https://nifha.net/portavogie-harbour/>

4.1.2 Marine Safety Advice Notices

Navigational safety directions are detailed in Safety Advice Notices which are issued for each harbour under the Authority's control.

These notices are reviewed annually and are included in the Port User Handbook which is re-issued each year and circulated to all regular port users.

Risk Assessment has indicated that communications with the port is not considered essential for safe entry to the harbour. Normal traffic volumes and the available manoeuvring space within the harbours and their approaches are considered adequate for vessels to navigate safely to avoid collision, contact or grounding by the ordinary application of the International Regulations for Prevention of Collisions at Sea and the normal practice of seamen. For this reason (as in many small ports), the harbours of Ardglass, Kilkeel and Portavogie do not operate a formal Port Control System.

However, to reduce the risk of collision vessels are advised to communicate ship to ship on all entry and exit movements using the designated port VHF channel, details of which are given in the Safety Advice Notices.

Risk Assessment has identified that entry to Kilkeel Harbour carries an increased risk in strong onshore wind and swell conditions. This is highlighted in the Safety Advice Notice, in Pilot Book entries and in a Notice to Mariners which is re-issued annually. While the decision to enter the harbour is left to the Master of the vessel, the Master is advised to exercise caution or to seek alternative refuge in these weather conditions.

4.2 Open Port Duty

The Authority's harbours are all subject to Open Port Duty by virtue of the incorporation of 'section 33 of the Harbours Docks Piers and Clauses Act 1847' in Section 2 of the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'.

4.3 Appointment of a Harbour Master

The Authority's Harbours all have the power to appoint a Harbour Master by virtue of incorporation of section 51 of HDPC1847 in Section 2 of the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'. This appointment is a statutory role; the Harbour Masters are accountable to the Duty Holder for the safety of marine operations in the harbours. The appointed NIFHA Harbour Masters are:

Ardglass Harbour	James Lenaghan
Kilkeel Harbour	Norman Bridges
Portavogie Harbour	Neil Warnock

4.3.1 Delegation of Powers

The 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973' incorporates at section 2, inter alia, sections, 51 and 52 of HDPC 1847. Section 2 of HDPC 1847 states as follows:

"The harbour master" shall mean, with reference to any such harbour the harbour master, and with reference to any such dock the dock master, and with reference to any such pier the pier master, respectively appointed by virtue of this or the special Act, and with respect to all Acts authorised or required to be done by such harbour master, dock master, or pier master, shall include the assistants of every such harbour master, dock master, or pier master"

It therefore follows that the powers of the Harbour Master conferred by section 52 of HDPC 1847, have been formally delegated as required to all designated deputies and assistants of the Harbour Master.

4.4 Byelaws

The Authority in exercising the powers conferred on them by:

- Section 15 of the Harbours Act(Northern Ireland) 1970;
- Section 9 of the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'

has made Byelaws. These Byelaws enable NIFHA Ports to enforce rules that it considers necessary to protect and maintain safety within the port limits, in line with the conferred Byelaw powers, as follows:

- Harbours Act (Northern Ireland) 1970

(1) A local harbour authority may make byelaws for all or any of the following purposes:

- (a) for regulating the use of the harbour;*
- (b) for regulating the conduct of persons;*
- (c) for regulating the exercise of the powers vested in the harbour master;*
- (d) for regulating the movement of vessels;*
- (e) for controlling vehicles;*
- (f) for preventing the obstruction of, or injury to, the harbour;*
- (g) for regulating the shipping and unshipping, landing, warehousing, stowing, depositing and removing of all goods within the harbour;*
- (h) for regulating, with the consent of the Commissioners of Customs and Excise, the hours during which the gates, entrances or outlets to the harbour will be open;*
- (i) for regulating the functions of any person, not being an officer of customs and excise, employed (whether by the authority or any other person) in the harbour;*
- (j) for regulating the use of fires and lights;*
- (k) for preventing damage or injury to any vessel or goods;*
- (l) for regulating the use of cranes and other equipment belonging to the authority.*

- The 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'

The Authority may in relation to the transferred harbours make bylaws for all or any of the following purposes but so that no such byelaws shall come into operation before the transfer date:

- (a) for regulating the use of the harbours;
- (b) for regulating: the conduct of persons;
- (c) for regulating the exercise of the powers vested in a harbour master;
- (d) for regulating the movement of vessels;
- (e) for controlling vehicles;
- (f) for preventing the obstruction of, or injury to, the harbours;
- (g) for regulating the shipping and unshipping, landing, warehousing, stowing, depositing and removing of all goods within the harbours;
- (h) for regulating the bringing of dangerous goods to the harbours and the discharging, handling, transporting or storage of such goods within the harbours;
- (i) for regulating, with the consent of the Commissioners of Customs and Excise, the hours during which the gates, entrances or outlets to the harbours will be open;
- (j) for regulating the functions of any person, not being an officer of Customs and Excise, employed (whether by the Authority or any other

person) in the harbours;
(k) for regulating the use of fires and lights;
(l) for preventing damage or injury to any vessels or goods; and
(m) for regulating the use of cranes and other equipment belonging to the Authority.

Northern Ireland Fishery Harbour Authority Byelaws (1989) can be found here <https://nifha.net/publications/hsandmpublications/>. NIFHA have implemented a notification form for breach of byelaws/ breach of a code of practice or notification of defective equipment which may be in breach of the above and can be found at <https://nifha.net/publications/hsandmpublications/>.

4.5 Special Directions

Section 52 of Harbours, Docks and Piers Clauses Act, 1847 provides that the Harbour Master may give directions for any of the following purposes:

- For regulating the time at which and the manner in which any vessel shall enter into, go out of, or lie in or at the Harbour.... And within the prescribed limits..... and its position.... Whilst therein;
- For regulating the position in which any vessel shall take in or discharge its cargo or.... passengers;
- For regulating the manner in which any vessel entering the Harbour.... shall be dismantled, as well as for the safety of such vessel as for preventing injury to other vessels and to the Harbour...."

The Harbour Masters of the Authority's harbours are empowered to give special directions, i.e. directions that are particular to the vessel to which they are given. These are usually made at short notice to regulate specific activity.

Harbour Master powers of Special Direction can be delegated to the relevant Deputy Harbour Master by virtue of incorporation of section 51 of HDPCA 1847.

4.5.1 Delegation of Powers

In circumstances that a Special Direction is issued, the following wording is to be used as a guide.

"This is ... (name) ..., Harbour Master, (or speaking with the authorisation of the Harbour Master of [Ardglass/Kilkeel/Portavogie] under powers of delegation conferred by section 2 of the Harbours Docks Piers and Clauses Act 1847). Under the powers of direction conferred

by the Harbours Docks and Piers Clauses Act, 1847 Section 52, I hereby give the Master of the vessel _____ a Special Direction as follows”:

4.6 General and Harbour Directions

Harbour Directions are not expressly conferred by the ‘Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973’. There is no clear route to obtaining the powers in Northern Ireland due to the ‘Marine Navigation Act 2013’ only making changes to the Harbours Act 1964 and not the 1970 Act (NI). Notwithstanding this, General Directions are considered a more efficient means of regulating vessels, people and vehicles within the Harbour area than Byelaws. The authority’s Harbours are exploring options with the Department for Infrastructure (DfI) through DAERA to obtain powers of General Direction.

4.7 Dangerous Vessel Directions

Under Section 3 of the ‘Dangerous Vessels (Northern Ireland) Order 1991’, the Harbour Masters (or Authorised Deputies) may:

“A harbour master may give directions prohibiting the entry into, or requiring the removal from, the harbour for which he is harbour master 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 any person or property; or

(b)grave and imminent risk that the vessel may, by sinking or foundering in the harbour, prevent or seriously prejudice the use of the harbour by other vessels.

A Direction under this Order does not apply to any vessel belonging to Her Majesty (or employed in the service of the Crown) or any vessel which is a pleasure boat of 24 metres or less in length.

These directions can be given to the vessel Owner, the Master or any Salvor or their Agent. The Harbour Authority may have limited liability for any loss or damage occurring outside the Harbour as a result of any such direction. Direction of the Harbour Master may be overruled by the Secretary of State’s representative (SOSREP). In these cases, the vessel must be permitted to enter or stay in the Harbour, and the Government assumes a greater liability for the vessel.

4.8 Pilotage

The Authority's harbours have not been conferred the status of Competent Harbour Authority (CHA), as that status refers to the 'Pilotage Act 1987'.

The Authority's harbours Duty Holder has not determined, through formal risk assessment, that a pilotage service is a requirement for any of the NIFHA Ports. The NIFHA Ports Duty Holder continues to keep the potential for the requirement for pilotage, as a risk mitigation under, review.

The Authority's Duty Holder as the Port Authority with powers to regulate navigation in its waters, will keep under consideration the need for pilotage services to be provided to secure the safety of ships navigating in or in the approaches to its harbour. This consideration formed part of the authority's formal risk assessment. There is a specific duty to have regard in particular to the hazards involved in the carriage of dangerous goods or harmful substances by ships. The requirement will be kept under constant review to take account of changes in the use of the harbour.

The process of review will be used to establish whether pilotage should be compulsory for ships navigating in any part of the harbour or its approaches and, if so, for which ships and in which circumstances and what pilotage services need to be provided for those ships. This is to be determined on grounds of safety only. It will be covered by the formal risk assessment required by the 'Code', and the requirement kept under review in the harbour authority's Safety Management System.

4.9 Towage

The Authority's Duty Holder has not determined, through formal risk assessment, that routine harbour towage is a requirement for any of the NIFHA Ports. The NIFHA Ports Duty Holder continues to keep the potential for the requirement for routine harbour towage, as a risk mitigation, under review.

4.9.1 Non-Routine Towage

Due to the low number of non-routine towage operations undertaken within the Authority's harbours limits, the Authority does not licence any tug operators and no tug operators are based in Authority ports.

All towing operations of vessels in and out of Authority Harbours must be carried out by a competent Tug Operator and have a towing certificate issued by the MCA. All towing operations within Authority harbours must only take place with the permission of the Harbour

Master and subject to a risk assessment and planning process specific to the nature of the non-routine or unusual towage operation required. This process is guided by a specific form.

The Authority's Non-Routine Towage form can be found in the HS21 Port Marine Safety Code folder within Health and Safety on the Shared One Drive.

4.10 Regulation of Marine Craft

NIFHA Harbours do not have specific powers in enabling legislation to licence marine craft. However, the Authority operates a vessel declaration system that requires all vessels using and berthing in NIFHA Harbours to participate. Details of the vessel declaration system can be found in the Annual Declarations folder on the Shared One Drive. Declarations include the requirement for all vessels to be in compliance with the respective workboat or fishing vessel standards.

The Authority owns and operates a dredger and small work boats. There are no third-party tugs or work boats undertaking operations in NIFHA Ports

The Authority owns and operates the small grab-hopper dredger the Kilmourne which is based at Kilkeel Harbour. This vessel has a gross max displacement of 322 tons, an overall length of 26.0m and a hopper capacity of 100m³. The vessel is maintained to MCA Workboat code category 2 certified by Mecal Ltd. The crew members are trained to MCA standards which are STCW 95 Master II/3 (less than 500gt). Risk Assessments for the maintenance and operation of the dredger are maintained and reviewed on an annual basis or earlier if required.

The Authority has implemented rules for Use of Harbour Workboats:

- Harbour Masters permission must be obtained before use
- All persons on board must wear a life jacket
- Emergency radio must be taken and tested on board
- No less than two persons on board
- Vessel must only be used in harbour limits
- Vessel must be secured properly after use in a safe berth

A checklist is kept and must be completed and signed before the workboat is used.

The checklist contains the following:

- Check the fuel level
- Check the oil level
- Check the engine coolant (if applicable)

- Check the steering operation
- Check bilge pump operation
- Check the battery is charging (if applicable)
- Check for damage
- Check lifejackets
- Check anchor and rope
- Check paddles are present
- Check boathook is present

Checklists can be found within Health and Safety Folder on the Shared One Drive.

4.11 Environmental Duty

The authority as SHA has environmental duties derived from legislation including:

- The Environment Act 2021, Section 6 'Biodiversity and Resilience of Ecosystems
- Duty' requiring public bodies, including Statutory Harbours, to have regard to biodiversity in their activities; and
- The Conservation of Habitats and Species Regulations 2010 and 2017.

The Authority is committed to the protection and conservation of the environment. The Port will seek to maintain and improve, whenever possible, high environmental quality through the strict adherence to UK environmental legislation and internationally agreed conventions, directives and resolutions intended to protect the environment.

The Authority recognises the special position of the Harbour as a natural asset and will continue to promote its sustainable use, balancing the demands of its natural resources and resolving conflicts of interest.

The Authority has issued a Conservancy and Environmental Policy which can be found on our website <https://nifha.net/publications/hsandmpublications/>

4.12 Emergency Preparedness and Response

The 'Dangerous Goods in Harbour Area Regulations' (DGHAR) 2016 defines the meaning of a dangerous substance. The Authority response to dangerous substance incidents is addressed in the Emergency Response Plan specific to each harbour which can be found within Emergency Response Plans on the Shared One Drive.

The The Authority's Harbour Masters have powers to prohibit the entry into a harbour of any vessel carrying dangerous goods, if the condition of those goods, or their packaging, or the vessel carrying them is such as to create a risk to health and safety, and to control similarly

the entry on to dock estates of dangerous substances brought from inland (as prescribed in the DGHAR).

The Authority requires that prior notice is given to bring dangerous substances into Authority harbour limits from sea or inland. The period of notice is 24 hours. The arrival of dangerous goods is notified directly to the respective Harbour Master. Dangerous goods and marine pollutants in packaged form are administered through the provisions of the International Maritime Dangerous Goods (IMDG) Code.

Emergency Response Plans are reviewed annually or as required and updated by the Safety Officer in conjunction with the other Harbour Masters; and re-circulated by Head Office.

ERP contacts are updated by Head Office as required, in conjunction with the individual Harbour Masters; and then re-circulated to the harbours.

4.12.1 Pollution Prevention

Under Section 144 of the Merchant Shipping Act 1995, the Harbour Master may detain a vessel if there is reason to believe that it has committed an offence by discharging oil, or a mixture containing oil, into the waters of a harbour.

Under Section 135 of the Merchant Shipping Act 1995, Notice must be given to a Harbour Master before oil is transferred at night to or from a ship in any harbour. In addition, under Sections 136/259(6) of the Merchant Shipping Act 1995, all oil spills into harbour waters are to be reported and harbour masters have powers to board ships to investigate possible offences.

Under the requirements of the Merchant Shipping (Oil Pollution Preparedness Response and Co-operation Convention) Regulations 1998, there is a requirement for Authority harbours to produce an Oil Pollution, Preparedness, Response and Cooperation Plan (OPRC). The Authority operates a single plan covering the three harbours, the NIFHA Ports OPRC Plan can be found within OPRC Plans on the Shared One Drive.

The NIFHA Ports OPRC is approved by the MCA and Oil Pollution Response Plans are reviewed annually or as required and updated by the Safety Officer in conjunction with the other Harbour Masters; and re-circulated by Head Office. OPRC contacts are updated by Head Office as required, in conjunction with the individual Harbour Masters; and then re-circulated to the harbours.

For minor spills, Authority harbours via the Harbour Master will take the appropriate action and arrange for safe storage and legal disposal of waste. Equipment for dealing with minor spills is held onsite at each NIFHA Port Tier 1 spills will be monitored and dealt with by NIFHA Ports staff, and in the event that the situation escalated into Tier 2 an external oil pollution response provider, documented in the OPRC will be engaged. Due to the limited types of trades and limited amounts of lighter oil bunker fuels, NIFHA Ports approved OPRC Plan does not require the provision of a contracted Tier 2 responder. Risk assessments for Oil Pollution are documented as part of the NIFHA Ports marine risk management process.

4.13 Civil Contingencies Duty

The Northern Ireland Civil Contingencies Framework 2023 provides a framework for civil protection in the event of an emergency that threatens serious damage to human welfare, the environment or security. This framework does not define Harbour Authorities as responders.

4.14 Collection of Dues

NIFHA Ports issues dues and charges rates for services including for the unloading and loading of goods and for berthing at the NIFHA Harbours. The authorities' powers to levy dues is drawn from section 33 of HDPC 1847 being incorporated in the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'

"Upon payment of the rates made payable by this and the special Act, and subject to the other provisions thereof, the harbour, dock, and pier shall be open to all persons for the shipping and unshipping of goods, and the embarking and landing of passengers".

NIFHA Ports publish their tariff of dues and charges on the website <https://nifha.net/other-publications/>

4.15 Diving Operations

No diving operations are permitted to take place within the NIFHA Ports limits without having advised and received permission from the respective NIFHA Ports Harbour Master.

4.16 Commercial Diving

No commercial diving shall take place within the NIFHA Ports limits unless a Permission to Dive request has been issued by the respective NIFHA Ports Harbour Master. The permission to dive will only be provided once the particulars detailed within the request form have been completed. The purpose of the Diving Permission Request Form is to inform, exchange

relevant information, deconflict and to set NIFHA Ports expectation of standards and processes to be adhered to. The form can be found in HS21 Port Marine Safety Code folder within Health and Safety on the Shared One Drive.

4.16.1 Recreational Diving

NIFHA Ports do not allow recreational diving to take place within the NIFHA Ports Limits. The harbours are operational with high traffic density at times.

4.17 Bunkering

Bunkering Procedure

- Vessels to pre inform the respective Harbour Master of any planned bunkering operations during the vessels stay in port.
- Any bunkering operations are to be agreed with the respective Harbour Master in advance, to include procedures regarding access and non-disruption to other operations.
- All tankers to have spill kits or similar with a contingency plan to contain any spills. Spills and any oil noted in the harbour water must be reported immediately to the respective Harbour Master.
- Vessels are to inform the respective Harbour Master by VHF, that they are about to commence bunkering operations confirming that a bunker checklist, has been completed satisfactorily.
- Upon completion of bunkering operations, the respective Harbour Master should be informed that bunkering operations have been completed and of the total amount of bunkers transferred.
- The respective Harbour Master is to be informed immediately of any spill.

4.18 Hot Work

Hot work means the use of open fires, flames and work involving the application of heat by means of tools or equipment. This includes the unintentional application of heat, for example by the use of power tools or hot rivets or hot particles from cutting or welding operations, falling onto and igniting flammable material or flammable vapours. Vessels intending to undertake hot work are required to complete a 'Hot Work' permission form that is intended to exchange safety information and deconflict with potentially incompatible nearby operations such as bunkering operations. This form can be found in HS21 Port Marine Safety Code folder within Health and Safety on the Shared One Drive.

4.19 Engine Immobilisation

Vessels intending to immobilise engines are required to inform the respective Harbour Master including the nature of the immobilisation and expected time scales, The respective Harbour Master should be informed once the vessels engines are ready for use after immobilisation.

Section 5: Risk Assessment

5.1 Formal Risk Assessment

NIFHA Ports have adopted a structured Formal Risk Assessment (FRA) approach to the identification and analysis of hazards, and the assessment of the risks they pose, in accordance with 'the Code', this includes:

- The identification and analysis of risks.
- An assessment of these risks against an appropriate standard of tolerability.
- A cost effectiveness analysis of risk reducing measures where appropriate.

NIFHA Risk Assessments and Hazard Log Spreadsheet can be found in HS12 Marine Risk Assessment sub Folder within the Health and Safety folder on the Shared One Drive.

All the hazards identified have been formally reviewed as part of the ongoing development of the NIFHA harbours MSMS. The hazard log is kept under constant review. Risk assessments are reviewed at least annually or immediately whenever there's a significant change to the workplace, equipment or safe operating procedures. In addition, risk assessments are reviewed after relevant incidents. Internal stakeholders are included in reviews.

Hazard reviews record the outcome of the most recent reviews and makes recommendations for prioritisation and further action.

A risk can be declared ALARP, provided it is not in the "intolerable" region described below, if it is believed that all practicable mitigating actions and safeguards have been identified and, if considered reasonably practicable, implemented.

Risk levels in the NIFHA Ports risk spreadsheet were derived by the consistent use of consequence and likelihood matrices. The risk matrix approach is used to combine the estimated likelihood of a hazard with its estimated consequence in four outcome-criteria with consequence to:

- Life;
- The environment;
- Port and port user operations (business, reputation etc); and
- Port and shipping infrastructure (damage)

those that fall in the red sectors indicates an intolerable risk, which must be either eliminated or the handling of them completely redesigned. The threshold between red and amber sectors therefore represents NIFHA harbours limit of risk tolerability. Risks that fall within the

amber and green sectors is the area that ALARP is applied in consideration of cost versus benefit. It should be noted that it is incorrect to say that a risk in this region “is automatically ALARP”. Its placement in this region means that the risk must be demonstrated to be ALARP by means of mitigations and risk reduction in consideration of cost benefit principles.

ALARP is an industry wide concept applying to both health and safety and port marine safety. The core concept is that of ‘reasonably practicable’, which involves weighing up the risk against the effort, time and money needed to control it. NIFHA harbours have applied the ALARP principle in the FRA process in each individual assessment. The purpose being, to consider if the summary risk for each hazard scenario can be reduced to a point which is both ‘reasonable’ and ‘practicable’. ALARP is not defined as a threshold or benchmark target. The aim of the ALARP principle is to strike a balance between the severity of the consequence of a particular hazard, and the cost and difficulty of implementing control measures.

Where risks are identified which are intolerable, measures are taken to eliminate and or reduce these risks to ensure they become tolerable and ALARP by the end of the process. The greater the risk, the more likely that it will be reasonable to go to the expense, trouble and invention to reduce it, in line with the hierarchy of risk control principles:

- Eliminate risks – by avoiding a hazardous procedure or substituting a less dangerous one;
- Combat risks – by taking protective measures to prevent risk; and
- Minimise risks – by suitable systems of working

NIFHA harbours assess both Port Marine Risk and Health and Safety risk following the above principles consistently. Separate Occupational Health and Safety Risk Assessments are maintained. These assessments can be found within the Health and Safety Folder on the Shared One Drive. This folder also includes the operation of NIFHA harbours workboats slipways and equipment.

5.2 Dynamic Risk Assessment

Activities undertaken at NIFHA harbours by employees and contracted service providers are conducted with an ethos of continual dynamic risk assessment. During a work activity any additional risk perceived due to the current conditions and external influences. The fundamental understanding of dynamic risk assessments is that any activity may be stopped at any time if a hazard is perceived as:

- Unexpected and not accounted for;
- Makes the activity more difficult than expected due to surrounding influences;
- Changes the purpose or goal of the activity; and
- Increases the time required to complete the task beyond the expected period.

The experience gathered from conducting dynamic risk assessments is utilised in the review process of FRAs and the refinement of standard operating procedures and processes.

NIFHA Harbour Master training includes preparation of risk assessments including dynamic risk assessments.

Section 6: Marine Safety Management System

6.1 Marine Safety Management System Components and implementation.

The Code requires all organisations, including harbour authorities, to establish and maintain a MSMS. The information and structure contained in this system, together with supporting documents, such as, marine policies, procedures and working documents produced, meets this requirement.

The system components include:

- NIFHA's Harbour Policies
- NIFHA's Marine Safety Plan (MSP)
- The MSMS signposting document (this document)
- The Marine Risk Assessments and Accident-Incident records.
- NIFHA harbours Emergency Response Plans.
- NIFHA's approved OPRC Plan
- NIFHA Ports Port Marine Training Matrix
- Personnel training records.
- Health & Safety Risk Assessments
- Safe Systems of Work (SSOW).
- High Level Procedures to Control Hot Work, Diving, and Bunkering etc
- Guidance Documents and Notices to Mariners
- Forms
- Records

NIFHA's MSMS structure is based on the principle of Plan - Do - Check – Act. Figure 8 sets out the cyclic process.

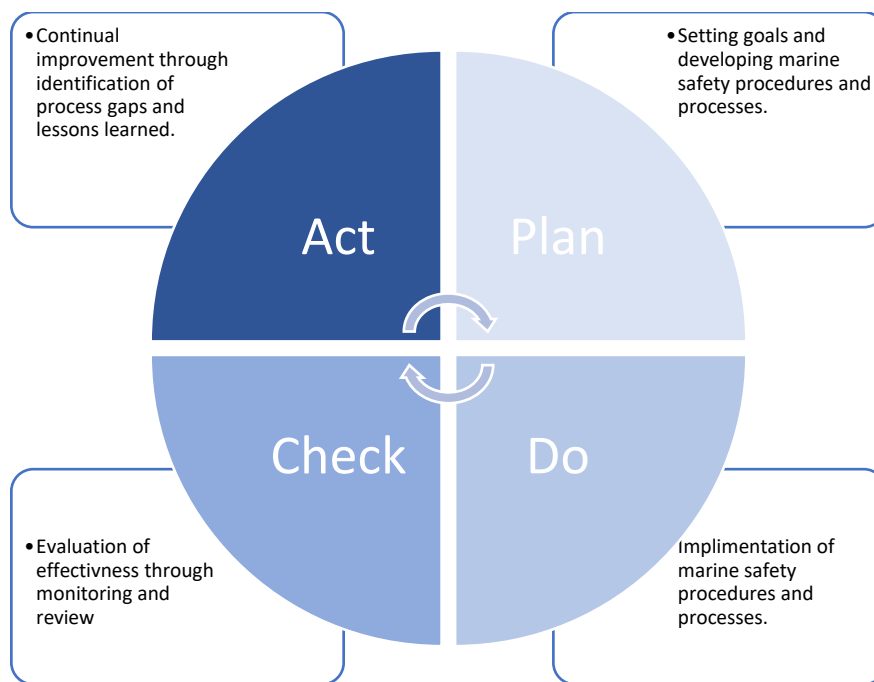


Figure 8 NIFHA Ports MSMS Cyclic Process

The MSMS should include a bridging document, where adjoining or interfacing with another organisation, setting out key communication lines and interactions, deconflicting application of policies and procedures within both MSMS and emergency response.

Adjoining or interfacing organisations within the vicinity of NIFHA harbours are limited, NIFHA Harbours are in the process of engaging with identified organisations on a tiered basis with a view to agreeing interfacing documents

To inform the evolution of the MSMS, NIFHA Ports regularly reflect on their own operational practices and review documents which might be relevant to failures in the management of risk to drive continuous improvement. The documents reviewed include:

- The GtGP;
- MAIB reports and Safety Digests;
- ABPmer Designated Person Quarterly Industry News
- Sector/industry alerts and best practice guidance; and
- MCA Health Check Reports.

6.2 Accountability for Marine Safety.

The following sections lay out roles and responsibilities for key officers.

6.3 Chief Executive

The Chief Executive of NIFHA is accountable to the NIFHA Board (Duty Holder) for the operational and financial control of the Harbour. The Chief Executive will advise the NIFHA Board on all matters related to its duties and powers, with appropriate advice from the Harbour Masters and the Designated Person, as appropriate. The Chief Executive will oversee the implementation of the Harbour's policies and decisions and will have overall executive responsibility for the safety of operations, recruitment and training of staff.

6.4 NIFHA Board (Duty Holder)

Overall responsibility for the delivery of policies and financial decisions rests with the NIFHA Board (Duty Holders) who are both individually and collectively accountable for marine safety and compliance with the Code. See Section 1.2 for a list of responsibilities.

6.5 Harbour Masters

The respective NIFHA Harbour Masters are accountable to the Chief Executive and Duty Holder for the discharge of the role in accordance with the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'. In line with defined role responsibilities, the Harbour Master's duties in respect of marine safety may be delegated operationally and include:

6.5.1 Managing Legal Responsibilities

- Ensuring compliance with and discharging relevant legal powers, duties and responsibilities relating to marine safety, and ensuring the periodic review of the same.
- Planning, implementation, monitoring and evaluation of specific health and safety working practices.

6.5.2 Managing Marine Operations

- Developing criteria and regulating vessel movements as necessary for safe navigation.
- Assessing hazards and risks involved in marine operations.
- Verifying that Hazard and Risk Control reviews are completed and assessing the results.
- Investigating marine accidents and incidents.
- Implementing and monitoring effective incident, accident, near miss and dangerous occurrence reporting procedures. Verifying that necessary corrective actions have been implemented.
- Ensuring that lessons learned are disseminated between the ports and to stakeholders where appropriate.

6.5.3 Managing Marine Staff and Resources

- Delegating duties as appropriate.
- Ensuring staff awareness of their responsibilities.
- Ensuring personnel are trained in accordance with safety and familiarisation procedures and identifying any additional staff training needs.
- Assessing the need for sufficient personnel to operate the port systems safely and effectively.
- Ensuring that adequate resources and secondary support procedures are in place.

6.5.4 Managing Port Emergencies

- Formulating, reviewing and updating contingency plans and procedures.
- Managing responses to emergencies in the port until the incident management team is assembled.

6.5.5 Reporting and Maintaining Records

- Ensuring reports regarding unsafe acts, near misses, accident and incidents are recorded.
- Ensuring that document control procedures are followed.

6.5.6 Managing Leisure and Recreational Facilities

- Ensuring safe access to port waters for recreational users.
- Liaising with recreational users on safety matters. Consulting with recreational users and developing procedures to minimise conflict between recreational and commercial port users.

6.5.7 Discharging Conservancy Duties

- Maintenance of navigation channels.
- Hydrographic surveying and promulgation of up to date information.
- Maintenance of navigational aids and reporting to CIL (Commissioner of Irish Lights).
- Exercising statutory duties in relation to wrecks.

6.5.8 Managing Harbour Facilities and Marine Services

- Ensuring the safe operation and maintenance of harbour vessels.
- Reviewing and auditing compliance of workboats within the harbour to the appropriate codes.
- Ensuring the provision of adequate facilities for safe operation of the harbour.

- Maintenance of Quays and Docks.
- Maintenance of harbour mooring equipment.

6.6 Other NIFHA Ports Officers and Staff

Other Officers and staff of the organisation with marine safety responsibilities include:

- Deputy Harbour Masters
- Dredger and workboat Skippers and crews

In-particular, they are responsible for:

- Identifying and proposing solutions to any hazards to safe berthing and safety in the workplace.
- The reporting of any harbour or marine incidents/accidents.
- Participation in Oil Spill Response & Emergency Response (including exercises).
- Promote harbour user marine safety awareness.

6.7 NIFHA Harbours Permit to Work system

The purpose of the NIFHA Permit to work system is to ensure that hazardous work is carried out in a way which minimises any danger and meets appropriate safety standards. This requires:

- A clear understanding and identification of the particular hazards and risk control measures required.
- Designation of responsibility for verifying that all required risk control measures are in place and that no abnormal conditions exist which would invalidate the risk assessment.
- Designation of authority to sign off permits to work.

Works covered by the NIFHA harbours Permit to Work System include (but are not limited to) crane / lifting operations, diving operations (for NIFHA harbours), entry into enclosed spaces, etc.

6.7.1 Method

- Harbour Master / deputy identifies hazards and verifies that all required risk control measures are in place and fully operational.
- All personnel / organisations likely to be affected by the work informed.
- Communications (if required) verified operational.
- Authorising Person countersigns permit to work.
- Work is monitored to verify compliance with conditions of permit.

- On completion of work, permit is cancelled and all relevant personnel / organisations affected by the work informed.

6.8 Stakeholder engagement and consultation

The Code requires organisations to consult, as appropriate, those likely to be involved in, or affected by, their MSMS. NIFHA Harbours is committed to full and open consultation with all interested parties regarding Harbour operation and MSMS development. NIFHA Harbours recognises the importance of consultation whilst developing policies and procedures for the discharge of its duties and powers. The Duty Holder also acknowledges that the marine safety system will only be effective if there is commitment and involvement from all those who work in and use the harbours. It is important that these parties are given the opportunity to contribute to assessments which could have an effect on their operations.

Safety in Harbours is not just a matter for the Harbour Authority, its officers and staff. Users are also required to minimise risk to themselves and others; in doing so they must be able to put forward to the Harbour Authority their views on the development of appropriate safety policies and procedures.

NIFHA Ports operates an internal communication procedure between the various levels and functions of the organisation and receiving, documenting and responding to relevant communication from external interested parties.

Consultation takes various forms with some specific statutory obligation. On occasion, NIFHA Ports may formally consult with harbour users, both commercial and leisure regarding the making of Bylaws for example. NIFHA Harbours will comply with the consultation and advertising laws as detailed though statutory requirement.

6.8.1 Consultation with Port Users

A stakeholder advisory forum is held annually in each of the 3 harbours. These are open public meetings and all Harbour User sectors (e.g. vessel owners, fish salesmen, marine engineers) and members of the public are invited to attend. An agenda is circulated in advance and minutes are taken and circulated promptly after the meeting (i.e. within 2 weeks). On-shore and Marine Safety are top items on the agenda for each meeting. The outcome of these consultation meetings feeds directly into the Authority's business planning and continuous improvement procedures.

When appropriate working parties made up of Authority staff and Port Users are formed to deal with specific issues.

The agenda and minutes are published on the NIFHA website. <https://nifha.net/stakeholder-meetings/>

Port User Information Booklet

This booklet is updated and circulated annually to all vessel owners. Marine Safety Advice Notices and Codes of Safe Working Practice are included in this booklet.

Notices to Mariners

These are posted on the website and forwarded to the UKHO, to the MCA and to local Fishermen's Organisations.

Radio Navigation Warnings (RNWs)

These will be issued by the MCA either on an emergency basis or more commonly on the basis of a Notice to Mariners.

6.8.2 Consultation with Local Councils

The Authority operates in two separate Local Council areas – North Down & Ards and Newry Mourne & Down. Consultation with Local Councillors and / or officials on relevant harbour issues takes place on an annual basis. Local Councillors also attend Harbour User meetings.

6.8.3 Consultation with Statutory Bodies

The Authority has established and will maintain good working relationships with the MCA, HSENI and the NIEA. The Authority attends at least one formal meeting with the MCA each year.

6.8.4 Website Communication

The Authority uses its website www.nifha.net to communicate information to port users and other interested parties.

6.8.5 Communication with Contractors

Safety procedures for works contracts are formally managed under the CDM Regulations. Lines of communication are established at the start of a project; site meetings are held on a regular basis with communication and safety as an agenda item. The site meetings are attended by the Harbour Master and the minutes are widely circulated.

6.8.6 Consultation and Communication with Staff

Formal safety meetings take place at each harbour on a six monthly basis and are attended by a staff safety representative. The minutes of these meetings are circulated to staff. The six monthly meetings are followed up with a second meeting within three months to ensure action points are being addressed promptly. More informal meetings or 'tool box' talks are held by the Harbour Master with his staff on a monthly or bi-monthly basis.

The NIFHA strives for consensus through consultation. Where this is not possible, NIFHA harbours provides stakeholders with the reasoning behind its decisions.

6.9 Incident and Near Miss Reporting and Investigation

To ensure that all marine accidents and serious occurrences / 'near misses' within NIFHA harbour limits are properly investigated and reported with a view to learning lessons and taking appropriate actions to prevent recurrence. Incident reporting form and NIFHA Accident Report Form can be found on the shared One Drive.

6.9.1 Method

- Develop procedures for investigation and corrective actions which ensure that:
- Incident reporting (including statutory) requirements are observed.
- Root causes are determined.
- Risk controls are applied to reduce the possibility of recurrence and / or mitigate the consequences to "ALARP" levels.
- Conditions are monitored to ensure that the applied risk controls are effective to prevent recurrence of the incident.
- Procedures are revised to incorporate above risk controls, and changes are communicated to relevant personnel (including the other ports).

In respect to marine incident investigation, the Code states: 'by ensuring that a robust, rigorous, independent investigation has been carried out, the board and the duty holder can be assured that their obligations for compliance has been addressed'. Investigations will be conducted in accordance with standard marine incident methodology to provide a:

- Accident/Incident synopsis.
- Narrative surrounding casualty events and accident events.
- Human factors analysis.
- A root cause analysis.
- Conclusions.
- Actions taken.
- Recommendations.

In the suspicion of an offence having been committed evidence will be collected in accordance with the following legislation:

- Police and Criminal Evidence Act 1984
- Common law principles.

and the investigation conducted in the interests of enforcement by the relevant authorities.

The Authority has a statutory duty to report accidents and various other agencies, and public bodies must be advised and may be involved as follows:

- The MAIB investigates all accidents related to ships and crew (both inside and outside harbour limits), MAIB incidents are categorised as follows:
 - Collision
 - Grounding
 - Uncontrolled close quarters or near grounding situation
 - berthing incident causing heavy contact damage
 - Fire
 - Sinking
 - Any other incident considered likely to cause damage or injury within the NIFHA Ports limits.
- the MCA is responsible for implementing UK maritime safety policy and has enforcement and prosecution powers
- the HSE is responsible for on-shore safety (including safety in dry docks or on slipways) and has powers of enforcement and prosecution
- the PSNI will investigate all accidents involving death or crime.

Harbour Masters must carry out a detailed investigation to determine firstly the cause of the incident and secondly if an offence has been committed. HMs must also advise the appropriate body and the Chief Executive.

All marine accidents within harbour limits must be reported to the MAIB by the quickest means available.

An Incident Report Form must be completed and forwarded to the MAIB. The form is available on the MAIB website at www.maib.gov.uk – ‘Report an accident’. The completed form should be saved to file and can then be submitted online.

Similarly, where appropriate onshore accidents and near misses should be reported to the HSENI and there may be a requirement to complete a RIDDOR and a NI2508 form. Details are given in the Authority’s Health and Safety (on shore) Safety Management System.

A flowchart Figure 9 guides the investigation reporting and enforcement process and should be consulted for all marine incidents.

6.9.2 Defined Targets

- All incidents investigated and closed out in accordance with defined procedures.
- All accidents / near misses notified to Chief Executive within 24 hours and to statutory bodies as required.
- Preliminary investigation within 5 working days.
- Incidents progressively reducing in severity and number with time.
- Lack of “repeat” incidents.
- Severity of near misses reducing with time

6.9.3 Reporting Guidance

Any Accident/Incident matching the reporting criteria from ‘The Merchant Shipping (Accident Reporting and Investigation) Regulations 2012’ are reported to the Marine Accident Investigation Branch (MAIB) within 24 hours. Any quayside Accident/Incident matching the ‘Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013’ are reported to the Harbour Master

Further guidance in respect to ‘The Merchant Shipping (Accident Reporting and Investigation) Regulations 2012’ can be found in Marine Guidance Note (MGN) 564 ‘Incident reporting and investigation’

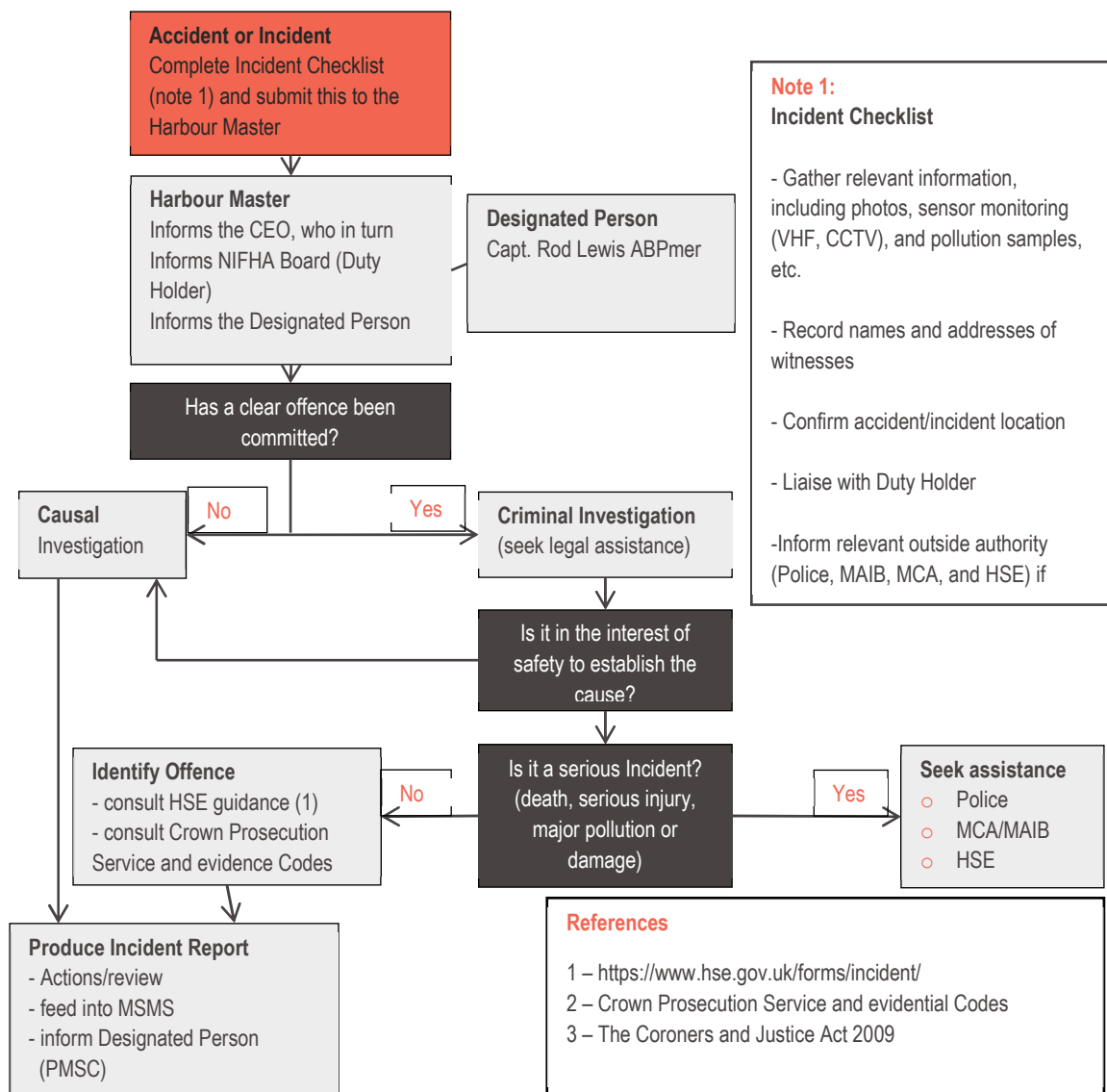


Figure 9 Accident/Incident Decision Tree

6.9.4 Incidents Involving Drugs or Alcohol

Commercial users (vessel masters and crew) suspected of being under the influence of alcohol and/or drugs may be committing an offence under Part 4 of [the Railways and Transport Safety Act 2003](#) the Harbour Masters have the power to detain a vessel, if it is suspected that a mariner (master, pilot, seaman) has committed a drink or drugs related offence when on duty. The power can be exercised only if the Harbour Master summons a police officer before, or immediately after the vessel is detained. The power of detention lapses after the police officer has decided whether to administer a preliminary test and has notified the Harbour Master of that decision.

6.9.5 Enforcement

The NIFHA , as SHA for the NIFHA Harbours , is responsible for the enforcement of its regulations which are in place to manage safe and efficient port marine operations. Principally, this means enforcement of Byelaws and Directions issued by the Harbour Authority under its powers from the 'Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973'.

The NIFHA has issued an 'Enforcement Policy which can be found at <https://nifha.net/publications/hsandmspublications/>

The principles used for enforcement at NIFHA Ports are:

- Education: education by Harbour Staff that a contravention or omission has occurred.
- Warning: warning by Harbour Staff that a breach of direction, byelaws or criminal act has occurred.
- Suspension or revocation of a licence
- Formal Caution: written warning from the Harbour Master setting out the manner in which the Direction or Byelaw have been breached and the implications should the recipient re-offend.
- Prosecution: in the local Magistrates courts.
- Combination of any of the above

Section 7: Review and Audit

The NIFHA has a regular and systematic process in place to review and audit all their requirements for marine safety. These will assist in understanding current levels of compliance, highlighting areas for improvement, enhance credibility through independent verification, and deliver wider benefits through better planning and budgeting.

Comprehensive review of plans, MSMS, documents records and reports ensure they remain current and fit for purpose. The trigger for a review might be, for example, in response to the regular review cycle, an incident or accident, a MAIB report, a Code self-compliance statement, a change in procedures or any other amendment.

7.1 Monitoring

The Authority will monitor the management and safety of navigation and the safety of all Harbour users and staff through performance measurement using:

- Active monitoring - which are used to monitor the achievement of plans and the extent of compliance with any standards. Active monitoring includes periodic formal inspection of management system and procedure to ensure the procedures documented within the Ports Marine Safety Code are functioning and meeting the requirements.
- Reactive monitoring - which monitor accidents, ill health, incidents and other evidence of deficient health and safety performance, such as hazard reports. Reactive monitoring is performed in response to reports of accident, incidents/near misses and information regarding non-compliance that tend to be generated through the internal and external audit process.

The Authority has established Key Performance Indicators (KPI) to monitor and measure 'Code' Compliance the NIFHA KPI are set out below in

Table 3 NIFHA PMSC KPI

Number	Provision / Activity	Objective	Measure
1	Duty Holder	Duty Holders to have received training on their role and responsibility under the Code in the last three years.	100% of Duty Holders trained
		Duty Holders to have undertaken an operational tour of NIFHA Ports in the last three years	100% of Duty Holders undertaken an awareness tour
2	Designated Person	Report by the Designated Person to the Duty Holder at least once per year.	Annual
3	Legislation	Review legal duties and powers at least once every three years.	Three years
4	Duties and Powers	MAIB Reportable Incidents: make all reports to the MAIB within 24 hrs, with investigation followed up.	24 hrs initial report, investigation sent at incident close
5	Risk Assessment	All Marine Risk Assessments to be in-date.	100% in-date
6	MSMS	Review of all NIFHA Ports Policies on a three-yearly basis.	Three years
		The Marine Safety Management System will be reviewed annually (or following any significant industry changes).	Annual
7	Review and Audit	External Audit completed three yearly.	Three years
8	Competence	Ensure staff with marine safety responsibilities are trained to undertake their duties.	100% of mandatory training completed
9	Plan	Publish a three yearly 'Marine Safety Plan' (this plan).	Published and in-date
		Publish an assessment of the organisation's performance against the last plan.	Three years
10	Conservancy	Aids to Navigation: Three-year performance meets or exceed IALA performance threshold.	Cat 2 = 99.0% Cat 3 = 97.0%

The Authority's Harbour Masters make a monthly safety report to the NIFHA Board , the content of the report includes the following:

- Incidents or Emergencies including:
 - Collision / Contact
 - Fire / explosion
 - Vessel Grounding

- Loss of vessel stability, hull integrity
- Pollution / environmental incidents
- Dangerous Occurrences and Near Misses.
- Accidents and Lost Time Injuries.
- Defects affecting marine safety.
- Recommendations from staff safety meetings.
- Performance of Aids to Navigation

7.2 Audits

Audits will be carried out by the Designated Person or delegated officer at regular intervals. Audits conducted at The Authority's aim to meet the following objectives:

- To monitor the overall effectiveness of the system.
- To identify and implement ways of improving overall performance.
- To confirm that relevant procedures are understood and being actioned by those involved.

The Designated Person uses the results of the internal audits to monitor and report the effectiveness of the MSMS and compliance with the Code to the Duty Holder. The Duty Holder is responsible for publishing an assessment (every three years) of NIFHA Ports performance against the Marine Safety Plan. This report will draw heavily on the results of the audit process.

It should be noted that a separate On-Shore Health and Safety Management System covers all the Authority's on-shore activities up to and including the quay walls. Vessel slipping procedures, which have an element of marine working, are included in the On-Shore Health and Safety Management System.

Both the Health and Safety Management System and the Marine Safety Management System, which is detailed in this document, are key elements of the Authority's Risk Management procedures

7.3 MCA Compliance Exercise

When promulgated by the MCA, the NIFHA Board as Duty Holder for the Authority participates in the MCA Compliance Exercise to confirm compliance with the requirements of the Code.

Section 8: Competence

Under the Code, all persons involved in the management and execution of marine operations should be qualified and trained to the requirements of the position. The Authority has a policy on marine training which can be found at <https://nifha.net/publications/hsandmpublications/>. Appropriately trained and competent members of staff are key elements of many risk control measures and are essential in determining risks and appropriate controls from the outset. Competence assurance begins at the recruitment stage and is maintained thereafter. In order to assure initial competence staff should satisfy the following:

- Prior to Job Commencement: no staff member will be permitted to undertake work until the entry level criteria (as defined in the job description / vacancy advertisement) have been met.
- Induction Training: All new staff (including temporary) will receive appropriate induction training and specific job related operational and procedural training, which will be overseen and recorded by appropriate line managers.
- Competence: When all the above stages have been satisfactorily completed, the person may be considered competent.

Where possible, those with the required qualifications and experience will be employed to perform marine roles. If a suitable applicant does not hold all the relevant qualifications, a training plan will be required once employment commences. The Authority maintains a training matrix for all marine staff. This ensures that harbour staff are suitably trained for their roles and responsibilities, allows for tracking of training received and expiry dates, and planning for refresher training as required.

8.1.1 Methods

Training needs are assessed based on individual staff development plans and job requirements. Training and refresher training is provided to harbour staff at all levels to ensure competence to carry out both on-shore and marine duties. The application of National Occupational Standards for port marine personnel is kept under review and relevant training provided as required.

8.1.2 Harbour Masters

Harbour Masters perform a mix of statutory and management functions, and this is reflected in their training. It is Authority policy for Harbour Masters to have externally accredited safety training e.g. a NEBOSH Certificate and to maintain their First Aid and Fork Lift Truck certificates. Other areas of training include: - staff performance and management training, oil

spill response, manual handling and basic food hygiene training. Training includes preparation of risk assessments including dynamic risk assessments.

8.1.3 Harbour Operatives

Harbour Operatives cover a wide range of jobs. Training and refresher training provided includes:

- IOSH Working Safety course and basic safety training
- Fork Lift Truck Certificate of Competency
- Slipway winch and cradle operation
- Manual handling training
- Basic food hygiene
- Basic sea survival

8.1.4 Dredger Crew

The Dredger crew are trained to STCW95 Reg II / 3 (less than 500gh) as specified by the MCA.

Section 9: Plan

The Code provides detail on the way in which marine facility operators should show commitment to maritime safety and to ensuring the involvement of users.

The Code requires a 'safety plan for marine operations' which should be published at least once every three years. The authority publishes a three yearly 'Marine Safety Plan' for its marine operations.

The 'Marine Safety Plan' is published on the Authority's website at <https://nifha.net/publications/hsandmpublications/>.

Section 10: Conservancy Duty

The code states that *“all organisations which have responsibility for the operation and maintenance of marine facilities should ensure that these are in good repair and are fit for purpose. This is vital to ensure that any vessels using them can do so safely but also makes good business sense since regular maintenance supports continued effective and efficient operations, reduces costs in the long term and assets in better condition retain greater intrinsic value”*.

10.1 Conservancy

The Authority has a duty to conserve the harbour. This means that the Duty Holder will ensure it is fit for use as a port and has a duty of reasonable care to see that the harbour is in a fit condition for a vessel to utilise it safely. The Duty Holder issues a ‘Conservancy and Environmental Policy’ for Authority which can be found at <https://nifha.net/publications/hsandmspublications>.

Marine Licensing at the Authority’s harbours and their approaches is managed by the Department of Agriculture, Environment and Rural Affairs (DAERA) A marine licence is required when any licensable activity as defined in section 66 of the Marine and Coastal Access Act 2009 is undertaken within the marine licensable area. The Authority is a statutory consultee on relevant Marine Licence applications. It should be noted that certain activities connected with SHA and LLA functions, such as laying of moorings and establishment of navigation buoys, are exempted from Marine Licensing by virtue of the ‘Marine Licensing (Exempted Activities) Order 2011’.

10.2 Hydrographic Survey

The Authority’s Duty holder has a duty keep its harbours jurisdiction under ‘vigilant watch’. This includes the requirements to determine the type and extent of marine bathymetric survey to achieve this aim. Surveys are conducted to the standard required by the International Hydrographic Office (IHO) SP44 Special Order. In accordance with the Code, hydrographic records are maintained and passed to the UK Hydrographic Office (UKHO) to update their records.

Hydrographic surveys are carried out to determine both the need for, and the effectiveness of, dredging works. Kilkeel Harbour is surveyed at least once every year; Ardglass and Portavogie Harbours are surveyed at least once every 3 years. Additional surveys are carried out as and when required to investigate any reported changes in bed level or potential navigational hazards.

The surveys are commissioned by the Project Manager and are reviewed in consultation with the relevant Harbour Master and the Chief Executive. Notices to Mariners are used to communicate any temporary reduction in water depth pending dredging works. Hydrographic Surveys can be found on the NIFHA One Drive.

10.3 Dredging

The Authority has powers to dredge, and deposit conferred by the Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973’.

Specifically, section 7(c) states:

“dredge and maintain the entrances and channels to the harbours and to deposit material in a place below high-water mark but only with the consent of the Crown Estate Commissioners (which may be subject to conditions) and to deposit such material in such places and subject to such conditions and restrictions as the Secretary of State for Trade and Industry and the Ministry may-determine;

Dredging is a key statutory duty for the Authority. At Kilkeel Harbour local tidal conditions and sediment transport regimes demand that regular maintenance dredging is carried out to achieve published depths. Ardglass and Portavogie Harbours are less demanding in terms of the rate and volume of sediment accumulation and therefore only require dredging every 3 to 7 years.

A Marine Licence (i.e. a licence issued under the Marine and Coastal Access 2009) is obtained for each harbour to enable to marine disposal of dredged spoil from that harbour. For any capital dredging works an application is submitted for a Marine Construction Licence. This information can be found in the HM15 folder within Harbour Masters on the main NIFHA Archive.

10.4 Aids to Navigation

The Authority’s harbours are located in the CIL (GLA) area of responsibility. As an SHA, the Authority is also a Local Lighthouse Authority (LLA). AtoN under the Authority’s management include:

10.4.1 Ardglass

Category 2:

-

Category 3:

-

10.4.2 Kilkeel

Category 2:

-

Category 3:

-

10.4.3 Portavogie

Category 2:

-

Category 3:

-

The Authority is a Local Lighthouse Authority (LLA) and is responsible for the installation, maintenance and monitoring of Aids to Navigation at each of the three harbours.

The Authority follows the directions of the Commissioners for Irish Lights (CIL) which is the General Lighthouse Authority for Ireland. It is the Authority's policy to cooperate fully with CIL to provide an effective system of Aids to Navigation within its areas of jurisdiction and to provide any information (e.g. reports on casualties) which is requested.

CIL will carry out an annual inspection of the Authority's AtoN and report the findings to the Authority. If CIL is satisfied with the Authority's policies and procedures, then it may extend the audit to 4 yearly intervals.

In 2026 an updated enhanced safety management system was installed at Kilkeel harbour to help address the issue of safe entrance to the harbour in certain weather conditions. The system broadcasts directly to fishermen directly via AIS and to any internet enabled device. Real time information is broadcast which includes wind speed and direction, water levels and general weather conditions – this information can be found at <https://martek-ltd.com/projects/kilkeel-station-a/>.

The key procedures with regard to Aids to Navigation are as follows:

10.4.4 Inspection and Maintenance

Each Harbour Master is responsible for maintaining an effective inspection and maintenance regime for Aids to Navigation in his or her harbour. Light specification details, inspection checklists and schedules, maintenance procedures and maintenance details are recorded in a dedicated 'operation and maintenance' manual at each harbour.

10.4.5 Reporting to CIL

A quarterly report on the performance of Aids to Navigation is submitted to CIL by each Harbour Master.

10.4.6 Review of Requirements

A review of the requirement for Aids to Navigation is carried out annually and navigational safety issues are covered at the regular round of Stakeholder Advisory Forums under the agenda item of 'Marine Safety'.

10.4.7 Third Party Aids to Navigation

The only third party Aids to Navigation within the Authority's jurisdiction are the buoys which mark the channel to Phennick Cove Marina at Ardglass Harbour. These are included in the quarterly reports to CIL.

10.4.8 Changes to Aids to Navigation

Any changes to navigational aids are made in consultation with CIL and in accordance with their requirements in order to obtain 'Statutory Sanction'.

10.4.9 Harbour Maintenance and Improvement Works

Port Users and stakeholders are consulted on all major maintenance and improvement works projects and details are conveyed to port users at the regular round of Stakeholder advisory forums. When appropriate special Working Parties involving Port Users can be convened to assist with the planning and operational oversight of works projects.

Contractors are requested to maintain harbour operations as far as reasonably practical during works and to mark and light all temporary works which effect berths and navigation channels. Harbour Masters risk assess and control all navigational matters in connection with harbour works.

NIFHA operate a Harbour Works Process guided by a standard form. The process is intended to ensure that all projects both NIFHA and third party are being undertaken within the required licencing requirements, are risk assessed and that any potential impacts upon safe navigation are deconflicted

10.4.10 Port Waste Management Plan

An updated Port Waste Management Plan submitted to MCA and awaiting approval is in place covering the 3 harbours and returns are submitted to the MCA upon request. The plan is reviewed every 3 years.

10.5 Wrecks and Abandoned Vessels

The Authority has no identified dangerous wrecks. However, should a new wreck occur, it will be assessed by the relevant Harbour Master, marked and, if deemed of high risk, removed. The process of removing a wreck is defined in Section 252 of the Merchant Shipping Act 1995 as:

“The Harbour Master or Deputy will exercise their wreck marking and removal powers where, in their opinion, a wreck is - or is likely to become – an obstruction or danger to navigation. The HM or DHM ensure, under the safety management system, that a risk assessment will be undertaken of any wreck in, or in or near the approaches to the harbour. Having undertaken this risk assessment the authority’s powers to raise, remove, destroy and mark a wreck which is, or is likely to become, a danger to navigation may be exercised, with the aim of reducing the risk to as low as reasonably practicable.”

[link to

Abandoned vessels will be dealt with in accordance with Bye-Law 34 and the Authority’s Policy on Wrecks and Abandoned Vessels can be found in HM50 on the main NIFHA Archive.

10.6 Work Pontoons

Conditions of Use for Work Pontoons:

- All work pontoons must have ‘Type Approval’ including a stability test.
- Pontoons must be insured for use in the harbour with risk assessments and method statements provided to, and agreed by, the owner’s/operator’s insurers.
- Persons using pontoons must wear life jackets.
- Pontoons must have handrails and kick boards.
- Pontoons must have warning lights for off-berth usage.
- Pontoons must have the corners fendered.

- Pontoons must be securely berthed to prevent unauthorised use by uninsured persons, i.e. secured with chains.

10.7 Safe Berthing Plans

The Authority has produced safe berthing plans for each harbour . The plans indicate safe berthing areas for vessels based on draft and the size of vessels.

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Merchant Shipping (Oil Pollution Preparedness Response and Co-operation Convention) Regulations 1998

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Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

<https://www.legislation.gov.uk/uksi/2013/1471/contents>

The Northern Ireland Civil Contingencies Framework 2023

<https://www.executiveoffice-ni.gov.uk/publications/northern-ireland-civil-contingencies-framework>

Abbreviations/Acronyms

Abbreviation/Acronym	Definition
ALARP	As Low as Reasonably Practicable
AtoN	Aids to Navigation
CCTV	Close Circuit Television
CHA	Competent Harbour Authority
Code	Ports & Marine Facilities Safety Code
DGHAR	Dangerous Goods in Harbour Area Regulations
DRA	Dynamic Risk Assessment
DWT	Deadweight Tonnes
FRA	Formal Risk Assessment
GLA	General Lighthouse Authority
GtGP	Guide to Good Practice on Port and Marine Facilities
HDPCA	Harbours, Docks and Piers Clauses Act 1847
HM	Harbour Master
HSE	Health & Safety Executive
IHO	International Hydrographic Office
IMDG	International Maritime Dangerous Goods
LLA	Local Lighthouse Authority
LPS	Local Port Services
MAIB	Marine Accident Investigation Branch
MCA	Maritime Coastguard Agency
HW	High Water
MSMS	Marine Safety Management System
nm	Nautical Mile
PACE	Police and Criminal Evidence Act
PMSC	Ports & Marine Facilities Safety Code
SHA	Statutory Harbour Authority
SOSREP	Secretary of State Representative
SSOW	Safe Systems of Work
UK	United Kingdom
UKHO	UK Hydrographic Office
VHF	Very High Frequency

Cardinal points/directions are used unless otherwise stated.

SI units are used unless otherwise stated.