



## **North Devon Council**

Report Date: 15<sup>th</sup> November 2022

Topic: Harbour Policy Reviewed

Report by: Ilfracombe Harbour Master

### **1. INTRODUCTION**

1.1. As a Statutory Harbour, Ilfracombe Harbour is obliged to have certain policies and plans in place under the Port Marine Safety Code (PMSC) and the accompanying guide to good practice. These policies and plans are subject to periodic reviews and amendments. From time to time when deemed necessary for Harbour management a new policy or plan will be put in place.

### **2. RECOMMENDATIONS**

2.1. That the board accepts the review of the Enforcement and Prosecution Policy presented.

### **3. REASONS FOR RECOMMENDATIONS**

3.1. To fulfil the requirement of periodic review and to fulfil the requirement under the Marine Safety Management System to implement policies to aid in Harbour management.

### **4. REPORT**

4.1. Since the implementation of the PMSC in 2000 following the lessons learnt from the grounding of the Sea Empress in 1996 Statutory Harbour Authorities who comply with the code are committed to produce policies and plans covering a wide range of subjects and to review these documents on a regular timescales to ensure they continue to be fit for purpose.

4.2. The review of these documents take into account current legislative regulations and relevant guides to good practice

4.3. There is one, 1, document that has been reviewed as per review schedule this being the Harbour Enforcement and Prosecution Policy. This now requires a final review at board level before being adopted.

4.4. There are no other options to be considered.

4.5. There are no risks in adopting the recommendation.

4.6. I have concluded that the above documents have been reviewed/ formulated and are in line with current accepted guidance and uphold the current legislative regulations.

4.7. There is no impact on the community in adopting the recommendations.



## 5. RESOURCE IMPLICATIONS

5.1. There are no financial or manpower implications contained within the documents

## 6. EQUALITIES ASSESSMENT

6.1. There are no equalities implications anticipated as a result of this report

## 7. ENVIRONMENTAL ASSESSMENT

7.1. Having undertaken the Environmental Assessment Checklist. There are no environmental implications arising from these policy proposals.

## 8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: N/A

8.1.2. Improving customer focus and/or : N/A

8.1.3. Regeneration or economic development :N/A

## 9. CONSTITUTIONAL CONTEXT

9.1. Appendix 5,6(a)

9.2. Delegated power

## 10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

11.1 Port Marine Safety Code and accompanying Guide to Good Practice

11.2 Marine Safety Management Code

## 12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers:

Capt. Georgina Carlo-Paat MBE, Ilfracombe Harbour Master