

Newhaven Port & Properties Ltd (NPP)

Marine Safety Management System **(MSMS)**



www.newhavenport.com

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19	The Port Marine Safety Code	
20	Permits to Work	

Distribution of Hard Copies

- 1/. Harbour Master.
- 2/. Port Control Office.

Distribution of Electronic Copies

- 1/. Managing Director (on behalf of the Board) – The Duty Holder.
- 2/. The Designated Person.
- 3/. DFDS Transmanche Ferries DPA.
- 4/. LCT Operations Supervisor.
- 5/. C/F Seven Sisters Master.
- 6/. C/F Cote D’Albatre Master.
- 7/. NPP staff via MEGA.
- 8/. Port User Group Distribution List.

Elements of the MSMS are available on the Port website at: - www.newhavenport.com

Registered Office Address

Newhaven Port & Properties Ltd.
Administration Offices
East Quay
Newhaven Harbour
Newhaven
East Sussex
BN9 0BN.

Registered in England No. 1923744.

Contact Details

Main Switchboard – 01273 612900.
General Enquiries – 01273 616070. admin@newhavenport.com
Port Control (24hrs) – 01273 612926. vts@newhavenport.com

Record of Audits, Reviews and Statements
(future programmed in red)

Date	Type	By Whom	Comments
20/08/08	External Audit	MCA	Rod Shaw & Paul Townsend
24/02/10	External Audit	MBHS	Tony Smith-Allen
01/03/10	Compliance Public Statement	The Duty Holder	Website & Sussex Express
23/04/10	External Audit	Marico Marine	Dennis Barber & David Foster
24/01/11	External Audit	PETA Ltd	John Dixon
15/05/11	Independent Nav RA Review	Marico Marine	David Foster and Ed Rogers
25/05/11	Management Review	NPP Management Team	Action Plan/Safety Plan Issued
01/06/11	Compliance Public Statement	The Duty Holder	Website & Sussex Express
01/09/11	Independent Nav RA Review	Marico Marine	David Foster and Ed Rogers
12/10/11	External Audit	Marico Marine	Paul Fuller
13/01/12	Compliance MCA Statement	The Duty Holder	By email to MCA Southampton
10/08/12	Management Audit & Review	NPP Management Team	Action Plan/Safety Plan Issued
15/08/12	Compliance Public Statement	The Duty Holder	Website & Sussex Express
13/08/13	Management Review	NPP Management Team	Action Plan/Safety Plan Issued
23/08/13	Compliance Public Statement	The Duty Holder	Website & Sussex Express
25/09/13	External Audit	Marico Marine	David Foster
16/09/14	Management Audit & Review	NPP Management Team	Action Plan/Safety Plan Issued
19/09/14	Compliance Public Statement	The Duty Holder	Website & Sussex Express
15/01/15	Compliance MCA Statement	The Duty Holder	By letter to MCA Southampton
19/08/15	External Audit	Marico Marine	David Foster
19/11/15	Management Audit & Review	NPP Management Team	Action Plan/Safety Plan Issued
04/12/15	Compliance Public Statement	The Duty Holder	Website & Sussex Express
22/09/16	Management Audit & Review	NPP Management Team	Action Plan/Safety Plan Issued
17/10/16	Compliance Public Statement	The Duty Holder	Website & Sussex Express
31/04/17	Designated Person Audit	Designated Person	DP report to Duty Holder
26/07/17	External Audit	Marico Marine	David Foster
08/08/17	Independent Nav RA Review	Marico Marine	David Foster & Steph Gilbert
21/12/17	Management Audit & Review	NPP Management Team	Action/Safety Plan Issued
08/01/18	Compliance Public Statement	The Duty Holder	Website & Sussex Express
July 2018	Designated Person Audit	Designated Person	Postponed
20/11/18	Management Audit & Review	NPP Management Team	Action/Safety Plan Issued
21/11/18	Compliance Public Statement	The Duty Holder	Website & Sussex Express
13/08/19	External Audit	Marico Marine	David Foster
07/11/19	Management Audit & Review	NPP Management Team	Action/Safety Plan Issued
11/11/19	Compliance Public Statement	The Duty Holder	Website & Sussex Express
Aug 2020	Designated Person Audit	Designated Person	Postponed
Dec 2020	Management Audit & Review	NPP Management Team	Action/Safety Plan Issued
22/01/21	Compliance Public Statement	The Duty Holder	Website & Sussex Express
26/04/21	External DP Audit	Marico Marine	David Foster
Nov 2021	Management Audit & Review	NPP Management Team	
Nov 2021	Compliance Public Statement	The Duty Holder	
Aug 2022	Independent Nav RA Review	Marico Marine	
Nov 2022	Management Audit & Review	NPP Management Team	
Nov 2022	Compliance Public Statement	The Duty Holder	
April 2023	External DP Audit	Marico Marine	

SECTION 1

Port Marine Operations Safety Policy and Safety Plan

Newhaven Port & Properties Ltd (NPP), as the Statutory Harbour Authority for the Port of Newhaven, commits to complying with the Port Marine Safety Code (PMSC) and observing the guidance contained in the accompanying Guide to Good Practice on Port Marine Operations (GTGP).

The NPP Marine Safety Management System (MSMS) exists to fulfil this commitment and will be a living document, continuously reviewed and updated to ensure best practice. The Navigational Risk Assessments are part of the MSMS and will be regularly reviewed, including following lessons learned from incidents and near-misses.

The NPP MSMS defines the aims, roles, duties, policies, procedures, objectives and monitoring requirements as required by the PMSC and commits NPP to undertake and regulate marine operations in a way that safeguards the harbour, its users, the public and the environment.

NPP make a commitment to not allow commercial pressures to compromise marine and navigation safety, the safe provision of its services and the efficient discharge of its duties. It commits to ensuring that any marine service it provides will be done so in an efficient manner using trained, qualified and competent Officers.

NPP commit to effectively regulating vessels within the harbour and its approaches and will encourage incident and near-miss reporting for the benefit of continual improvement of the MSMS. They also commit to ensuring that the powers and resources are available for the enforcement of legislation and prosecution of offenders.

The Harbour Master, the Port Manager and the Designated Person will regularly keep the Managing Director, representing The Board of Directors (The Duty Holder), assured of the continuing compliance with the PMSC.

The Designated Person will conduct regular audits of the MSMS and will report to the Duty Holder. His reports, together with the Harbour Masters annual report will assist with the compilation of the Action Plan for the forthcoming year.

The Port Management Team will hold an annual Port Marine Operations Management meeting attended by the Managing Director, Port Manager, Harbour Master, Port Engineer, and SHEST Officer, whereby the reports, Safety Policy, Safety Plan and Action Plan will be discussed and implemented.

The MSMS annual report and MSMS action plan will together form the annual review of the MSMS and the Safety Plan required by the PMSC. The Duty Holder will make an annual statement of compliance with the PMSC on the Port website and in the Sussex Express Newspaper.

An external audit of the MSMS and its compliance with the PMSC will be carried out by reputable specialist consultants at intervals of two years. The report received from the external auditor will be fed into the MSMS report to The Duty Holder and any recommendations approved to be implemented will be included in the MSMS Action Plan.

The Duty Holder will make a statement of compliance with the PMSC to the Maritime & Coastguard Agency (MCA) on a three-yearly basis.

An independent Navigational Risk Assessment review will be conducted every 5 years.

The Duty Holder will ensure that NPP discharges its responsibilities to:

- Undertake and regulate marine operations in a way that safeguards the harbour, its users, the public and the environment.
- Encourage commercial activities but without undermining the safe provision of services and the efficient discharge of NPP's duties.
- Take reasonable care, so long as the harbour is open for public use, that all who may choose to navigate in it may do so without danger to their lives or property.
- Conserve and promote the safe use of the harbour and prevent loss or injury caused by the Authority's negligence.
- Have regard to efficiency, economy and safety of operation as respects the services and facilities provided.
- Take such action that is necessary or desirable for the maintenance, operation, improvement or conservancy of the harbour.
- Ensure enough resources are available to discharge their marine safety obligations and set the level of port dues accordingly.
- Regularly review all applicable legislation to ensure it remains fit for purpose.

NPP will ensure there is **proper and safe control of ship movements** by regulating the safe arrival, departure and movement within the harbour of all vessels, and by:

- Conducting risk assessments of all marine activities and either eliminate navigational and other hazards or establish suitable control measures to reduce the risk to as low as reasonably practicable.
- Reviewing the risk assessments annually or following an incident or change in practice.
- Ensuring staff are provided with suitable training to ensure their competence.
- Ensuring staff carry out procedures correctly.
- Regulating the activities of harbour users (water & land side) to maintain a safe port for all users.
- Protecting the general public from dangers arising from marine activities.
- Establishing a Port Control System providing information to harbour users.
- Disseminating information to port users by Local Notices to Mariners, Port User Group meetings and information provided on the website.
- Monitoring the effectiveness of plans and procedures and recording information.
- Investigating the circumstances of vessels failing to comply with procedures.

- Taking appropriate action to deal with areas of non-compliance.
- Establishing a policy on enforcement and prosecution procedures.
- Providing procedures for reporting of deficiencies on visiting vessels.
- Ensuring Port Authority vessels meet statutory requirements and appropriate codes.
- Having in place a system for Incident reporting and investigation so as to determine the cause to prevent recurrence and to determine if an offence has been committed.
- Taking note of, assessing and implementing relevant recommendations made by the Marine Accident Investigation Branch (MAIB).
- Ensuring that commercial workboats are properly manned and certificated.
- Carrying out all its functions with special regard to the environment.

NPP will provide a **Pilotage** service to ensure the safety and protection of all harbour users, the infrastructure and the environment. They will control and regulate it by:

- Keeping the need for pilotage under constant review by consultation and assessment.
- Issuing Pilotage Directions to establish compulsory pilotage and defining the Pilotage District.
- Ensuring that the Pilots are employed to provide a service under a proper contract.
- Setting the standards for and only using suitably trained and authorised Pilots.
- Enabling pilotage to be fully integrated with other port safety services.
- Setting the standards for training and issuing of pilot exemption certificates (PEC's).
- Periodically assessing the competence of Pilots and PEC holders.
- Having in place a system for Incident reporting and investigation so as to determine the cause to prevent recurrence and to determine if an offence has been committed.
- Establishing procedures for suspension and revocation of certificates.
- Establishing procedures for the resolving of disputes.
- Ensuring that pilot vessels meet statutory requirements and appropriate codes.
- Ensuring that Marine employees are adequately trained and qualified and records kept.
- Ensuring the use and recording of passage planning and master/pilot information exchange.
- Establishing a Pilotage Committee involving major stakeholders and holding meetings.
- Identifying by risk assessment any circumstances when two pilots would be needed to conduct the navigation of a vessel safely.
- Requesting and recording a Master's declaration that the Pilot Ladder complies with SOLAS requirements and having a policy in place if it does not.
- Arranging for the provision of tug services.
- Carrying out all its functions with special regard to the environment.

NPP has a duty to **conserve** the harbour so that it is a safe port for vessels to use, by:

- Ensuring regular hydrographic surveys are carried out.
- Arranging regular external audits of the in-house hydrographic survey team.

- Ensuring adequate resources are available for continuing training of surveyors.
- Finding and marking the best navigable channel in the harbour.
- Ensuring Harbour Authority vessels meet statutory requirements and appropriate codes.
- Providing users with up to date information on depths, channels and prevailing conditions.
- Providing the UKHO with information under a form of agreement.
- Acting as the Local Lighthouse Authority on behalf of the General Lighthouse Authority.
- Ensuring navigational aids are suitable for the task, correctly placed, regularly inspected and maintained in good working order. Continually assess the requirement for additional aids.
- Reporting defects of navigational aids to harbour users, Coastguard and the GLA.
- Establishing a position of safe anchorage.
- Keeping the Harbour approaches clear of obstructions.
- Ensuring any wreck, obstruction or other hazard to shipping is marked and/or removed and/or warnings promulgated.
- Ensuring that dredging is conducted by a reputable company and the terms and conditions of the dredging/disposal licence are strictly adhered to.
- Assessing and licensing any works within or near the harbour, liable to interfere with the safety of navigation or the environment.
- Reviewing procedures in place if harbour operations, facilities or traffic type/volume change.
- Carrying out all its functions with special regard to the environment.

NPP will ensure that the following **Plans** are produced, practiced and regularly reviewed and updated as required and to comply with relevant legislation:

- **Port Fire Risk Assessments** as required by HASAW Act 1974, MHSWA Regs 1999, the Regulatory Reform (Fire Safety) Order 2005 and the PMSC.
- **Port Emergency Plan** as required by the MS (Dangerous Goods in Harbour Areas) Regs 2016, the HSE Safety in Docks ACOP L148, the Civil Contingencies Act 2004, and the PMSC.
- **Oil Spill Contingency Plan** as required by the MS (Oil Pollution, Preparedness, Response and Cooperation Convention) Regs 1998 and PMSC.
- **Waste Management Plan** as required by MS (Port Waste Reception Facilities) Regulations 2003 and the Amendment Regulations of 2009 and 2016.
- **Port Security Plan** as required by The Aviation and Maritime Security Act 1990, the International Ship and Port (Security) Facility Regs 2004 and the Port Security Authority Regs 2009.
- **Safety Policy and Safety Plan** for Marine Operations as required by the PMSC.

NPP is a Category 2 Responder under the **Civil Contingencies Act 2004** (CCA) and will co-operate with and share relevant information with all Category 1 Responders (emergency services and local authorities) and other category 2 responders. The Harbour Master, Deputy Harbour Master and Port Security Officer will be members of the Local Resilience

Forum and attend meetings and working groups as necessary.

NPP will collect the information required from vessels under the **MS (Vessel Traffic Monitoring and Reporting Requirements) Regs.2004/2011** and will forward this information to the MCA using the CERS3 system.

NPP will, under the **MS (Port State Control) Regulations 2011**, report to the MCA any vessel that has apparent anomalies which may prejudice the safety of the ship or which poses an unreasonable threat of harm to the marine environment. NPP will encourage its authorised Pilots to report such anomalies to them as required by these regulations.

SECTION 2

Port Marine Safety Code (PMSC) & NPP

2.1 Introduction

The PMSC sets out the national standard for every aspect of port marine safety with the aim of enhancing safety for everyone who uses or works in the Port marine environment. It is endorsed by the UK Government and representatives from across the maritime sector, and, while the code is not mandatory, these bodies have a very strong expectation that all harbour authorities will comply with it.

The PMSC is applicable both to statutory harbour authorities and to other marine facilities which may not have statutory powers or duties. It is strongly recommended that organisations or facilities which are not a statutory harbour authority, such as berths, terminals and Marina's, seek a proportionate compliance with the Code, by adopting a formal risk assessment process and the implementation of a marine safety management system (MSMS) which complies with the Code.

The PMSC has been developed to improve safety in the port marine environment and to enable organisations to manage their marine operations to nationally agreed standards. It provides a measure by which organisations can be accountable for discharging their legal powers and duties to run harbours or facilities safely and effectively. It also provides a standard against which the policies, procedures and performance of organisations can be measured. The Code describes the role of the board members, officers and key personnel in relation to safety of navigation and summarises the main statutory duties and powers of harbour authorities. The PMSC is designed to reduce the risk of incidents occurring within the port marine environment and to clarify the responsibilities of organisations within its scope.

In conjunction with the PMSC, the Guide to Good Practice on Port Marine Operations (The Guide) underpins the ethos of the Code by providing guidance and examples to assist organisations in promoting and executing safe, efficient and accountable port marine operations based on industry best practice.

The PMSC is primarily intended for the "Duty Holder". This is the Board of Directors, who are both individually and collectively accountable for marine safety and should therefore familiarise themselves with the Code and review its implications for their marine operations. It is strongly advised that the Duty Holder and all Officers involved in marine safety also consider the advice on how to comply with the Code provided in the Guide to Good Practice, and also review recommendations and the common lessons learnt from major incidents as published by the Marine Accident Investigation Branch (MAIB).

The PMSC refers to some of the existing legal duties and powers that affect organisations in relation to marine safety, but it does not in itself create any new legal duties. There are however several measures which, although not mandatory, are key to the successful implementation of the Code. In order to comply with the Code, the following 10 items must be considered by the Duty Holder.

The PMSC “Ten Commandments”.

i). Duty Holder (DH). Formally identify and designate the DH, whose members are individually and collectively accountable for compliance with the PMSC and for their performance in ensuring safe marine operations in the harbour and its approaches.

ii). Designated Person (DP). A DP must be appointed to provide independent assurance about the operation of the MSMS. The DP must have direct access to the DH.

iii). Legislation. The DH must review and be aware of their existing powers based on local and national legislation; seeking additional powers if required in order to promote safe navigation.

iv). Duties and Powers. Comply with the duties and powers under existing legislation, as appropriate.

v). Risk Assessment. Ensure all marine risks are formally assessed and are eliminated or as low as reasonably practicable in accordance with good practice.

vi). MSMS. Operate an effective MSMS which has been developed after consultation, is based on formal risk assessment, and refers to an appropriate approach to incident investigation.

vii). Review and Audit. Monitor, review and audit the risk assessment and MSMS on a regular basis – the independent DP has a key role in providing assurance for the DH.

viii). Competence. Use competent people (i.e. trained, qualified and experienced) in positions of responsibility for managing marine and navigational safety.

ix). Plan. Publish a safety plan showing how the standard in the Code will be met and a report assessing the performance against the plan at least every 3 years.

x). Aids to Navigation. Comply with directions from the General Lighthouse Authority and supply information & returns as required.

2.2 Accountability

i). General

NPP will abide by the following general principles: -

- The Duty Holder is accountable for managing operations within the Port safely and efficiently.
- NPP has a range of statutory and non-statutory duties.
- NPP will make a clear published commitment to comply with the standards of the PMSC.
- The PMSC represents the national standard against which the policies, procedures and performance of NPP may be measured.
- Executive and operational responsibilities for marine safety will be clearly assigned, and those entrusted with those responsibilities will be appropriately trained, experienced and qualified to undertake their duties and be answerable for their performance.
- A Designated Person will be appointed to provide independent assurance about the operation of its MSMS. The Designated Person will have direct access to the Board.

ii). Duties and Powers

NPP have a range of statutory and non-statutory duties and powers relating to marine operations. These duties include an obligation to conserve and facilitate the safe use of the harbour, and a duty of care against loss caused by the 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.

iii). The Duty Holder

NPP will have a Duty Holder who is accountable for its compliance with the PMSC and its performance in ensuring safe marine operations in the harbour and its approaches. The Board of Directors are collectively and individually accountable under the Code.

The role of the Duty Holder will include:-

- Maintaining strategic oversight of and providing direction of all aspects of port marine operations, including marine and navigation safety.
- Responsibility for the development of policies, plans, systems and procedures for safe navigation.
- Ensuring that assessments and reviews are undertaken as required to maintain and improve marine and navigation safety.
- Ensuring that NPP seeks and adopts appropriate powers for the effective enforcement of their regulations, and for setting dues at a level which adequately funds the discharge of all NPP's duties.
- Ensuring that annual Marine Management meetings are held, reports obtained from the Designated Person and the Harbour Master, and that these are fed into the

Action Plan, Safety Policy and Safety Plan.

- Contributing to the 3-yearly compliance exercise by providing to the MCA a declaration of their compliance with the Code.

NPP will officially appoint professional people such as a Harbour Master, and will authorise Pilots, to safeguard the safety of the operation of the harbour, but the Duty Holder cannot assign or delegate its accountability for compliance with the PMSC.

All Board members should take time to gain an appropriate insight and understanding of the Port's marine activities, MSMS and supporting policies and procedures. The Managing Director will represent the Board on a day-to-day basis and the Designated Person will report directly to him.

iv). The Designated Person

NPP have appointed an independent Designated Person from Marico Marine Consultants to provide assurance directly to the Duty Holder that the MSMS is working effectively. His main responsibility is to determine, through assessment and audit, the effectiveness of the MSMS in ensuring compliance with the PMSC. To achieve this, the Designated Person will have regular meetings with the Harbour Master; make regular reports to the Duty Holder; conduct audits every 2 years; and report back to the Duty Holder.

In order to fulfil this function, the Designated Person must have a thorough knowledge and understanding of the requirements of the PMSC (and supporting Guide to Good Practice) and associated port and marine legislation. The role of the Designated Person does not obscure the accountability of the Duty Holder.

v). The Chief Executive

NPP has appointed the Port Manager as the Chief Executive, accountable for the operational and financial control of the Harbour Authority. He advises the Board on all matters related to its duties and powers, with appropriate advice from the Harbour Master and other Officers.

The Chief Executive will:-

- Oversee the implementation of NPP policies and decisions.
- Have overall executive responsibility for the safety of operations and staff.
- Oversee the recruitment and training of staff.

vi). The Harbour Master

The Harbour Master has the day to day responsibility for the safe operation of navigation and other marine activities in the harbour and its approaches. The post holder will be competent and suitably qualified, with sufficient experience for the role. He will also be competent to undertake other relevant duties in relation to Health & Safety at Work and Merchant Shipping legislation. The Harbour Authority have appointed a Harbour Master who is a Master Mariner and authorised him to exercise his statutory powers on behalf of the Authority as laid down in the Harbours, Docks and Piers Act 1847, the Merchant Shipping

Acts 1894/1995 and all Local Port Legislation.

- He has **powers of direction** to regulate the time and manner of vessels entry to, departure from, movement within and mooring within the Harbour limits and the location and manner of loading or discharging of passengers, goods and ballast and related marine safety purposes.
- He ensures the co-ordination and **regulation** of all vessels within the harbour and its approaches.
- He is responsible for **developing and implementing** emergency plans and procedures, for regulating dangerous goods in transit and for counter pollution, emergency and waste management plans.
- In relation to **Conservancy duties**, he has the overall responsibility for the provision and maintenance of aids to navigation, liaising with Trinity House and UKHO.

vii). The Authorities Officers

Delegations of duties will be clear, formal and will not obscure the accountability of the Authority and its Duty Holder. NPP will ensure that:-

- Executive and Operational responsibilities will be appropriately assigned to properly trained people.
- If some of the functions are combined, a proper separation of safety and commercial activities will be maintained.
- All employees will have training that is appropriate for their level of responsibility.

Delegations are no substitute for the Duty Holder being directly involved in safety management and so the Port Manager will hold delegated responsibilities for safety and will report directly to the Managing Director and will attend Board meetings.

The full Port Marine Safety Code is published at [Appendix 19](#).

For online links to the PMSC and the GTGP:-

<https://www.gov.uk/government/publications/port-marine-safety-code>

<https://www.gov.uk/government/publications/a-guide-to-good-practice-on-port-marine-operations>

It is essential that all Marine Operations Staff have a working knowledge of the contents of this SMS, especially sections 8 onwards, together with the appendices, as it applies to their duties.

SECTION 3

Statutory Harbour Authority Duties & Powers

3.1 Newhaven Port & Properties Ltd obtains its statutory duties and powers from the following legislation:-

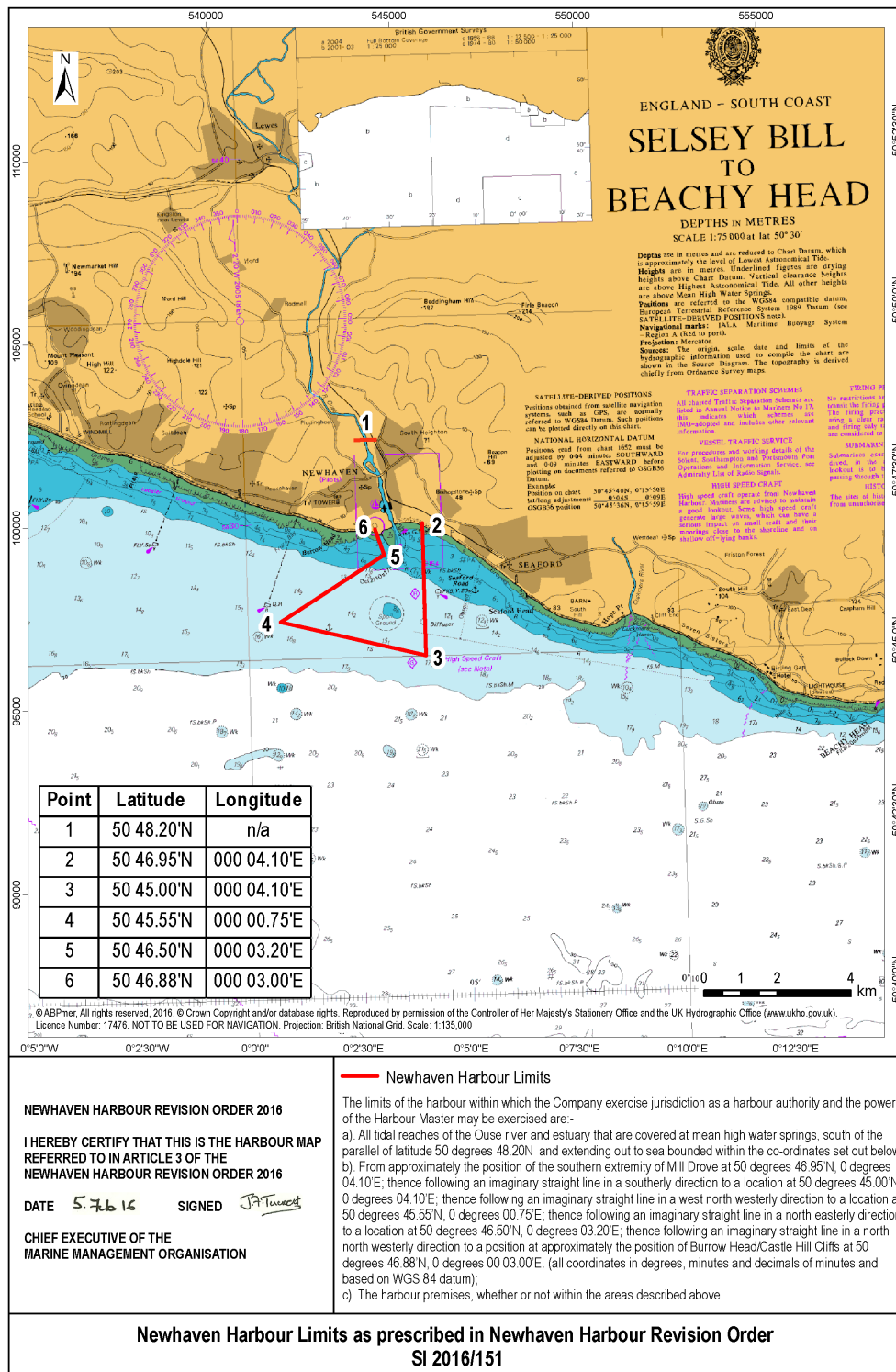
Harbours, Docks and Piers Clauses Act 1847.
Newhaven Harbour, Ouse Lower Navigation and Lewes & Laughton Drainage Act 1847.
The Newhaven Harbour and Ouse Lower Navigation Improvement Act 1863.
Newhaven Harbour Improvement Act 1878.
Newhaven Harbour Amendment Act 1882.
Merchant Shipping Act 1894.
Southern Railway Act 1926.
Newhaven Harbour Byelaws 1931.
The Transport Act 1947.
The Transport Act 1962.
Harbours Act 1964.
British Railways Act 1967.
The Transport Act 1968.
The Transport Act 1981.
The Sealink Harbours Scheme 1981.
Dangerous Vessels Act 1985.
The Pilotage Act 1987.
The Sealink (Transfer of Newhaven Harbour) Order 1991. (SI 1257/1991).
Merchant Shipping Act 1995.
Railways & Transport Safety Act 2003.
MS (Vessel Traffic Monitoring and Reporting Requirements) Regs.2004/2011.
Port State Control Regulations 2011.
Marine Navigation Act 2013.
MS (Alcohol) (Prescribed Limits Amendment) Regulations 2015.
Dangerous Goods in Harbour Areas Regs 2016.
The Newhaven Harbour Revision Order 2016. (SI 151/2016).

The whole of the 1847 Harbours, Docks and Piers Clauses Act (HDPCA) was incorporated into both the 1863 and 1878 Acts which have not been repealed. The powers, duties, property, rights and liabilities under those Acts form part of the transferred harbour under the 1981 Scheme and the 1991 Order. The Newhaven Harbour Revision Order 2016 updated various parts of previous legislation, gave the power of General Direction and incorporated much of the 1847 HDPCA.

The Harbour Master and his authorised deputies have the powers of Special Direction under the Harbours, Docks and Piers Clauses Act 1847, and other powers as per sections 51 to 76 of that Act and under the Newhaven HRO 2016.

A full review of the Harbour Authority statutory powers and duties was conducted in May 2011 and throughout 2014/15, resulting in the Newhaven Harbour Revision Order 2016.

3.2 NEWHAVEN HARBOUR STATUTORY LIMITS



"All areas of the Ouse river and estuary that are covered at MHWS from a northern point 85m north of the Energy Recovery Facility to the seaward extremities shown above, being approximately 2 miles southwest of the Western Breakwater and 1.6 miles to the south-southeast. They also include the harbour premises, meaning the quays, piers, landing places and all other works, lands and buildings for the time being vested in, or occupied or administered by NPP as part of their harbour undertaking".

3.3 NEWHAVEN HARBOUR GENERAL DIRECTIONS

A set of General Directions will be issued once compiled and following proper consultation with the Chamber of Shipping, the RYA and the Newhaven Port User Group.

Prior to formal issue of a set of General Directions, NPP may at any time propose in the interests of navigational safety to give, amend or revoke a general direction applying to vessels or persons:-

- a). in an emergency; or
- b). for the purpose of making temporary provision for an intended activity or operation in the harbour which is expected to commence within 4 months and not last for more than 28 days.

A person who fails to comply with a general direction (or a special direction) is guilty of an offence liable to prosecution.

3.4 NEWHAVEN HARBOUR BYELAWS

Below are listed the most relevant and important byelaws Port users should be aware of. Contravening the byelaws is an offence liable to prosecution. Copies of the original full version are available to view upon request to the Harbour Master.

- 1/. All vessels will obey the Port Traffic Signals and directions given by the Harbour Master or his assistants and will only berth or moor as directed.
- 2/. No vessel will be operated within port limits without a competent Master or Pilot in charge.
- 5/. No vessel to delay or disrupt the operation of the Ferry.
- 6/. Speed limit of 8 knots south of the East Pier Light and 5 knots north of the East Pier Light.
- 7/. All vessels shall be sufficiently manned, have sufficient moorings and working anchors.
- 8/. Vessels will only berth, moor, anchor, load or unload in a place as directed and will shift if required as directed. Vessels shall not then move without permission.
- 14/. Vessels will only moor using the bollards, posts and rings provided.
- 15/. There must be enough qualified and competent persons available onboard at all times to tend the moorings and shift a vessel if required.
- 17/. No vessel will obstruct the free passage of any part of the harbour.
- 29/. No road vehicle to obstruct or impede the use of any quays or port land.
- 41/. No dangerous materials allowed without permission.
- 42/. No construction materials to be deposited in the river without permission.
- 43/. No pollution allowed.
- 44/. No dumping or discarding of rubbish, refuse, disused boats, gear or any other material.
- 51/. Anybody within the harbour without lawful business to be there may be removed from it.
- 54/. No person shall obstruct, impede, molest or interrupt the Harbour Master or any Port Authority employee during the execution of their duties.
- 57/. No person will interfere with lights or signals.
- 58/. No person will damage or deface port property.
- 59/. No person will damage or deface port notices.
- 60/. No person shall exhibit notices without permission.
- 61/. There shall be no public or general meetings or addresses within the port without

permission.

62/. No person will be a nuisance within the harbour.

65/. No person will enter port property without permission.

66/. No person will be intoxicated, use bad language, be riotous or indecent.

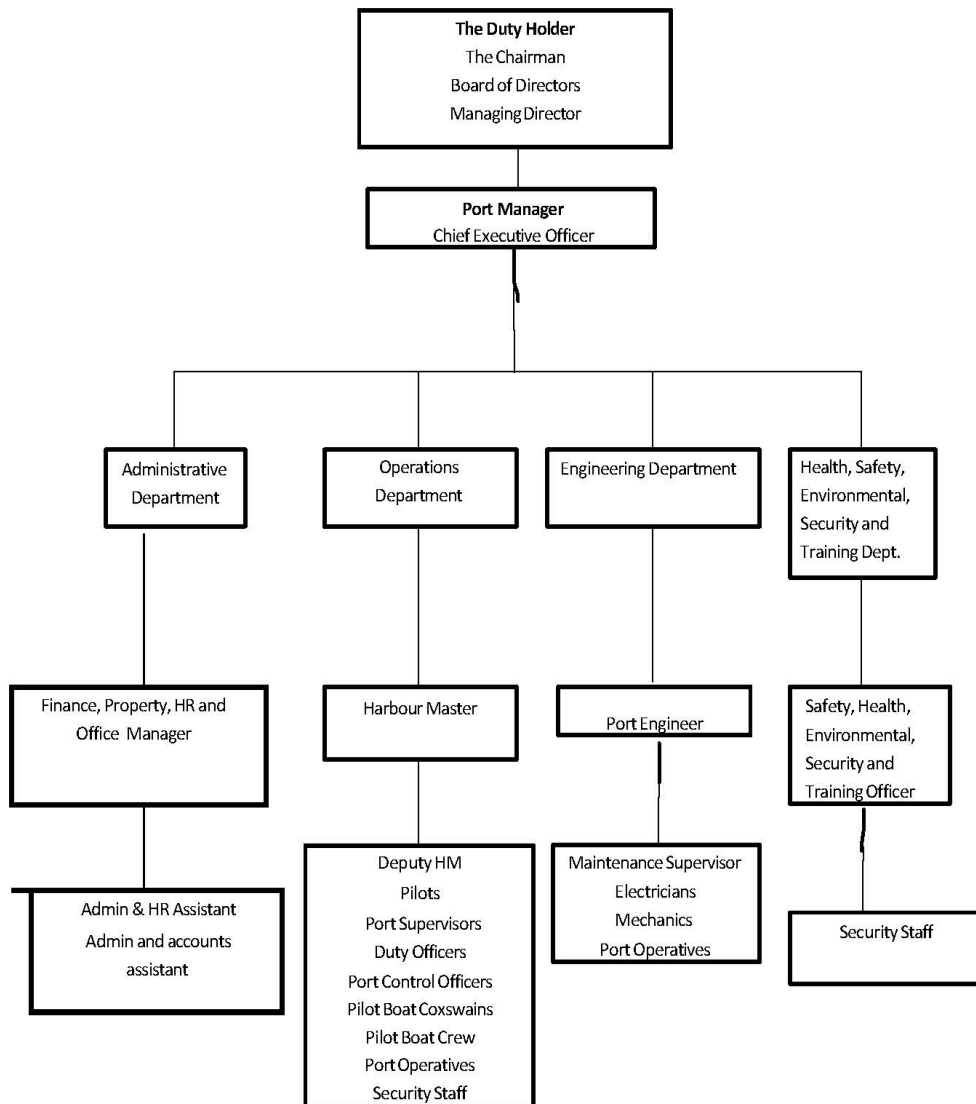
68/. No fishing within the harbour limits without permission. No swimming or bathing within the harbour limits.

69/. No stone or missile throwing. No firing guns or fireworks without permission.

71/. Dogs to be under control.

73/. No selling of merchandise or touting without permission.

NPP Company Organisational Structure



SECTION 5

Components of the Marine Safety Management System

5.1 Legislation and Industry Guidance

International Legislation
European Legislation
National Legislation
Local Legislation, Byelaws
Port Marine Safety Code and Guide to Good Practice
Pilotage Directions
Special Directions and General Directions
Notice to Mariners
NPP Terms & Conditions and Site Rules
PSS/HSE Guidance on Port Operations
Safety in Docks ACOP L148
MAIB Investigation Reports, Recommendations and Bulletins
Merchant Shipping Notices
Marine Guidance Notices
Marine Information Notices
CHIRPS Publications
BPA (British Ports Association) Publications
PSS (Port Skills & Safety) Publications
NWA (National Workboat Association) Publications
UKHMA (UK Harbour Masters Association) Publications
UKMPA (UK Maritime Pilots Association) Publications
Solent & Southern Harbour Masters Association (SASHMA) Publications
South East Harbour Masters Association (UKHMA-SE) Publications

5.2 Assessments, Reviews, Audits, Plans and Consultation

Navigational Risk Register
Formal Risk Assessments
Dynamic Risk Assessments
Port Marine Operations Safety Policy and Safety Plan
Internal and External Audits and Action Plans
Management Review, Action Plan and Statement
Harbour Masters Monthly Reports to the Designated Person and the Duty Holder
Harbour Masters Annual Report to the Designated Person and the Duty Holder
Designated Person's Reports to the Duty Holder
Audits/Active Monitoring of Pilots and PEC Holders
Pilots and PEC Certificates
Port Control Guidance Notes
Port Control Emergency Checklists
Harbour Emergency Plan
Port Fire Risk Assessments
Port Oil Spill Contingency Plan

Waste Management Plan
Port Security Plan
Pilotage Committee
Port User Group
West Quay Users (Fishing) Group

5.3 Policies and Procedures (Applicable SMS Section Number in brackets)

Personnel Organisation, Responsibilities, Training, and Qualifications Policy and Records (8)
Consultation Policy (9)
Emergency and Contingency Planning and Exercising (10)
Incident and Investigation Policy and Procedures (11)
Enforcement Policy and Procedures (12)
Disciplinary Policy and Procedures (13)
Port Control Procedures and Traffic Signals (14)
Pilotage and PEC Procedures (15)
Vessel Arrival, Alongside and Departure Procedures (16, 17, 18)
Adverse Weather Procedures (Appendix 17)
Conservancy, Surveying and Wreck Procedures (19)
Towage Procedures (20)
Mooring Procedures (21)
Dangerous Goods, Fumigants and Bulk Cargoes Policy and Procedures (22)
Dredging Policy and Procedures (23)
Diving Operations Policy and Procedures (24)
Bunkering Policy and Procedures (25)
Fresh Water Supply Policy and Procedures (26)
Crane and Stevedoring Policy and Procedures (27)
Port Operations Working Hours Policy (28)
Permit to Work System and Licencing of Harbour Works Policy and Procedures (29)
Maintenance, Inspections, Action Plans and Defect Reporting Policy and Procedures (30)
Inspection of logbooks, Reporting and Checklist Register Procedures (31)
PSS/HSE Guidance on Port Operations Procedures (32)
Industry Notices and Publications Procedures (33)
Waste Management Policy and Procedures (34)
Helipad Policy and Procedures (35)
Terms & Conditions of Use and Site Rules (36)
Pleasure Vessels and Jet skis – Rules and Guidance (37)
Organised events procedures (38)
Licencing of Workboats and Charter Vessels (39)
Ballast Water Management procedures (40)
Use of Drones (41)

5.4 Reporting and Recording

Harbour Masters Monthly Reports to Designated Person and Duty Holder
Harbour Masters Annual Report to the Designated Person and the Duty Holder
Designated Person Reports to the Duty Holder

Duty Holders annual safety report
Duty Holders 3 yearly MCA compliance report
Port Marine Operations Checklist Register
Asset Management System
Marine Incident Reporting Forms
Port Control Safe Navigation Visit Form
Marine Based Training Records
Training/Incident/Experience for NPP Port Marine Ops Staff Records
Passage Plans and Master-Pilot Information Exchange
PEC Holders Monthly Record of Acts to Harbour Master
Safety, Health, Environmental, Security & Training Officer monthly reports to Port Manager
Port Engineer monthly reports to Port Manager
Maintenance Supervisor monthly reports to Port Manager
Port Control Logbook
Vessel Logbooks
Visiting Vessel Information and Notices
Dangerous Goods Notes
Bunkering Checklists
Contractors and Visitors Register
Vessel Maintenance Schedules and records
Quaysides and quayside furniture Inspection records
LSA/PPE Inspection and service records
LOLER Inspection records
Gangways Inspection records
Pilot Boat Crew Monthly checklists
Extra Services Provision Form
Waste receipts
Reserves for Damage
Defect Reports and Records
Permits to Work
Vessel reporting in PORTZ system
Vessel reporting in CERS system

5.5 Navigational Risk Assessment

The risks associated with marine operations are assessed and a means of controlling them deployed. The aim of this process is to eliminate the risk, or, failing that, to reduce risks to as low as reasonably practicable. Formal risk assessments will be used to:

- Identify hazards and analyse risks;
- Assess those risks against an appropriate standard of acceptability;
- Where appropriate, consider a cost-benefit assessment of risk reducing measures.

Risk assessments will be undertaken by people who are competent, especially when deciding which techniques to use and when interpreting the results. Risks will be judged against objective criteria, without being influenced by the financial position of the authority, to ensure they are kept as low as reasonably practicable (ALARP). The greater the risk, the

more likely it is that it is reasonable to go to the expense, trouble and invention to reduce it. There is a hierarchy of risk control principles: -

- i) Minimise risk – by suitable systems of working.
- ii) Combat risks – by taking protective measures to prevent risk.
- iii) Eliminate risks – by avoiding a hazardous procedure or substituting a less dangerous one.

The process of assessment is continuous, so that both new hazards to navigation and marine operations, and changed risks are properly identified and addressed. The navigational risk assessments will be circulated and available to all port users and employees and will be available on the port website. The Harbour Master will review all navigational risk assessments: -

- on an annual basis
- post incident/accident
- post review of relevant marine accident or health check trend report

New assessments will be compiled prior to or because of a new operation in the harbour. An independent formal review will take place every 5 years by external consultants.

Risk assessment reviews are best conducted by utilising the Port User Group and other representatives who use the harbour regularly, including employee's. A positive, analytical approach is needed to enhance marine safety within the port and harbour approaches, including considering past events and accidents, examining potential dangers and the means of avoiding them. Requesting the Port User Group to review and comment on the navigational risk Assessments is a standard agenda item for the 6 monthly meetings.

From September 2017, NPP commenced using the internationally respected Marico Marine web-based HAZMAN II maritime risk assessment tool for navigation and health & safety, incorporating:

- Hazard identification
- Risk scoring
- Risk controls
- Risk mitigation and risk reduction
- Auditing
- Exporting reports
- Incident database
- AIS swept path module

The Deputy Harbour master is trained to operate and manage the Hazman system and report to the Harbour Master.

NPP Company procedures and information documents are kept fully up to date on the MEGA database system of which Directors, Employees and part-time boatmen have access to. This includes Marine SMS, Navigational and Marine H&S risk assessments, Marine safety Notices, rules and regulations, Safety, Health & Environment documents and notices.

SECTION 6

History of Newhaven Harbour Authority

In the 1580's a storm changed the course of the *River Ouse* so that it entered the sea at what is now known as Newhaven, and not at its original estuary at Seaford.

Under an *Act of Parliament in 1626*, Commissioners were appointed by the Crown and were effectively the first Harbour Authority. There are references to further Acts in 1730, 1783 and 1790 concerning the development of and management of the Harbour, the limits of which were then from Lewes to the Sea. Newhaven first had its links with Dieppe as a ferry port in 1825.

The *Newhaven Harbour and Ouse Lower Navigation Act of 1847* saw the London, Brighton and South Coast Railway Company incorporated as the Authority, and this act was enacted at the same time as the *Harbours, Docks and Piers Clauses Act of 1847*, the founder of National Legislation for Ports.

The *Newhaven Harbour and Ouse Lower Navigation Act of 1863* enabled the North Quay Cut to be made linking the upper reaches of the harbour with the lower in a straight line to the east of Denton Island. The old section of the river around Denton Island ceased to be part of the navigable river and became known as the "Old Arm" and the Act relieved the Harbour Commissioners of all liability for repair and maintenance of it. It was about this time that the French "*Western Railway*" became partners with the L.B. & S.C. Railway Co. and the joint ownership of the Newhaven-Dieppe ferry route was commenced.

While Newhaven was a railway-owned port, many shipping lines were using the facilities of the East Quay and Railway Quay, in fact, figures for 1863 show over 1000 vessels used the port. With the opening of North Quay in the years that followed, this number could only increase.

The *Newhaven Harbour Act of 1878* formed the *Newhaven Harbour Company* and defined the *Harbour Limits* as from the Horseshoe Sluice (approximately 350 metres north of the North Quay turning basin) to an imaginary straight line drawn from a point 100 yards south of the West Breakwater to the southern end of the Buckle Groin in the parish of Bishopstone. The Act enabled the construction of the said West Breakwater. The Old Arm of the river fell into these harbour limits, but there was still no liability to maintain that portion of the river. Extensions to the commercial East Quay were carried out around this time.

Under the *Southern Railway Act of 1926*, the *Southern Railway Company* became the Harbour Authority and produced the *Harbour Bye-Laws of 1931* which are still valid today.

In due course, Newhaven was nationalised and vested first in the British Transport Commission (Transport Act 1947), and later the British Railways Board (Transport Act 1962). In 1979 the Port Authority became *Sealink(UK) Ltd*, a wholly owned subsidiary of the British Railways Board.

In 1984, the port was privatised, and purchased by *Sea Containers Ltd* who maintained the name *Sealink* as the statutory harbour authority until 1991 when *Sealink British Ferries* was

sold to the Swedish company Stena. Under *The Sealink (Transfer of Newhaven Harbour) Harbour Revision Order 1991*, the powers of the Harbour Authority passed to *Newhaven Port & Properties Ltd*, a division of Sea Containers. In June 2001, Sea Containers sold Newhaven to the present-day French parent body, SEML, but *Newhaven Port & Properties Ltd* (NPP) is a UK registered company and is still the Statutory Harbour Authority.

The Newhaven Harbour Revision Order 2016 updated and extended the Harbour Limits to seaward, gained the power of General Direction, enabled the licencing of workboats and updated the general functions of NPP. The 1863 Act, the 1878 Act, the 1991 HRO and the 2016 HRO, are cited together as the Newhaven Harbour Acts & Orders 1863 to 2016.

SECTION 7

Port Details

In 2019, the Port statistics were as follows:-

Ferry = 847 calls with a throughput of 380k pax, 130k cars, 40k freight vehicles (600k tonnes).
Commercial Cargo = 66 vessels with a throughput of 270k tonnes of scrap, stone and aggregates.
Cruise = Nil.
Fishing = 0 vessels visited to land catch and there were 30 registered resident vessels.
Leisure = 300 resident vessels up to 15m LOA and 250 vessels visited.
Other = 37 vessels visited consisting of dredgers, tugs, survey, workboats and barges.

The **West Breakwater** is 705m in length and provides good protection from the prevailing SW'ly winds. The *lighthouse* at the end of the breakwater has characteristics Oc(2)10s17m12M and is painted white with a red base.

On the seaward side is sign written "Port of Newhaven, VHF Ch.12".

The **East Pier** is 320m in length and is lattice constructed and so gives little protection from the wind but does reduce the invasion of silt into the channel.

The East Pier Light has characteristics Q Fl G 12m 5M and is a white pole with green horizontal bands.

The Outer Harbour navigable channel is 120m wide and dredged to 6m below chart datum. This reduces to 55m wide through the Narrows into the Inner Harbour.

The width in the Inner Harbour varies between 69m and 149m.

The Inner Harbour channel is also dredged to 6m.

Dredging campaigns are carried out approximately 3 times a year by Trailer Suction Dredger and supplemented by Ploughing, Water Injection and Grab techniques as required.

On the West side is a large privately Marina with 300 berths operated by Marina Projects Ltd.

On the East side is the Rampion Quay with 120m of private pontoons for the Offshore Windfarm Industry; the East Quay Commercial Terminal with 195m of berth frontage, dredged to 5m; and No.1 RoRo berth with a length of 187m, dredged to 6m.

North of No.1 RoRo the channel width reduces from between 50m to 90m.

No.2 RoRo berth is 125m in length and is no longer in use as a ferry berth. It is now used as a temporary lay-up berth and the charted depth is 4.5m (although subject to heavy siltation between dredges).

North of here and up to Swing Bridge, the depths are variable, but assume CD (0m).

On the West side are Stages for the lifeboat and fishing fleet.

On the East side is Railway Quay which is marked with navigational beacons.

The Swing Bridge channel is 17.3m between the timbers and leads to North Quay Channel, which is approx. 38m wide and a depth on average of 1.5m below datum.

On the East side of North Quay are two working berths for stone import. There are also two abandoned and derelict berths. On the West side is Denton Island and the approaches to

the Old Arm of the river, where leisure boat moorings are provided by various boatyards on drying berths. The Old Arm approaches to the moorings dries at 4m above chart datum.

North of No.4 berth and Denton Island is the swinging basin which allows vessels up to 90m to swing depending on the height of tide. The Basin was last suction dredged in November 2019 and intermittent ploughing and injection dredging takes place as required.

North of here is No.5 berth which can take 82m vessels, although it has not been used since 2005 and would require dredging to reinstate.

The Commercial shipping **anchorage** area is 1 to 1.5 miles SW of the Breakwater Light (**50 45.6N, 000 01.9E**).

In strong winds from the N and NE, good shelter may be found in Seaford Bay.

Three automatic recording **tide gauge's** are situated at East Quay Knuckle giving tidal readings related to Chart Datum which is 3.52 metres below Ordnance Datum Newlyn. This information relayed to Port Control by remote link where it is displayed and recorded. Data is also automatically collected by the National Oceanography Centre from the West Pier.

Port Control has access to wind speed and direction information obtained from the Breakwater, the Narrows, the south end of ferry berth (East Quay) and at No.1 RoRo Linkspan.

Maximum LOA of vessels allowed with no tug assistance and depending on vessel manoeuvring characteristics and weather / tidal conditions: -

East Quay = 112m (Vessels up to 120m may be acceptable after individual risk assessment. All vessels 90m+ must have a working bowthruster. All vessels 100m+ must have a high efficiency rudder, unless ice classed).

No.1 RoRo = 145m (RoRo ferries with good manoeuvrability).

No.2 RoRo = 112m (Vessels up to 120m may be acceptable after individual risk assessment. All vessels must have a bowthruster and all vessels 90m+ must have a high efficiency rudder).

North Quay No.1 = 90m (Subject to bowthruster and rudder requirements specified by Pilots).

North Quay No.2 = 82m (Dis-used)

North Quay No.3 = 82m (Dis-used)

North Quay No.4 = 90m (Subject to bowthruster and rudder requirements specified by Pilots).

North Quay No.5 = 82m (Dis-used)

Maximum drafts of vessels to swing at North Quay

Vessels of 65m = tide gauge reading minus 1.3m.

Vessels of 70m = tide gauge reading minus 1.7m.

Vessels of 75m = tide gauge reading minus 2.1m.

Vessels of 80m = tide gauge reading minus 2.3m.

Vessels of 85m = tide gauge reading minus 2.4m.

Vessels of 90m = tide gauge reading minus 2.7m.

Air Draft clearance under **swingbridge** is 8m minus the Gauge Reading.

Navigational Aids in the Harbour:

Breakwater Light	Occ(2)10s17m12M
East Pier (Outer end)	Q G 12m 5M
East Pier (Inner End)	2FG(vert)
East Pier (East Quay Knuckle)	2FG(vert)
West Pier (Traffic Signals)	IALA Port Traffic Signals
West Pier Timber Fendering	2FR(vert) at each end
West Pier (North End in railway box)	Fl.R 5s
Rampion Quay Pontoon (N&S)	2FG(vert)
Marina (Jetty Heads x 3)	2FR(vert)
East Quay opposite Marina	Port Traffic Signals
Fishmarket Corner by No.1 linkspan	2FG(vert)
Lifeboat Station SE extremity	2FR(vert)
No.2 Ro-Ro Pontoon SW	2FG(vert)
No.2 Ro-Ro Pontoon NW	2FG(vert)
No.2 Ro-Ro Pontoon north	Port Traffic Signals
Railway Quay Beacon 1	Starboard Hand Green Topmark
Railway Quay Beacon 3	Starboard Hand Green Topmark
Railway Quay Beacon 5	Starboard Hand Green Topmark
Railway Quay Beacon 7	Starboard Hand Green Topmark and Light Fl.G.5s
Railway Quay Beacon 9	Starboard Hand Green Topmark and Light Fl.G.5s
Railway Quay Beacon 11	Starboard Hand Green Topmark and Light Fl.G.5s
UTC Quay South End	Starboard Hand Green Topmark
UTC Quay North End	Starboard Hand Green Topmark
Railway Quay Beacon 13	Starboard Hand Green Topmark
Swing Bridge	2 x Fixed reds in centre, north and south
Swing Bridge operational signals	IALA traffic signal lights
Swing bridge wooden fendering	FB light at both ends of both east and west sides

Tidal Range

Maximum Range = -0.3 to 7.3 metres (7.8m recorded during storm surge December 2013)

Spring Range = 0.5 to 6.6 metres

Neap Range = 1.9 to 5.2 metres

Slack water at the entrance is about 1 hour before H.W. and 1 hour before L.W.

Average hourly flooding and ebbing – Spring Tides

<u>Hours</u>	<u>Flood</u>	<u>Ebb</u>
1 st	0.3m	0.3m
2 nd	1.1m	0.9m
3 rd	1.4m	1.1m
4 th	1.1m	1.2m
5 th	0.7m	0.9m
6 th	0.4m	0.5m

Speed Limits:

South of the West Pier = 8 knots

North of the West Pier = 5 knots

Distances:

Breakwater light to South end of East Pier	469 metres
Length of Breakwater	705 metres
Length of East Pier	320 metres
Length East Quay overall (Knuckle to Linkspan)	529 metres
Length of Rampion Quay	125 metres
Length of East Quay (commercial)	195 metres
Length of No.1 Ro-ro berth	187 metres
Length of No.2 Ro-ro berth	125 metres

Channel Widths:

Breakwater to West Pier	120 metres
Inner East Pier Green lights – channel width	55 metres
Inner East Pier Green lights – between structures	72 metres
Swing Bridge – between structures	17.3 metres
Swing Bridge – channel width	15 metres
North Quay to Denton Island Low water mark	38 metres

Widths across Harbour:

Rampion Quay pontoons to western dredged line	64 metres
Dredged width E.Quay to off old slip just to South marina	69 metres
5 metre dredged width adjacent to East Quay	25 metres
Maximum ferry swinging radius off turning plate	149 metres
No.2 Ro-ro pilings to West edge pontoon	17 metres
No.2 Ro-ro pilings to outside of Lifeboat on her berth	59 metres
Society Fishing Stage (S.end) to Ro-ro pontoon	65 metres
No.10 stage to Railway Quay	88 metres
No.11 stage to Railway Quay	87 metres
No.13 stage to Railway Quay	76 metres
No.16 stage to Gridiron Beacons	50 metres
No.16 stage to UTC Pontoon	56 metres

Dredged depths below chart datum:

Outer harbour channel: Breakwater to West Pier	6.0 metres
Inner harbour: West Pier to No.1 Ro-ro berth	6.0 metres
No.2 Ro-ro berth - 27 metre width off pilings	4.5 metres
East Quay – approximate width of 25metres off quay	5.0 metres
Lifeboat Jetty to SW corner of No.2 ro-ro pontoon	3.0 metres
River to North of No.2 ro-ro pontoon	Variable
North quay channel	1.5 metres
North quay berths	Variable

The above depths are taken immediately after dredging so allowance must be made for siltation and the latest hydrographic survey information consulted.

TIDAL FLOWS:

Slack water outside harbour around 1 hour before HW and LW.

Flood may continue to run up harbour up to 1 hour after HW on spring tides. Ebb may continue to flow out of harbour up to 1.5 hours after LW on springs. Heavy rainfall in the area will moderate/exacerbate these tendencies appropriately. Extended periods of rainfall coincident with neap tides can very occasionally cause the flood tide to be completely overcome at all states so that the net effect within the harbour is perpetual ebb.

Flow in outer harbour:

Both ebb and strong flood tide sets towards SW across channel between end of breakwater and narrows (counter current flows to Westward in western Seaford Bay on strong flood). The differential in this current can be felt adjacent to the end of the East Pier as its latticed structure interrupts the flow. Ebb tide swirls round bight counter-clockwise and augments ebb flow round breakwater end towards SW as water exiting harbour joins ebb outside harbour. Be wary of this flow on starboard bow when approaching close to breakwater end on strong ebb. Flood tide also swirls counter-clockwise round southern two thirds of bight but mid-tide there is often a strong flow from the bight around the signal station knuckle into the narrows.

Flow in inner harbour:

Main flow follows deepest water so flood and ebb have less effect adjacent to East Quay. Ebb tide exiting river into inner harbour at Fishmarket Corner tends to spread towards that corner and then No.1 Ro-Ro berth. Strong flood tide will push NW'wards around Fishmarket Corner.

WIND EFFECTS:

Predominantly from SW quadrant, though prolonged spells of Easterlies have been experienced.

Cliffs to the W of Harbour entrain winds from close to W'ly through to SW'ly and are likely to give a higher reading from West Pier signal station anemometer than true wind experienced on approach to harbour. Similarly, the West Pier signal station is sheltered from winds substantially north of west, and the East Pier tends to deflect a strong E'ly wind, in both cases the West Pier (Narrows) signal station reading should be assessed with these effects in mind.

The entrainment of SW quadrant winds by the cliffs will be experienced as vessels approach the narrows either outbound or inbound and it is prudent to anticipate this especially when entering the harbour since the vessel will be reducing speed and therefore more affected by a rapid increase in leeway. The shelter provided by the cliffs will result in a sudden reduction in leeway, thus the differential windage on a vessel as she enters the narrows must be anticipated.

SW and W'ly winds are also channelled by the valley which extends to the west from the marina, and E'ly winds are to some extent deflected by the buildings/warehouses on the east

side of the harbour, the full effect of Easterlies being felt as a departing vessel enters the narrows (E'ly wind has an unfettered path along Seaford beach and through the gap in the east pier in the narrows). These effects should be borne in mind when transiting the harbour.

Useful links to local weather/tide information websites:-

Newhaven anemometers <https://www.newhavenport.com/real-time-wind-information.html>

XC Weather <https://www.xcweather.co.uk/forecast/Newhaven>

Wind Guru <https://www.windguru.cz/505417>

Met Office <https://www.metoffice.gov.uk/weather/specialist-forecasts/coast-and-sea/inshore-waters-forecast>

Seaford Bay wave buoy [Channel Coastal Observatory Seaford \(coastalmonitoring.org\)](https://www.coastalmonitoring.org/)

Greenwich Lightship https://www.ndbc.noaa.gov/station_page.php?station=62305

Tides <https://ntslf.org/tides/tidepred?port=Newhaven>

SECTION 8

Personnel Organisation, Responsibilities, Training and Qualifications – Policy and Recording

8.1 Harbour Master (Specific duties also covered in other Sections).

The Harbour Master is head of the Port Marine Operations Department.

The Harbour Master is the Main Incident Controller in an emergency/incident.

In his absence, the Deputy Harbour Master or Senior Pilot will assume the role.

The Harbour Master has been trained to MCA level 4P, Oil Spill Supervisor.

The Harbour Master is the Port Security Authority Chairman.

He oversees and organises all marine related training, exercises and revalidations, recording such in the **Marine Based Training Records database** and the

Training/Incident/Experience records. He oversees the updating of the **Port Marine Operations Checklist Register** and inspects all marine related logbooks on a monthly basis, providing a monthly report to the Port Manager. He is responsible for managing the marine operations staff, port control and the pilotage service. He liaises with and shares information with SHEST Officer (see below).

- He has **powers of direction** to regulate the time and manner of vessels entry to, departure from, movement within and mooring within the Harbour limits and the location and manner of loading or discharging of passengers, goods and ballast and related marine safety purposes. With respect to decisions taken regarding the movement of vessels - commercial considerations are not permitted to compromise safety.
- He ensures the co-ordination and **regulation** of all vessels within the harbour and its approaches.
- He is responsible for **developing and implementing** emergency plans and procedures, for regulating dangerous goods in transit and for counter pollution and waste management plans.
- In relation to **Conservancy duties**, he has the overall responsibility for the provision and maintenance of aids to navigation and to organise dredging and surveying.
- He has **powers to remove** wrecks and unserviceable vessels and other obstructions to keep the Harbour clear. **Section 252 of the MS Act 1995** enables him to take possession of, raise, remove or destroy the whole or any part of a vessel that is sunk, stranded or abandoned within the harbour limits that in his opinion is or could be an obstruction or a danger to navigation.
- **Section 135 of the MS Act 1995** places a duty on him to regulate the transfer of oil to or from any ship within the harbour between sunset and sunrise. Section 259 empowers him to board any vessel to investigate possible offences. Section 144

empowers him to detain a vessel suspected of causing pollution.

- **The MS Act 1995** enables him to detain any vessel suspected of deficiencies or apparently being overloaded until the arrival of an officer from the MCA.
- **The MS (Port State Control) Regs 2011** place a duty on him to report to the MCA any deficiencies which affect the safety of a ship or pose a threat to the environment.
- He will ensure the information required from vessels under the **MS (Vessel Traffic Monitoring and Reporting Requirements) Regs.2004/2011** and the **MS (Port State Control) Regs 2011** is forwarded to the MCA by the quickest possible means and will report any vessel that fails to notify information in accordance with Waste Declarations, Security Declarations and Vessel Traffic Monitoring.
- He will conduct investigations following incidents and report to the MAIB as required by the **MS (Accident Reporting & Investigation) Regulations 2012**.
- **The Dangerous Vessels Act 1985** empowers him to prohibit the entry of, or direct the removal of, any vessel (24m+) considered to be a grave or imminent danger to person, property or the safety of navigation. Only SOSREP can overrule him.
- **The Dangerous Goods in Harbour Areas Regs 2016** gives him powers to regulate the movement of vessels carrying dangerous goods, including prohibiting entry, and to regulate the movement of dangerous substances arriving into the harbour from inland.
- **The Railways and Transport Safety Act 2003 section 84** empowers him to detain a vessel if any person onboard who is considered to be on duty appears to be under the influence of drink or drugs. The Police must be informed as soon as possible.
- **The Newhaven Harbour Byelaws 1931 and the Newhaven Harbour Revision Orders 1991 and 2016** provide him with further powers to ensure the safe and efficient running of the harbour.
- **The Harbours, Docks and Piers Clauses Act 1847** and local legislation allow the powers of the Harbour Master to be exercised by his assistants or other persons so authorised by the Harbour Authority. This includes Assistant Harbour Master, Senior Pilot, Duty Officers, Port Control Officers and Pilot Boat Coxswains.
- The Harbour Master will have due regard to the **Environmental Protection Act 1990** and the **Environmental Permitting Regulations 2010**.

In the absence of the Harbour Master, another Master Mariner will act as the Harbour Master, namely the Deputy Harbour Master or Senior Pilot.

8.2 Deputy Harbour Master/Pilot (Specific duties also covered in other Sections).

The Deputy Harbour Master/Pilot has the delegated authority of the Harbour Master to regulate and direct vessels and port users to facilitate the safe operation of the port and to uphold the Harbour Legislation. With respect to decisions taken regarding the movement of vessels - commercial considerations are not permitted to compromise safety.

Duties are as prescribed by the Harbour Master, to include, but not limited to:-

To assist the Harbour Master in fulfilling his statutory duties and functions and assisting the port to maintain its compliance with the Port Marine Safety Code.

To maintain the status and competence of an authorised Newhaven Pilot, ensuring the safe passage of vessels with particular regard to the safety of personnel, vessels, environment and infrastructure.

To assist the Harbour Master in managing the pilotage service, including Pilots, PEC's, vessels and crew, ensuring sufficient manning, training, operation, certification and efficient maintenance. Assisting with training, examining, authorising and monitoring of PEC holders.

To assist and advise the Harbour Master on pilotage requirements and to prepare pilotage plans and passage plans.

To assist the Harbour Master in maintaining the Marine Safety Management System and the Navigational Risk Register/Risk Assessments, including managing the Hazman system.

To deputise for the Harbour Master (in his absence) as the Main Incident Controller in an emergency/incident.

To assist the Harbour Master in overseeing and organising all marine related training, exercises and revalidations and maintaining records.

To manage the Marine Asset Management System and report to the Harbour Master.

To assist the Harbour Master in the preparation and updating of all emergency and contingency plans, including Oil Spill and Waste Plans and the exercising of the plans.

To assist the Harbour Master with conservancy duties and the maintaining of aids to navigation, including defect reporting, record keeping and liaison with Trinity House.

To assist the Harbour Master in reviewing and updating charts and liaison with the UKHO.

To assist the Harbour Master with all accident/incident investigations, reports and follow up actions/feedback.

To assist the Harbour Master in ensuring all statutory reporting is carried out in a timely manner.

To assist the Harbour Master as required in all Port User Groups and wider consultation.

To act as back-up Coxswain on any of the Company's harbour vessels if required.

To undertake the duties as back-up Port Control Officer if required.

To oversee the updating and review of the Port Control Guidance Notes.

To undertake the duties of the Duty Officer to provide co-ordination and supervision of the day-to-day operation of the port and assistance to the Port Control Officer as required and as per [section 8.4](#).

To keep up to date with industry legislation and guidance and ensure information is passed on to all relevant staff, including additional training as required.

To liaise and work with the Safety, Health & Environment Officer on all aspects relating to the wet/dry interface, including compiling the appropriate risk assessments, method statements and permits to work.

To complete all tasks and duties as set out in the Port Marine Operations Checklist Register as promulgated by the Harbour Master and to feedback into the system in a timely manner.

Any other reasonable duties as required by the Harbour Master.

8.3 Port Control Officers (Specific duties also covered in other Sections).

Port Control Officers have the delegated authority of the Harbour Master to regulate and direct vessels and port users to facilitate the safe operation of the port and to uphold the Harbour Legislation. With respect to decisions taken regarding the movement of vessels - commercial considerations are not permitted to compromise safety.

Full description of the role of Port Control Officer (PCO) is given in Section 14.

8.4 Duty Officers (Specific duties also covered in other Sections).

Duty Officers have the delegated authority of the Harbour Master to regulate and direct vessels and port users to facilitate the safe operation of the port and to uphold the Harbour Legislation. With respect to decisions taken regarding the movement of vessels - commercial considerations are not permitted to compromise safety.

The **Duty Officer** is to be either on-site or on-call to cover the busiest marine traffic times at the port, providing support and assistance to the Port Control Officer. The Port Control Officer is to know who the Duty Officer is at all times. The Duty Officer's name, hours of duty on-call and on-site will be entered in the Port Control Logbook. They co-ordinate with the Port Control Officers, Pilots and the Harbour Master over all marine procedures.

Duty Officer Duties:-

- In an emergency/incident, they will be the On-Scene Commander. Hi-Vis tabards depicting this function (and therefore conspicuous to the Emergency Services) are located at the Security Office and in Port Control.
- Those trained to Oil Spill MCA 5P/4P level may be called upon to act as oil Spill Coordinator in an incident.

- They are available to be called upon by the Port Control Officer as support and assistance at any time.
- They can call on the marine knowledge of the Harbour Master, Deputy Harbour Master and Pilots at any time they are in doubt or have a marine based problem.
- To be on-site for a ferry arrival if the average wind speed at The Linkspan exceeds 17 knots and there are other vessels alongside East Quay.
- To be on-site for a ferry departure if the average wind speed at The Linkspan exceeds 25 knots.
- To be on-site for all commercial vessel movements, including shifts, and when East Quay vessels need to have engines/bowthruster running for ferry and other large vessel movements in bad weather.
- To be on-site if Port Control are concerned about the weather conditions, including restricted visibility.
- To be on-site for the duration of all bunkering operations involving ship to ship transfers.
- Periodic monitoring of vessels when alongside.
- Swingbridge openings.
- Dealing with defect reports and liaising with Contractors.
- Completion of Permits to Work and monitoring of the work as necessary.
- Periodic rounds of the Port, including the West side.
- Emergency/security exercise planning and drills.
- East Quay Berthing Officer duties including assisting with mooring, ensuring that ships waste is collected and that the quayside is clear of any waste or debris on a vessels departure.
- Ensuring the quay is checked for any damage that may have occurred, particularly to ladders, fenders and bollards. Any damage to be followed up by Reserves for Damage and Defect reports.
- Organising the supply of fresh water for vessels and ensuring hoses are properly secured after use. Ensuring that hoses are flushed through prior to delivery.
- In Liaison with the Port Control Officer – to keep the Harbour Master and Port Manager updated of any significant events either by telephone or by email as the importance of the circumstances dictate (before they hear it from someone else outside NPP, such as the Media/Press/Politicians).
- Collating waste receipts.

- To complete all tasks and duties as set out in the Port Marine Operations Checklist Register as promulgated by the Harbour Master and to feedback into the system in a timely manner.
- Other duties as required by the Port Manager and Harbour Master.

Administrative material appropriate to Duty Officer duties:-

- 1/. Reserves for Damage
- 2/. Marine Incident Report Form (MIRF)
- 3/. Bunkering Procedures & Checklists
- 4/. Vessel Information and Warnings Notices
- 5/. Vessel Notice of Arrival
- 6/. Logbook recording
- 7/. Defect reports
- 8/. Extra Services Provided (fresh water, bunkers, gangway, mooring, crane, forklift, etc...)
- 9/. Oil Pollution reports
- 10/.Waste receipts
- 11/.Permits to Work
- 12/.Emergency Plan, Fire Risk Assessments, Oil Spill Contingency Plan
- 13/.Memorandums
- 14/.PSS/HSE Guidance on Port Operations
- 15/. PSS National Occupational Standards for Supervision of Port Operations
- 16/. Crane Plans
- 17/. MSMS File and Navigational Risk Assessments File.
- 18/. MEGA database.

8.5 Safety, Health, Environment, Security and Training Officer (SHESTO)

SHESTO works Monday to Friday, office hours, and in addition to his normal duties, he assumes the role of **Duty Officer** between the hours of 0700 and 1500. He may also be on-call Duty Officer at any other times to cover leave or sickness. He may therefore be the On-Scene Incident Commander.

He has NEBOSH Certificates in Occupational Health & Safety and Environmental Management, has been trained to level 4P, Oil Spill Supervisor and undergone Local Port Services (LPS) training. He may be the Oil Spill Co-ordinator in a pollution incident.

He will liaise with the Harbour Master on all matters concerning safety, health, environment, security and training that affect Marine Operations and the wet/dry interface of the Port, thereby providing the connection between marine and shore activities. He is responsible for producing and maintaining the Permit to Work system and ensuring relevant staff are competent in completing the forms.

He is responsible for ensuring that NPP staff are operating safely by compiling risk assessments for all activities and/or training and assisting staff to compile their own. He will inspect contractors risk assessments and method statements (RAMS) prior to works

commencing.

He will accompany the Harbour Master on full rounds of the Port from the shoreside aspect at regular intervals and is responsible for the provision and inspection of all PPE & LSA.

He will follow up on any defect reports that affect Safety, Health, Environment or Security. His other responsibilities are Port Security Officer, Fire Officer, Site Waste Management Officer, ensuring the sterilising of fresh-water hoses and replacement as required and other responsibilities as listed in the Port Marine Operations Checklist Register and within the SHE SMS and as required by the Port Manager.

He is responsible for promulgating all relevant safety, health, environment, security and training industry updates to regulations and guidance.

He will keep copies of all staff training records and certificates (Shoreside and Marine) and maintain a database of such to provide for audit purposes and to ensure revalidations are carried out in a timely manner, liaising with the Harbour Master on Marine related training. He will complete all tasks and duties as set out in the Port Marine Operations Checklist Register as promulgated by the Harbour Master and to feedback into the system in a timely manner.

8.6 Port Engineer

Reporting to the Port Manager.

Delivering maritime and engineering projects from inception to handover and working with supplier resources to deliver projects to the time, quality and budget requirements.

Preparation of calculations and project documentation including technical notes, specifications and reports.

Assisting with business development and the preparation of bids and tenders. Liaison with internal and external stakeholders.

Ensuring that all plans and works are delivered to the highest standard and are aligned with current legislation and codes of practice.

Overcoming both day-to-day engineering, mechanical and electrical problems and developing long term solutions in line with operational and budgetary constraints. Identify and manage environmental matters.

Liaising with all departments on completion of routine tasks across the Port's infrastructure. Managing the fault and default reporting system, asset management system, action plans and project permit to work. Conducting routine Port infrastructure inspections and compiling reports. Implementing any actions as per the Management Review Action Plans and feeding back into the system.

Staff supervision of the engineering, electrical, mechanical, maintenance and general port ops teams.

Completing all tasks and duties as set out in the Port Marine Operations Checklist Register as promulgated by the Harbour Master and to feedback into the system in a timely manner.

8.7 Pilot Boat/Workboat Coxswains and Crew (Specific duties also in other Sections).

Refer to Section 15 – “Pilotage, PEC and Pilot Vessel/Crew Procedures”.

8.8 Port Maintenance Staff (Specific duties also covered in other Sections).

The Port Maintenance Supervisor reports to the Port Engineer and Port Manager. His team consists of electricians, mechanics and general port operatives. The team are responsible for looking after the port infrastructure and operate an on-call system to respond to faults or emergencies 24/7. They are an important part of the Port emergency response, and all are trained to MCA Oil Spill level 2P. The Maintenance Supervisor, one electrician and one mechanic are also trained to MCA 4/5P level.

Their marine duties are generally limited to being linesmen, forklift truck driving, provision of fresh water, gangways, fencing, waste collection and oil pollution duties. Some of the team are also trained to be crew on the Pilot boat/workboat. Most of their tasks are covered in the SHE SMS.

8.9 Port Security Staff

The duties of these staff are covered in the Operating Procedures produced and maintained by the PFSO. They incorporate duties required under the SHE SMS and the Port Facility Security Plan. They are located at Dock Gate 4 and the South Gate Security Offices at the entrances to East Quay Terminal.

They have **direct communication with Port Control** in the form of telephone, UHF and VHF radios and liaise with them particularly out of normal office hours, when the only persons on-site may be just the Port Control Officer and Port Security Staff member. When they undertake night-time security rounds, they will notify Port Control on their departure and upon their return, maintaining communication by radio throughout.

As the first point of contact with the emergency services during an incident at East Quay, they are the custodians of one of the three “**Emergency and Fire Plans Box Files**” to assist the emergency services upon arrival. Depending on the location and type of an incident, the Duty Officer will be able to collect his Hi-Vis Emergency Tabard and have use of the radios for communications.

If the Security staff are under threat, there is a panic alarm button installed within the gatehouse. Once activated it gives off a loud siren noise and a beacon flashes. It also sends a text message to Port Control. In any event, the Security Officer must also call the Port Control Officer immediately on the UHF radio, which should be on, fully charged at all times and tested daily.

Security Staff at South Gate must direct all bunker/sludge road tankers to the Port Operations Office before allowing them access to the quayside and will telephone/radio Port Control to notify them of the arrival of such vehicles on site.

8.10 Port Marine Operations Checklist Register and Asset Management system

The Harbour Master maintains a Port Marine Operations Checklist Register listing all marine related critical equipment, the dates of inspection and the persons responsible for actions. He circulates the register to all relevant staff at routine intervals in order to get feedback and updates.

As from 2021, an electronic/internet-based Asset Management system has been introduced and will replace the Checklist Register in due course. The Deputy Harbour Master and the Maintenance Supervisor are responsible for compiling the asset database and ongoing operation of the system, reporting back to the Harbour Master, Port Engineer and Port Manager.

SECTION 9

Consultation & Information Policy

NPP will consult, as appropriate, those likely to be involved in or affected by the Marine SMS and will use the opportunity to develop consensus about safe navigation in the harbour. Port User Groups will be established and meet at six monthly intervals. The Pilotage Committee will meet on an annual basis. NPP employees will be included in the consultation and meetings process.

The Harbour Master will hold regular meetings with the Pilots and PEC Holders. He will meet with the Pilot Boat Coxswains, Duty Port Control Officers, Duty Officers, SHESTO and Port Maintenance team on an almost daily basis and exchange information as necessary. He will meet with the Port Manager, normally daily, to exchange information as necessary.

The Port Manager will hold regular management and maintenance meetings.

Health & Safety Meetings are held on a quarterly basis and all employees are represented.

The West Quay Users (Fishing) Group will meet at six monthly intervals, with the Harbour Master as Chair. Regular adhoc meetings are also held between the Harbour Master and the local Fisheries representative and Newhaven Fish & Flake Ice Society.

The Harbour Master maintains regular dialogue and attends meetings with the RNLI, HMCG, MCA, MMO, Police, ESFRS, Border Force, Terminal Operators and the National Coastwatch Institution (Newhaven).

Between meetings of the Port User Groups, the Harbour Master brings any relevant information to the attention of the members by email and on the website. The Port User Groups Terms of Reference and list of members are at **Appendix 15**.

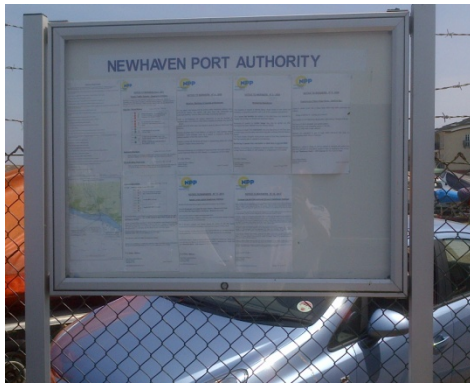
Local Notice to Mariners are issued to a large distribution list to keep relevant persons informed. The distribution list is held by Port Control and not disclosed for GDPR reasons.

The Harbour Master attends meetings held by the BPA, PSS and the UKHMA.

NPP Company procedures and information documents are kept fully up to date on the MEGA system of which Directors, Employees and part-time boatmen have access to. This includes Marine SMS, Navigational and Marine H&S risk assessments, Marine safety Notices, rules and regulations, Safety, Health & Environment documents and notices.

The website at www.newhavenport.com is a good source of information.

Various signage is positioned around the Harbour to inform the public.



SECTION 10

Emergency and Contingency Planning and Exercising

The Harbour Emergency Plan will be reviewed by the Harbour Master on an annual basis unless amendments are required beforehand following an exercise, incident or change of circumstances. A full revision will take place as required. The Emergency Plan may be implemented by the Harbour Master, Deputy Harbour Master, Senior Pilot, SHEST Officer, Port Control Officer or a Duty Officer.

The Port Fire Risk Assessments will be reviewed by the SHEST Officer on an annual basis unless amendments are required beforehand following an exercise, incident or change of circumstances. A full revision will take place as required.

The Port Oil Spill Contingency Plan will be reviewed by the Harbour Master on an annual basis unless amendments are required beforehand following an exercise, incident or change of circumstances. A full revision is required every 5 years and approved by the MCA. The Oil Spill Contingency Plan may be implemented by the Harbour Master, Oil Spill Co-ordinators, Deputy Harbour Master, Senior Pilot, Port Control Officer or a Duty Officer.

The Port Facility Security Plan will be reviewed by the PFSO and PSO on an annual basis unless amendments are required beforehand following an exercise, incident or change of circumstances. A full revision will take place as required and approved by the DfT. The Port Facility Security Plan may be implemented the PFSO or the PSO.

The Port Security Authority Plan will be reviewed by the Port Security Authority as necessary. A full revision will take place as required and approved by the DfT. The Port Security Authority Plan may be implemented by any member of the Port Security Authority Committee.

All the above plans will be exercised on a regular basis and involve external agencies and services as necessary and as available.

Debriefs will follow each exercise. Full reports of each exercise will be recorded and circulated as required.

The dates of each exercise and the planned future exercise dates will be recorded by the Harbour Master on the **Port Marine Operations Checklist Register and the Training & Exercise Record**.

The Port Control Emergency Checklists are a fundamental part of any emergency/incident response, and all Marine Operations Personnel are to be familiar with them.

SECTION 11

Incident and Investigation Policy and Procedures

However effective the SMS regime is, marine incidents do occur in harbours, involving death, serious injury, pollution and other undesirable outcomes, and they may involve breaches of international, national or local laws. Investigations by the Harbour Master of marine incidents have two essential purposes:-

- To determine the cause of the incident with a view to preventing a recurrence.
- To determine if an offence has been committed.

Every incident should be **REPORTED, INVESTIGATED, ANALYSED and DOCUMENTED**. The results of the investigation are then fed back into the SMS as part of the **POST-INCIDENT FEEDBACK LOOP**.

The post incident feedback loop will involve some or all of the following:-

- The Incident Report
- Reviewing the Navigational Risk Assessments
- Identifying any additional mitigation measures required
- Amending procedures and/or regulations
- Informing stakeholders (Port Users, Employees, MCA, MAIB, BPA, UKHMA, NWA, PSS).

All Marine Operations Officers (Harbour Master, Deputy Harbour Master, Pilots, Duty Officers, SHESTO, Port Control Officers, Pilot Boat Coxswains) are to complete a **Marine Incident Report Form (MIRF)** – (See Appendix 6) following a marine related incident, near-miss or breach of regulations. This is submitted to the Harbour Master, who will decide if follow up action is required. Separate reports from other persons involved may be necessary. All information is shared with the Deputy Harbour Master, who will update Hazman as required.

Any incidence of collision, contact or grounding of a vessel under pilotage (Pilot or PEC) will result in a **Pilotage Special Report Form (See Appendix 5)** being completed and submitted to the Harbour Master. The Pilots will take an active role in reporting any Marine Incidents or Near-Misses that they observe by reporting such immediately to Port Control and by completing and forwarding to the Harbour Master the “**MIRF**”. PEC holders will report any Marine Incidents or Near-Misses that they observe immediately to Port Control and Harbour Master. All information is shared with the Deputy Harbour Master, who will update Hazman as required.

If further action is required, the Harbour Master will conduct an investigation based on the principles established by the MAIB.

If the incident is reportable under the MS (Accident Reporting & Investigation) Regulations 2012 and/or MGN 564, then the Harbour Master or his designated deputy will report the

incident to the MAIB (**Tel: 023 8023 2527**) and the MCA Port State Control/Duty Surveyor (**Tel: 07810 528504**). The latest MAIB Accident report form (ARF) must also be completed and forwarded by the Harbour Master or his designated deputy. This is available on their website

<https://www.gov.uk/government/publications/report-a-marine-accident>

and an example of the form can be found at **appendix 13**.

The Master of any vessel involved in a reportable incident is also required to inform the MAIB/MCA independently of the Harbour Master. The Harbour Master or his designated deputy will ensure the Master has the contact details as above and access to the MAIB report form, which is best completed online on their website. A copy of the Master's MAIB report must be provided to the Harbour Master before departure from the port or as soon as practicable thereafter.

Any incident that involves a report to the HSE, and/or occurs in the marine – shoreside interface, will be investigated and reported by the SHEST Officer, in addition to any investigation carried out by the Harbour Master.

Procedures

1/. The breach or incident is reported to the Harbour Master by Marine Incident Report Form (MIRF) or Pilotage Special Report Form or by email report.

2/. The Port Control Officer/Duty Officer will ensure that the CCTV footage is backed up onto USB stick and safely saved. Best endeavours must be made to take photographic evidence and to inspect the scene.

3/. If any damage has been caused to Port infrastructure or Port vessels, then a Reserves for Damage/Letter of Protest must be issued to the Master of the vessel either by the Harbour Master or the Duty Officer. (**Appendix 10**).

4/. As much evidence as possible is gathered by the Harbour Master or his deputy:-

- Interviewing those involved
- Obtaining statements
- Obtaining copies of other parties' reports
- CCTV
- VDR and ECDIS
- Crew lists and Hours of Work records
- Interviewing witnesses
- Securing tidal data records
- VHF Communication records
- Photographic evidence
- Weather and visibility conditions prior to and at time of incident
- Condition of Navigational aids
- Notice to Mariners in force
- Last hydrographic survey data

- Records of any previous incidents or near-misses involving vessel/master

In producing his report, the Harbour Master will use the format established by the MAIB, namely:-

- Synopsis (The summary and factual information)
- Analysis
- Conclusions
- Actions taken
- Recommendations

The Harbour Master may forward his report to one or more of the following as circumstances dictate: - MCA, MAIB, BPA, UKHMA, NWA, PSS, Port Users, Employees.

Any lessons learned from the investigation that could improve the safety of marine operations at Newhaven will be documented and fed into the Marine Safety Management System, including reviewing and updating the Navigational Risk Assessments, if required.

If enforcement action is required, Section 12 describes the Enforcement Policy and Procedures.

What to report to the MAIB – It is a legal requirement that any **Marine Casualty** or **Marine Incident** should be reported to the MAIB.

A **marine casualty** is an event or sequence of events that has occurred directly by, or in connection with the operation of ship, and has resulted in:

- The death of or serious injury to a person.
- The loss of a person from a ship
- The loss, presumed loss or abandonment of a ship
- Material damage that significantly affects the structural integrity, performance or operational characteristics of the ship requiring major repair or replacement of component(s),
- The ship being unfit to proceed or requires flag state approval or a condition of class before it may proceed.
- At sea, the ship requiring towage or shore assistance.
- The stranding or disabling of a ship, or the involvement of a ship in a collision.
- Material damage to marine infrastructure external of a ship that could seriously endanger the safety of the ship, another ship or any individual.
- Pollution, caused by damage to a ship or ships.

A **marine incident** means an event, or sequence of events, which occurred directly in connection with the operations of the ship, that do not meet the criteria to be classified as a marine casualty but that endangered or, if not corrected would endanger, the safety of the ship, its occupants or any other person or the environment.

- Examples of marine incidents include:
- Close-quarters situations where avoiding action was required to avoid collision.
- Any event that had the potential to result in a serious injury.
- A fire that did not result in material damage.

- An unintended temporary grounding on soft mud, where there was no risk of stranding or material damage.
- A person overboard who was recovered without serious injury.
- Snagging of fishing gear resulting in a dangerous heel.

There is no requirement to report:

- Defects to equipment, unless they are related to a marine casualty or marine incident.
- Injuries to passengers that did not result from activities connected with the operation of the vessel. For example: a passenger suffering a fall on board a ship, where the ship's movement, design, or acts or omissions by crew were not a contributing factor.
- Damage or injuries occurring ashore, including the quayside, which do not involve the ship's equipment.
- Vessel detentions.

Minor offences by recreational craft, not warranting a MIRF being raised, are dealt with by a verbal warning from one of the Marine Operations team acting with the authority of the Harbour Master. The purpose being to educate the offender in the error of his ways, and to reprimand, such that there will be no second offence.

It is likely that the offender will be invited to make a visit to Port Control, where their inappropriate actions are explained, CCTV footage shown and advice/literature given. This has proved most effective with leisure craft and anglers.

All persons making a Port Control navigational educational visit have their details recorded on a **Port Control Safe Navigational Visit Form** (see [appendix 6](#)) which is forwarded to the Harbour Master, **together with a report of the incident**. NB: The Harbour Master may still decide to take further enforcement action.

Any lessons learned from the incident that could improve the safety of marine operations at Newhaven will be documented and fed into the Marine Safety Management System, including reviewing and updating the Navigational Risk Assessments if required. **(POST INCIDENT FEEDBACK LOOP)**.

Further information and guidance can be found in the IMO Casualty Investigation Code, available on the IMO website (google [IMO Casualty Investigation Code](#)), and in MGN 564 (Marine Casualty and Marine Incident Reporting).

MGN 564 and the MAIB Accident Report Form can be found in [Appendix 13](#).

An MOU (Memorandum of Understanding) exists between the MCA, HSE and the MAIB to identify who will take the lead in investigations where they share a common interest, particularly at the ship/shore interface. A copy of the MOU and its associated Operational Working Agreement are available from the Harbour Master or from <https://www.gov.uk/government/publications/memorandum-of-understanding-between-hse-mca-and-maib>

In general, the HSE is responsible for enforcing the H&S at Work Act in respect of land based and offshore activities, including loading and unloading a ship.

The MCA is responsible for enforcing all Merchant Shipping Regulations in respect of occupational H&S, the safety of vessels, safe navigation and operation. Merchant Shipping H&S regulations extend to all those working on the ship and to all shipboard activities carried out by the crew under the control of the Master.

Where there is overlapping legislation, the accident investigation provisions are set out in the appropriate section of the Operational Working Agreement of the MOU, but each organisation can call on the expertise of the other as the need arises.

In incidents involving death or crime, there is also an MOU between the Police and the MAIB.

The dividing line between MCA and HSE responsibilities for passengers is at the gangway. If the vessel provides the gangway the MCA lead extends from ship to the bottom of the gangway. If the gangway is provided by shoreside, then the MCA lead ends on the ship/at the top of the gangway.

In the case of dangerous cargoes, the HSE is the enforcing authority for the Dangerous Goods in Harbour Areas Regulations 2016.

It should be noted that the MCA, MAIB or HSE can inform the Secretary of State's Representative (SOSREP) of an incident, but SOSREP makes the decision whether to invoke their powers.

In summary:-

- MAIB/MCA investigates accidents related to ships and crew.
- HSE investigates land based and offshore accidents.
- The Police will investigate accidents involving death or crime.

SECTION 12

Enforcement Policy and Procedures

General Action Levels

- 1/. Take no further action.
- 2/. Verbal warning from Marine Operations Staff (Duty Officer, Port Control Officer, Pilot, Pilot Boat Coxswain).
- 3/. Conduct a Port Control Safe Navigation Visit.
- 4/. Verbal warning from Harbour Master.
- 5/. Written Harbour Master's Formal Warning.
- 5/. Prosecute.

Pilots and PEC Holders

The Pilots and PEC Holders will report to the Harbour Master any grounding, contact or collision of a vessel under their pilotage using the Pilotage Special Report Forms (**See Appendix 5**). The Harbour Authority will investigate each incident and take one or more of the following actions:

- 1/. Take no action.
- 2/. Harbour Master's verbal warning.
- 3/. Harbour Master's written Formal Warning.
- 4/. Suspend the Pilots/PEC Certificates.
- 5/. Form a Board of Inquiry.
- 6/. Instigate further training.
- 7/. Place restrictions on the Pilots/PEC Certificates.
- 8/. Revoke the Pilots/PEC Certificates.
- 9/. Prosecute the Pilot/PEC.

The Pilot/PEC Holder will be able at all times to have professional/legal services involved during the investigation and may appeal to any decision made by the Harbour Authority that he considers is unfair or unjust.

Information

All verbal warnings given by Marine Operations staff will be recorded in the Port Control logbook and brought to the attention of the Harbour Master without fail.

Copies of Safe Navigational Visit forms will be forwarded to the Harbour Master as soon as possible in the same way as a MIRF.

The Harbour Authority, in particular the Duty Holder, will ensure sufficient funds are available to enable the enforcement actions to be taken.

Examples of the Port Control Safe Navigational Visit form, MIRF, and the Harbour Master's Formal Written Warning are included in [Appendix 6](#).

Masters/Skippers/Owners of vessels that disregard the Port rules, directions and regulations or act in an irresponsible or inappropriate manner, may be punished in the form of fines, levied according to the severity of the breach/action. This may be in addition to any costs incurred by the Port in putting right the consequences of any breach/action and off-charging these costs to the offender. Examples are the illegitimate dumping of waste/unwanted materials, conducting hot work without permission, leaving the berth in an untidy/dirty condition, leaving a vessel unattended at East Quay, etc... Any action taken will be at the discretion of the Harbour Master.

The final resort is to use the port legislation to bring criminal proceedings against the offenders, subject, if applicable, to the proper formalities of the Police & Criminal Evidence Act (PACE).

SECTION 13

Disciplinary Policy and Procedures

For Marine Operations Staff, the Harbour Master will monitor and ensure that they are carrying out their duties in a safe, competent and proficient manner with due regard to the levels of expectation required to comply with the Port Marine Safety Code.

Where there is concern about a member of the Marine Operational staff competence, attitude or conduct, the Harbour Master will alert them of his concerns and will give them guidance and the opportunity to improve, including further training if required.

Where a disciplinary matter arises, the Harbour Master will investigate the circumstances and gather all the relevant facts promptly. If action is considered necessary, the Harbour Master will refer the issue to the HR department who will then follow the NPP Company Procedures as detailed on MEGA.

SECTION 14

Port Control Procedures and Traffic Signals

Port Control Officers and Duty Officers have the delegated authority of the Harbour Master to regulate and direct vessels and port users to facilitate the safe operation of the port and to uphold the Harbour Legislation. With respect to decisions taken regarding the movement of vessels - commercial considerations are not permitted to compromise safety.

In line with MGN 401 (as amended), and after completing a formal risk assessment, it is decided that a Vessel Traffic Service (VTS) is excessive and inappropriate for Newhaven Port Authority. This has taken into account the relatively low level of shipping movements occurring at any one time, combined with the fact that Commercial vessels may only transit the harbour in one direction at a time. It is therefore decided that a Local Port Service (LPS) is applicable. An LPS is designated as a service to improve port safety and co-ordination of port services within the port community by dissemination of port information to vessels and berth or terminal operators. An LPS can act as liaison between vessels and allied services, as well as providing a basis for implementing port emergency plans.

The Port Control Officers do not therefore have to be qualified to IALA V-103 standards, but will be qualified to a minimum of NVQ Level 2 in Port Operations, Local Port Services (LPS) Certificate, VHF Certificate, Radar Certificate and MCA Oil Spill Level 2P. One of Officers is the Hydrographic Surveyor for the Port, regularly attending courses and seminars to improve his knowledge and gaining certification in surveying. He also holds an RYA Yachtmaster Offshore Certificate with Commercial endorsement, enabling him to be Coxswain on Port Authority vessels. Two others are qualified as crew on the Port Authority vessels.

The 4 full-time Pilot Boat Coxswains are required to maintain sufficient knowledge of Port Control operations so that they can provide back-up and cover.

Port Control Officers have an important function in that they are the control centre of the Port. Port Control is manned 24hrs a day, 365 days a year.

The Port Control Officer must always know the whereabouts of the Harbour Master. They must know who is the Duty Officer, Duty Pilot, Duty Electrician, Duty Pilot Boat Crew, Duty Mechanic/Port Operative. They will always be able to call upon the resources of the Duty Officer to provide support and assistance, as well as all the other personnel named above. The Duty Pilot is always available to provide advice.

The Harbour Master is to be informed immediately (by phone/email as the urgency dictates) of all near-misses and incidents as well as all non-routine events such as:

- The Ferry requesting a Pilot or the PEC causing concern/acting strangely.

- East Quay vessel shifting or when East Quay vessels need to have engines/bowthruster running and/or Pilot onboard for ferry and other large vessel movements in bad weather.
- Failure of critical equipment such as Port Control equipment and systems, navigation lights, linkspan, anemometers, tide gauges, CCTV, power supply, etc...
- Dredging operations commencing, ceasing, completing or any other issues related to dredging including the PEC causing concern/acting strangely.
- Flood alerts and warnings or concerns about tide levels/storm surges.
- Any other event considered out of the ordinary day to day operations.
- Any event that may lead to enquiries from persons outside of NPP.
- If in doubt, inform the Harbour Master.

The public, authorities, agencies, politicians and the press - all expect the Harbour Master to know everything that is going on – so make sure he does !!!

Reports of near-misses and incidents are to be in the form of a Marine Incident Report Form (MIRF).

The Port Control Officer must call the Duty Officer to be on site as back-up:-

- Whenever there is an incident **or** the potential for an incident.
- For ferry arrival, if the average wind speed at The Linkspan exceeds 17 knots and there are other vessels alongside East Quay.
- For ferry departure, if the average wind speed at The Linkspan exceeds 25 knots.
- For all commercial vessel movements, **including shifts**, and when East Quay vessels need to have engines/bowthruster running and/or Pilot onboard for ferry and other large vessel movements in bad weather.
- When concerned about the weather conditions, including restricted visibility.
- When concerned about tide levels and/or flood issues.
- For all bunkering operations involving ship to ship transfers.
- Whenever in any doubt about ability to handle a situation alone.

Port Control Officers and Duty Officers must have intricate knowledge of the Wind Speed & Depth Action Charts ([Appendix 17](#)) and if there is any doubt or disagreement, they will call the Duty Pilot for advice. If there is still doubt or disagreement, the Harbour Master must be called and his decision is final. In any event, the Harbour Master is to be kept informed.

The majority of marine matters initially go through Port Control; they are the first response to any emergency or incident within the port and they co-ordinate ship and shore activities. Being the first responder to incidents, they have at their disposal the Port Control Emergency Checklists which assist them in co-ordinating their actions and implementing the Emergency and Oil Spill plans. As Port Control is the designated Incident Control Room, the PCO's are the custodians of one of the three "Emergency & Fire Plans Box Files" to assist the emergency services.

The Port Control Officers main responsibility is to be in control of the port at all times and so must always be aware of what is happening within the port and what is expected to happen, or could happen. They have the delegated authority of the Harbour Master to direct vessels and port users to facilitate the safe operation of the port and to uphold the Harbour Byelaws, directions and legislation, including acting as Berthing Officers. They will carry out such other duties as required by the Harbour Master.

They liaise closely with the MCA, Coastguard, RNLI, Emergency Services, Border Force, MMO, Sussex IFCA and the National Coastwatch Institution.

At their discretion, the Port Control Officers may leave Port Control for short periods of time to carry out duties such as mooring/unmooring vessels, operating the Swingbridge and disseminating information, particularly to visiting vessels on East Quay. The Officers must always be contactable and able to communicate by radio and telephone. They must always remain situationally aware. When proceeding to carry out duties on the quayside alone, they must at all times ensure that they inform someone of their intentions and report when they are back in Port Control.

Between the hours of 2359 and 0700 weekdays and at weekends/bank holidays, it may be that the only persons on-site are the Port Control Officer and Gate 4 Security staff. It is therefore of paramount importance that these two personnel communicate with each other and must inform each other when they leave their respective Offices and upon their return. For this purpose, both have telephone, VHF and UHF radios.

There will be an effective handover between Port Control Officers at shift changes to ensure a seamless transfer of control and minimal loss of situational awareness.

The Port Control Officers, under the supervision of the Deputy Harbour Master, will keep the Port Control Guidance Notes up to date and regularly reviewed. They are in the best position to maintain the Guidance Notes up to date as they are the Officers with the day-to-day hands-on experience. They will log all significant day to day events in the logbook including, but not limited to commercial and ferry movements, DG and Waste information, state of equipment and lighting, the weather and any incidents. They will record all VHF communications with ferries, commercial and visiting vessels. Any equipment defects are to be reported as soon as possible to the relevant person (Electricians, Harbour Master, Duty Officer, Port Engineer). NPP has a maintenance contract with Radio Relay for all CCTV and anemometer systems.

Port Control receive all vessels pre-arrival CERS Workbook notifications (ISPS, Waste Declaration, DG info) and the Crew/Passenger lists. They will check the contents and forward to the Harbour Master, Deputy Harbour Master, Duty Pilot, SHESTO, PFSO,

ESFRS, NMIC, Police and Border Force. Port Control will organise any services requested by East Quay vessels such as waste collection, fresh water, sludge/sewage tankers, with the assistance of the Duty Officer. The Duty Pilot shall confirm with the vessel Master of any services required and convey this information to Port Control.

The Harbour Master will forward to Port Control all relevant marine related information that he receives from the MCA and the MAIB, such as notices, reports and recommendations. Copies of all relevant MAIB reports are available to the Port Control Officers for their information and guidance on the server MARINE drive.

They will complete all tasks and duties as set out in the Port Marine Operations Checklist Register as promulgated by the Harbour Master (Asset Management System to replace the Checklist Register during 2022/23) and to record and feedback into the system in a timely manner. They will ensure that all the necessary computer back-ups are done.

All PCO's must be competent in operating the CCTV and GeoVS systems, including playback and making recordings. In order to maintain their competence, they will ensure they practice these functions regularly so when called to do so they can produce the evidence without any delay.

When a vessel arrives to await the Pilot, either at the anchorage or on the final approach, Port Control will ask the Master to confirm that the vessel has no known defects and that the pilot ladder is SOLAS compliant. The response from the Master is to be logged by Port Control. Any negative responses are to be reported to the Duty Pilot immediately and then to the Harbour Master. This must happen on every occasion a vessel takes a Pilot, irrelevant of the frequency of visits, as there is no guarantee that the same ladder is in use as the previous call.

Newhaven Statutory Harbour Authority (SHA) is a Competent Harbour Authority (CHA) under the Pilotage Act 1987 and has issued Pilotage Directions ([Appendix 1](#)) (last revised Jan 2021 and reviewed annually by the Pilotage Committee) making pilotage compulsory for all vessels of 49m and over, some tugs with tows (see below), all vessels carrying dangerous goods and any high profile or non-routine vessel that the Harbour Master assesses to require a Pilot/s. Any other vessel may request a Pilot if the Master so desires. The Harbour Master is in charge of the management of Pilotage.

A Pilot is required if the combined length of the tug, tow line and tow is 49m or over. All other commercial towage operations (towing, pushing or on-the-hip), no matter what the size of the vessels involved, will be approved by the Harbour Master before the operation commences within the Harbour Limits. Each operation will be assessed by the Harbour Master and he may decide if one or more Pilots are required and/or the Pilot Vessel/additional tugs are required to escort/assist.

Although tug assistance (if available) is sometimes necessary to assist in the manoeuvring of vessels, particularly with easterly winds on large windage vessels, the Pilots, PEC's and Tug Masters must bear in mind the effect that the tug wash may have on the Marina and other vessels. Except in an emergency, the Marina staff must be advised of the possibility of excessive wash prior to the operation commencing, and the Pilot Vessel must be used to

check the visitor's pontoons are clear of persons and to warn any vessels berthed at the pontoons and in the vicinity.

The Duty Officer, Port Control Officer and/or Linesmen (minimum of 2 persons) must be in attendance when an East Quay commercial vessel shifts ship, even if they are only using mooring ropes to carry out the shift. This message must be strongly conveyed to the vessel Master and permission to shift not authorised until NPP staff are on the quayside.

Equipment and instrumentation operated by Port Control:-

- 1/. VHF Marine Band Radio set plus handhelds
- 2/. UHF handheld radios
- 3/. Radar
- 4/. Admiralty ARCS system with AIS
- 5/. Wind information from 4 locations around the port
- 6/. Tide level information from 3 devices
- 7/. Telephone land line and mobile (unlimited contract usage)
- 8/. Monitors, controls, computers and recorders for the 11 CCTV Cameras
- 9/. Internet access for the Newhaven Port Authority Website
- 10/. Internet access for weather sites
- 11/. Internet access for AIS vessel searching
- 12/. Internet access for control of Swing Bridge opening times
- 13/. Internet access for the updating of the PORTZ vessel recording system.
- 14/. Internet access for reporting to the MCA under CERS
- 15/. Loudhailers covering The Narrows and East Quay areas of the port
- 16/. Traffic Signal Lights
- 17/. Email access for the receipt and dissemination of information
- 18/. Binoculars
- 19/. GEOvs 3D electronic AIS display
- 20/. Internet and server access to the MEGA and MARINE drives.

In case of mains electrical power failure, a dedicated emergency generator is capable of providing all the electrical power requirements to maintain normal working within Port Control. All PCO's must be competent in making the changeover to emergency power and undertake regular training with the electricians.

Operational information responsibility of / available to Port Control Officers:-

- 1/. Radio Log
- 2/. Official Logbook
- 3/. Incident Log
- 4/. CERS Log
- 5/. Ferry Delay Log
- 6/. Ferry Swinging Plate Log
- 7/. Aids to Navigation Log Book
- 8/. Freshwater Supply Log

- 9/. Trinity House Light Dues reports
- 10/. Waste receipts and Logs
- 11/. Bunkering File and Logs
- 12/. Visiting vessels pre-arrival and information records
- 13/. Defect reports and Extra Services Chits
- 14/. Marine Incident Report Forms (MIRF)
- 15/. Port Control Safe Navigational Visit Forms
- 16/. Emergency Check Lists
- 17/. Emergency Plan
- 18/. Fire Risk Assessments
- 19/. Oil Spill Contingency Plan
- 20/. Waste Management Plan
- 21/. Navigational Risk Assessments
- 22/. Marine SMS
- 23/. Sussex Emergency Response & Recovery Plan (SERR)
- 24/. IMDG Code.
- 25/. M-Notices
- 26/. Code of Safe Working Practices for Merchant Seamen (COSWOP)
- 27/. IMO Standard Marine Communication Phrases (SMCP)
- 28/. IALA VTS Voice Communications and Phraseology
- 29/. Hydrographic Survey Charts
- 30/. Admiralty charts 2154 and 1652
- 31/. Admiralty List of Light Signals, Radio Signals and Dover Pilot
- 32/. ARCS and AIS updates
- 33/. International Regulations for Preventing Collisions at Sea
- 34/. Distribution of Local Notices to Mariners to stakeholders
- 35/. Memorandums
- 36/. Code of Safe Practice for the Embarkation and Disembarkation of Pilots
- 37/. Port Control Guidance Notes
- 38/. PSS/HSE Guidance Notes on Port Operations
- 39/. Harbour Byelaws and Directions
- 40/. NPP Terms and Conditions and Site Rules
- 41/. List of current Port & Pilotage charges
- 42/. List of PEC holders
- 43/. Fishing vessel berthing and contact list
- 44/. Marina fishing, angling and charter vessels list
- 45/. Server system with access to MEGA and MARINE drives.

More specific descriptions of the duties of the Port Control Officers are covered in the following sections:-

15	Pilotage, PEC and Pilot Vessel/Crew Procedures
16	Ferry Procedures
17	Commercial Vessel Procedures
18	Other Vessel Procedures

Port Control Visibility Distances

South

Port Control to Traffic Signals = 283m

Port Control to East Pier Light = 457m

Port Control to West Pier Lighthouse = 914m

Port Control to Seaford Head = 2.6 NM (4815m)

North

Port Control to South Corner Marina = 256m

Port Control to No1 Ro/Ro Berth = 512m

Port Control to Lifeboat Station = 640m

Traffic Signal Lights

Port Control Officers control the Traffic Light Signals situated at the West Pier Signal Station, East Quay (Opposite Marina) and No.2 RoRo Pontoon.

These signals are to control the movement of vessels when entering, manoeuvring within and departing the Harbour.

Their use is a significant aspect of the duty and power to direct vessels for the safety of navigation. Such power is delegated to Port Control Officers by the Harbour Master.

Below is the Traffic Light Signal system in use. In case of mains electrical failure, the Signal Lights operate on back-up battery power for 12 hours.













It is essential that all Marine Operations Staff have a working knowledge of the contents of this MSMS, especially sections 8 onwards, together with the appendices, as it applies to their duties.

Vessel Traffic Signals – Newhaven Harbour

Mariners are hereby reminded that their continued use of Newhaven Harbour is dependent upon their compliance with the Harbour Byelaws/Directions, instructions issued to them by Port Control "Newhaven Radio" and the Vessel Traffic Signals detailed below. ***Persons not complying are liable to prosecution.***

West Pier – Signal Station:

Position: 50° 46'.91N., 0° 03'.43E.

Red 	Flashing		Serious Emergency - All vessels/craft to stop or divert according to instructions issued by 'Newhaven Port Control' VHF Ch.12.
Red 			
Red 			
Red 	Fixed		No vessels/craft, either pleasure or commercial, shall proceed contrary to this signal.
Red 			
Red 			
Green 	Fixed		Small vessels/craft may proceed. Two way traffic.
Green 			
White 			
Green 	Fixed		A vessel may proceed ONLY when it has received specific orders, from 'Newhaven Port Control', to do so. All other vessels/craft must keep clear of the navigable channel.
White 			
Green 			

Newhaven East Quay:

Position: 50° 47'.21N., 0° 03'.38E.

When red lights are showing on signal mast, situated at the East Quay (southern end of Ferry Berth), **NO VESSEL** may leave any part of Newhaven Marina.

N°2 RoRo Berth (North end):

Position: 50° 47'.38N., 0° 03'.25E.

When red lights are showing on signal mast, situated at the North West corner of N°2 Ro-Ro Pontoon, **NO VESSEL** may proceed South past these lights.

Newhaven Swing Bridge:

Position: 50° 47'.69N., 0° 03'.14E.

Call sign – 'Newhaven Bridge Control' VHF Ch.12

Red ● Red ● Red ● Flashing	The Swing Bridge is operating. ALL vessels must keep clear.
Green ● Green ● Green ● Fixed	Vessels MAY proceed.
Red ● Red ● Red ● Fixed	Vessels MAY NOT proceed.

Commercial vessels under Pilotage navigating through the Swing Bridge have the right of way in **ALL** circumstances. **ALL OTHER VESSELS MUST KEEP CLEAR OF THE NAVIGABLE CHANNEL.**

At times of Swing Bridge openings no vessel should attempt to pass through the Swing- Bridge without permission from Bridge Control on VHF Ch.12. Vessels not equipped with VHF radio must keep clear until Commercial vessels have passed through. Only then may they proceed in accordance with the Bridge Control Tower light signals.

Owners of small vessels can ascertain Swing Bridge opening times by contacting 'Newhaven Radio' VHF Ch.12 or telephone 01273 612926.

The maximum speed limit within the Harbour is 5 knots north of the West Pier Signal Station and 8 knots south of the West Pier Signal Station.

Section 15

Pilotage, PEC and Pilot Vessel/Crew Procedures

15.1 General

It is essential that all Marine Operations Staff have a working knowledge of the contents of this SMS, together with the appendices, as it applies to their duties. With respect to decisions taken regarding the movement of vessels - commercial considerations are not permitted to compromise safety.

Newhaven Statutory Harbour Authority (SHA) is a **Competent Harbour Authority (CHA)** under the Pilotage Act 1987 and has issued Pilotage Directions ([Appendix 1](#)) (last revised Jan 2021 and reviewed annually by the Pilotage Committee) making pilotage compulsory for all vessels of 49m and over, some tugs with tows (see below), all vessels carrying dangerous goods and any high profile or non-routine vessel that the Harbour Master assesses to require a Pilot/s. Any other vessel may request a Pilot if the Master so desires. The Harbour Master is in overall charge of the management of Pilotage but may delegate duties to the Assistant Harbour Master/Pilot.

A Pilot is required if the combined length of the tug, tow line and tow is 49m or over. All other **commercial towage operations** (towing, pushing or on-the-hip), no matter what the size of the vessels involved, will be approved by the Harbour Master before the operation commences within the Harbour Limits. Each operation will be assessed by the Harbour Master and he may decide if one or more Pilots are required and/or the Pilot Vessel/additional tugs are required to escort/assist.

Although **tug assistance** (if available) is sometimes necessary to assist in the manoeuvring of vessels, particularly with easterly winds on large windage vessels, the Pilots, PEC's and Tug Masters must bear in mind the effect that the tug wash may have on the Marina and other vessels. Except in an emergency, the Marina staff must be advised of the possibility of **excessive wash** prior to the operation commencing, and the Pilot Vessel must be used to check the visitor's pontoons are clear of persons and to warn any vessels berthed at the pontoons and in the vicinity.

The Pilotage Limits of Newhaven Harbour are:

All areas of the Ouse river and estuary that are covered at MHWS from a northern point 85m north of the Energy Recovery Facility to the seaward extremities shown in [section 3.2](#) and on the Port website; being approximately 2 miles southwest of the Western Breakwater and 1.6 miles to the south-southeast.

The minimum underkeel clearance required for Commercial Cargo vessels is 50cm.

However, this can be increased according to the Pilots decisions made dynamically dependent on the weather, tide, ship characteristics and the latest hydrographic survey information. The minimum underkeel clearance for the ferries is 1m and increases according to the **Wind Speed and Depth Action Charts**. ([Appendix 17](#)).

Except in emergencies, the **minimum notice** required for a Pilot is 12 hours.

Pilot Boarding Area is 1 to 1.5 miles south west of Newhaven Breakwater Lighthouse.

Anchorage area is 1 to 1.5 miles south west of Newhaven Breakwater Lighthouse. Vessels anchoring must report their position and time of anchoring to Port Control (Call sign "*Newhaven Radio*") on VHF Ch.12. **Anchorage Position is approx. 50 45.6N, 000 01.9E.**

In certain circumstances such as extreme weather making pilot boarding too dangerous, a vessel may be guided into the entrance channel and the pilot boards in the lee of the breakwater. In these circumstances the Pilot will be on board the pilot vessel and will be giving the Master advice throughout by VHF radio. This is acceptable as a form of remote pilotage and can only be conducted by an authorised Pilot.

Maximum dimensions for **East Quay vessels**, without the use of tugs, are 112m x 21m x 6m. Vessels up to 120m LOA are considered following specific risk assessment by Harbour Master and Pilots, and the availability of tug assistance. All vessels of 90m and over must have a working bowthruster and all vessels of 100m and over must have a high efficiency rudder or be ice classed. The draft may be increased dependent on tide and following specific risk assessment by Harbour Master and Pilots. 21m is the maximum permitted beam due to the Ferry movements past the berth. Dependant on tidal conditions, it is preferable to swing vessels on arrival in the 150m ferry turning basin and berth port side alongside. The vessel is then ready for an immediate and speedy departure if required. However, there is normally sufficient depth at all times to swing loaded or in ballast. The Pilot boat and/or tugs (if available) may be used to assist swinging, in addition to anchors and bow thruster.

Maximum dimensions for **North Quay vessels** are 90m x 15m x 6m, depending on the weather, tide and vessel characteristics. Vessels with a beam of 12m+ must have a working bowthruster. Vessels of LOA 80m+ must have a high efficiency rudder. Vessels of LOA 85m+ must have a high efficiency rudder and a working bowthruster. The Harbour Master may refuse certain vessels for North Quay following Pilots assessment and advice. It is normal practice, with a few exceptions, to swing the vessel in the North Quay Swinging basin when in ballast condition. The maximum draft allowed for swinging depends on the length of vessel and the height of tide.

Maximum drafts of vessels to swing at North Quay

Vessels of 65m = tide gauge reading minus 1.3m.

Vessels of 70m = tide gauge reading minus 1.7m.

Vessels of 75m = tide gauge reading minus 2.1m.

Vessels of 80m = tide gauge reading minus 2.3m.

Vessels of 85m = tide gauge reading minus 2.4m.

Vessels of 90m = tide gauge reading minus 2.7m.

The Pilot boat and/or tugs (if available) may be used to assist swinging, in addition to anchors and bow thruster. It is also accepted and traditional practice in Newhaven, when swinging vessels with poor/no bowthruster, for the Pilots to utilise the soft mud sloping bank on the eastern side of the swinging basin to assist swinging by positioning the bow of the vessel in the mud and using tide/engine/helm to drive the vessel around.

No.2 RoRo berth may be used as a lay-by berth for vessels of up to 120m LOA and 25m beam. All vessels for this berth must have a working bowthruster and all vessels of 90m and over must have a high efficiency rudder. Larger vessels may be permitted following specific risk assessment by Harbour Master and Pilots. This berth is dredged to 4.5m but is subject to rapid siltation.

The Western Bight may be used for certain vessel operations with assistance of tugs and 2 Pilots in attendance when assessed to be necessary by the Harbour Master and/or Senior Pilot. Where two Pilots are used, it must be clearly notified to all parties which Pilot has the conduct of the vessel.

NPP does not have a **tug** on immediate notice. The Pilot Boat/Workboat may be used to assist vessels with permission of Harbour Master or Pilots. With a minimum of 12 hours' notice and tide/weather permitting, the Tugs Retainer (16t), Adurni (10t), Acamar (10t) or Runner (2t) may be available. (*Maximum bollard pull in brackets*). The tug operators must provide the Harbour Master with a towage plan and RAMS before the operation proceeds.

All vessels must use the services of a local **shipping agent** to facilitate the efficient exchange of information required, arrange for services and to be available in case of any problems or incidents.

In **restricted visibility**, it is the decision of the Harbour Master or Pilots to abort movements if necessary, but generally, no commercial movements permitted in less than **185m** visibility. No towage operations permitted in restricted visibility. The ship's whistle will be used in restricted visibility as per the Collision Regulations. The Pilot Boat may be used to escort the vessel, showing a leading light ahead of the vessel.

The Port is closed if **wind speeds** are averaging 45 knots. Pilot Vessel may abort operations if average wind speed greater than 35 knots or the swell height exceeds 3.5m. In certain circumstances and after assessment by the Pilots, the Pilot Vessel may lead vessels into the channel and the Pilot will board inside the Breakwater.

For out of the ordinary, difficult or high-profile pilotage jobs, the **risk assessment** demands that the Harbour Master and Pilots will decide on whether **two Pilots** are required to undertake the act. Where two Pilots are used, it must be clearly notified to all parties which Pilot has the conduct of the vessel.

Only **one commercial shipping movement** is allowed at any one time unless previously assessed and approved by the Harbour Master.

15.2 Standard Procedures

Once informed of a vessel requiring pilotage, the Duty Pilot will request the vessels pilot card and will check the Pilot's computer database for information together with any other information available from the agent or online.

A minimum of 12 hours before arrival, the Duty Pilot will inform Port Control and Pilot Boat Crew of muster/boarding times, swingbridge opening times (for North Quay vessels)

and other specific arrangements. He will check the weather forecast and predicted tides for the anticipated ETA. If tugs are to be used, then a briefing will be held involving Harbour Master, Pilots and Tug Masters.

When a commercial vessel arrives to await the Pilot, either at the anchorage or on the final approach, Port Control will ask the Master to confirm that the vessel has **no known defects and that the pilot ladder complies with SOLAS requirements**. The response from the Master is to be logged by Port Control. Any negative responses are to be reported to the Duty Pilot immediately and then to the Harbour Master. This must happen on every occasion a vessel takes a Pilot, regardless of the frequency of visits, as there is no guarantee that the same ladder is in use as the previous call.

One hour before Pilot boarding time the Duty Pilot will update the Pilot Boat crew if necessary. If any defects have been declared, the Pilot will assess this information and decide how to proceed, involving the Harbour Master in the decision-making process depending on the seriousness of the defect. Under the MS (Port State Control) Regs 2011, both the Pilot and the Harbour Master may inform the MCA of defects.

45 minutes before POB, or as determined by Duty Pilot, the Pilot/s and Pilot Boat crew will muster and conduct a **pre-brief** for the operation. If tugs are to be used, then the Tug Masters will also attend the pre-brief. If extra linesmen are required, then they are included in the pre-brief. The Pilot Boat crew will make ready for sea and test **communications** with Port Control.

The Duty Pilot or Harbour Master may at this point **abort** the operation if adverse weather conditions or restricted visibility, as per the Marine Risk Assessments.

The Duty Pilot may make the decision on which side & height for the **ladder** at this point, and relay the information directly to the vessel. He may also request confirmation that the vessel, if at **anchor**, has/is weighed/weighing anchor.

During transit and boarding, so far as is possible, **Port Control will monitor** by CCTV and visually, the passage of the Pilot Boat outbound to the vessel, the Pilot boarding and the return passage of the Pilot Boat, as well as the approach of the vessel and other traffic in the area.

The advice given in the **Code of Safe Practice for The Embarkation and Disembarkation of Pilots (Appendix 2)** will be taken by the Pilots and the Pilot Boat crew. It is important for good communication to be established with the vessel and a proper effective lee provided before the Pilot Boat makes its approach.

The Pilot Boarding location should be clearly distinguishable and well illuminated at night. The Pilot Boat crew and the Pilot will **assess the condition** and height of the pilot ladder prior to the Pilot making the transfer from boat to ladder. **If there is any suspicion that a ladder is unsafe for use, then the transfer must be aborted** and the vessel directed to anchor until a suitable ladder can be provided. Defective ladders must be reported to the Harbour Master and to the MCA and UKMPA via the mobile app.

The Pilot will assess the condition of the vessel and the crew as he proceeds to the Bridge. Once on the Bridge he will **assess** the Bridge Management Team and the Bridge layout and controls. He will allow plenty of time for an effective **Master – Pilot Information Exchange** and to explain and discuss the **Passage Plan** to the berth. (**Appendices 3 and 4**). The Pilot will obtain verbal confirmation from the Master that there are no known defects (or otherwise). Once satisfied that the vessel is safe to enter Newhaven, the Pilot will proceed towards the harbour entrance. The Pilot will ensure that the Master has the forward mooring personnel in position and the anchors cleared away and communications tested prior to reaching the breakwater end.

The Pilot will **abort** the operation if he is any doubt about the condition of the vessel, the competence or attitude of the Master and crew, or considers the vessel will have an adverse effect on the safety of navigation or of the environment within the harbour. The vessel will be taken to anchor and the matter reported to the Harbour Master, who will inform the MCA.

The Pilot will call Port Control (Callsign *Newhaven Radio*) on VHF Channel 12 and request **the signal** to enter when approximately 0.75 miles from the breakwater.

The Pilot will use the **vessels whistle** as per the Collision Regulations, whenever necessary, if in doubt over another vessel's intentions or to clarify own vessels manoeuvres.

The Pilot will **give instructions** on VHF Channel 12 to the Pilot Boat and/or Tugs as per the operation pre-brief as to his requirements for assistance and the timing and location of such.

For the departure, the Pilot will ensure that all personnel involved in the operation are fully briefed as to their involvement. If extra personnel/craft are required, they are to be given sufficient time to prepare and muster.

The Pilot will assess the condition of the vessel and the crew as he proceeds to the Bridge. Once on the Bridge he will **assess** the Bridge Management Team and the Bridge layout and controls. He will allow plenty of time for an effective **Master – Pilot Information Exchange** and to explain and discuss the **Passage Plan** from the berth to sea. The Pilot will obtain verbal confirmation from the Master that there are no known defects and that the pilot ladder complies with SOLAS requirements (or otherwise). The Pilot will report any **deficiencies** they discover on vessels to the Harbour Master, who will report to the MCA. If necessary, the Pilot will abort the operation and the vessel will be detained until arrival of the MCA.

The Pilot will ensure that the Master has the **mooring personnel** in position and the anchors cleared away and communications tested prior to letting go. He will inform the Master of which side he requires the **Pilot Ladder** to be rigged and height above the water.

The Pilot will establish **communications** with Port Control on VHF Channel 12 and he may request such updates on the weather and/or tide conditions as he desires. He will request the **“signal for departure”** or request the Swingbridge to be opened, as appropriate.

The Pilot will normally **disembark** between the Narrows and the Breakwater End, depending on the weather and the competence of the Bridge team as assessed by the Pilot. In certain

circumstances such as a speedy departure, a high-profile vessel, or if the Pilot is not confident of the Bridge team's ability, the Pilot may disembark up to 2 miles off the Port entrance.

A copy of the completed and signed **passage plan** must be returned to the Harbour Master within 30 days of the act of pilotage. On departure, the Pilot will update the **computer database** with the relevant information on the vessel using the experience gained during the act so as to be available for future visits. He will also review the entries made in PORTZ and amend/add-to as required.

15.3 The Pilots

The Pilot's have the delegated authority of the Harbour Master to regulate and direct vessels and port users to facilitate the safe operation of the port and to uphold the Harbour Legislation. With respect to decisions taken regarding the movement of vessels - commercial considerations are not permitted to compromise safety.

There are two authorised Pilots, both valid Master Mariners with current ENG1 medical certificates. The Harbour Authority will not permit unauthorised pilots to operate. To qualify, each Pilot has to complete a minimum of 100 acts in training followed by an oral examination carried out by the Harbour Master, Port Manager and Senior Pilot. Each pilot has a valid Pilotage certificate which must be revalidated on an annual basis by the Harbour Master. Restrictions may be applied to each Pilot's authority if deemed necessary by the Harbour Master, the examination board or the pilotage committee. External training is conducted at Warsash (Solent University) Full Mission Simulator as required. Both Pilots are familiar with The Code of Safe Practice for the Embarkation and Disembarkation of Pilots. **(Appendix 2).**

The training syllabus and continuing professional development of the Pilots is based on the National Occupational Standards (NOS) for Marine Pilots and IMO A960, of which both Pilots have copies. **See section 15.7 and Appendix 1.**

The Pilots have received training in Marine Resource Management, Bridge Resource Management (Pilots & Pilotage) and Ecdis.

The Duty Pilot must regularly liaise with Port Control and keep up to date with port operations, as well as regularly meeting with the Harbour Master to exchange information. The Harbour Master can audit the Pilotage service as and when he requires. The Pilots will sit on the Pilotage Committee, Port User Group, attend meetings and be on any Board of Inquiry or Investigative Committee and carry out routine audits of the PEC holders as required by the Harbour Master. The Pilots will, in consultation with the Harbour Master, produce, update and record Passage Plans and Pilotage Notes.

The Pilots will wear PPE supplied by NPP in the form of Seasafe Pilot Jackets or 250N Lifejackets as appropriate to the weather conditions and a supplied PLB.

The Pilots will inspect and check all vessels they pilot for any deficiencies which may prejudice the safe navigation of the ship or which pose a threat of harm to the marine environment, reporting any such things to the Harbour Master directly or via Port Control. **They will ask the Master to declare any known defects.** The Harbour Master will report any such deficiencies to the MCA. Vessels must declare any known defects prior to entry. **They will specifically check that bunker barges are carrying out bunker operations check lists and there appear to be no unsafe operating procedures.**

The Pilots will report any Navigational Aids defects, hazards to navigation or dangerous activity to Port Control. A weekly check is also made on the navigation lights by Port Control and recorded.

Upon handover of duties, the Pilots will exchange information on the vessels they have piloted and update their computer database.

The pilots will keep themselves up to date with current legislation and guidance's applicable to pilotage and general maritime affairs.
The pilots are aware of and will regularly review the risk assessments carried out regarding pilotage operations.

The Pilots have a role to play during emergency situations and their responsibilities are detailed in the Harbour Emergency Plan and the Oil Spill Contingency Plan. They may also be called upon to deputise for the Harbour Master in his absence and provide advice to Port Control **at any time**. Both Pilots are trained to level 4P/5P MCA Oil Spill Supervisor.

Incidents

The pilots will report to the Harbour Master any grounding, contact or collision of a vessel under their pilotage using the Pilotage Special Report Forms ([Appendix 5](#)). The Harbour Authority will investigate each incident and take one or more of the following actions:

- 1/. Take no action.
- 2/. Harbour Master's verbal warning.
- 3/. Harbour Master's written Formal Warning.
- 4/. Suspend the Pilot's Certificate.
- 5/. Form a Board of Inquiry.
- 6/. Instigate further training.
- 7/. Place restrictions on the Pilot's Certificate.
- 8/. Revoke the Pilot's Certificate.
- 9/. Prosecute the Pilot.

The Pilot will be able at all times to have professional/legal services involved during the investigation and may appeal to any decision made by the Harbour Authority that he considers is unfair or unjust.

The Pilots will take an active role in reporting any Marine Incidents or Near-Misses that they observe by reporting such immediately to Port Control and by completing and forwarding to the Harbour Master the NPP “MIRF” (Marine Incident Reporting Form). [See appendix 6.](#)

IMO Recommendation A960 on Operational Procedures for Maritime Pilots

1/. Efficient pilotage is, amongst other things, dependant on the effectiveness of the communications and information exchanges between the pilot, the master, and the bridge personnel and upon the mutual understanding each has for the functions and duties of the other. Establishment of effective co-ordination between the pilot, the master and the bridge personnel, taking due account of the ship’s systems and equipment available to the pilot, will aid a safe and expeditious passage.

2/. Despite the duties and obligations of the pilot, his presence onboard does not relieve the master or officer in charge of the navigational watch from their duties and obligations for the safety of the ship.

The master and pilot should exchange information regarding navigational procedures, local conditions and the ship’s characteristics. The following should be included in this exchange of information:

- *General agreement on plans and procedures for the anticipated passage.*
- *Discussion of any special conditions of weather, depths, tidal currents or marine traffic which may be expected during the passage.*
- *Provision of information on the ship’s normal propeller revolutions at each speed, fore and aft drafts, length, beam, rate of turn, turning circle, stopping distance and other appropriate data.*
- *Discussion of any unusual ship handling characteristics, machinery difficulties, or navigational equipment problems which could affect the operation, handling or safe manoeuvring of the ship.*
- *Information on intended methods of tug usage, if this is contemplated.*

3/. Pilots should be encouraged to understand the IMO standard marine communication phrases and use it in appropriate situations during radio communications as well as during verbal exchanges on the bridge when required.

4/. The pilot should report anything he observes which may affect safety of navigation or pollution prevention. In particular, he should report as soon as practicable, any accident that may have occurred to the piloted ship and any irregularities with navigational lights and signals.

5/. The pilot has the right to refuse pilotage when the ship to be piloted poses a danger to the safety of navigation or to the environment. Any such situation to be reported to the Competent Authority.

6/. Pilots should be adequately rested and mentally alert in order to provide undivided attention to pilotage.

15.4 PILOTAGE EXEMPTION CERTIFICATE (PEC) HOLDERS

The Masters (and some Deck Officers) of the Ferries and commercial vessels using Newhaven have been trained and examined as per the CHA Pilotage Directions and syllabus based on the National Occupational Standards and IMO A960 for Marine Pilots (**Section 15.7 and Appendix 1**), found to be suitably qualified, skilled and experienced, and have been issued with PEC's. Each PEC candidate is issued with a training manual containing all relevant information necessary to take the examination.

Although tug assistance (if available) is sometimes necessary to assist in the manoeuvring of vessels, particularly with easterly winds on large windage vessels, the Pilots, PEC's and Tug Masters must bear in mind the effect that the tug wash may have on the Marina and other vessels. Except in an emergency, the Marina staff must be advised of the possibility of excessive wash prior to the operation commencing, and the Pilot Vessel must be used to check the visitor's pontoons are clear of persons and to warn any vessels berthed at the pontoons and in the vicinity.

No exemptions are authorised for commercial vessels passing through the Swing Bridge to North Quay and these vessels must take an authorised Pilot.

A Master/Deck Officer visiting the East Quay on a regular basis on the same vessel, will be able to apply for a PEC and the Harbour Authority will issue a PEC after the conditions of the Pilotage Directions have been met and the candidate has been found to be sufficiently qualified, skilled and experienced. Vessels undertaking dredging operations within the Port will be trained and examined for a PEC.

The standards for exemption certificates will not be more onerous than those required for an authorised pilot. PEC holders may undertake some of their training at Warsash Full Mission Simulator.

PEC holders must have attended a Bridge Team Management or Marine Resource Management course. They must visit Port Control at least once per year to re-familiarise themselves with the operational procedures of the port. They must hold a valid seafarers medical certificate. Restrictions may be applied to each PEC if deemed necessary by the Harbour Master, the examination board or the pilotage committee.

The Harbour Master shall implement auditing of PEC Holders to ensure the continued competence of the PEC holder and the good management of the vessel. Meetings between the PEC holders, the Pilots and the Harbour Master will be held as required to communicate good practice and discuss improvements to operating practices.

The PEC holder will report any Navigational Aids defects or hazards to navigation to Port Control.

PEC's shall (if not revoked or suspended) remain in force for a period of one year from the date of issue and are valid only for those vessels shown thereupon. Such certificates may be renewed on application to the Harbour Master provided the holder has performed a minimum thirty acts of pilotage within the preceding 12 months.

A PEC for the ferries will be suspended if at any time a minimum 10 acts of Pilotage have not been completed within the preceding four months. Holders of such suspended certificates will be required to perform a minimum 5 acts of pilotage, in the presence of a Licensed Pilot or valid PEC holder, prior to re-instatement of their PEC. The Pilot or PEC holder must produce a report to the Harbour Master on the conduct of the candidate and suitability of re-instatement.

Ferry PEC holders will:

- ♦ Be audited by a Licensed Pilot at such times and periods as determined by the Harbour Master.
- ♦ Perform a 'head first' departure a minimum once per 2 weeks and at all times as required by the Wind Speed & Depth Action Charts ([Appendix 17](#)).
- ♦ Provide a monthly report to the Harbour Master giving details of their 'Acts of Pilotage'.

It is the responsibility of the individual PEC holder to apply for renewal/amendment of his/her certificate in order to ensure validity.

Holders of PEC's that are not renewed prior to expiry will be required to perform additional acts of pilotage (a minimum 5 of which must be performed in the presence of a Licensed Pilot and the remainder in the presence of a valid PEC holder) prior to renewal, as follows:

- Certificates that have lapsed by a period of less than one year - 10 Acts
- Certificates that have lapsed by a period of between one & two years - 16 Acts
- Certificates that have lapsed by a period of between two & three years - 20 Acts

The Pilot or PEC holder must produce a report to the Harbour Master on the conduct of the candidate and suitability of re-instatement and dependent upon circumstances, re-examination of the applicant may also be required.

- Those, whose Pilotage Exemption Certificates are three or more years out of date, will be required to comply with those conditions applicable to new applicants.

Due to the specialist nature of their work, Masters and Deck Officers of dredgers working in the Harbour on behalf of the Port Authority may be subject to assessment criteria less onerous than the above at the discretion of the Harbour Master and Senior Pilot.

The Port Authority reserves the right to modify any of the above criteria at the discretion of the Harbour Master and Senior Pilot. All decisions will be based on safety, not commerce.

The PEC holder will report to the Harbour Master any grounding, contact or collision of his vessel using the Pilotage Special Report Forms ([Appendix 5](#)). The Harbour Authority will investigate each incident and take one or more of the following actions:

- 1/. Take no action.
- 2/. Harbour Master's verbal warning.
- 2/. Harbour Master's written Formal Warning.

- 3/. Suspend the PEC.
- 4/. Form a Board of Inquiry.
- 5/. Instigate further training.
- 6/. Place restrictions on the PEC holder.
- 7/. Revoke the PEC.
- 8/. Prosecute the PEC holder.

The PEC holder will be able at all times to have professional and/or legal services involved during the investigation and may appeal to any decision made by the Harbour Authority that he considers is unfair or unjust.

The PEC Holders will take an active role in reporting any Marine Incidents or Near-Misses that they observe by reporting such immediately to Port Control and followed up with an email report to the Harbour Master and Port Control, who will then complete the NPP “MIRF” (Marine Incident Reporting Form). **See Appendix 6.**

15.5 PILOT BOAT / WORKBOAT CREW

The full-time coxswains have the delegated authority of the Harbour Master to regulate and direct vessels and port users to facilitate the safe operation of the port and to uphold the Harbour Legislation.

There are 4 full-time employed Pilot Boat/Workboat crew qualified to a minimum of RYA Yachtmaster Offshore Certificate with Commercial Endorsement. One also holds a Master's 200GT Certificate. They have attended a Local Port Services (LPS) course for Port Control Officers and have attained NVQ Level 3 in Port Operations. They are trained to MCA Level 2P in Oil Spill Response. They are also part of the Hydrographic Surveying Team.

Under the supervision of the Deputy Harbour Master they are responsible for the day-to-day upkeep, running and maintenance of all Port Authority vessels including all LSA. They are also tasked with completing the duties as set out in the Port Marine Operations Checklist Register as promulgated by the Harbour Master and to feedback into the system in a timely manner. During 2021/2022, the Checklist Register will be superseded by the new Asset Management System under the control of the Deputy Harbour Master, reporting to the Harbour Master.

They assist the Deputy Harbour Master in the preparation of risk assessments for their areas of operation. They are responsible for the safety of the Pilots and others whilst onboard the vessels.

They maintain a system of training records, operational logs, maintenance logs and servicing logs for all aspects of the Pilot/Workboat/Survey vessel operations, overseen and coordinated by the Deputy Harbour Master.

They are responsible for arranging the routine servicing of all the Port Authority's Pilot-Jackets, Lifejackets and PLB's, and maintaining records of locations, personal issue, checks

and condition.

In liaison with the Harbour Master and Deputy Harbour Master, the full-time crew will ensure that Operating Procedures for harbour craft and crew are laid down and adhered to.

They will carry out weekly inspections of the harbour by boat, recording the same and directly reporting to the Harbour Master upon completion. They will ensure a vessel is available for the Harbour Master and they will convey him to be able to carry out his monthly inspection of the harbour limits.

They are responsible for checking and maintaining all the Port's Lifebuoys and keeping records of the location of each appliance and the maintenance carried out.

They are responsible for inspecting the condition of quayside ladders, keeping them clean and painted and reporting defects to Port Control/Duty Officer and the Deputy Harbour Master. They will keep records of the inspections and condition.

They are responsible for receiving and checking the Admiralty Weekly Notices to Mariners.

They will ensure that there is always adequate rope immediately available for towing purposes of both oil booms and small craft. They will ensure that there is an adequate supply of mooring rope available if needed for safety/emergency use.

They are trained in Manual Handling, Quayside Operations and forklift truck operating. They assist with LOLER inspections/certification and the upkeep of equipment and tackle.

They conduct regular checks on the condition and quantity of the Tier 1 Oil Spill Equipment, replenishing as necessary and reporting directly to the Deputy Harbour Master.

Other duties include, but are not limited to, removing debris from the river, replacing windsocks, keeping gauge boards clean, operating the Swingbridge, inspecting and maintaining Yokohama fenders, acting as harbour patrol vessel, safety boat, positioning pontoons, maintaining pontoons, maintaining and repairing navigational aids, assisting with manoeuvring vessels in the harbour, obtaining river bed samples, carrying out hydrographic surveys, linesmen, Port Control back-up, provision of training and guidance to the part-time boat crew and acting as Duty Officer. They are responsible to the Deputy Harbour Master who reports back to the Harbour Master.

There are also 6 part-time pilot boat/workboat crew who between them cover for the full-time boatmen when required so that there are always a minimum of two qualified personnel available to man the vessel and to act as linesmen at any time.

The Coxswains are qualified to RYA Yachtmaster Offshore Certificate with Commercial endorsement or to RYA Advanced Powerboat Certificate with Commercial endorsement. The crew have undergone sufficient training to be MCA compliant and competent.

In order for the part-time coxswains and crew to be competent, they undertake regular training with the full-time crew. Records of training, familiarisation and checks are kept by the full-time boatmen under the supervision of the Deputy Harbour Master, reporting to the Harbour Master.

All Pilot Boat Coxswains and crew hold a valid ENG1 medical certificate. **All new coxswains and crew undergo training and familiarisation and must be signed off by the Harbour Master as competent before becoming operational.**

A number of NPP full time staff are also trained to be crew on the Port Authority vessels and must carry out regular familiarisation checks on the vessels to remain competent. Records of training, familiarisation and checks are kept by the full-time boatmen under the supervision of the Deputy Harbour Master, reporting to the Harbour Master.

Publications available to all Pilot Boat crew are the MSMS, Navigational Risk Assessments, the PSS/HSE Guidance to Port Operations, the Safe Embarkation & Disembarkation of Pilots and copies of all MAIB reports. All are available on the server MEGA and/or MARINE drives.

The advice given in the **Code of Safe Practice for The Embarkation and Disembarkation of Pilots (Appendix 2)** will be observed by the Pilot Boat crew. During operations, it is important for good communication to be established with the vessel and a proper effective lee provided before the Pilot Boat makes its approach.

The Pilot Boarding location should be clearly distinguishable and well illuminated at night. The Pilot Boat crew and the Pilot will assess the condition and height of the pilot ladder prior to the Pilot making the transfer from boat to ladder. If there is any suspicion that a ladder is unsafe for use, then the transfer must be aborted, and the Pilot will direct the vessel to anchor. Defective ladders must be reported to the Harbour Master and to the MCA and UKMPA via the mobile app.

Although tug assistance (if available) is sometimes necessary to assist in the manoeuvring of vessels, particularly with easterly winds on large windage vessels, the Pilots, PEC's and Tug Masters must bear in mind the effect that the tug wash may have on the Marina and other vessels. Except in an emergency, the Marina staff must be advised of the possibility of excessive wash prior to the operation commencing, and the Pilot Vessel must be used to check the visitors pontoons are clear of persons and to warn any vessels berthed at the pontoons and in the vicinity.

15.6 Pilot Vessels

NPP owns 2 Pilot vessels. The Pelorus (Nelson 44) and the Magnus Musson (Newbury 9m steel). The vessels are kept ready for immediate use at any one time, with the exception of short periods of essential maintenance, repair or refit. The vessels in use are fully MCA certificated for use as Pilot Vessels. The crews are trained as stated above in the Pilot Boat Crew section.

The Magnus Musson is limited to 3 miles from Newhaven and the Pelorus is limited to 20 miles from a safe haven. The Pelorus is available for deep sea pilot transfer, crew changes (4 passengers per trip) and smaller items of stores and spare parts delivery. The range is up to 20 miles from Newhaven (Greenwich Lightbuoy) and the rates are published on the website.

Operations will be aborted in extreme weather conditions. If wind speeds are above 35 knots or average swell heights exceed 3.5m, then consideration will be made to aborting or limiting operations to within 2 miles of Newhaven. The decision will be based on wind/swell direction and the sea state observed and/or experienced. The decision can be made by the Harbour Master, Pilot or Pilot Vessel Coxswain. The Harbour Master's decision is final.

Inspection and maintenance regimes are as stated above in the Pilot Boat Crew section. Operational procedures are as stated in the above sections and in the Ferry/Commercial Vessel Procedures. The Deputy Harbour Master will oversee the inspection and maintenance regime and will ensure all certification and IIMS reporting is undertaken.

15.7 Newhaven Pilot and Pilotage Exemption Certificate (PEC) Training Policy

All training will follow the requirements of the **National Occupational Standards for Marine Pilots and IMO A960**, the full versions of which can be found in [Appendix 1](#). The specific criteria for Newhaven is laid down in sections **15.3 and 15.4** of this SMS and within the Pilotage Directions in [Appendix 1](#).

The National Occupational Standards for Marine Pilots covers the competence required for Pilots and PEC's to: -

- 1/. Plan an act of pilotage
- 2/. Embark and disembark safely
- 3/. Assess the standards on the piloted vessel
- 4/. Work effectively with the bridge team
- 5/. Liaise and communicate
- 6/. Safely transit the pilotage district
- 7/. Manoeuvre vessels in the harbour and the approaches
- 8/. React and respond to problems and emergency situations
- 9/. Manage personal and professional conduct and development

Comprehensive Pilotage Notes detailing the local knowledge required for piloting at Newhaven are provided within [Appendix 3](#), together with the Newhaven Pilotage Passage Plan. [Appendix 4](#) contains the Master-Pilot Information Exchange Form.

The following forms are found in [Appendix 5](#):-

- 1/. Pilotage Special Report – Grounding
- 2/. Pilotage Special Report – Collision
- 3/. Application for PEC Examination
- 4/. Application for PEC Renewal/Amendment
- 5/. Record of PEC in-training Acts of Pilotage for Arrivals and Departures
- 6/. PEC Holders Monthly Return of Acts.

[Appendix 6](#) contains the Marine Incident Reporting Form (MIRF).

[Appendix 13](#) contains the MAIB Report Form and MGN 564.

Each Pilot and PEC candidate is issued with a training manual containing all the relevant information required to take the examination.

All Pilots/PEC Holders are expected to have a full working knowledge of the contents of this Marine Safety Management System, including all the appendices to the MSMS.

Section 16

Ferry Procedures

16.1 FERRY ARRIVAL PROCEDURES

16.1.1 On departure from Dieppe:

Dieppe Office sends the following by email:-

- 1/. Departure Notification Form** to Port Control and LCT Duty Officer, with details of actual time of departure Dieppe (ATD), ETA Newhaven, Number of Crew, Contractors, Passengers and Dangerous Goods.
- 2/. Ships Manifest** to Port Control, LCT Duty Officer, UK Border Force, Police CTIU and Port Health.
- 3/. Dangerous Goods Notes and Stowage Plan** (DG Info) to Port Control and LCT Duty Officer.

Port Control will, upon receipt of the above:-

- 1/. Forward the DG Info to SHESTO** (Safety, Health, Environment, Security & Training Officer) by email or printing off the sheets.
- 2/. Enter the Departure Notification Info into the web-based MCA CERS** (Consolidated European reporting System). If the Departure Notification is not received, the CERS entry can wait until the information is received from the ferry at one hours' notice. (i.e. it is not urgent).
- 3/. Prepare the entry for the arrival in both the PORTZ database and the *Mandatory Ships Reporting excel workbook*.**
- 4/. Commence monitoring the progress of the ferry and checking the weather and tide situation for her expected ETA. In adverse weather/tide situations, commence consulting the Underkeel Clearance Calculator and the Wind Speed & Depth Action Charts. (Appendix 17). If the vessels draft is unknown at this stage – use 5.8m for calculations, the results of which can be amended when the actual draft is known.**

NB: The harbour channel and No.1 RoRo berth are dredged to a minimum of 6m below chart datum. The usual **Channel Control Depths** are therefore advertised as being 6.0m. The Channel Control Depths are set by the Harbour Master and published on the Port Control Notice Board and promulgated to all relevant parties, including Pilots, PEC holders, The Duty Holder, The Designated Person, Ferry Operations Dept and LCT Support Services. Regular hydrographic surveys are conducted between dredge campaigns and after cases of adverse weather. If siltation has occurred, the Harbour Master will advertise amended Control Depths. If, following adverse weather and before a survey can be undertaken, the Harbour Master may implement reduced Control Depths pending a survey.

16.1.2 One Hour Before Arrival:

The Ferry will call Port Control (Call sign “*Newhaven Radio*”) on VHF Channel 12, advising they are 1 hour off and will report any defects and give the vessels maximum draft.

Port Control will acknowledge and give the current wind conditions. In favourable conditions the wind speed (in knots) and direction (in degrees) from the Breakwater is sufficient, but in adverse conditions, the wind information in the following order is given:-

- i). The Breakwater ii). The Narrows iii). The Linkspan

Other information given is the height of tide, details of vessels on East Quay and advise if the wind/tide conditions are likely to delay arrival (see below with reference to the Underkeel Clearance Calculator and the Wind Speed & Depth Action Charts). If the wind/tide conditions are adverse, they will ask for confirmation of vessel's maximum draft. Note that there is always a minimum of 1m underkeel clearance required for a ferry, increasing as per the dynamic risk assessment criteria contained in the Wind Speed & Depth Action Charts. If visibility is reduced, then an estimate of the current visibility is given using the data from the *visibility distance chart* in Port Control. All VHF communications to be logged in the *Radio Logbook*.

Port Control will acquire the ferry on AIS and check the details showing are accurate. If not, they will request confirmation from the ferry by VHF. CERS info may be added now if not received earlier.

Port Control will enter the draft and the current Channel Control Depth in the Underkeel Clearance Calculator and refer to the Wind Speed & Depth Action Charts to ascertain the required height of tide for entry. They will refer to the predicted height of tide information and advise the ferry of the estimated time for permitted entry. **If there is any doubt or disagreement, they will call the Duty Pilot for advice. If there is still doubt or disagreement, the Harbour Master must be called and his decision is final.**

Port Control will, if required by the Wind Speed & Depth Action Charts, or if there is any doubt or concern, arrange for East Quay vessels to be shifted or be on standby-by for the ferry arrival, liaising as necessary with the Vessel Master, Duty Pilot, Duty Officer and Harbour Master. **The Duty Officer and Duty Pilot must be in attendance on-site if the average wind speed at the Linkspan exceeds 17 knots and there are vessels alongside East Quay.**

Port Control will assess the volume of recreational traffic in the harbour and will decide if it is necessary to call on the services of the Pilot Boat to control craft for the ferry arrival. The boatmen should be called at the “hour-off” to give ample time to attend the pilot vessel and get into position.

Port Control will notify LCT Port Ops of the 1 hour off by UHF radio and obtain acknowledgement.

16.1.3 Twenty Minutes Before Arrival:

The Ferry will call Port Control (Call sign “*Newhaven Radio*”) on VHF Channel 12, advising they are 20 minutes off and will provide the maximum draft, number of persons onboard and the PEC (Pilotage Exemption Certificate) number.

Port Control will acknowledge and will give the current wind conditions (in favourable conditions the wind speed (in knots) and direction (in degrees) from the Breakwater is sufficient, but in adverse conditions, the wind information in the following order is given:- Breakwater, Narrows, Linkspan), height of tide, details of vessels on East Quay and any other traffic information necessary. In adverse weather or tide conditions, close reference will be made to the Wind Speed & Depth Action Charts and the Underkeel Clearance Calculator, and will give an update on the permitted time of entry. **If there is any doubt or disagreement, they will call the Duty Pilot for advice. If there is still doubt or disagreement, the Harbour Master must be called and his decision is final.**

If visibility is reduced, then an estimate of the current visibility is given using the data from the *visibility distance chart* in Port Control All VHF communications to be logged in the *Radio Logbook*.

Port Control Officers have the Harbour Master’s authorisation to act as his deputy and give directions to vessels relating to the safe entry, movement within and departure from the harbour. Clear unambiguous VHF language will be used when communicating with vessels, utilising the *Standard Marine Communication Phrases* and pre-fixing each message with, for example, “Request”, “Question”, “Information”, “Warning”, “Advice”, “Instruction”.

Example:

“Yacht Pluto, this is Newhaven Radio.

INFORMATION – *The ferry is 20 minutes off and you will not have time to clear.*

ADVICE – *You should return to the Marina and wait for the ferry to berth.”*

Port Control will notify LCT Port Ops of the 20 minutes off by UHF radio and obtain acknowledgement. If there is no acknowledgment from LCT, Port Control will advise the ferry that they cannot confirm the shoregang are ready to receive the vessel. It is then the Master’s decision whether to enter and berth or await confirmation that the shoregang are ready.

The Ferry will sound its whistle in restricted visibility as per the Collision Regulations.

16.1.4 Ten Minutes Before Arrival:

The Ferry will call Port Control (Call sign “*Newhaven Radio*”) on VHF Channel 12, advising they are 10 minutes off and request the signal to enter. The Master will ensure that the forward and aft mooring parties are mustered, anchors cleared away and communications

tested. The Master will ensure that his Bridge Team is effectively positioned and operating in accordance with procedures.

Port Control will acknowledge and will give the current wind conditions (in favourable conditions the wind speed (in knots) and direction (in degrees) from the Breakwater is sufficient, but in adverse conditions, the wind information in the following order is given:- Breakwater, Narrows, Linkspan) and height of tide and permission to enter (or otherwise). They will change the Signal Lights to the "*Permission to enter*" signal. If visibility is reduced, then an estimate of the current visibility is given using the data from the *visibility distance chart* in Port Control. All VHF communications to be logged in the *Radio Logbook*. The Signal Lights are situated at the West Pier Signal Station, opposite the Marina and the north end of No.2 RoRo berth. All Newhaven Recreational Slipways and boatyards have been issued with a supply of Signal Cards, showing the meaning of the signals and giving navigational information to the reader. NPP replenish the stocks of these cards on a regular basis. If necessary to attract the attention of rogue vessels, the 3 red signal lights can be used (fixed or flashing), but the Ferry must be advised of their use so as not to cause alarm.

Port Control will commence the AIS logging and closely monitor the AIS, Radar, CCTV Cameras, GeoVS display, wind conditions and tide. Any concerns regarding rogue traffic or sudden changes in wind/tide/visibility conditions will be reported to the ferry and appropriate actions taken. Any incident or near miss that occurs will be reported to the Harbour Master on a *MIRF (Marine Incident Report Form)*. Lesser infringements are dealt with by Port Control inviting the offender to a *Port Control Familiarisation Visit* when the errors of their ways are explained and guidance information provided, including the issue of Signal Cards. These visits are logged and a copy forwarded to the Harbour Master. All images from the CCTV cameras and GeoVS system are recorded and may be used as evidence if enforcement action is taken against offenders. If any vessel is giving cause for concern, Port Control will request the Ferry to sound a prolonged blast on the whistle.

Port Control Officers have the Harbour Master's authorisation to act as his deputy and give directions to vessels relating to the safe entry, movement within and departure from the harbour. Clear unambiguous VHF language will be used when communicating with vessels, utilising the *Standard Marine Communication Phrases* and pre-fixing each message with, for example, "Request", "Question", "Information", "Warning", "Advice", "Instruction".

Example:

"Yacht Pluto, this is Newhaven Radio.

WARNING – *The Signals are set against you and the ferry is entering the harbour.*

INSTRUCTION – *Return to the Marina immediately."*

Port Control will notify LCT of the 10 minutes by UHF radio and obtain acknowledgement.

NB: If the wind speed and/or direction significantly change after the signal has been given such that it may adversely affect the vessel, Port Control will advise the Ferry on VHF ch.12 in a short burst message which may not receive acknowledgement.

16.1.5 Breakwater End:

Port Control will notify LCT Port Ops of the ferry at the Breakwater End by UHF radio and obtain acknowledgement.

The Ferry has a last chance to abort due to technical problems that arise using the soft mud bank on the western side of the Outer Port Channel.

Port Control will continue to closely monitor the ferry passage and the environment until secured on the berth and will note the most pertinent times and events in the *Daily Logbook/Radio Logbook*, including the Breakwater End time and vessel speed, the height and state of the tide, the wind speed and direction, the PEC number, the time and speed passing Port Control and any other relevant information such as visibility.

If any vessel is giving cause for concern, Port Control will request the Ferry to sound 5 short blasts on the whistle. If necessary to attract the attention of rogue vessels, the 3 red signal lights can be used (fixed or flashing), but the Ferry must be advised of their use so as not to cause alarm. Once secured on the berth, the Signal Lights will be changed to “Two Way Traffic” and any vessels held back for the ferry will be able to continue.

If the ferry is on the normal scheduled departure, no further entries into CERS or PORTZ are required until after departure. However, if the ferry is to lay-over for some time, then CERS must be updated with the Actual Time of Arrival (ATA) and PORTZ information entered as required throughout the stay. Late arrivals (more than 10 minutes) are logged in the *Ferry Delays* excel Workbook together with the reason and whether it is an NPP or Ferry related delay.

The arrival time that is entered in both PORTZ and the Mandatory Ship Reporting spreadsheet is the time of passing the Port Control Office.

PEC holders will apply for certificate revalidation annually, make a familiarisation visit to Port Control annually and be audited by a licenced Pilot at least once per annum. They will record all their acts of pilotage on the appropriate form and submit to the Harbour Master on a monthly basis. (See *Pilotage Operations Procedures, Section 15 and Pilotage Directions, Appendix 1*).

PEC Holders will check all the navigation lights during their nighttime transits and report any deficiencies to Port Control. A daily check is also made on the navigation lights by Port Control and recorded.

Following from an incident in September 2015 (MIRF 11/2015), NPP Senior Management have ruled that the ferries must not berth on the East Quay unless in an extreme emergency and only with the permission of the Port Manager, as the quayside is not designed to take this size of vessel and damage will occur. Also, under no circumstances will the two ferries pass each other whilst one is berthed on East Quay.

16.2 FERRY ALONGSIDE PROCEDURES

The **responsibility** for mooring, disembarking, loading, safety, security and un-mooring, lies with LCT (who operate under their own SMS and Risk Assessments) and the Ferry Master, although NPP retain an interest in the operation, being the Statutory Harbour Authority and landlord of the site.

Following from an **incident in December 2015 (MIRF 16/2015)**, the Harbour Master made the following recommendations to DFDS Transmanche Ferries DPA and LCT Management:

- DFDS look at their human resources and ensure adequate senior and experienced personnel are in charge of the mooring parties with good communication skills.
- DFDS should revise their onboard procedures for the swinging operation and ensure they include the assignment of a senior person to be in charge on the after mooring deck, preferably a Deck Officer or Bosun.
- DFDS should ensure that the procedures state that the person in charge on the mooring deck must oversee the whole operation, including keeping a watch over the side and communicating with all parties.
- LCT Support Services are recommended to revise their procedures for the swinging operation to include the safe withdrawal of their staff when it becomes apparent that the ship is not keeping a good watch over the side, communications with the ship fail or any other unsafe practices threaten their safety. **They should notify Port Control when this situation occurs, and Port Control will notify the ship and the Harbour Master.**

The **Duty Officer** will carry out checks whilst the vessel is alongside for a prolonged period. **Port Control** will monitor the Linkspan and surrounding areas by CCTV and will continuously monitor VHF channel 12 and the Internal UHF radio.

NPP are responsible for the maintenance, inspection, certification and repairs to the **Linkspan and the Crew Gangway**, although the operation is carried out by LCT. The responsibility for adjusting the height of the Linkspan due to the tides lies with LCT. The responsibility for adjusting **mooring lines** and keeping the ferry in position due to the tide and the weather lies with the ferry Master.

When the duration of the stay is less than **5 hours**, all access to and from the ferry is via the car deck and linkspan. When the stay exceeds 5 hours, the ferry will move astern clear of the ramp and the crew gangway will be used.

Any activity **not associated** with the normal scheduled disembarkation and embarkation operations, such as bunkering, sludge, emergency drills, immobilisation, fresh-watering, diving, hotwork, cranework, overside maintenance, any quayside activities, etc... must be notified in advance to Port Control and permission/assistance and/or a Permit to Work obtained prior to commencement.

When **bunkering** is carried out by **bunker barge or from road tanker over the quayside**, it is the responsibility of the ferry Master to report to Port Control when operations commence and complete. It is the responsibility of the ferry Master to ensure that a Bunkering Checklist

is completed prior to operations commencing. Port Control will monitor the area closely whilst bunker operations are in progress and the Duty Officer will be in attendance at some stage of the operation. The Ferry crew and LCT staff are expected to notify Port Control if they see any pollution occurring and take such action as possible to mitigate it. If pollution does occur, the Harbour Master is empowered to detain the vessel until MCA Officers arrive. If by bunker barge, the Duty Pilot will monitor that the bunkering checklist has been completed satisfactorily before he disembarks the vessel. **Bunkering at night to be approved by the Harbour Master in advance.** A record of volume of bunkers received is entered in the PORTZ system and in the Logbook by the Port Control/Duty Officer.

If bunkering from **road tanker onboard** the ferry, it is the responsibility of LCT Operations Supervisor/Duty Officer to obtain and forward the documentation to Port Control in advance of the operation and to notify Port Control when the road tankers have embarked and disembarked from the ferry. Port Control will then promulgate this information to the Harbour Master, SHESTO and Duty Officer.

Sludge/oily water is transferred onboard the ferry into road tanker whilst on passage and usually unloaded in Dieppe. If to be unloaded in Newhaven, then NPP have no involvement in this operation and it is the responsibility of the Ferry Master and LCT Duty Officer to risk assess and monitor the transfer of the tanker and ensure secure and safe storage and to arrange for emptying. The sludge/oily water contractor must provide waste transfer and disposal notices to both LCT and NPP Harbour Master.

The provision of **fresh water** is an operation carried out by NPP staff and not Ferry personnel. A record of the volume of fresh water taken is entered in the PORTZ system and in the Logbook by Port Control/Duty Officer.

The Ferry and LCT have their own procedures in the form of **Emergency and Oil Spill Plans**. NPP have provided LCT and the Ferry with copies of its Emergency Plan and Oil Spill Plan. The ferry also has a copy of this **MSMS**.

Following from an incident in September 2015 (MIRF 11/2015), NPP Senior Management have ruled that the **ferries must not berth on the East Quay** unless in an extreme emergency and only with the permission of the Port Manager, as the quayside is not designed to take this size of vessel and damage will occur. Also, under no circumstances will the **two ferries pass each** other whilst one is berthed on East Quay.

Whilst alongside, **communications** with Port Control on VHF channel 12 must be maintained, together with communication on UHF radio with LCT. The Office and mobile phone numbers of Port Control, Ferry Master, Ferry Bridge and LCT Duty Officer are known by each party.

The responsibility for the safe passage through the Ferry Port of **Dangerous Goods** lies with the LCT Duty Officer, who must have all documentation to hand in case of an emergency incident. There are designated parking areas for both export and import dangerous goods vehicles and the LCT Duty Officer is responsible for identifying where the Dangerous Goods are located within the Port. The stowage and segregation of dangerous

goods onboard the ferry is the joint responsibility of Ferry Operator/LCT and the Ferry Master. The LCT Duty Officer must have the documentation for the export dangerous goods ready to pass to Port Control immediately on departure. **(Section 22)**.

LCT are responsible for the removal and management of waste from the ferry. **There is a colour coded system in place that must be strictly adhered to. Red bins for general non-recyclable waste, yellow bins for recyclables and green bins for glass. NB: Due to Brexit, all catering waste from the ferries is classed as ABP Category 1 International Catering waste and must be kept separate from UK domestic waste. As of October 2021, DFDS are deciding whether to land their waste in Dieppe or change the system for waste in Newhaven to that of a specially commissioned compactor unit.**

A scrap metal and a hazardous waste receptacle are located in the vicinity of the ferry berth. It is the responsibility of the Ferry Master to provide LCT Duty Officer with a *declaration of waste* landed. LCT Duty Officer forwards a copy of this to Port Control. LCT Port Ops inform Port Control of the waste landed, together with details of any hazardous waste. The waste is collected by an approved contractor. All paperwork must be retained for 3 years for general waste and 5 years for hazardous waste. The Port Operations Supervisor will collate the waste information and produce a monthly report for the Harbour Master. The information is also entered into the PORTZ system by Port Control.

The **level of lighting** at No.1 RoRo Berth is regularly checked by NPP electricians and monitored by LCT, who report any defects immediately. Port Control carry out a check of lighting by CCTV each night and report any defects seen to the Duty Electrician.

LCT operate a system of **radio codes** that all staff working within the ferry terminal (and Port Control Officers) need to be aware of:-

CODE GREEN = SENSITIVE MESSAGE – MOVE AWAY FROM PASSENGERS.

CODE 100 = FIREARM IN VEHICLE.

CODE 200 = PET IN QUARANTINE.

CODE 6 = CARRIAGE OF CORPSE.

16.3 FERRY DEPARTURE PROCEDURES

16.3.1 One Hour Before Departure:

Port Control will assess the weather and tidal conditions, in combination with the location of berthed vessels on East Quay, and will consult the *Wind Speed & Depth Action Charts* and the *Underkeel Clearance Calculator* to decide if vessels require shifting or be on stand-by for the ferry departure, or the Ferry departure must be made head-first or be delayed, liaising as necessary with the Ferry Master, Harbour Master, Duty Pilot and other vessels Masters. **The Duty Officer is to be on site if the average wind speed at the The Linkspan exceeds 25 knots and/or it has been decided to have an East Quay vessel on stand-by, Pilot onboard or to shift the vessel.**

Port Control will assess the volume of recreational traffic in the harbour and will decide if it is necessary to call on the services of the Pilot Boat to control craft for the ferry departure. The boatmen should be called in ample time to attend the pilot vessel and get into position. If it is likely that the ferry will swing on departure, then any vessel berthed on A-Jetty must be shifted. Also, a multi-hulled vessel is only permitted to be berthed at the southern end of the Marina Visitors pontoons.

16.3.2 Twenty Minutes Before Departure:

The Ferry will call Port Control (Call sign “*Newhaven Radio*”) on VHF Channel 12, advising they are 20 minutes from departure. If the ferry will swing on departure, they will inform Port Control at this time.

Port Control will acknowledge and give the current wind conditions and height of tide. ((In favourable conditions the wind speed (in knots) and direction (in degrees) from the Breakwater is sufficient, but in adverse conditions, the wind information in the following order is given:- Breakwater, Narrows, Linkspan)). In adverse weather or tide conditions, close reference will be made to the *Wind Speed & Depth Action Charts* and the *Underkeel Clearance Calculator* and will advise if the Ferry should swing and make a head-first departure or the departure should be delayed. Note that there is always a minimum of 1m underkeel clearance required for a ferry, increasing as per the dynamic risk assessment criteria contained in the *Wind Speed & Depth Action Charts*. If visibility is reduced, then an estimate of the current visibility is given using the data from the *visibility distance chart* in Port Control. All VHF communications to be logged in the *Radio Logbook*.

The Ferry will thereafter, call Port Control (Call sign “*Newhaven Radio*”) on VHF Channel 12, advising whenever there is likely to be a delay to the departure time.

If the ferry is swinging, then any vessel berthed on A-Jetty must be shifted. Also, a multi-hulled vessel is only permitted to be berthed at the southern end of the Marina Visitors pontoons.

16.3.3 Loading Complete and Linkspan Stowed:

Port Control will change the Signal Station Lights to the “*Permission to proceed*” signal and will closely monitor other traffic by VHF, radar, AIS and CCTV. All other traffic in the harbour and the approaches should now stop and keep clear for the Ferry departure. If necessary to attract the attention of rogue vessels, the 3 red signal lights can be used (fixed or flashing), but the Ferry must be advised of their use so as not to cause alarm.

Port Control Officers have the Harbour Master’s authorisation to act as his deputy and give directions to vessels relating to the safe entry, movement within and departure from the harbour. Clear unambiguous VHF language will be used when communicating with vessels, utilising the *Standard Marine Communication Phrases* and pre-fixing each message with, for example, “Request”, “Question”, “Information”, “Warning”, “Advice”, “Instruction”.

Example:

“Fishing Vessel Neptune, this is Newhaven Radio.

INFORMATION – *The ferry is preparing to depart and you will not have time to enter.*

ADVICE – *You should wait off the East Pier until the ferry is clear.”*

16.3.4 Five Minutes Before Departure:

The Ferry will call Port Control (Call sign “*Newhaven Radio*”) on VHF Channel 12, advising they are 5 minutes from departure and will provide the maximum draft, number of persons onboard and the PEC (Pilotage Exemption Certificate) number.

Port Control will acknowledge and will give the current wind conditions at The Breakwater and Narrows (if required), and the current height of tide. If visibility is reduced, then an estimate of the current visibility is given using the data from the *visibility distance chart* in Port Control. They will inform the ferry that the signal is in for them and they are clear to proceed. All VHF communications to be logged in the *Radio Logbook*.

Port Control will commence the AIS logging and closely monitor the VHF, AIS, Radar, CCTV Cameras, GeoVs display, wind conditions and tide. Any concerns regarding rogue traffic or sudden changes in wind/tide conditions will be reported to the ferry and appropriate actions taken. Any incident or near miss that occurs will be reported to the Harbour Master on a MIRF (Marine Incident Report Form). Lesser infringements are dealt with by Port Control inviting the offender to a *Port Control Familiarisation Visit* when the errors of their ways are explained and guidance information provided. These visits are logged and a copy forwarded to the Harbour Master. All images from the CCTV cameras and GeoVs system are recorded and may be used as evidence if enforcement action is taken against offenders. If any vessel is giving cause for concern, Port Control will request the Ferry to sound its whistle.

Port Control Officers have the Harbour Master’s authorisation to act as his deputy and give directions to vessels relating to the safe entry, movement within and departure from the harbour. Clear unambiguous VHF language will be used when

communicating with vessels, utilising the *Standard Marine Communication Phrases* and pre-fixing each message with, for example, “Request”, “Question”, “Information”, “Warning”, “Advice”, “Instruction”.

Example:

“Fishing Vessel Neptune, this is Newhaven Radio.

WARNING – *The ferry is departing now.*

INSTRUCTION – *Clear the channel and proceed to the east immediately.”*

LCT Port Ops are responsible for letting go the mooring ropes of the ferry (covered by LCT SMS and Risk Assessments) and then will stand-by until Port Control informs the LCT Duty Officer that the ferry is clear of the breakwater. This is in case the ferry has to return to the berth due to some emergency or incident. **There is to be radio silence on UHF radio whilst the ferry is manoeuvring, except for very urgent/emergency calls.**

16.3.5 On Departure:

Port Control will continue to closely monitor the ferry passage and the environment until well clear of the harbour and will note the most pertinent times and events in the *Daily Logbook/Radio Logbook*, including the maximum draft, height and state of tide, wind speed and direction, PEC number, number of persons onboard, head first or stern first departure, the time and speed passing Port Control and any other relevant information such as visibility.

If any vessel is giving cause for concern, Port Control will request the Ferry to sound its whistle. **There is to be radio silence on UHF radio whilst the ferry is manoeuvring, except for very urgent/emergency calls.**

Late departures (more than 10 minutes) are logged in the *Ferry Delays* excel Workbook together with the reason and whether it is an NPP or Ferry related delay.

The time of departure for the PORTZ system and the Mandatory Ship Reporting spreadsheet is the time of passing the Port Control Office.

16.3.6 Breakwater End:

Port Control will notify LCT Port Ops of the ferry clear of the Breakwater End by UHF radio and obtain acknowledgement. The time of clearing the breakwater is entered in the Logbook. Once clear of the harbour, the Signal Lights will be changed to “*Two Way Traffic*” and any vessels held back for the ferry will be able to continue.

LCT Port Ops will notify Port Control by UHF radio of number of dangerous goods units onboard and the number and type of waste landed. This information is entered in the *Daily Logbook*. The *Declaration of Waste Form* completed and landed by the ferry to LCT will be forwarded to Port Control and Port Control will complete a garbage receipt for forwarding to the Port Operations Supervisor responsible for waste management. All paperwork must be retained for 3 years for general waste and 5 years for hazardous waste.

LCT Duty Officer sends the following by email:-

- 1/. Departure Notification Form** to Port Control and Dieppe Office, with details of actual time of departure Newhaven (ATD), ETA Dieppe, Number of Crew, Contractors, Passengers and Dangerous Goods.
- 2/. Ships Manifest** to Port Control, Dieppe Office, UK Border Force, Police CTIU and Port Health.
- 3/. Dangerous Goods Notes and Stowage Plan** (DG Info) to Port Control and Dieppe Office.

Port Control will, upon receipt of the above:-

- 1/.** Forward the DG Info to SHESTO (Safety, Health, Environment, Security & Training Officer) by email or printing off the sheets.
- 2/.** Enter the Departure Notification Info into the web-based MCA CERS System including updating the Actual time of arrival (ATA) if not already completed.
- 3/.** Complete the entry for the visit and the departure in both the PORTZ database (entering all information such as waste landed, bunkers, freshwater, sludge and any other relevant information) and the *Mandatory Ships Reporting excel workbook*.

PEC holders will apply for certificate revalidation annually, make a familiarisation visit to Port Control annually and be audited by a licenced Pilot at least once per annum. They will record all their acts of pilotage on the appropriate form and submit to the Harbour Master on a monthly basis. (See *Pilotage Operations Procedures and Pilotage Directions*). ([Section 15 and Appendix 1](#))

It is essential that all Marine Operations Staff, Pilots and PEC Holders have a full working knowledge of the contents of this Marine Safety Management System, including all the appendices to the SMS.

Section 17

Commercial Vessel Procedures

17.1 COMMERCIAL VESSEL ARRIVAL PROCEDURES

17.1.1 General:

Pilotage is compulsory for all vessels of 49m and over, some tugs with tows (see below), all vessels carrying dangerous goods and any high profile or non-routine vessel that the Harbour Master assesses to require a Pilot/s. Any other vessel may request a Pilot if the Master so desires.

A Pilot is required if the combined length of the tug, tow line and tow is 49m or over. All other **commercial towage operations** (towing, pushing or on-the-hip), no matter what the size of the vessels involved, will be approved by the Harbour Master before the operation commences within the Harbour Limits. Each operation will be assessed by the Harbour Master and he may decide one or more Pilots are required and/or the Pilot Vessel/additional tugs are required to escort/assist.

When a commercial vessel arrives to await the Pilot, either at the anchorage or on the final approach, Port Control will ask the Master to confirm that the vessel has **no known defects and that the pilot ladder complies with SOLAS requirements**. The response from the Master is to be logged by Port Control. Any negative responses are to be reported to the Duty Pilot immediately and then to the Harbour Master. This must happen on every occasion a vessel takes a Pilot, regardless of the frequency of visits, as there is no guarantee that the same ladder is in use as the previous call.

The minimum **underkeel clearance** required for Commercial Cargo vessels is 50cm. However, this can be increased according to the Pilots decisions made dynamically dependent on the weather, tide, ship characteristics and the latest hydrographic survey information.

Except in emergencies, the **minimum notice** required for a Pilot is 12 hours.

Pilot Boarding Area is 1 to 1.5 miles south west of Newhaven Breakwater Lighthouse.

In certain circumstances such as extreme weather making pilot boarding too dangerous, a vessel may be guided into the entrance channel and the pilot boards in the lee of the breakwater. In these circumstances the Pilot will be on board the pilot vessel and will be giving the Master advice throughout by VHF radio. This is acceptable as a form of remote pilotage and can only be conducted by an authorised Pilot.

Anchorage area is 1 to 1.5 miles south west of Newhaven Breakwater Lighthouse. Vessels anchoring must report their position and time of anchoring to Port Control (Call sign "*Newhaven Radio*") on VHF Channel 12. **Anchorage Position is approx. 50 45.6N, 000 01.9E.**

Maximum dimensions for **East Quay vessels**, without the use of tugs, are 112m x 21m x 6m. Vessels up to 120m LOA are considered following specific risk assessment by Harbour Master and Pilots, and the availability of tug assistance. All vessels of 90m and over must have a working bowthruster and vessels of 100m and over must have a high efficiency rudder or be ice classed. The draft may be increased dependent on tide and following specific risk assessment by Harbour Master and Pilots. 21m is the maximum permitted beam due to the Ferry movements past the berth. Dependant on tidal conditions, it is preferable to swing vessels on arrival in the 150m ferry turning basin and berth port side alongside. The vessel is then ready for an immediate and speedy departure if required. However, there is usually sufficient depth at all times to swing loaded or in ballast. The Pilot boat and/or tugs (if available) may be used to assist swinging, in addition to anchors and bow thruster.

Maximum dimensions for **North Quay vessels** are 90m x 15m x 6m, depending on the weather, tide and vessel characteristics. Vessels with a beam of 12m+ must have a working bowthruster. Vessels of LOA 80m+ must have a high efficiency rudder. Vessels of LOA 85m+ must have a high efficiency rudder and a working bowthruster. The Harbour Master may refuse certain vessels for North Quay following Pilots assessment and advice. It is normal practice, with a few exceptions, to swing the vessel in the North Quay Swinging basin when in ballast condition. The maximum draft allowed for swinging depends on the length of vessel and the height of tide. More detail is contained in the **Pilotage Operations Procedures** (section 15). The Pilot boat and/or tugs (if available) may be used to assist swinging, in addition to anchors and bow thruster. It is also accepted and traditional practice in Newhaven, when swinging vessels with poor/no bowthruster, for the Pilots to utilise the soft mud sloping bank on the eastern side of the swinging basin to assist swinging by positioning the bow of the vessel in the mud and using tide/engine/helm to drive the vessel around.

No.2 RoRo berth may be used as a lay-by berth for vessels of up to 120m LOA and 25m beam. Larger vessels may be permitted following specific risk assessment by Harbour Master and Pilots. All vessels using this berth must have a working bowthruster and all vessels 90m+ must have a high efficiency rudder. This berth is dredged to 4.5m but is subject to rapid siltation.

The Western Bight may be used for certain vessel operations with assistance of tugs and 2 Pilots in attendance if required by the Harbour Master. Where two Pilots are used, it must be clearly notified to all parties which Pilot has the conduct of the vessel.

NPP does not have a **tug** on immediate notice. The Pilot Boat may be used to assist vessels with permission of Harbour Master or Pilots. With a minimum of 12 hours' notice and weather permitting, the Tugs Adurni (10t), Acamar (10t) or Runner (2t) may be available. (*Maximum bollard pull in brackets*).

All vessels must use the services of a local **shipping agent** to facilitate the efficient exchange of information required, arrange for services and to be available in case of any problems or incidents.

In **restricted visibility**, it is the decision of the Harbour Master or Pilots to abort movements if necessary, but generally, no commercial movements permitted in less than 185m visibility. No towage operations permitted in restricted visibility.

Port is closed if **wind speeds** are gusting to 45 knots. Pilot Vessel may abort operations if average wind speed greater than 35 knots or the swell height exceeds 3.5m. In certain circumstances and after assessment by the Pilots, the Pilot Vessel may lead vessels into the channel and the Pilot will board inside the Breakwater.

Pilots will report any **deficiencies** they discover on vessels to the Harbour Master, who will report to the MCA. Vessels must declare any known defects prior to entry.

Pilots will check all the **navigation lights** during their nighttime transits and report any deficiencies to Port Control. A daily check is also made on the navigation lights by Port Control and recorded.

All **waste** from vessels must be properly declared on the CERS form and collection will be arranged by Port Control. All catering waste from commercial vessels is classed as ABP category 1 International Catering Waste and must be kept separate from UK domestic waste (unless the vessel trades entirely within the UK). The Pilots are to also check with the Master of any services required whilst in Port. It is a **criminal offence** for anything to be discarded from a vessel onto the quayside or overboard into the river (scrap metal/wood/fish/wires/ropes/general waste/etc...). The Environmental Protection Act 1990 and the Environmental Permitting Regulations 2010 apply (enforceable by the EA), in addition to the Harbour's own legislation.

No **Dangerous Goods** are carried on Commercial vessels bound for/departing from Newhaven.

Bunker barges are sometimes used to supply larger vessels whilst alongside East Quay. These bunkering operations are exempt from the Ship-to-Ship Oil Transfer Regulations. See section on Bunkering ([Section 25](#)). **A cargo manifest or a tank statement must be supplied with the pre-arrival notification documents showing a list of the tanks onboard, quantities in each tank and type of fuel oil.**

17.1.2 Minimum of 24 hours Before Arrival (or as soon as possible):

Ships Agent may contact the Harbour Master and/or Pilots by telephone to enquire if the anticipated vessel is suitable for Newhaven on the anticipated dates. Assuming the vessel is approved, then.....

Ships Agent will notify Port Control by email, with the following information: -

- 1/. Vessel Name, Port of Registry, IMO Number, Vessel Particulars, Destination Berth, type of Cargo to load/discharge, Fuel quantities onboard, requests for any Port Services.
- 2/. Vessel ETA at Pilot Station.
- 3/. CERS 3 Workbook to include Security and Waste information.
- 4/. Maritime Declaration of Health form
- 5/. Crew List, Passenger list, ships stores, personal effects
- 6/. Bill of Lading (if applicable).

7/. If the vessel is a bunker barge/tanker - A cargo manifest or a tank statement must be supplied with the pre-arrival notification documents showing a list of the tanks onboard, quantities in each tank and type of fuel oil.

Port Control will forward the email and attachments to:-

- 1/. Harbour Master, Deputy Harbour Master and Duty Pilot.
- 2/. Police CT, NMIC, ESFRS, Border Force and Port Health Authority.
- 3/. SHESTO/PSO, PFSO and Security Gates..

NB: The email notification must contain the ETA on the berth, anticipated time in port (or ETD) and the berth location.

Port Control will enter the pre-arrival information into the web-based MCA CERS (Consolidated European Reporting System) and prepare the entry for the arrival in both the PORTZ database and the *Mandatory Ships Reporting excel workbook*.

17.1.3 Minimum of 12 hours Before Arrival (or as soon as possible):

The Agent will update the ETA and any other information, either by phone or email. If any of the above information was not available before, then it is sent now.

Port Control will update the Duty Pilot and others on the list above.

Port Control will search for the vessel on AIS and commence tracking her progress.

The Duty Pilot will inform Port Control and Pilot Boat Crew of muster/boarding times, swingbridge opening times (for North Quay vessels) and other specific arrangements.

The Duty Pilot will check the weather forecast and predicted tides for the anticipated ETA. If tugs are to be used, then a briefing will be held involving Harbour Master, Pilots and Tug Masters.

Port Control will advertise the swingbridge opening times (if applicable) on the Bridge Hut Clock and the NPP Website. They will also notify other interested parties by email and will advise the Ambulance and Fire Control Centres in sufficient time. The East Sussex County Council Duty Swingbridge Contract Engineer is also informed and will normally attend daylight openings and be on call for night-time openings in case of technical problems. Port Control will plan who will be the swingbridge operator and notify them and organise any services requested such as garbage bins and fresh water.

17.1.4 One Hour Before Arrival:

The Vessel will call Port Control (Call sign “*Newhaven Radio*”) on VHF Channel 12, advising they are 1 hour off.

Port Control will advise the vessel of Pilot boarding time and which side & height for the ladder (if known), or will direct the vessel to anchor position and advise what time the Pilot will board and what time to have weighed anchor, or advise at what time more information

will be available. They will inform the vessel to maintain a listening watch on VHF Channel 12 at all times.

When a commercial vessel arrives to await the Pilot, either at the anchorage or on the final approach, Port Control will ask the Master to confirm that the vessel has **no known defects and that the pilot ladder complies with SOLAS requirements**. The response from the Master is to be logged by Port Control. Any negative responses are to be reported to the Duty Pilot immediately and then to the Harbour Master. This must happen on every occasion a vessel takes a Pilot, irrelevant of the frequency of visits, as there is no guarantee that the same ladder is in use as the previous call.

Port Control will notify the Duty Pilot that the vessel is one hour off and request information on pilot ladder/weighing anchor/POB time (if not previously known), relaying this information back to the vessel. Port Control will advise Pilot of any declared defects. **Port Control will call the Duty Officer to notify that the vessel is one hour off.**

The Duty Pilot will update the Pilot Boat crew if necessary. If any defects have been declared, the Pilot will assess this information and decide how to proceed, involving the Harbour Master in the decision-making process depending on the seriousness of the defect. Under the MS (Port State Control) Regs 2011, the Harbour Master may inform the MCA of defects.

17.1.5 Forty five Minutes Before POB (or as determined by Duty Pilot):

Pilot/s and Pilot Boat crew will muster and conduct a **pre-brief** for the operation. If tugs are to be used, then the Tug Masters will also attend the pre-brief. If extra linesmen are required, then they are included in the pre-brief.

The Pilot Boat crew will make ready for sea and test **communications** with Port Control.

The Duty Pilot or Harbour Master may at this point **abort** the operation if adverse weather conditions or restricted visibility, as per the Marine Risk Assessments. In certain circumstances such as extreme weather making pilot boarding too dangerous, a vessel may be guided into the entrance channel and the pilot boards in the lee of the breakwater. In these circumstances, the Pilot will be on board the pilot vessel and will be giving the Master advice throughout by VHF radio. This is acceptable as a form of remote pilotage and can only be conducted by an authorised Pilot.

The Duty Pilot may make the decision on which side & height for the **ladder** at this point, and relay the information directly to the vessel. He may also request confirmation that the vessel, if at **anchor**, has/is weighed/weighing anchor.

17.1.6 POB (Pilot Onboard):

So far as is possible, **Port Control will monitor** by CCTV and visually, the passage of the Pilot Boat outbound to the vessel, the Pilot boarding and the return passage of the Pilot Boat, as well as the approach of the vessel and other traffic in the area.

The advice given in the **Code of Safe Practice for The Embarkation and Disembarkation of Pilots (See Appendix 2)** will be taken by the Pilots and the Pilot Boat crew. It is important for good communication to be established with the vessel and a proper effective lee provided before the Pilot Boat makes its approach.

The Pilot Boarding location should be clearly distinguishable and well illuminated at night. The Pilot Boat crew and the Pilot will **assess the condition** and height of the pilot ladder prior to the Pilot making the transfer from boat to ladder. If there is any suspicion that a ladder is unsafe for use, then the transfer must be aborted, and the Pilot will direct the vessel to anchor. Defective ladders must be reported to the Harbour Master and to the MCA and UKMPA via the mobile app.

The Pilot will assess the condition of the vessel and the crew as he proceeds to the Bridge. Once on the Bridge he will **assess** the Bridge Management Team and the Bridge layout and controls. He will allow plenty of time for an effective **Master – Pilot Information Exchange** and to explain and discuss the **Passage Plan** to the berth. The Passage Plan may be sent to the vessel electronically in advance by the Pilot. The Pilot will obtain verbal confirmation from the Master that there are no known defects (or otherwise). Once satisfied that the vessel is safe to enter Newhaven, the Pilot will proceed towards the harbour entrance. The Pilot will ensure that the Master has the forward mooring personnel in position and the anchors cleared away and communications tested prior to reaching the breakwater end.

The Pilot will abort the operation if he is in any doubt about the condition of the vessel, the competence of the Master and crew, or considers the vessel will have an adverse effect on the safety of navigation or of the environment within the harbour. The vessel will be taken to anchor and the matter reported to the Harbour Master, who will inform the MCA.

The Pilot will call Port Control (Callsign *Newhaven Radio*) on VHF Channel 12 and request the signal to enter when approximately 0.75 miles from the breakwater.

Port Control will acknowledge and will give the current wind conditions (in favourable conditions, the West Pier wind information for the Narrows is sufficient, but in adverse conditions, the wind information from the Breakwater is also given) and height of tide and permission to enter (or otherwise). They will change the Signal Lights to the “*Permission to enter*” signal. The Signal Lights are situated at the West Pier Signal Station, opposite the Marina and the north end of No.2 RoRo berth. If visibility is reduced, then an estimate of the current visibility is given using the data from the *visibility distance chart* in Port Control. All Newhaven Recreational Slipways and boatyards have been issued with a supply of Signal Cards, showing the meaning of the signals and giving navigational information to the reader. NPP replenish the stocks of these cards on a regular basis. If necessary to attract the attention of rogue vessels, the 3 red signal lights can be used (fixed or flashing), but the Pilot must be advised of their use so as not to cause alarm.

All VHF communications to be logged in the *Radio Logbook*. **The Duty Officer should now be on site.**

The Pilot will assess the information given to him by Port Control and if necessary, can abort or delay the approach whilst still in plenty of sea room.

Port Control will assess the volume of recreational traffic in the harbour and decide if the incoming Pilot Boat can be utilised to control craft for the vessel arrival.

Port Control will closely monitor the AIS, Radar, VHF radio, CCTV Cameras, GeoVs display, wind conditions and tide. Any concerns regarding rogue traffic or sudden changes in wind/tide conditions will be reported to the Pilot and appropriate actions taken. Any incident or near miss that occurs will be reported to the Harbour Master on a *MIRF (Marine Incident Report Form)*. Lesser infringements are dealt with by Port Control inviting the offender to a *Port Control Familiarisation Visit* when the errors of their ways are explained and guidance information provided, including the issue of Signal Cards. These visits are logged and a copy forwarded to the Harbour Master. All images from the CCTV cameras and AIS are recorded and may be used as evidence if enforcement action is taken against offenders. If any vessel is giving cause for concern, Port Control will request the Pilot to sound a prolonged blast on the whistle before rounding the breakwater end. If necessary to attract the attention of rogue vessels, the 3 red signal lights can be used (fixed or flashing), but the Pilot must be advised of their use so as not to cause alarm.

Port Control Officers have the Harbour Master's authorisation to act as his deputy and give directions to vessels relating to the safe entry, movement within and departure from the harbour. Clear unambiguous VHF language will be used when communicating with vessels, utilising the *Standard Marine Communication Phrases* and pre-fixing each message with, for example, "**Request**", "**Question**", "**Information**", "**Warning**", "**Advice**", "**Instruction**".

Example:

"Yacht Pluto, this is Newhaven Radio.

WARNING – *The Signals are set against you and there is a cargo vessel entering the harbour.*

INSTRUCTION – *Return to the Marina immediately."*

The Pilot will use the vessels whistle if necessary, when in sight of a rogue craft, and give 5 short blasts. The whistle will also be used in restricted visibility as per the Collision Regulations.

The Pilot will give instructions on VHF Channel 12 to the Pilot Boat and/or Tugs as per the operation pre-brief as to his requirements for assistance and the timing and location of such. In restricted visibility, the Pilot Boat may be used to escort the vessel, showing a leading light ahead of the vessel.

Port Control will update CERS with the Actual Time of Arrival.

17.1.7 Swingbridge Operations:

Vessels for berthing at North Quay need to transit the A259 Swingbridge. This is owned and maintained by East Sussex County Council but operated by trained NPP staff. Their callsign is "Bridge Control".

Bridge Control will allow sufficient time to travel to the Bridge Control Hut to be on station well in advance of the advertised opening time. He will carry a portable VHF radio so as to be contactable en-route and as a back-up to the permanent set located in the Bridge Control Hut. Once in location he will notify the Pilot.

The Pilot will call "*Bridge Control*" on channel 12 when passing "*The Yacht Club*" and enquire if it is okay to proceed.

Bridge Control will acknowledge and confirm or otherwise. If there is a problem, the Pilot will slow down or stop the vessel and will call the Pilot Boat to assist and use the anchors if required to control the vessel.

The Pilot will request Bridge Control to start opening the Bridge when passing No.2 RoRo Berth.

Bridge Control will acknowledge and confirm the opening sequence has begun.

The Pilot and Pilot Boat crew will monitor the bridge opening, and once it is seen to be opening the Pilot Boat crew secure the Pilot Boat and proceed to North Quay to be ready as linesmen.

The Pilot may, with certain vessels, require the services of the Pilot Boat to assist in swinging at North Quay, in which case, the Pilot Boat transits the bridge ahead of the vessel and another bridge is booked for the Pilot Boat to pass back down river 30 minutes later. If the Pilot anticipated this manoeuvre, then extra linesmen would have been organised, however, if the decision is made last minute due to a technical problem or the way the vessel has been handling on passage, the Pilot must allow sufficient time for the Pilot Boat crew to assist with the swinging and then make fast at a berth ready for taking the lines.

Once clear of the bridge, the Pilot will call Bridge Control and inform him the vessel is clear and notify of any known future bridge times. Bridge Control will then close the swingbridge and make the entry required in the Bridge Computer.

17.1.8 Berthing/Mooring:

NPP employees or contractors (weekend boatmen), trained and certificated in Manual Handling and Quayside Operations will be the **linesmen** who make-fast Commercial vessels. In normal circumstances, this will be the Pilot Boat crew, but if the Pilot Boat is required on the river during berthing, then extra person/s are required. This must be organised by the Pilot in advance.

The advice given in the **PSS/HSE SIP005 – Guidance on Mooring** ([See Appendix 11](#)) will be observed by the linesmen. It is important for good communication to be established between the Pilot, linesmen and Port Control. A standard mooring procedure requires a

minimum of 2 persons. However, specific circumstances may dictate more being required. For vessels berthing on No.2 RoRo, a minimum of 3 linesmen are required

The **position** of the vessel on the East Quay is determined by liaison between the Pilot and the Duty Officer/Port Control Officer, bearing in mind the yellow line at the northern end of the Quay indicating the maximum northerly extent of the vessel ([See Appendix 14](#)).

The Pilot will confirm with the Master of each vessel whether they require freshwater or are expecting bunkers, crew changes or stores/spares and report that information back to Port Control.

Port Control will update the PORTZ database and the *Mandatory Ships Reporting excel workbook* and will organise any services that are requested. The arrival time to be entered in both systems is the time passing the Port Control Office.

17.2 COMMERCIAL VESSEL ALONGSIDE PROCEDURES

The **responsibility** for all cargo handling operations lies with the individual berth operators at North Quay and the Stevedoring Companies at East Quay. They have in place their own SMS and Risk Assessments. NPP staff are not insured to be stevedores.

NPP can supply vessels at East Quay with a certificated **gangway** if requested, but the supply and rigging of the gangway nets, provision of lifesaving appliances and additional illumination in the vicinity, is the responsibility of the vessel Master. It is usual practice for vessels to use their own gangway as a means of access to the shore. The **safety of the access** is always the responsibility of the vessel Master.

The Pilot will inform the Master of the number of **mooring lines** required, but the Duty Officer/Port Control may request the vessel to put out additional lines if the weather deteriorates during the stay or the condition of the existing lines are causing concern.

Port Control will regularly **monitor** vessels berthed at East Quay, No.2 RoRo and the Western Bight using CCTV. The Duty Officer will make visual checks at appropriate intervals, usually prior to a Ferry movement. The level of lighting at the Port is regularly monitored and recorded by NPP Electricians. Port Control check and record any defects on East Quay on a daily basis (nightfall) and any defects are promptly reported to the NPP Duty Electrician for action. Anybody else wishing to report a lighting defect may do so to Port Control.

Once alongside the East Quay, No.2 RoRo or Western Bight, the Duty Officer/Port Control Officer/Pilot will provide the Master with the “**Visiting Vessel – Notice of Arrival Form**” and the “**General Warning and Informing forms**”, which the Master has to sign a receipt for and provide a 24/7 contact number for the ship. ([See Appendix 9](#)). This form may be sent in advance by the Pilots for submitting electronically with the pre-arrival notification documents.

Any commercial vessel shifting ship, no matter how far along the quay, requires permission to do so from Port Control. If any mooring lines are to be let go during the procedure, then the Duty Pilot must be informed, and he will assess if it is safe for the

vessel to do so and if a Pilot is required to be onboard. NPP linesmen must be in attendance for all shifts. Shifting to another berth requires a Pilot. If the engine/s are to be used – then a Pilot is required.

All berths are subject to periods of adverse weather conditions causing “run” or “ranging” alongside. Disturbance of vessels alongside can also be caused by passing Car Ferry and other larger vessels – **in particular at or about times of low water**. The attention of all Masters, berthed in Newhaven Harbour is drawn to the Newhaven Harbour Bye-Laws/Directions (on the website at www.newhavenport.com or available from the Harbour Master/Port Control) and specifically Byelaw 15 – which reads as follows:

Bye-Law No 15

“The owner or Master of any vessel in the Harbour shall not absent himself from such vessel, unless he shall leave in charge thereof some person who shall continue in attendance of her while she shall be afloat, and shall be qualified and competent to shift or move her and attend to her moorings as the Harbour Master (or his designated deputy) shall direct or as may be necessary. Such person shall carefully attend to the moorings of such vessel and to this sufficiency thereof, and cause them to be hove in or slackened from time to time as may be necessary on the rise or fall of the water – to prevent damage being done to her, or any other vessel, or to the Harbour”.

In view of the foregoing, it is incumbent upon Masters of all vessels moored at any berth to ensure that **moorings** are properly tended and that sufficient moorings are deployed to ensure the safety of their respective vessel. The sailing schedule’s and ETA of Car Ferry and other larger vessels is available from the Port Authority via – **Newhaven Radio – Channel 12 VHF**. Masters are advised that care should be taken at times of arrival or departure of Car Ferry and other larger vessels to ensure mooring ropes are not slack and that there is sufficient drift on forward and after moorings to even the strain.

In situations of **high wind speeds**, any vessel berthed on East Quay may be required to shift to another berth or go out to sea during the arrival or departure of a Car Ferry. To this end all vessels must be maintained in a state of readiness for sea at one hour’s notice. Cargo vessels must ensure they have sufficient displacement and suitable trim at all times to be able to safely shift. Under no circumstances may any vessel be immobilised without specific permission of the Harbour Master.

All vessels must provide a 24/7 mobile phone number in order that Port Control can contact the Master/Duty Mate at any time.

Masters and others in charge of vessels are requested to report to Newhaven Radio on VHF channel 12 the location/position of any floating **objects/debris** seen in or around the Harbour area, which may constitute a danger to safe navigation. Instances of **Oil Pollution** must be reported immediately.

Crew members/pedestrian visitors walking around the East Quay area of Newhaven Port are advised to **be aware** of moving plant, vehicles and forklift trucks. Site Rules are displayed at Port entrances.

Crew members and others are also advised of the requirement to wear **lifejackets** when near the quay edges of Newhaven Port.

The Port Authority has **procedures** in place and so must be informed and permission given/permits issued before any of the following operations take place within the Harbour: -

Bunkering, sludge discharge, fresh-watering, diving, hotwork, shifting, emergency drills, immobilisation, landing of garbage, cranework, any quayside activities, overside maintenance.

When **bunkering** (see *Marine Risk Assessments*) is carried out by **bunker barge or from road tanker over the quayside**, it is the responsibility of the vessel Master to report to Port Control when operations commence and complete. It is the responsibility of the Master and bunker supplier to ensure that a Bunkering Checklist is completed prior to operations commencing. Port Control will monitor the area closely whilst bunker operations are in progress and the Duty Officer will be in attendance at some stage of the operation. Vessel crew are expected to monitor and notify Port Control if they see any pollution occurring and take such action as possible to mitigate it. If pollution does occur, the Harbour Master is empowered to detain the vessel until MCA Officers arrive. If by bunker barge, the Duty Pilot will monitor that the bunkering checklist has been completed satisfactorily before he disembarks. **Bunkering at night to be approved by the Harbour Master in advance.** A record of volume of bunkers received is entered in the PORTZ system and in the Logbook by Port Control/Duty Officer.

The procedures for the transfer of **sludge/oily water** are to be the same as for bunkering.

The provision of **fresh water** is an operation carried out by NPP staff. (*Marine Risk Assessments apply*). A record of volume of fresh water taken is entered in the PORTZ system and in the Logbook by Port Control/Duty Officer.

Whilst alongside, **communications** with Port Control on VHF channel 12 must be maintained at all times,

No **Dangerous Goods** are handled as cargo in Newhaven apart from units on the Ferry.

The landing of waste at Newhaven is as per the **Waste Management Plan** (on the website at www.newhavenport.com or available from the Harbour Master/Port Control). Receipts are issued for waste landed. All paperwork must be retained for 3 years for general waste and 5 years for hazardous waste. The Port Operations Supervisor will collate the waste information and produce a monthly report for the Harbour Master. The information is also entered into the PORTZ system by Port Control. **If a vessel has declared it will land waste, the Port Control Officer/Duty Officer will arrange for collection.**

It is a **criminal offence** for anything to be discarded from a vessel onto the quayside or overboard into the river (scrap metal/wood/fish/wires/ropes/general waste/etc...). The Environmental Protection Act 1990 and the Environmental Permitting Regulations 2010 apply (enforceable by the EA), in addition to the Harbour's own legislation.

Any **damage** to ladders, piles or quay wall, caused by or noticed by vessels must be reported to Port Control as soon as possible. Port Control/Duty Officer/Harbour Master will issue a "*Reserves for Damage*" (**See Appendix 10**) to the Master of the vessel responsible for damage (if known) and will organise the repairs.

17.3 COMMERCIAL VESSEL DEPARTURE PROCEDURES

17.3.1 General:

Pilotage is compulsory for all vessels of 49m and over, some tugs with tows (see below), all vessels carrying dangerous goods and any high profile or non-routine vessel that the Harbour Master assesses to require a Pilot/s. Any other vessel may request a Pilot if the Master so desires.

A Pilot is required if the combined length of the tug, tow line and tow is 49m or over. All other **commercial towage operations** (towing, pushing or on-the-hip), no matter what the size of the vessels involved, will be approved by the Harbour Master before the operation commences within the Harbour Limits. Each operation will be assessed by the Harbour Master and he may decide one or more Pilots are required and/or the Pilot Vessel/additional tugs are required to escort/assist.

The minimum **underkeel clearance** required for Commercial Cargo vessels is 50cm. However, this can be increased according to the Pilots decisions made dynamically dependent on the weather, tide, ship characteristics and the latest hydrographic survey information.

Except in emergencies, the **minimum notice** required for a Pilot for a vessel's departure from the Port is 2 hours.

NPP employees or contractors (weekend boatmen), trained and certificated in Manual Handling and Quayside Operations, will be the **linesmen** who let go Commercial vessels. In normal circumstances, this will be the Pilot Boat crew, but if the Pilot Boat is required on the river during departure, then extra person/s are required. This will have been organised by the Pilot prior to operations commencing and a full **pre-brief** will take place if the operation is out of the ordinary. The advice given in the **PSS/HSE SIP005 – Guidance on Mooring (See Appendix 11)** will be observed by the linesmen. It is important for good communication to be established between the Pilot, linesmen and Port Control. A standard mooring/unmooring procedure requires a minimum of 2 persons. However, specific circumstances may dictate more being required. For vessels un-berthing from No.2 RoRo, a minimum of 3 linesmen are required.

NPP does not have a **tug** on immediate notice. The Pilot Boat may be used to assist vessels with permission of Harbour Master or Pilots. With a minimum of 12 hours' notice and weather permitting, the Tugs Acamar (10t), Adurni (10t), or Runner (2t) may be available. (*Maximum bollard pull in brackets*).

The Pilot will ensure that all personnel involved in the departure operation are fully briefed as to their part in the operation. If extra personnel/craft are required, they are to be given sufficient time to prepare and muster.

The Pilot will assess the condition of the vessel and the crew as he proceeds to the Bridge. Once on the Bridge he will **assess** the Bridge Management Team and the Bridge layout and controls. He will allow plenty of time for an effective **Master – Pilot Information Exchange** and to explain and discuss the **Passage Plan** from the berth to sea. The Pilot will obtain verbal confirmation from the Master that there are no known defects (or otherwise). The Pilot

will report any **deficiencies** they discover on vessels to the Harbour Master, who will report to the MCA. If necessary, the Pilot will abort the operation and the vessel will be detained until arrival of the MCA.

The Pilot will ensure that the Master has the mooring personnel in position and the anchors cleared away and communications tested prior to letting go. He will inform the Master of which side he requires the Pilot Ladder to be rigged and height above the water. He will request the “signal for departure” from Port Control.

Port Control will ensure that the **Duty Officer** is on site and will closely monitor the departure operation using AIS, Radar, VHF radio, CCTV Cameras, GeoVS system, wind conditions and tide. Any concerns regarding rogue traffic or sudden changes in wind/tide conditions will be reported to the Pilot and appropriate actions taken. Any incident or near miss that occurs will be reported to the Harbour Master on a *MIRF (Marine Incident Report Form)*. Lesser infringements are dealt with by Port Control inviting the offender to a *Port Control Familiarisation Visit* when the errors of their ways are explained and guidance information provided, including the issue of Signal Cards. These visits are logged and a copy of the report forwarded to the Harbour Master. All images from the CCTV cameras and GeoVS system are recorded and may be used as evidence if enforcement action is taken against offenders. If necessary to attract the attention of rogue vessels, the 3 red signal lights can be used (fixed or flashing), but the Pilot must be advised of their use so as not to cause alarm.

Port Control Officers have the Harbour Master’s authorisation to act as his deputy and give directions to vessels relating to the safe entry, movement within and departure from the harbour. Clear unambiguous VHF language will be used when communicating with vessels, utilising the *Standard Marine Communication Phrases* and pre-fixing each message with, for example, “Request”, “Question”, “Information”, “Warning”, “Advice”, “Instruction”.

Example:

“Yacht Pluto, this is Newhaven Radio.

WARNING – *The Signals are set against you and there is a cargo vessel departing the harbour.*

INSTRUCTION – *Return to the Marina immediately.”*

The Pilot will use the vessels whistle if necessary, when in sight of a rogue craft, and give 5 short blasts. The whistle will also be used in restricted visibility as per the Collision Regulations.

The Duty Pilot or Harbour Master may **abort** the operation if adverse weather conditions or restricted visibility, as per the Marine Risk Assessments. Generally, no commercial movements permitted in less than 185m visibility. No towage operations permitted in restricted visibility. Port is closed if **wind speeds** are gusting to 45 knots. Pilot Vessel may abort operations outside the harbour if average wind speed greater than 35 knots or the swell height exceeds 3.5m.

The Pilot boat, once underway on the river, will be available to keep the channel clear of rogue traffic and to be in position to disembark the Pilot. In restricted visibility, the Pilot Boat may be used to escort the vessel, showing a leading light ahead of the vessel.

The Pilot will normally disembark between the Narrows and the Breakwater End, depending on the weather and the competence of the Bridge team as assessed by the Pilot. In certain circumstances such as a speedy departure or a high-profile vessel, the Pilot may disembark up to 2 miles off the Port Entrance.

Port Control will monitor by CCTV and visually, the disembarkation of the Pilot and the return passage of the Pilot Boat, as well as other traffic in the area. The time for departure to be entered into the PORTZ and Mandatory Ship Reporting spreadsheet is the time passing the Port Control Office.

The Pilot Boat crew will use the advice given in the **Code of Safe Practice for The Embarkation and Disembarkation of Pilots** ([See Appendix 2](#)). It is important for a proper effective lee to be provided before the Pilot Boat makes its approach. The Pilot Ladder location should be clearly distinguishable and well illuminated at night. The Pilot Boat crew will **assess the condition** and height of the pilot ladder prior to the Pilot making the transfer. If there is any suspicion that a ladder is unsafe for use, then the transfer must be aborted and the Pilot will take the vessel to anchor or heave-to in order to give time for another means of safe disembarkation to be prepared. Defective ladders must be reported to the Harbour Master and the MCA and UKMPA via the app.

No **Dangerous Goods** are carried on Commercial Cargo vessels departing from Newhaven.

The Pilot will provide the Harbour Master with the completed Master-Pilot Information Exchange & Passage Plan Chits within 30 days of the departure of the vessel, or before if requested or there is an incident. The Pilots will have regular meetings with the Harbour Master and are members of the Pilotage Committee which holds meetings on an annual basis unless required more frequently. Pilots certificates are revalidated annually and the Harbour Master will conduct audits on an annual basis. ([See Pilotage Operations Procedures in section 15](#)).

17.3.2 Departure from North Quay:

The A259 **swingbridge** times for vessels departing from North Quay are set by the Pilots either immediately after the arrival bridge transit or as soon as possible thereafter. The bridge is owned and maintained by East Sussex County Council but operated by trained NPP staff. Their callsign is “**Bridge Control**”.

It is normal practice, with a few exceptions, to **swing** the vessel in the North Quay Swinging basin when in ballast condition. The maximum draft allowed for swinging depends on the length of vessel and the height of tide. More detail is contained in the **Pilotage Operations Procedures**. The Pilot boat and/or tugs (if available) may be used to assist swinging, in addition to anchors and bow thruster. It is also accepted and traditional practice in Newhaven, when swinging vessels with poor/no bowthruster, for the Pilots to utilise the soft mud sloping bank on the eastern side of the swinging basin to assist swinging by positioning

the bow of the vessel in the mud and using tide/engine/helm to drive the vessel around. If the Pilot Boat/Tugs are being utilised at North Quay, they will have transited the bridge earlier as arranged by the Pilot and/or Coxswains and be on standby to assist.

Bridge Control will allow sufficient time to travel to the Bridge Control Hut to be on station well in advance of the advertised opening time. He will carry a portable VHF radio so as to be contactable en-route and as a back-up to the permanent set located in the Bridge Control Hut. Once in location he will notify the Pilot.

The Pilot will establish communications with Port Control on VHF Channel 12 and he may request such updates on the weather and/or tide conditions as he desires.

Port Control will acknowledge and will give such information as the Pilot requests. In favourable conditions, the West Pier wind information for the Narrows is sufficient, but in adverse conditions, the wind information from the Breakwater is also given and height of tide. If visibility is reduced, then an estimate of the current visibility is given using the data from the *visibility distance chart* in Port Control. All VHF communications to be logged in the *Radio Logbook*.

The Pilot will call "*Bridge Control*" on channel 12 and request the bridge to be opened in sufficient time, depending on which berth the vessel is departing from and whether swinging on departure.

Bridge Control will acknowledge and confirm that the bridge is opening, or otherwise. If there is a problem, the Pilot will slow down, stop the vessel or put alongside one of the North Quay berths. The linesmen will remain available at North Quay in case the Pilot has to make fast again.

The Linesmen will, once the bridge has commenced opening, proceed to the Pilot boat and get underway on the river, being available to keep the channel clear of rogue traffic and to be in position to disembark the Pilot.

Port Control will change the Signal Lights to the "*Bridge Vessels - Permission to manoeuvre*" signal. The Signal Lights are situated at the West Pier Signal Station, opposite the Marina and the north end of No.2 RoRo berth. All Newhaven Recreational Slipways and boatyards have been issued with a supply of Signal Cards, showing the meaning of the signals and giving navigational information to the reader. NPP replenish the stocks of these cards on a regular basis.

The Pilot will, once clear of the bridge, call Bridge Control and inform him the vessel is clear and notify of any known future bridge times.

Bridge Control will acknowledge, then close the swingbridge and advertise future opening times on the Bridge Hut Clock. He will then make the required entry in the Bridge Computer.

Port Control will note the future bridge times given by the Pilot and will then call the Pilot and request the information required for CERS and PORTZ, namely: - Next Port, ETA and Number of persons onboard. Once the vessel is clear, Port Control will complete the entries required for CERS, PORTZ and the *Mandatory Ships Reporting excel workbook*.

17.3.3 Departure from East Quay, No.2 RoRo or Western Bight:

The Pilot will, in sufficient time, organise the linesmen and Pilot Boat to muster at the berth. If the vessel is to swing in the 150m ferry turning basin, the Pilot boat and/or tugs (if available) may be used to assist swinging, in addition to anchors and bow thruster. There is normally sufficient depth at all times to swing loaded or in ballast and the Pilot has the most up to date hydrographic survey information.

Port Control will ensure the Duty Officer is on site.

The Pilot will call Port Control on VHF Channel 12, requesting the Signal to depart and he may request such updates on the weather and/or tide conditions as he desires.

Port Control will acknowledge and will give such information as the Pilot requests. In favourable conditions, the West Pier wind information for the Narrows is sufficient, but in adverse conditions, the wind information from the Breakwater is also given and height of tide. If visibility is reduced, then an estimate of the current visibility is given using the data from the *visibility distance chart* in Port Control. All VHF communications to be logged in the *Radio Logbook*.

Port Control will change the Signal Lights to “*Permission to manoeuvre*” signal. The Signal Lights are situated at the West Pier Signal Station, opposite the Marina and the north end of No.2 RoRo berth. All Newhaven Recreational Slipways and boatyards have been issued with a supply of Signal Cards, showing the meaning of the signals and giving navigational information to the reader. NPP replenish the stocks of these cards on a regular basis. If necessary to attract the attention of rogue vessels, the 3 red signal lights can be used (fixed or flashing), but the Pilot must be advised of their use so as not to cause alarm.

The Linesmen will, once the vessel has been let go, proceed to the Pilot boat and get underway on the river, being available to keep the channel clear of rogue traffic and to be in position to assist with swinging and to disembark the Pilot. Any damage the linesmen observe to the quayside, piles or ladders, caused by the departing vessel will be reported immediately to Port Control.

The Pilot will, before he disembarks, call Port Control and give the information required for CERS and PORTZ, namely: - Next Port, ETA and Number of persons onboard.

Port Control will complete the entries required for CERS, PORTZ and the *Mandatory Ships Reporting excel workbook*.

The berth will be **inspected** as soon as possible after departure by the Duty Officer/Port Control Officer. Any **damage** to ladders, piles or quay wall, will result in the Duty Officer/Port Control Officer/Harbour Master, issuing a “*Reserves for Damage*” ([See Appendix 10](#)) to the Master of the vessel (through the agent or owner), and will organise the repairs.

The Duty Officer/Port Control Officer will ensure that the quayside is **cleared of** any waste and other debris as soon as possible.

Masters/Skippers/Owners of vessels that disregard the Port rules and regulations or act in an irresponsible or inappropriate manner, may be punished in the form of fines, levied according to the severity of the breach/action. This may be in addition to any costs incurred by the Port in putting right the consequences of any breach/action and off-charging these costs to the offender. Examples are the illegitimate dumping of waste/unwanted materials, conducting hot work without permission, leaving the berth in an untidy/dirty condition, leaving a vessel unattended at East Quay, etc... Any action taken will be at the discretion of the Harbour Master.

Once the vessel has departed, the Port Control officer and the Duty Pilot will ensure that all the necessary information has been entered into the PORTZ system so that the Harbour Master can see all the events of the vessel's stay in Port from start to finish and the Finance Manager is able to raise charges for all the dues and services provided. You can never write too much!

It is essential that all Marine Operations Staff, Pilots and PEC Holders have a full working knowledge of the contents of this Marine Safety Management System, including all the appendices to the SMS.

Section 18

“OTHER VESSELS” PROCEDURES (TUGS, SURVEY, GOVERNMENT, WORKBOATS, CTV’s, BARGES, FISHING, ANGLING, RECREATIONAL and LIFEBOATS)

18.1 General

Pilotage is only compulsory for vessels of 49m and over, some tugs with tows (see below), all vessels carrying dangerous goods and any high profile or non-routine vessel that the Harbour Master assesses to require a Pilot/s. Any other vessel may request a Pilot if the Master so desires.

A Pilot is required if the combined length of the tug, tow line and tow is 49m or over. All other commercial towage operations (towing, pushing or on-the-hip), no matter what the size of the vessels involved, will be approved by the Harbour Master before the operation commences within the Harbour Limits. Each operation will be assessed by the Harbour Master and he may decide one or more Pilots are required and/or the Pilot Vessel/additional tugs are required to escort/assist.

In **restricted visibility**, it is the decision of the Harbour Master to prohibit or restrict vessel movements. Normally, these smaller vessels with suitable electronic navigation systems can safely navigate into and out of Newhaven, but the Master/Skipper/Coxswain does so at his own risk. It may be prudent to remain outside the harbour or safely alongside, as applicable, and wait for the visibility to improve. Vessels giving cause for concern will be directed to stay outside/alongside by Port Control acting as delegated deputy harbour master.

Port is closed to all traffic if **wind speeds** are gusting to 45 knots.

Port Control are able to provide the wind speed and direction, height of tide and the weather forecast if requested.

The **speed limit** is 8 knots from the Breakwater End to the West Pier Signal Station and 5 knots from the West Pier northwards.

All vessels in the approaches to and within Newhaven Harbour should keep a watch on **VHF Channel 12** and should observe the **Traffic Signals** when entering or departing. Vessels may only proceed if the signal lights show green, green, white, (vertical).

Resident fishing vessels, Workboats, Charter Vessels and CTV’s will call Port Control (Callsign Newhaven Radio) on VHF Channel 12, regardless of the signal lights, and request permission to enter, depart or shift.

All recreational craft are strongly advised to call Port Control (Callsign Newhaven Radio) on VHF Channel 12, regardless of the signal lights, and request permission to enter or depart.

Visiting recreational craft bound for the Marina must call Newhaven Marina on VHF Channel 80 to request a berth (unless booked in advance). If they are unable to raise the

Marina, the Port Control Officer may be able to assist in communications by radio or telephone.

Port Control closely monitor the AIS, Radar, VHF radio, CCTV Cameras, GeoVS Display and also keep a visual lookout in the harbour limits. Any incident or near miss that occurs will be reported to the Harbour Master on a *MIRF (Marine Incident Report Form)*. Lesser infringements are dealt with by Port Control inviting the offender to a *Port Control Familiarisation Visit* when the errors of their ways are explained and guidance information provided, including the issue of Signal Cards. These visits are logged and a copy of the report forwarded to the Harbour Master. All images from the CCTV cameras and GeoVS Display are recorded and may be used as evidence if enforcement action is taken against offenders. All Newhaven Recreational Slipways and boatyards have been issued with a supply of Signal Cards, showing the meaning of the signals and giving navigational information to the reader. NPP replenish the stocks of these cards on a regular basis.

All resident Workboat and CTV Masters must make a familiarisation visit to Port Control when they first commence working from Newhaven and then on an annual basis. It is also strongly recommended that their Operations Managers and vessel crew members also visit. Each visit will be logged by the completion of a Port Control Safe Navigational Visit Form which will be forwarded to the Harbour Master. The Master's and Operation Managers of these vessels must be familiar with the Port Regulations, this MSMS and the Navigational Risk Assessments.

Port Control Officers have the Harbour Master's authorisation to act as his deputy and give directions to vessels relating to the safe entry, movement within and departure from the harbour. Clear unambiguous VHF language will be used when communicating with vessels, utilising the *Standard Marine Communication Phrases* and pre-fixing each message with, for example, "Request", "Question", "Information", "Warning", "Advice", "Instruction".

Example:

"Yacht Pluto, this is Newhaven Radio.

WARNING – *The Signals are set against you and there is a cargo vessel entering the harbour.*

INSTRUCTION – *Return to the Marina immediately."*

All visiting vessels of 300 GT or over and/or more than 45m LOA, (usually having an IMO number), are to be entered in the **MCA CERS** (Consolidated European Reporting System). This will normally be restricted to tugs, Survey vessels and barges. Fishing vessels, CTV's, Government vessels and recreational craft are exempt.

All visiting vessels (of any description) to East Quay and West Quay are entered in the **PORTZ** database and the *Mandatory Ships Reporting excel workbook*.

Port Authority vessels may be utilised on the river to control traffic during Ferry and Commercial Vessel movements. The Crew have the Harbour Master's authorisation to act as his deputy and give directions to vessels relating to the safe entry, movement within and departure from the harbour.

Visiting tugs, workboats, ctv's, barges, survey and government vessels (RN, IFCA, Trinity House, Border Force) will give as much notice as possible to Port Control of their ETA, requirements and intentions. Port Control will liaise with the Harbour Master before confirming a berth. The vessel will then call one hour before arrival off the Port for further instructions. **As Border Force vessels** do not pay any Harbour Dues/Mooring Charges, **they will have to vacate their berth if it is required for a paying vessel.** To this end, they must be ready to depart at one hours' notice.

Visiting MFV's will give as much notice as possible to Port Control of their ETA, requirements and intentions. A berth will only be allocated by express permission of the Harbour Master. With the current level of shipping, it is unlikely a berth will be allocated to MFV's unless it is an extreme emergency. It should be noted that Newhaven is not a designated landing port and so foreign flag fishing vessels are not permitted to land any fish. Unless the vessel belongs to a Company holding an account with NPP, the Owner/Manager must email confirmation of the acceptance of Port Charges and details of the billing address. In cases of random vessels wishing to berth in Newhaven where no bonafide Owner/Manager exists ashore, i.e. owner/skipper arrangement, then payment must be made by cash on arrival.

Port Control will notify the local MMO Marine Office of all expected visiting MFV's of LOA 15m+.

The vessel will call Newhaven Radio one hour before arrival off the Port for berthing information and further instructions.

The provision of Port Services (bunkers, fresh water, linesmen, equipment, plant, labour) should preferably be confined to the hours of 0800hrs to 1600hrs. Outside of these hours requires on-call personnel to be called in. A minimum of one hour's notice is required for services at any time.

18.2 Berthing/Mooring on East Quay:

All vessels berthing on the East Quay must be **sufficiently manned at all times** to tend the moorings and shift the vessel if required. The **minimum LOA** of vessels allowed to berth on East Quay is 15m. Smaller vessels may be permitted for a very short stay and in favourable conditions at the discretion of the Harbour Master. **The quayside is not suitable for recreational craft, but large craft may be permitted in exceptional circumstances provided the Master accepts that the berth is not designed for recreational craft and absolves NPP of all liability for damage that may occur.**

Unless the vessel has its own certificated gangway/means of access, each vessel will be moored alongside a **vertical quayside ladder**. These ladders are regularly inspected and maintained. Timber piling is fixed each side of the ladder to protect it from damage. **See Appendix 18 for PSS/HSE guidance on "Safe Access & Egress", "Water Safety in Ports" and "Access to small craft".**

Any **damage** to ladders, piles or quay wall, caused by or noticed by vessels must be reported to Port Control as soon as possible. The Port Control Officer/Duty Officer/Harbour

Master will issue a “*Reserves for Damage*” ([See Appendix 10](#)) to the Master of the vessel responsible for damage (if known) and will organise the repairs.

Larger vessels such as crane barges and bunker barges require the presence of the Duty Officer to be on site for berthing/shifting/unberthing. Shifting ship, no matter how far along the quay, requires permission to do so from Port Control. If any mooring lines are to be let go during the procedure, then the Duty Pilot must be informed and he will assess if it is safe for the vessel to do so and if a Pilot is required to be onboard. NPP linesmen must be present for any shift. Shifting to another berth requires a Pilot. If the engine/s are to be used – then a Pilot is required.

For **smaller vessels** such as Border Force, Survey vessels, Tugs, Workboats, CTV's and Fishing vessels, Port Control will ask if they require assistance to tie-up or let go. If they do require assistance, and it is between 1600hrs and 0800hrs, then the Duty Officer/Duty Port Operative/Pilot boat crew will be called out to assist and there will be a delay to berthing/unberthing. Hence the requirement for the vessel to give a minimum of 1 hours' notice.

If vessels do not require assistance, then Port Control must receive a copy of the vessel's **self-mooring risk assessment** in advance of berthing/unberthing and this needs to be checked by the Deputy Harbour Master/Harbour Master before permission is given to berth/depart. Port Control must then monitor the operation by CCTV.

The **Port Control Officer** is allowed out onto the quayside to check moorings are sufficient and to deliver the paperwork to vessels, but he will inform Security when leaving the Port Control Office and upon his return. Communication methods are landline, mobile, VHF radio and UHF radio.

For NPP staff or contractors involved in mooring/unmooring, it is a two-man operation to handle ropes on the quayside both during the day and at night. They are trained and certificated in Manual Handling and Quayside Operations. Appropriate PPE will be worn and lifejackets must be worn when crossing the yellow line on the quay. The advice given in the **PSS/HSE SIP005 – Guidance on Mooring** ([See Appendix 11](#)) will be taken by the linesmen.

If vessels **moorings** are deemed to be of inferior quality to cope with the range of tide and the movement of ferry/commercial traffic past the berth, then additional moorings from NPP store will be used and charged for. Remember that it is a two-man operation to handle ropes on the quayside and, if out of hours, then additional staff will need to be called out to assist and appropriate charges levied.

18.3 Alongside East Quay:

Port Control will regularly **monitor** vessels berthed at NPP berths using CCTV. The Duty Officer will make visual checks at appropriate intervals, usually prior to a Ferry movement. The level of lighting at the Port is regularly monitored and recorded by NPP Electricians and **Port Control** check and record any defects on East Quay on a daily basis (nightfall) and any defects are promptly reported to the NPP Duty Electrician for action.

Once alongside NPP berths, the Duty Officer/Port Control Officer will provide the Master with the “**Visiting Vessel – Notice of Arrival Form**” and the “**General Warning and Informing forms**”, which the Master has to sign a receipt for. This may be provided in advance by the Pilots. (See Appendix 9).

All berths are subject to periods of adverse weather conditions causing “run” or “ranging” alongside. Disturbance of vessels alongside can also be caused by passing Car Ferry and other larger vessels – **in particular at or about times of low water**. The attention of all Masters, berthed in Newhaven Harbour is drawn to the Newhaven Harbour Bye-Laws/Directions (on the website at www.newhavenport.com or available from the Harbour Master/Port Control) and specifically Byelaw 15 – which reads as follows:

Bye-Law No 15

“The owner or Master of any vessel in the Harbour shall not absent himself from such vessel, unless he shall leave in charge thereof some person who shall continue in attendance of her while she shall be afloat, and shall be qualified and competent to shift or move her and attend to her moorings as the Harbour Master (or his designated deputy) shall direct or as may be necessary. Such person shall carefully attend to the moorings of such vessel and to this sufficiency thereof, and cause them to be hove in or slackened from time to time as may be necessary on the rise or fall of the water – to prevent damage being done to her, or any other vessel, or to the Harbour”.

In view of the foregoing, it is incumbent upon Masters of all vessels moored at any berth to ensure that **moorings** are properly tended and that sufficient moorings are deployed to ensure the safety of their respective vessel. The sailing schedule’s and ETA of Car Ferry and other larger vessels is available from the Port Authority via – **Newhaven Radio – Channel 12 VHF**. Masters are advised that care should be taken at times of arrival or departure of Car Ferry and other larger vessels to ensure mooring ropes are not slack and that there is sufficient drift on forward and after moorings to even the strain.

In situations of **high wind speeds**, any vessel berthed on East Quay may be required to shift to another berth or go out to sea during the arrival or departure of a Car Ferry. To this end all vessels must be maintained in a state of readiness for sea at one hour’s notice. Cargo vessels must ensure they have sufficient displacement and reasonable trim always to be able to safely shift. Under no circumstances may any vessel be immobilised without specific permission of the Harbour Master.

All vessels must provide a 24/7 mobile phone number in order that Port Control can contact the Master/Duty Mate at any time.

Larger vessels such as crane barges and bunker barges require the presence of the Duty Officer to be on site for berthing/shifting/unberthing. Shifting ship, no matter how far along the quay, requires permission to do so from Port Control. If any mooring lines are to be let go during the procedure, then the Duty Pilot must be informed and he will assess if it is safe for the vessel to do so and if a Pilot is required to be onboard. NPP linesmen are to be in attendance for shifting. Shifting to another berth requires a Pilot. If the engine/s are to be used – then a Pilot is required.

Masters and others in charge of vessels are requested to report to Newhaven Radio on VHF channel 12 the location/position of any floating **objects/debris** seen in or around the Harbour area, which may constitute a danger to safe navigation. Instances of **Oil Pollution** must be reported immediately.

Crew members/pedestrian visitors walking around the East Quay area of Newhaven Port are advised to **be aware** of moving plant, vehicles and forklift trucks. Site Rules are displayed at Port entrances.

Crew members and others are also advised of the requirement to wear **lifejackets** when near the quay edges of Newhaven Port. A yellow line painted on the quayside indicates the area where the wearing of lifejackets is compulsory.

The Port Authority has **procedures** in place and so must be informed and permission given/permits issued before any of the following operations take place within the Harbour: -

Bunkering, sludge discharge, fresh-watering, diving, hotwork, shifting, emergency drills, immobilisation, landing of garbage, cranework, any quayside activities, overside maintenance.

When **bunkering** (see *Marine Risk Assessments*) is carried out by **bunker barge or from road tanker over the quayside**, it is the responsibility of the vessel Master to report to Port Control when operations commence and complete. It is the responsibility of the Master and bunker supplier to ensure that a Bunkering Checklist is completed prior to operations commencing. Port Control will monitor the area closely whilst bunker operations are in progress and the Duty Officer will be in attendance at some stage of the operation. Vessel crew are expected to monitor and notify Port Control if they see any pollution occurring and take such action as possible to mitigate it. If pollution does occur, the Harbour Master is empowered to detain the vessel until MCA Officers arrive. If by bunker barge, the Duty Pilot will monitor that the bunkering checklist has been completed satisfactorily. **Bunkering at night to be approved by the Harbour Master in advance.** A record of volume of bunkers received is entered in the PORTZ system and in the Logbook by the Port Control/Duty Officer.

The procedures for the transfer of **sludge/oily water** are to be the same as for bunkering.

The provision of **fresh water** is an operation carried out by NPP staff. (*Marine Risk Assessments apply*). A record of volume of fresh water taken is entered in the PORTZ system and in the Logbook by the Port Control/Duty Officer.

Whilst alongside, **communications** with Port Control on VHF channel 12 must be maintained at all times,

The landing of waste at Newhaven is as per the **Waste Management Plan** (on the website at www.newhavenport.com or available from the Harbour Master/Port Control). Receipts are issued for waste landed. All paperwork must be retained for 3 years for general waste and 5 years for hazardous waste. The Port Operations Supervisor will collate the waste information and produce a monthly report for the Harbour Master. The information is also entered into the PORTZ system by Port Control. **If a vessel has declared it will land waste, the Port Control Officer/Duty Officer will arrange for collection.**

It is a **criminal offence** for anything to be discarded from a vessel onto the quayside or overboard into the river (scrap metal/wood/fish/wires/ropes/general garbage/etc...). The Environmental Protection Act 1990 and the Environmental Permitting Regulations 2010 apply (enforceable by the EA), in addition to the Harbour's own legislation.

The **departure of vessels** will be monitored by Port Control on CCTV, GeoVS Display and visually and the berth inspected as soon as possible after departure by the Duty Officer/Port Control Officer. Any **damage** to ladders, piles or quay wall, will result in the Duty Officer/Port Control Officer/Harbour Master, issuing a "*Reserves for Damage*" (**See Appendix 10**) to the Master of the vessel responsible for damage (if known) and will organise the repairs.

The Duty Officer/Port Control Officer is to ensure that the quayside is **cleared of** any waste and other debris as soon as possible.

Masters/Skippers/Owners of vessels that disregard the Port rules and regulations or act in an irresponsible or inappropriate manner, may be punished in the form of fines, levied according to the severity of the breach/action. This may be in addition to any costs incurred by the Port in putting right the consequences of any breach/action and off-charging these costs to the offender. Examples are the illegitimate dumping of waste/unwanted materials, conducting hot work without permission, leaving the berth in an untidy/dirty condition, leaving a vessel unattended at East Quay, etc... Any action taken will be at the discretion of the Harbour Master.

See Appendix 18 for PSS/HSE guidance on "Safe Access & Egress", "Water Safety in Ports" and "Access to small craft".

18.4 Alongside Rampion Quay:

The Rampion Quay consists of 120m of pontoons at the southern end of the East Quay and is leased and operated by Rampion Offshore Wind Ltd (ROW) for the purpose of mooring, crewing, servicing their Crew Transfer Vessels and for the embarkation of their passengers/technicians.

Crew Transfer Vessels (CTV's) moored on the pontoons are not permitted to be rafted-up, that is, no more than 1 vessel abreast. As the pontoon length is 120m, the maximum number of CTV's is likely to be 5 in number berthed north/south. There may be occasions when CTV's may raft up for brief periods for operational reasons, but under no circumstances will this be the normal routine, and **NEVER** when the Ferry or Cargo vessels are passing. CTV Master's have been instructed to ask permission from Port Control before rafting up.

It is the responsibility of ROW to ensure that their procedures cover all risks likely to be anticipated and that these are kept updated as lessons are learned/improvements are made. The CTV's on Rampion Quay will not be manned at all times and so it is the responsibility of the ROW Operations to stipulate in their procedures when the vessels have to be manned and when they need to be shifted off the pontoons for safety reasons. When left unmanned and also when ferry/commercial movements are expected, the moorings will be doubled up.

The ROW Operations Manager is responsible for ensuring that mooring arrangements are robust; making frequent checks; and for implementing proper training for the crews to ensure their vessels are well secured. He is also responsible for ensuring that the vessels and crews are properly certificated and for providing the Harbour Master with the evidence of this.

ROW Operations Manager will ensure that up to date RAMS and Operational Procedures are provided to the Harbour Master for the operation of the Rampion Quay CTV operations and copies will be held by Port Control.

However, notwithstanding the operational procedures and RAMS supplied by ROW, the Port Control Officers and Duty Officers have the Harbour Master's delegated power of direction and if there is any doubt as to the safety of the CTV's, pontoons or that of other vessels transiting the harbour due to weather conditions, tidal conditions or for any other reason, he will notify the ROW Duty Officer, NPP Duty Officer and the Harbour Master of his concerns in sufficient time for the CTV's to be manned/shifted/re-secured or the Pontoons shifted/re-secured, as the case may be.

The ROW Rampion Quay RAMS/Procedures will cover crew and passenger movement; moorings; bunkering; oil spill; fresh water supply; transfer of garbage, sewage, oily water and sludge; hot works; cargo and stores transfer; dangerous goods; communications;

CTV's will call Port Control (Callsign Newhaven Radio) on VHF Channel 12, regardless of the signal lights, and request permission to enter, depart or shift. They will also call Port Control at the start and completion of bunkering.

18.5 Alongside Marina Visitors Jetty, Fuel Jetty and West Quay:

Only mono-hulled vessels are permitted to berth on the Marina Visitors Jetty eastern side, except at the very southern end, where one multi-hulled vessel may berth with a maximum beam of 10m. This is to ensure that the Ferry swinging circle is kept clear of obstructions. No vessels are permitted to be berthed on the eastern side of A-Jetty particularly when ferry is to swing on departure as they will be demolished by the ferry.

The Port Control Officers and Duty Officers have the Harbour Master's delegated power of direction and if there is any doubt as to the safety of vessels in the harbour for whatever reason, he will notify the owner/skipper and direct them accordingly. He will then notify the Duty Officer and the Harbour Master of his concerns and actions.

Vessels using the Marina Fuel Jetty are covered by the Marina's own procedures. Two craft may be rafted alongside the Fuel Jetty subject to the requirement for the outboard vessel to shift if required for the passage of a North Quay cargo vessel in bad weather conditions.

Only registered fishing vessels complying with the Small Fishing Vessel Code and holding a valid MCA certificate of inspection renewed every 5 years, may berth on the fishing stages along West Quay (from Marina Fuel Jetty to the A259 Swingbridge). All vessels must be either registered with NPP or Newhaven Fish & Flake Ice Society (NFFI) and all vessels

must comply with the NPP T&C's of using the Harbour. It is a strict requirement that the Port Authority hold the most up to date ownership, contact details and proof of valid insurance.

See Appendix 18 for PSS/HSE guidance on “Safe Access & Egress”, “Water Safety in Ports” and “Access to small craft”.

18.6 Alongside No.2 RoRo Berth:

Vessels may be assigned a berth at No.2 RoRo subject to Harbour Master's approval and depending on size and type of vessel.

Generally, there is no access to the shore from No.2 RoRo unless by arranged boat or following LCT's security procedures and risk assessments must be carried out.

18.7 Swingbridge Procedures:

The **clearance** under the A259 swingbridge is 8m minus the tide gauge reading. Vessels considering transiting under the bridge therefore need to measure their air draft to calculate whether they can safely navigate under the bridge.

Fishing vessels, larger cruisers and yachts will probably require the swingbridge to be **opened** to allow transit.

Masters/Skippers requiring a bridge opening should **contact** Newhaven Port Control (*Callsign Newhaven Radio*) on VHF channel 12 or by phone on 01273 612926, preferably 12 hours in advance. The absolute minimum notice required to book a bridge opening is 3 hours.

If a **commercial vessel** is due to manoeuvre through the bridge on the next high water period, then any other vessel must utilise the bridge times set by the Pilots and advertised on the Port Website at www.newhavenport.com

Bridge times are also advertised at the **Bridge Control Hut** as soon as they are known or can be obtained by contacting Port Control as above.

If there are no commercial traffic openings, then a **single opening** can be arranged with Port Control for the next predicted **high-water** time. All vessels will then transit the bridge at the same opening time, abiding by the Collision Regulations, i.e. keeping to the starboard side of the channel.

Once the bridge times are known, Port Control will **notify** interested parties by email and will ensure that the Ambulance and Fire Control Centres are advised in sufficient time. The East Sussex County Council Duty Swingbridge Engineer is also informed and will normally attend daylight openings and be on call for night-time openings in case of technical problems.

The Swingbridge is owned and maintained by East Sussex County Council but operated by trained NPP staff. Their callsign is “**Bridge Control**”.

Bridge Control will be in position at the Bridge Control Hut 10 minutes prior to the scheduled opening time and will be listening on VHF channel 12.

All vessels transiting the bridge are strongly advised to be listening on **VHF Channel 12** in case Bridge Control needs to contact them.

Bridge Control will open the bridge at the **scheduled time** and keep it open for the shortest time possible to allow safe transit. Vessels should be ready to transit at that time. Any vessel not sufficiently closed up to the bridge area and ready to transit may find the bridge will be closed again before they arrive and they will have to rebook a bridge opening for the next high water. This is due to the A259 being a busy road and the longer the bridge remains open, the larger the queued road traffic becomes, causing serious disruption.

Vessels shall not navigate through the bridge channel until the bridge is fully open. The signal lights will show green to confirm the bridge is fully open. This procedure is in place to avoid the possibility of a collision between a vessel and the bridge in the unlikely event that the opening sequence fails to complete.

18.8 Lifeboats/Rescue Boats:

Lifeboats and Rescue Boats are subject to the same **speed limits** within the harbour as any other vessel.

However, if due to the serious nature of the incident they are attending to, the Coxswain may request **permission** from Newhaven Radio to depart at speed.

Port Control have the Harbour Master's authority to grant that permission, but only if the Outer Channel **is clear** of other vessels that may be affected by the bow wave and wash.

Under no circumstances may the lifeboat/rescue boat proceed faster than **5 knots** anywhere north of the "Beach Hut" Fl.R.5s light on the western bank (i.e. the north end of The Narrows). Serious damage can occur to other vessels and structures if this is not adhered to,

If entering with injured person/s onboard, the same rules apply, in that, permission must be obtained; the channel clear of other vessels that may be affected by the bow wave and wash; and the 5 knots is observed north of The Narrows.

Two craft may be rafted alongside the Lifeboat Jetty with the permission of the Harbour Master, subject to the requirement for the outboard vessel to shift if required for the passage of a North Quay cargo vessel.

Section 19

Conservancy and Wreck Procedures

19.1 Conservancy:

NPP has a duty to conserve the harbour so that it is fit for use as a Port, and a duty of reasonable care to see that the harbour is in a fit condition for a vessel to utilise it safely. They have a duty to provide users with adequate information about conditions in the harbour. This duty covers several specific requirements:-

- To survey as regularly as necessary and find the best navigable channel.
- To place and maintain navigational marks in the optimum positions, which are suitable for all conditions.
- To keep a vigilant watch for any changes in the sea or riverbed affecting the channel and move or renew navigation marks as appropriate.
- To keep proper hydrographic and hydrological records.
- To ensure that hydrographic information is published in a timely manner.
- To provide regular returns and other information about the Authority's local aids to navigation as the General Lighthouse Authority may require.
- To have an agreement in place with the UKHO for exchange of information.

Where there is a certain depth of water at a part of the harbour over which vessels may be obliged to pass, NPP will use reasonable care to provide that the approaches to that part are sufficient or give warning that the advertised depth has not been maintained. NPP will supply the UK Hydrographic Office (UKHO) with information that may be needed for their Admiralty charts and other publications.

19.1.1 Aids to Navigation (AtoN)

The General Lighthouse Authority (GLA) for the UK is Trinity House and they are responsible for the superintendence and management of all lighthouses, buoys and beacons. They have a duty to inspect all AtoN belonging to, or under the management of a Local Lighthouse Authority (LLA).

They may also give directions concerning the provision and positioning of aids to navigation. Newhaven Harbour Authority is a LLA and has the power to carry out and maintain the marking or lighting of any part of the harbour. It cannot, without the consent of the GLA, erect, remove or vary the character of any lighthouse, buoy or beacon.

All AtoN maintained by the Port Authority must be maintained in accordance with the availability criteria laid down by the GLA and must be subject to periodic review. The characteristics of the AtoN must comply with the International Association of Lighthouse Authorities (IALA) Guidelines and Recommendations. Information and periodic returns must be supplied, when required, to the GLA.

The Port Authority continuously monitors the AtoN and will endeavour to rectify any faults as soon as possible using in-house staff or contractors if applicable. Significant disruption to the provision of any AtoN will be reported to Solent Coastguard and information disseminated to Port Users.

Monitoring is carried out continuously by the Pilots, PEC Holders and Pilot Boat crew as part of their duties when transiting the harbour. Port Control Officers carry out a daily inspection of all navigational aids by cctv and record such in a logbook.

A record of all faults and defects are kept by Port Control in the dedicated logbook.

The Deputy Harbour Master is responsible for keeping Trinity House advised of the availability of each AtoN by reporting faults using the online PANAR system and reporting to the Harbour Master.

A Trinity House Inspector of Seamarks also carries out an on-site annual inspection of the navigational aids to ensure the continuing compliance with IALA and GLA requirements, and to ensure compliance with the MS ACT 1995 and the Port Marine Safety Code. A periodic audit is also carried out by a Trinity House Inspector.

19.1.2 Hydrographic Surveying

The Port has its own hydrographic survey team capable of checking the depths available within the harbour on a frequent and regular basis, particularly when most needed after a spell of bad weather which may have caused siltation. A dedicated survey vessel is used to carry out the surveys and is Harbour Authority self-certified fit for use within the harbour limits. The experience and knowledge of the survey team is continually improved through training courses providing certification and on the job training.

An independent audit is carried out at maximum of 3 year intervals by a qualified hydrographic surveyor from Channel Surveys Ltd to ensure Port Marine Safety Code Compliance with regards to the competence of the surveyors, the quality of the methods and equipment used. The independent surveyor is also available to assist the survey team with any queries or problems encountered at any time throughout the year and provides tuition for continuing competence development.

The most up to date hydrographic material and information can be obtained from the Harbour Master and from Port Control. Regular survey charts are sent to the Pilots, PEC Holders, major port users and to the UK Hydrographic Office. A schedule of surveys for the forthcoming year is sent to the UKHO at the beginning of the year together with the historical records of the previous year.

The Port is divided into the following areas for surveying purposes:-

- 1/. Outer Port – from just south of the Breakwater to the Narrows.
- 2/. Inner Port – from Narrows to No.2 RoRo berth.
- 3/. Plan 3 – from No.2 RoRo berth to Swingbridge.
- 4/. Plan 4 – from Swingbridge to North Quay No.5 berth.

Other areas surveyed periodically are the Western Bight, west of the western breakwater, east of the east pier, The Marina, and the Outer Harbour Limits including the Dredge Disposal Site.

It is standard procedure to conduct surveys of the Outer Port following bad weather and at intervals of approximately two to three weeks in settled fair weather. This is to ensure safe passage for the ferries, which are the largest and deepest vessels presently using the harbour.

The published depth for the channel and No.1 RoRo berth is 6.0m below chart datum and so this is the normal Control Depth promulgated by the Harbour Master to the Pilots and PEC Holders. This is the minimum depth actually achieved following a dredging campaign and actual depths range from 6.0m to 7.0m.

If the hydrographic survey shows a loss of depth, or during a period of bad weather where siltation is anticipated, the Harbour Master reduces the Control Depths accordingly to ensure the ferries have adequate underkeel clearance. The Harbour Master will make his decisions based on safety and will not be pressurised by commercial factors.

19.2 Wreck Procedures:

In the event of a vessel becoming a wreck in or near the approaches to the harbour, the process of removing the wreck by the Harbour Authority is laid down in Section 252 of the MS Act 1995.

Harbour Authorities must 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. They have a duty to have regard to the environment in the exercise of this and all other duties and powers. A risk assessment should be undertaken for any wreck in or near the harbour approaches and the Authority's powers to mark, raise, remove and destroy a wreck should be exercised having regard to that assessment, with the aim of reducing the risk to as low as reasonably practicable. Solent Coastguard, Trinity House, UKHO and the MCA Receiver of Wrecks must all be consulted.

If a vessel is abandoned, or if the owner has made no valid attempt to remove a vessel that has been sunk or stranded, then the Harbour Authority may act to raise, remove and/or destroy the vessel if it is an obstruction or danger to navigation (MS Act s252).

The Harbour Authority may remove any unserviceable vessel from the harbour limits when it presents a risk to safety (Harbours, Docks & Piers Clauses Act 1847).

Any unmanned vessel entering the Port under tow from another vessel has effectively been salvaged, and the full responsibility for the safety and recovery of the unmanned towed vessel lies with the towing vessel (the salvor). If the unmanned vessel subsequently sinks in the harbour, the salvor is legally responsible for recovering the vessel/wreck.

When a vessel offers a tow to a manned vessel in difficulty, there is still the Master of that towed vessel onboard and he remains responsible for his craft. If the Master of the towed vessel did not convey the severity of his circumstances to the towing vessel and he sank in the harbour, he would be responsible for recovering the vessel/wreck.

No vessel on fire, in danger of sinking, or causing pollution, will be moved or brought into the harbour without the specific authority of the Harbour Master. Vessels on fire or in danger of sinking will be directed to beach themselves to the east of the East Pier or to the west of the West Breakwater so that the Port's main shipping channel is not jeopardised.

The Harbour Authority keeps a stock of yellow buoys with chain and anchors ready to be deployed to mark a wreck or obstruction. The SOS Danbuoys kept on the pilot vessels can also be used to indicate the position. The Pilot Boat crews are trained in deployment of these.

The removal of wrecks, obstructions or unserviceable vessels will be carried out using recognised Marine Services Companies with MCA coded vessels.

Section 20

Towage Procedures

NPP does not have a **tug** on immediate notice. The Workboat/Pilot Boat may be used to assist vessels with permission of Harbour Master or Pilots and subject to the comments below. With a minimum of 12 hours' notice and weather permitting, the Tugs Acamar (10t), Adurni (10t) or Runner (2t) may be available. (*Maximum bollard- pull in brackets*).

The Workboat/Pilot Vessel "**Magnus Musson**" is a 9m steel constructed craft with a displacement of 12 tonnes and twin 120hp Mermaid Diesels. The vessel is immediately available subject to crew call-out time. The Magnus Musson shall only be used for pushing other vessels. Small craft (less than 10 tonnes displacement) may be towed using suitable rope in emergency situations only. A supply of suitable rope will be kept onboard for such an occasion and will be regularly checked for wear and tear. When towing, the crew will be inside the cabin with all watertight closings secured.

There is an agreement in place with Shoreham Port for the services of their tugs, "**The Acamar and Adurni**" if required in an emergency or on a properly placed contract term. The ability to provide this service is weather and operational duties permitting.

The Tugs are 16m twin screw multipurpose harbour/coastal tugs, capable of straight tows and passive escort. They have a 10-tonne bollard pull.

The **Towing Launch Runner** is 10m x 3.5m x 1.2m with 2t bollard pull and is owned by Sub-Search Marine Services, and moored in The Creek at Denton Island, Newhaven. The availability of this tug is tidal dependent and therefore notice (preferably 12 hours) is required to shift into the main harbour and be ready for operational use.

Visiting tugs with tows are covered by a specific risk assessment and subject to the following rules: -

A Pilot is required if the combined length of the tug, tow line and tow is 49m or over. All other commercial towage operations (towing, pushing or on-the-hip), no matter what the size of the vessels involved, will be approved by the Harbour Master before the operation commences within the Harbour Limits and are likely to be subject to pilotage. Each operation will be assessed by the Harbour Master and he may decide if one or more Pilots are required and/or the Pilot Vessel/additional tugs are required to escort/assist.

Although tug assistance (if available) is sometimes necessary to assist in the manoeuvring of vessels, particularly with easterly winds on large windage vessels, the Pilots, PEC's and Tug Masters must bear in mind the effect that the tug wash may have on the Marina and other vessels. Except in an emergency, the Marina staff must be advised of the possibility of excessive wash prior to the operation commencing, and the Pilot Vessel must be used to check the visitor's pontoons are clear of persons and to warn any vessels berthed at the pontoons and in the vicinity.

Local small tugs and workboats may be called upon to assist by the Harbour Master. If pilots are used, the Senior Pilot will be the Tow Master for the operation and will be the person in charge, unless specifically stated otherwise during the operation pre-brief. All parties to know who is in overall charge of any towage operation.

A **pre-brief** will be held before all major commercial towage operations, involving the Harbour Master, Pilots, Tug Master and/or a marine representative from the towage company. A specific risk assessment will be carried out if the Harbour Master considers it necessary and if the towage operation involves dead tows, unusual objects or non-routine tows, a specific risk assessment must be done using the guidance contained in the PMSC GTGP section 10. **Operations may be restricted to certain states of the tide or certain weather conditions depending on the nature of the operation.**

<https://www.gov.uk/government/publications/a-guide-to-good-practice-on-port-marine-operations>

The UK Chamber of Shipping/British Tugowners Association **Pilots Pocket Guide and Checklist – Working safely with tugs**, has been issued to Newhaven Pilots. It gives specific guidance on:-

- Pilot – tug master exchange
- Best practice do's and don'ts for harbour towage
- Additional guidance on restricted visibility
- Guidance for assisted vessel crews
- Assisted vessel speeds
- Tug types
- Heaving lines
- Towing points and girting
- Interaction
- Escort towage
- Connecting and letting go
- Risks and hazards to consider
- Pilot and tug master discussion points

All visiting Tug Masters (tugs over 24m LOA) with tows, are required to have either an STCW Tug Master Certificate or STCW CoC with Voluntary Towage Endorsement.

For visiting tugs under 24m with tows, the Master/Skipper must have the appropriate certificate for the vessel (i.e. STCW Masters 200/500 or RYA Yachtmaster) plus a "towing and pushing" endorsement.

All tug crews must be suitably qualified for the size of vessel.

If in doubt, the Harbour Master will contact the MCA or the NWA (National Workboat Association) for advice.

Where **vessels of less than 24m** are being used for towing and/or pushing under the direct control of the Port Authority, have been risk assessed and are properly certificated and the crew properly qualified for the size of vessel, then they are exempt from the requirements to hold specific towing/pushing qualifications.

No towage operations are permitted in **restricted visibility** or unfavourable weather conditions.

The **effect of the wind** on tows should be taken into account when assessing the required number and power of the tugs. The windage area on some vessels can be substantial. A formula for calculating the required bollard pull is as below, where “A” is the windage area of the vessel in m² and “V” is the wind speed in m/sec. (1m/sec is approximately 2knots).

Required bollard pull (Kg) = 0.08 x A x V²

“Roughly speaking”:-

1/. Power of engine/thruster of **1000 HP** (750Kw) = **10 tonne** bollard pull (BP).

2/. An average East Quay scrap ship in ballast has a lateral windage area of approximately 500m² and so, in 30kts of wind would require a tug or combination of tugs and thrusters providing $0.08 \times 500 \times 15^2 = 9,000\text{kg} = 9\text{t}$ bollard pull.

3/. The Car Ferries Seven Sisters and Cote D’Albatre have a lateral windage area of 3180m² and so, in 30kts of wind would require a tug or combination of tugs and thrusters providing $0.08 \times 3180 \times 15^2 = 57,240\text{kg} = 57\text{t}$ bollard pull.

Section 21

Mooring Procedures

For the ferries, the responsibility for mooring and un-mooring lies with LCT (who operate under their own SMS and Risk Assessments) and the Ferry Master, although NPP retain an interest in the operation, being the Statutory Harbour Authority and landlord of the site. NPP remain responsible for inspecting the quaysides, ladders and bollards and keeping the “Lifejackets must be worn” signage and areas painted.

NPP employees or contractors (weekend boatmen), trained and certificated in Manual Handling and Quayside Operations, will be the linesmen who make-fast Commercial vessels. In normal circumstances, this will be the Pilot Boat crew, but if the Pilot Boat is required on the river during berthing, then extra person/s are required. This will have been organised prior to or at the pre-brief.

The advice given in the **PSS/HSE SIP005 – Guidance on Mooring (See Appendix 11)** will be taken by the linesmen and is promulgated to all staff involved in the task.

It is important for good communication to be established between the Pilot, linesmen and Port Control.

A standard mooring procedure requires a minimum of 2 persons on the quayside, both at night and during the day. However, specific circumstances may dictate more being required. For vessels berthing on No.2 RoRo, a minimum of 3 linesmen are required.

Any commercial vessel shifting ship, no matter how far along the quay, requires permission to do so from Port Control. If any mooring lines are to be let go during the procedure, then the Duty Pilot must be informed and he will assess if it is safe for the vessel to do so and if a Pilot is required to be onboard. NPP linesmen must be in attendance for all shifts.

Appropriate PPE and lifejackets must be worn when on the quaysides.

For **smaller vessels** such as Border Force, Survey vessels, Tugs, Workboats, CTV's and Fishing vessels, Port Control will ask if they require assistance to tie-up or let go. If they do require assistance, and it is between 1600hrs and 0800hrs, then the Duty Officer/Duty Port Operative/Pilot boat crew will be called out to assist and there will be a delay to berthing/unberthing. Hence the requirement for the vessel to give a minimum of 1 hours' notice.

If vessels do not require assistance, then Port Control must receive a copy of the vessel's **self-mooring risk assessment** in advance of berthing/unberthing and this needs to be checked by the Deputy Harbour Master/Harbour Master before permission is given to berth/depart. Port Control must then monitor the operation by CCTV.

If vessels **moorings** are deemed to be of inferior quality to cope with the range of tide and the movement of ferry/commercial traffic past the berth, then additional moorings from NPP store will be used and charged for.

Best practice for mooring larger vessels is always 1 mooring rope per bollard.

East Quay and No.1 RoRo Berth inspections are scheduled to be carried out on a regular basis by a competent person reporting to the Port Manager, Port Engineer and Harbour Master. The inspections include the condition of all bollards, ladders, fender piles and their fixings. Any damage to the quayside structure, ducts and inspection covers is also included in the inspection as is the general cleanliness and tidiness.

Mooring Plans for East Quay, No.1 RoRo and North Quay Berths 1 and 4 are included in [Appendix 14](#).

Section 22

Dangerous Goods and Fumigation Policy and Procedures

Under **The Dangerous Goods in Harbour Areas Regs 2016**, the Harbour Master has powers to prohibit the entry into the 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 onto the dock estates of dangerous substances brought from inland. The Harbour Master also has powers to regulate the movement of vessels carrying dangerous goods. Prior notice, normally 24 hours, must be given to bring dangerous substances into the harbour area from sea or land.

All vessels carrying dangerous goods must have a valid “**Document of Compliance to Carry Dangerous Goods**” (DoC DG) if the total quantity carried exceeds 30kg or 30 litres. This applies to all vessels no matter what the size of vessel. The document will list the classes of DG that can be carried and the associated equipment that must be fitted onboard.

Pilotage is compulsory for all vessels carrying dangerous goods.

At the present time, no **bulk dangerous goods** pass through the port. All dangerous goods are in packaged/limited quantities and carried as freight on the ferry. (However, see below on **Fumigation, Bunker barges and Workboats**).

Therefore, the **responsibility** for the safe passage through the Port of Dangerous Goods lies with the LCT Duty Officer, who must have all documentation to hand in case of an emergency incident.

There are **designated parking areas** for both export and import dangerous goods vehicles and the LCT Duty Officer is responsible for identifying where the Dangerous Goods are located within the Port and be able to convey that information if required at any time.

The **Harbour Master** will make random checks that the LCT procedures are working properly and raise any concerns to the LCT Management. A six-monthly meeting is also routinely held between NPP Management and LCT Management.

All LCT staff involved in dealing with freight check-in have been trained in the IMDG Code, this includes Duty Officers and Supervisors.

The stowage and segregation of dangerous goods **onboard the ferry** is the joint responsibility of Ferry Operator/LCT and the Ferry Master.

The **LCT Duty Officer** must have the documentation for the export dangerous goods ready to pass to Port Control immediately on departure.

Once the ferry **departs Dieppe**, the Dieppe Duty Officer sends to Port Control and LCT Duty Officer the following information:-

- Departure Notification Form, which gives the number of Dangerous Goods units onboard.
- Ships Manifest.
- Dangerous Goods Notes and Stowage Plan.

Upon receipt of the above, Port Control forward the dangerous goods notes to **SHESTO (Safety, Health, Environment, Security & Training Officer)** by email or printing off the sheets. The SHEST Officer checks each DG Note and enters the information into a DG database which is kept on file indefinitely. An annual breakdown is forwarded to the Harbour Master.

On immediate **departure from the berth in Newhaven**, LCT Port Ops will notify Port Control by UHF radio of number of dangerous goods units onboard. This information is entered in the *Daily Logbook*.

As soon as possible after departure, the **LCT Duty Officer** sends the following by email to Port Control and Dieppe: -

- Departure Notification Form which gives the number of Dangerous Goods units onboard.
- Ships Manifest.
- Dangerous Goods Notes and Stowage.

Port Control will, upon receipt of the above:-

- Forward the dangerous goods info to SHESTO (Safety, Health, Environment, Security & Training Officer) by email or printing off the sheets, also checking any faxed information.

The Car Ferries Seven Sisters and Cote D'Albatre are exempt from reporting DG's via the CERS system.

The Newhaven Harbour Emergency Plan states:-

"A record of all Dangerous Goods in the harbour must be kept up to date by the LCT Ferry Terminal Duty Officer and be available at all times to NPP staff and the Emergency Services. Dangerous goods must only be parked/stowed in the designated areas and the LCT Duty Officer is responsible for ensuring that this is the case and that all are correctly labelled. Only packaged goods/limited quantity goods are allowed to be carried on the present ferries. No bulk dangerous goods are handled at the Port. Tankers using the Port for repairs will be individually risk assessed."

Explosives

The Dangerous Goods in Harbour Areas Regulations 2016 prohibits, with certain exceptions, explosives from being brought into or handled in a harbour area unless such activities are covered by an explosives licence granted by HSE. Newhaven Port does not hold an Explosives Licence and can only handle explosives of limited danger/quantity as specified in the DGHA regs and the IMDG Code and listed below:-

- a). Explosives in IMDG Class 1, Division 1.4 (Substances and articles that present no significant hazard). This division comprises substances and articles which present only a small hazard in the event of ignition or initiation during transport. The effects are largely confined to the package and no projection of fragments of appreciable size or range is to be expected. An external fire must not cause virtually instantaneous explosion of almost the entire contents of the package.
- b). Explosives in any other Division of Class 1 (except in Compatibility Group L), where the total quantity does not exceed 10kg.
- c). Explosives that are to be used immediately by a vessel at sea.
- d). Explosives to be dumped at sea with the written consent of the MMO.
- e). Explosives of less than 1 tonne in quantity intended for immediate use within the harbour for harbour works or wreck dispersal, provided that the Harbour Master has given written consent.
- f). Explosives carried by any Warship or any other UK Government vessel.

Fumigation and other hazards

Although the bulk cargoes usually operated through Newhaven are not classed as dangerous goods, there may be occasions when a cargo arrives for discharge that has been fumigated at the loading port or on passage.

In these cases, the **fumigant** itself is classed as dangerous goods and under no circumstances must the vessel be discharged until a Fumigation Specialist Surveyor has inspected the vessel and produced a certificate proclaiming it is safe to discharge and the hold is gas free.

The Ship's owner or agent has the responsibility of arranging the surveyor, however, if this is not done, the Harbour Master will contact the British Pest Control Association and arrange the survey and off-charge to the ship's owner/agent.

Other types of **bulk cargoes** may not be listed as dangerous in themselves, but in certain circumstances and conditions may become dangerous or hazardous. The applicable regulations are the MS (Carriage of cargoes) Regulations, the International Maritime Solid Bulk Cargoes Code (IMSBC) and the International Maritime Dangerous Goods Code (IMDG). If any out-of-the-normal cargoes are booked for import or export from Newhaven, it is essential that the owner/agent provides the **Material Safety Data Sheets** for the cargo and the Harbour Master may seek expert advice before accepting the goods. A vessel must have a **valid certificate of fitness** to carry certain goods in bulk.

The PSS/HSE Guidance Notes on Solid Bulk cargoes (SIP007 and SIP008) are good references and explain the hazards associated with these cargoes ([Section 32](#)).

Examples of such hazards are spontaneous ignition, explosion, and reduction of oxygen in the atmosphere, production of /release of toxic/flammable gases, dust/chemical inhalation.

Bunker Barges/Tankers

Bunker barges/tankers carry fuel oil which is itself classed as dangerous goods.

All such vessels require a Pilot, regardless of size. **The pilot will check that the bunker check list is completed correctly.** The vessel will exhibit the international code of signals flag B and an all-round red light.

A cargo manifest and/or a tank statement must be supplied with the pre-arrival notification documents showing a list of the tanks onboard, quantities in each tank and type of fuel oil.

See further information in section 25.

Tankers requiring a lay-by berth for repairs or lay-up will be individually risk assessed as to the need to be gas free. Advice will be sought from ESFRS and the MCA.

Workboats

The carriage of DG's on workboats is treated in exactly the same way as any other vessel. The vessel must have been surveyed by the MCA and issued with a **“Document of Compliance to Carry Dangerous Goods”** (DoC DG) if the total quantity carried exceeds 30kg or 30 litres. The document will list the classes of DG that can be carried and the associated equipment that must be fitted onboard.

Section 23

Dredging Policy and Procedures

23.1 Introduction

To comply with the policies and procedures contained in Section 19 – Conservancy, NPP has to keep the harbour dredged to maintain the advertised depths for as much of the time as possible and to advertise any changes to the charted depths. NPP has a statutory power given in the Harbour Revision Order 1991 to dredge for the maintenance and improvement of navigable channels to ensure that vessels using the port may do so safely. Therefore, a Marine Licence from the MMO is not required. However, a Marine Licence is required to dispose of the dredged material in a designated area. This licence is issued after consultation with the Environment Agency, Natural England and the Crown Estates. Nobody else may dredge in the harbour without a licence issued by the Port Authority.

NPP usually contract with Boskalis Westminster Ltd to provide the services of whatever dredger is required to maintain those depths, although other reputable companies have and will be used as circumstances dictate. Normally this is satisfied by a Trailing Suction Dredger working with a Plough vessel for a 2-week campaign in October and February and a 1-week campaign in July. This does vary slightly from year to year depending on the weather and dredger availability.

In-between these campaigns, other Plough or Injection dredgers may be used throughout the harbour, but only with the Harbour Master's permission.

23.2 Method Statement for Dredging Operations

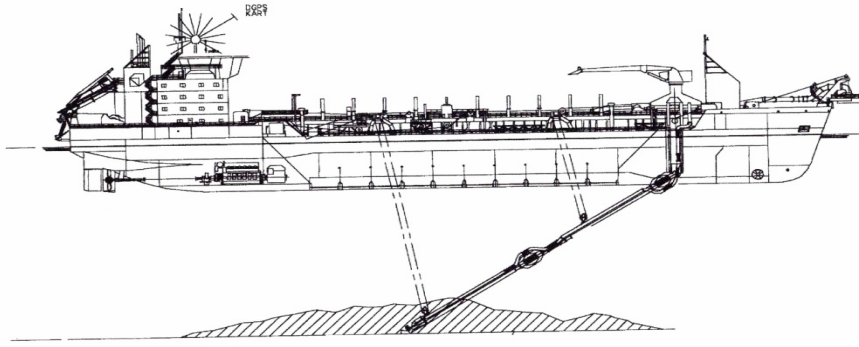
1. General

Maintenance dredging is required at the Port of Newhaven to maintain the operational depths in the approaches and berth pockets of the Port.

2. Maintenance Dredging Operations

2.1 Trailer Dredging

2.1.1 The trailer suction hopper dredger (tshd) will be the primary dredger carrying out the maintenance dredging operations.



2.1.2 The dredger lowers the suction pipe until the draghead rests on the seabed and sails through the dredging area, turning and lifting the pipe from the seabed as necessary, until a full load of silt (in suspension) is achieved. This is determined by reference to the ship's draught and displacement. The dredger will generally not overflow the hopper (to improve the load density) as this is not effective when dredging fine material. Upon completion of the loading, the dredger will sail to the licensed disposal area. The dredger will deposit the load by opening the bottom doors to release the material. After all the material has been dumped, the dredger will return to the dredge area to restart the cycle again.

2.1.3 Grids are fitted to the dragheads to prevent large objects entering the pump. The grids are matched to the pumps and vary in size/dimension depending on the dredger. These grids will prevent a significant amount of manmade debris from entering the draghead (and hence the hopper). When the dragheads become clogged, they are lifted to the deck and cleared of the debris. This debris is put in to a dedicated waste skip on board and transferred ashore when full for disposal. The crew will also remove any noticeable manmade debris from the hopper and deposit in the waste skip.

2.1.4 Overflowing will take place when dredging sandy material to increase the load (of sand) in the hopper well (i.e. sandy material will consolidate during the loading). The overflow water will be discharged through the designated (designed) pipe underneath the vessel (or on the side below the waterline depending on the design of the actual vessel used). Overflowing starts when the hopper fills to the overflow level. The loading is complete when the designed load limit is achieved. *(Note: Published literature confirms that plumes from dredging generally have minimal effect on the dredging & surrounding areas).*

Overflowing will not be used when dredging silt as the material does not consolidate in the hopper during the loading (i.e. no improvement to dredging).

2.1.5 Positioning information is obtained from the differential GPS receiver onboard. The dredge computer onboard displays all the information necessary for accurate dredging of the area. The positions of the vessel and the draghead are displayed, together with the latest survey information, which shows depths as different colour bands. The design dredge depths are shown as well as any other pertinent features such as coastline, navigation buoys and the disposal area limits. This information is displayed in both cross section and plan view to the Master and the pipe operator. Information from the dredge computer is continuously stored onto computer disc for future reference, and can be plotted out if necessary to show the movements of the dredger at any time. Other information can also be recorded such as draghead depth and vessel draught.

2.1.6 The trailer dredger will continue, on a 24hr basis, to methodically cover the prescribed area, supported by regular interim survey updates, until the design depth has been achieved.

2.2 Plough Dredging

2.2.1 Plough dredging is carried out in conjunction with trailer dredging and as a standalone bed levelling operation.

2.2.2 The plough vessel operates by lowering a beam, blade or box plough (depending on material) to the seabed and traversing the area with the plough set to the design depth. Positioning information is obtained from the differential GPS receiver onboard and the dredge computer, similar to that noted above (but simplified), displays all the information required for accurate ploughing of the area.

2.2.3 The plough vessel is an integral part of the trailer dredger operation as it improves the efficiency and effectiveness of the trailer work. The draghead of the trailer dredger creates 'tracks' (troughs & peaks) during the dredging work. The high & low spots reduce the contact area of the draghead and consequently reduces the dredging efficiency. The plough assists the process by levelling the bed, pulling material out of confined spaces that are not accessible to the trailer and reducing the height of peaks above the design depth.

2.2.4 Plough dredging is also carried out as a standalone operation between trailer dredging campaigns to reduce localised high spots that may have resulted from silt accretion.

3. Survey

3.1 Pre, Interim & Post Dredge Surveys

3.1.1 Immediately prior to a dredging campaign, a pre-dredge survey will be undertaken. This survey will serve as the baseline for the dredging works and will be supplied to the dredging vessels for use in the onboard dredge computers.

3.1.2 During the dredging works, interim surveys will be conducted as required to monitor and supervise the works. Each interim survey will be supplied to the dredger to update the onboard computers in order to optimise the works.

3.1.3 A post dredge survey will be conducted immediately following dredging operations, or following completion of a discrete section if applicable.

3.2 Monitoring Surveys will be carried out at the end of each campaign as a record of the work and level of the seabed. These survey charts will be reviewed by the Harbour Master.

3.3 Horizontal Control will be by Differential Global Positioning System (DGPS). Differential corrections will be provided by the nearest IALA Station. The GPS Receiver on board of the Survey Vessel will be checked for accuracy prior to deployment. Positions output will be in the OSGB 36 co-ordinate system.

3.4 Vertical control will be provided by a Radio Transmitting Tide Gauge installed at a suitable location close to the working area. The data will be continuously transmitted to the survey vessel and dredging plant. The transmitted levels will be checked regularly against a known Bench Mark relative to Chart Datum in order to ensure all readings are within acceptable tolerances. Vertical measurement will be provided by a precision single high frequency echosounder. This sounder will be calibrated by means of a bar check prior to any major survey being executed. All vertical measurements will be expressed relative to Chart Datum.

23.3 Licencing

The Harbour Master manages the dredging policy and will ensure that a valid MMO Marine Licence is in place to cover the areas to be dredged and the disposal site. This Marine Licence will be renewed every 3 years. He will ensure that all areas of the harbour included in the MMO dredge/disposal licence are dredged regularly to maintain “Maintenance dredging” status to avoid the areas falling into “Capital Dredge” status. Although subject to industry and legal challenge to the MMO, the time limit for this is 10 years.

The Harbour Master will ensure that copies of the licence are in place on all dredgers disposing of the material in the Disposal Site and a copy is held by Boskalis Westminster Operations Manager and any other dredging company representative.

The Harbour Master will inform the MMO of quantities of material deposited in the disposal site every 6 months or as per the terms of the licence and will ensure that all dredgers are notified to the MMO prior to commencing work. A local Notice to Mariners will be issued to advise Port users of the works. The MMO may require surveys of the disposal site to be carried out, but this is extremely weather dependant and are carried out to best endeavours.

23.4 Water Framework Directive (WFD)

In order to ensure full compliance with the Marine and Coastal Access Act 2010, NPP utilise the expertise of Royal Haskoning DHV to produce an up-to-date Water Framework Directive assessment for each 3 yearly licence application.

23.5 Marine Safety

The Harbour Master will issue a Notice to Mariners prior to operations commencing to inform all Port Users. All Masters of Plough Vessels and Injection Dredgers are to be familiar with the Port and undergo a pre-op briefing with the Harbour Master. All dredgers or other vessels of 49m or over will undertake training with a Pilot and obtain PEC's when the Pilots and Harbour Master are satisfied with their competence. The dredger will be issued with the latest port navigational risk assessment and procedures for dredging operations upon her arrival.

Port Control will closely monitor the operation and maintain close watch by CCTV and radar on other Port Users. The dredgers will display the correct signals as per the International Collision Regulations. There must be good coordination between the Ferry and the dredgers and Port Control will ensure this runs smoothly.

Moored vessels within the dredging areas will be moved as required.

Operations will be aborted if conditions become unfavourable due to visibility, weather or tide.

If any dredging operation involves the use of tugs to tow/push/assist barges or other dead/unusual vessels, then operations may be restricted to certain states of the tide or certain weather conditions depending on the nature of the operation.

Section 24

Diving Operations Policy and Procedures

Recreational Diving is not permitted within the Harbour Limits under the Newhaven Harbour Byelaws and Directions, and action will be taken against offenders. In order to facilitate the safe entry and exit of vessels using the harbour, diving operations are also not permitted within the harbour approaches. Any dive vessel operating commercially out of Newhaven must be licenced as a Small Commercial Vessel (see section 39). The Port Authority will report any vessel that raises concerns of safety to the MCA and HSE.

Commercial Diving Operations are not undertaken by Port Authority employees. Contact details of reputable local commercial diving companies can be provided upon request. Diving is considered to be one of the most dangerous occupations and is regulated by The Diving at Work Regulations 1997 and various HSE Approved Codes of Practice.

Permission to carry out a commercial diving project within harbour limits and approaches must be obtained from the Harbour Master and H&S Officer prior to operations commencing. A Permit to Work system is in place for such operations. **The Diving Contractor** must appoint a single **Diving Supervisor**, who must provide the Port Authority with proof of his qualification and certificate of medical fitness, along with those of all in the dive team. He must also provide copies of the Diving Project Plan and Risk assessments. Emergency contact details must be given.

The Harbour Master's permission can be assumed to have been given upon the issue of a Permit to Work, but such permission is subject to the Diving Regulations and Approved Codes of Practice being complied with. The permit to work is only valid for the times and dates entered upon it.

All vessels involved in the diving operation must display signals as per the International Code and must maintain a listening watch on VHF Channel 12. Communications must be established with Newhaven Port Control, callsign "Newhaven Radio", on channel 12, and regular updates of the operation passed to them.

The Harbour Master has a general responsibility to take **reasonable measures** to ensure that commercial diving projects within the harbour area are undertaken safely and in accordance with the regulations. This duty is limited to matters under the control of or within the knowledge of the Harbour Master, such as vessel movements, tides, noise disturbance and other known hazards.

Except in an emergency, the Harbour Master will issue a Local Notice to Mariners in advance of the project to inform other port users of the dangers and Port Control will inform users by VHF as and when required throughout the project. When the nature of any known hazards change during the project, the Harbour Master or those acting with his authority, will immediately inform the Diving Supervisor.

The Diving Regulations are enforced by the HSE, and where the Harbour Master becomes aware that the regulations are not being complied with, he will immediately report the matter to the Project Client and to the local HSE Diving Team Enforcement Officers. Where a vessel Master is not employed by the Diving Contractor, the Master has the responsibility for all activities carried out onboard their vessel. They should identify and discuss potential risks with the Diving Contractor during the preparation of the Diving Project Plan and recognise that the success of the diving project is dependent on close co-operation and consultation between responsible persons.

The Diving Regulations apply when at least one diver taking part is “at work”, whether as an employee or self-employed. The occasion whereby a diver operates for “no-pay”, (for instance to clear a fishing vessel’s fouled propeller), is a grey area, as he is engaged in a “work activity”. However, Newhaven Port Authority may choose to take action under the Harbour Byelaws and report the matter to the HSE.

References:-

The Diving at Work Regulations 1997, SI 1997/2776.

<http://www.legislation.gov.uk/ukSI/1997/2776/contents/made>

Port Skills & Safety Port Industry Guidance on the above regulations.

(Available to members login only. See Harbour Master or SHESTO)

HSE Commercial Diving Projects Approved Code of Practice L104 (revised 2014).

<http://www.hse.gov.uk/pubns/books/l104.htm>

HSE Recreational Diving Approved Code of Practice L105 (revised 2014)

<http://www.hse.gov.uk/pubns/books/l105.htm>

The Merchant Shipping (Diving Safety) Regulations 2002.

<http://www.legislation.gov.uk/ukSI/2002/1587/contents/made>

MSN 1762

<https://www.gov.uk/government/publications/msn-1762-the-merchant-shipping-diving-safety-regulations-2002>

MGN 424

<https://www.gov.uk/government/publications/mgn-424-safety-responsibilities-on-board-dive-boats>

Section 25

Bunkering Policy and Procedures

25.1 General

The Port Authority does not supply bunkers. Marine Gas Oil (diesel) is available for smaller vessels, up to 20m LOA, from Newhaven Marina Fuel Jetty and Newhaven Fish & Flake Ice Society Stage, both located on the West Quay. They must be contacted directly for information and charges. Newhaven Lifeboat Station also has a supply for RNLi vessels only. Rampion Offshore Windfarm have a tank on their East Quay site to supply vessels at the Rampion Quay. All 4 sites have adequate insurance cover for pollution incidents and have regular inspections of the equipment. Their Procedures have been inspected by the Harbour Master and up to date copies are available from the contacts below.

Rampion Quay Capacity	= 50,000litres	rampion.controlroom@rwe.com
Marina Tank Capacity	= 50,000litres	admin@newhavenmarina.co.uk
Fish Society Tank Capacity	= 54,200litres	newhavenfish@gmail.com
Lifeboat Station Tank Capacity	= 10,000litres	newhaven@rnli.org.uk

Fuel Oil Bunkering over the quayside at East Quay from **road tanker** is permitted by the Port Authority provided all safety procedures are adhered to as laid down in the relevant risk assessment and the **Bunkering Checklist** is correctly completed. The tanker drivers must sign in and out as **contractors/visitors** and must wear **lifejackets** on the quayside. The completed Bunkering Checklist is to be returned to Port Control and entered in the file. **On arrival at South Gate Security**, the road tanker driver will be instructed by the Security Staff to report to the Port Operations Office before proceeding to the quayside and the Security Staff will contact Port Control to notify them of the vehicle on site.

Bunker barges are sometimes used to supply larger vessels whilst alongside East Quay. These bunkering operations are exempt from the Ship to Ship Oil Transfer Regulations. A **cargo manifest or a tank statement** must be supplied with the pre-arrival notification documents showing a list of the tanks onboard, quantities in each tank and type of fuel oil. A **minimum of 3 hours' notice** in writing to the Harbour Master is required from any vessel to be bunkered and from the bunker barge itself, if operations are to take place between sunset and sunrise. **The Duty Pilot will monitor that the bunkering checklist has been completed satisfactorily. See section 25.2 below for further information.**

A vessel suspected of polluting the harbour will be detained by the Harbour Master pending investigation, clean-up operations and a sum of £255,000 being paid as security. **All vessels using the harbour must have sufficient insurance to cover salvage and pollution costs.**

The procedures for the transfer of sludge/oily water are to be the same as for bunkering. There is a charge for fuel oil and sludge/oily water pumped over the East Quay and the current rates are advertised on the website at www.newhavenport.com

25.2 Ferry Bunkering

When **bunkering** is carried out by **bunker barge or from road tanker over the quayside**, it is the responsibility of the ferry Master to report to Port Control when operations commence and complete. It is the responsibility of the ferry Master to ensure that a Bunkering Checklist is completed prior to operations commencing. Port Control will monitor the area closely whilst bunker operations are in progress and the Duty Officer will be in attendance at some stage of the operation. The Ferry crew and LCT staff are expected to notify Port Control if they see any pollution occurring and take such action as possible to mitigate it. If pollution does occur, the Harbour Master is empowered to detain the vessel until MCA Officers arrive. A record of volume of bunkers received is entered in the PORTZ system and an in the Logbook by the Port Control/Duty Officer.

If bunkering from **road tanker onboard** the ferry, it is the responsibility of LCT Operations Supervisor/Duty Officer to obtain and forward the documentation to Port Control in advance of the operation and to notify Port Control when the road tankers have embarked and disembarked from the ferry. Port Control will then promulgate this information to the Harbour Master, SHESTO and Duty Officer.

Bunkering Ferry by Bunker Barge

ADVANCE PLANNING

The bunker operating company must provide to the Harbour Master, copies of their Safety Management System (SMS) relevant to the vessel or vessels undertaking the bunker operations together with Risk Assessments & Method Statements (RAMS).

If bunkering is to take place at night, the SMS and RAMS must specifically cover this, or operations will not be permitted between Sunset and Sunrise.

The Vessel Class Certificate (Class), Safety Management Certificate (ISM) and International Oil Pollution Prevention Certificate (IOPC) must also be provided in advance.

The Ferry Master must also supply to the Harbour Master their up-to-date RAMS for bunkering procedures.

PRIOR TO ARRIVAL

A cargo manifest or a tank statement must be supplied with the pre-arrival notification documents showing a list of the tanks onboard, quantities in each tank and type of fuel oil.

PRIOR TO BUNKERING OPERATIONS

It is the responsibility of the Ferry Master to ensure that a Bunkering Checklist is completed with the Bunker Barge Master prior to operations commencing and the Newhaven Duty Pilot will confirm compliance of this to Port Control before leaving the vessel.

It is the responsibility of the Ferry Master to report to Port Control when operations commence and complete.

The Ferry crew and LCT staff are expected to notify Port Control if they see any pollution occurring and take such action as possible to mitigate it.

25.3 Commercial Vessels

When **bunkering** is carried out by **bunker barge or from road tanker over the quayside**, it is the responsibility of the vessel Master to report to Port Control when operations commence and complete. **It is the responsibility of the Master and bunker supplier to ensure that a Bunkering Checklist is completed prior to operations commencing.** Port Control will monitor the area closely whilst bunker operations are in progress and the Duty Officer will be in attendance at some stage of the operation. Vessel crew are expected to monitor and notify Port Control if they see any pollution occurring and take such action as possible to mitigate it. If pollution does occur, the Harbour Master is empowered to detain the vessel until MCA Officers arrive. **If by bunker barge, the Duty Pilot will monitor that the bunkering checklist has been completed satisfactorily before disembarking from the vessel. Bunkering at night to be approved by the Harbour Master in advance.** A record of volume of bunkers received is entered in the PORTZ system and in the Logbook by the Port Control/Duty Officer.

25.4 North Quay, Rampion Quay, West Quay and all other Berths/Moorings

Any transfer of oil/sludge/oily water over the quaysides must be reported to Port Control at the commencement and completion of operations.

The individual terminal/berth/mooring operators are responsible for having their own procedures and risk assessments in place and for providing staff with such training and equipment as required. Any spillage into the water or on the quayside must be reported to Port Control immediately.

Newhaven Marina and Rampion have agreements with Newhaven Port Authority that the Port, using their equipment, would assist in any fuel spillage deemed to require action. Newhaven Marina and Rampion have given an undertaking to reimburse Newhaven Port Authority for their costs in relation to assisting with a clean-up operation.

25.5 Training and Contingency Plan

NPP has in place an MCA approved Oil Spill Contingency Plan which is exercised as per the MCA requirements, reported and recorded.

All Marine Operations staff have been trained and certificated to MCA level 4P/5P (Supervisor) and/or 2P (Operative).

NPP have on-site sufficient oil spill equipment to satisfy a Tier 1 spill response and have a contract in place with Ambipar Response Ltd to provide Tier 2/3 response at the Port.

Section 26

Fresh Water Supply Policy and Procedures

Fresh water supply for vessels is available at East Quay.

NPP staff will supply the water at East Quay and will use designated fresh water hoses which will be passed to the vessel once they are flushed through. A minimum of two NPP personnel to be in attendance on the quayside for fresh water operations. Ship's staff are not permitted to carry out the operation themselves and to ensure this cannot happen, the hoses and connections are kept in a secure locker accessible by NPP staff only.

If the supply of fresh water to the ferry becomes a regular event, then Ferry crew may be allowed to supply themselves, but only after providing NPP with a Method Statement and Risk Assessment.

On completion of operations, the hoses are to be rolled up and stowed correctly in the secure locker. The Duty Officer or the Maintenance Supervisor are responsible for ensuring this is done. Under no circumstances are hoses to be left lying on the quayside when not in use.

Monthly sampling and testing of the water supply is undertaken by the Port Maintenance Supervisor, reporting to the Port Manager and to SHEST Officer.

The SHEST Officer is responsible for ensuring all fresh water hoses are sterilised on a six monthly basis and that damaged hoses are replaced.

Lifejackets must be worn on the quayside and lone-working during the hours of darkness on the quayside is not permitted.

There is a charge for the supply of fresh water from NPP and the current rates are advertised on the Port Authority Website at www.newhavenport.com

Other private facilities around the harbour exist for supplying their own and their client's/customer's smaller vessels with fresh water, namely Rampion Quay, Newhaven Marina and Fish & Flake Ice Society.

Section 27

Crane and Stevedoring Policy and Procedures

The Port Authority does not offer the services of loading or discharging of ships. Contact details of local **stevedoring** companies are available on the website or from the Harbour Master.

NPP uses the services of local **crane hire companies**. Third parties may request NPP to hire a crane on their behalf, for which NPP will charge at cost plus a 10% admin fee. Alternatively, subject to the requirements below, the third party may hire in their own crane.

1/. The quayside must be booked in advance by email to vts@newhavenport.com by the person accepting the charges.

2/. The crane company contract lift plans must be submitted to NPP H&S Officer/Harbour Master/Duty Officer in full by the Appointed Person prior to the crane setting up on site. Maximum ground loading must not exceed 12 tonnes/square metre (see example below).

3/. A Permit to Work will then be issued by NPP H&S Officer/Harbour Master/Duty Officer when crane plans have been approved. A fee is charged for the issue of the permit to work.

All lifts across the quayside must be planned by a qualified competent **Appointed Person (AP)** and supervised by a qualified competent **Lift Supervisor (LS)**.

The **Third Party** may appoint their own Appointed Person and Lift Supervisor, either from their own staff, an independent or through a full contract lift hire (with the crane company supplying the AP and LS). The Third Party must provide **evidence** of the AP/LS qualifications, together with the **Lift Plan**, to the SHEST Officer/Harbour Master/Duty Officer for approval. **Only then will a permit to work be issued.** There is a charge for the issue of a Permit to Work.

NPP also make a charge per tonne for items craned across the quayside.

The crane front pads must be set up on the East Quay rear rail, which is 4m from the quay edge. Allowing for the crane Centre of Slew (C.O.S.) being 3m from the pads, this means a standard radius of 7m must be allowed for up to the quay edge **plus** the distance of the load from the quayside. Crane mats must be used to distribute the load.

For example, a boat of 4m beam and 10 tonnes displacement is to be lifted out of the river. The radius required is therefore $7m + 2m = 9m$. Referring to the crane capacity guide in Appendix 16, a minimum of a 35 tonne crane is required to do the job. Note that a small increase in beam or displacement over these figures results in a 50 tonne crane being required.

The Crane Plan File and Permits to Work are kept by the SHEST Officer and on the internal server system. Lift plans and Permits are kept on record. An example of a Contract Lift Hire Plan with RAMS is shown in [Appendix 16](#) and the Permit to Work in [Appendix 20](#).

Crane pads must be used to spread the load to not exceed 12 tonnes/square metre.

Calculation of ground loading (example from a lift plan) :-

The calculated maximum outrigger loading = 20.0 tonnes

Use a crane mat size = 1.0m x 2.0m

Therefore, the maximum ground loading = 10.0 tonnes.

Section 28

Port Operations Working Hours Policy

The Port has been permitted to work cargo 24 hours a day, 7 days a week and 365 days a year throughout its very long history as an open port for the purpose of free trade. The UK has always been a proud maritime nation relying on its Ports for the import and export of goods.

Any cargo may therefore be discharged onto and loaded from any quay or wharf within the Harbour limits and may be moved around the quays of the harbour at any time of the day or night.

The Harbours, Docks and Piers Clauses Act of 1847, section 66, states that the Master of every vessel which shall go into the harbour for the purpose of being discharged, shall cause her to be so discharged as soon as is convenient and without loss of time. On this basis, it is the Port Authority's opinion that the same would apply to vessel's loading cargo.

Newhaven Port is a working Port, and the arrival and departure of vessels is dependent on berth availability, weather conditions, tidal conditions, and the strict terms of the vessel contract of hire or charter. This means that cargo operations cannot be limited to normal office hours.

Because of the constraints listed above, which are particular to the Ports Industry, and due to the importance of ports to allow for the movement of goods into and out of the UK, ports benefit from permitted development rights, which covers development that is allowed under legislation without the need for express planning permission. In other words, no planning application is required for 'permitted development'. At ports, the loading and discharge of goods by ships onto and out of the quay or wharf is permitted development and is not constrained by the times of day, week or month.

D C Collins-Williams

Capt. Dave Collins-Williams
Port Manager & Harbour Master
Newhaven Port.

Section 29

Permit to Work System & Licencing of Harbour Works Policy and Procedures

The Permit to Work system (Appendix 20) is fully explained in the SHE SMS, but is obviously relevant to both Shore and Marine activities. The marine system is applicable to the following activities:-

- 1/. Hot Work.
- 2/. Crane Lifts.
- 3/. Diving Operations.
- 4/. Working in Confined Spaces.
- 5/. Project Permit to Work

The SHEST Officer/Port Control Officer/ Duty Officer/Harbour Master will complete the Permit to Work in the presence of the person requiring it and both parties will sign the declaration. Inspections will be made of the applicant's qualifications (as appropriate), risk assessments and method statements for the work to be done. The person completing the permit to work will ensure that the Harbour Master, Port Control, SHESTO and Duty Officer are all aware of the work being permitted.

No Permit to Work is open-ended and must be time period specific.

Note: - Before a permit to work will be issued for hot work concerning a fuel tank or confined space, or any work on a tanker, unless otherwise approved by the Harbour Master, a gas free certificate must be produced.

A Harbour Works Licence is required for all works carried out within the harbour limits by parties' other than NPP that may affect the safe navigation of the harbour, the infrastructure or environment contained therein/adjacent to, or the normal day to day Port Operations.

Initial contact must be made to the Harbour Master who will issue an Application for Harbour Works form. This form must be completed and returned to the Harbour Master with all documentation required as below.

A Project Permit to Work system is in place for projects withing the NPP ownership boundary carried out by external contractors. The contractor must complete the PTW and submit to the Port Engineer together with a full set of RAMS. Once the Port Engineer has approved the PTW it is forwarded to the SHEST Officer for validating. Finally, it is signed off by the Harbour Master/Port Manager and issued to the contractor.

Application for a Licence for Works within the Newhaven Harbour Limits

Applicant Name:
Position:
Company:
Address:
Phone:
Email:
Location of proposed Works:
Proposed Works on behalf of:
Brief description of proposed Works:

A Licence will be issued only when the following have been provided to the Port Authority at the address below:-

- 1/. Payment of the licence application fee of £500.
- 2/. Method Statement
- 3/. Risk Assessments
- 4/. Details of CDM Co-Ordinator (or state why not considered applicable)
- 5/. Licence/Consent from MMO (or state why not considered applicable)
- 6/. Licence/Consent from EA (or state why not considered applicable)
- 7/. Proof of Consultation and Consent of Natural England and Crown Estates (or state why not considered applicable)
- 8/. Approval from Lewes District Council or East Sussex County Council (or state why not considered applicable)
- 9/. Proof of Professional Indemnity and Third-Party Liability Insurance

If the Licence is granted, the Applicant must agree to carry out the works as specified in the licences, consents and advice issued by the relevant Authorities and Agencies and in a manner as described within the Method Statement. The applicant must agree to have an effective Safety Management System in place, including the use of risk assessments and will abide by all Health & Safety Law including the CDM Regulations. The applicant must agree to remove any part of the works that become, or cause, an obstruction or danger to navigation or port operations during the programme of the works and after completion of the works if such works are attributable to the obstruction or danger so caused.

If the Licence is granted, the Applicant must advise NPP in writing or by email not less than 48 hours prior to the commencement of works and must allow NPP access to the works site throughout the works period. On completion of the works the Applicant must immediately inform NPP and then provide NPP with all documents that are required under the CDM Regulations and with plans showing the new structure/area both in hard copy and electronically.

Once the Licence is issued, failure to comply with any of the terms and provisions of the licences, consents, approvals or advice of the authorities or agencies OR a failure to comply with any relevant legislation will result in a failure to comply with the provisions of the NPP licence and the NPP licence will be suspended and all works must stop until compliance has been proven and permission granted to resume the works. NPP reserves the right to prosecute for any breaches of legislation.

If all the supporting documentation has been provided and found to be in order, and the Port Authority see fit to approve the works, the Licence for Works will be issued as soon as reasonably practicable once payment has been made.

Captain Dave Collins-Williams
Harbour Master/Port Manager
Newhaven Port & Properties Ltd
Admin Offices
East Quay
Newhaven
BN9 0BN.
Phone: 01273 616073/612926
Email: harbour.master@newhavenport.com

Licence for Works within the Newhaven Harbour Limits

Newhaven Port & Properties Ltd (NPP), as the Statutory Harbour Authority for the Port of Newhaven, East Sussex, with registered offices at Admin Offices, East Quay, Newhaven, BN9 0BN, do hereby grant this licence for works occurring within the boundaries of the Harbour Limits as empowered to do so under The Sealink (Transfer of Newhaven Harbour) Harbour Revision Order 1991. This Licence is valid for **6 months** from the date below but may be extended upon application. Both copies of this Licence must be signed and one copy returned to The Harbour Master at NPP before works may commence.

This Licence has been issued to The Licensee (the Company conducting the works) named below to carry out the works summarised below and in the location indicated below. The granting of this licence was dependant on the licensee completing an Application form and supplying the following to NPP; copies of which will be kept on file:-

- 1/. Payment of the licence application fee of £500.
- 2/. Method Statement
- 3/. Risk Assessments
- 4/. Details of CDM Co-Ordinator
- 5/. Licence/Consent from MMO (Marine Management Organisation)
- 6/. Licence/Consent from EA (Environment Agency)
- 7/. Proof of Consultation and Consent of Natural England and Crown Estates.
- 8/. Approval from Lewes District Council or East Sussex County Council (If required)
- 9/. Proof of Professional Indemnity and Third-Party Liability Insurance

The Licensee has agreed to carry out the works as specified in the licences, consents and advice issued by the relevant Authorities and Agencies and in a manner as described within the Method-Statement. The licensee has agreed to have an effective Safety Management System in place, including the use of risk assessments and will abide by all Health & Safety Law including the CDM Regulations. The licensee has agreed to remove or stop any part of the works that become, or cause, an obstruction or danger to navigation or to port operations during the programme of the works and after completion of the works if such works are attributable to the obstruction or danger so caused.

The Licensee must advise NPP in writing or by email not less than 48 hours prior to the commencement of works and must allow NPP access to the works site throughout the works period. On completion of the works the licensee must immediately inform NPP and then provide NPP with all documents that are required under the CDM Regulations and with plans showing the new structure/area both in hard copy and electronically.

Failure to comply with any of the terms and provisions of the licences, consents, approvals or advice of the authorities or agencies OR a failure to comply with any relevant legislation will result in a failure to comply with the provisions of this licence and this licence will be suspended and all works must stop until compliance has been proven and permission granted to resume the works. NPP reserves the right to prosecute for any breaches of legislation.

The Licensee **is** responsible and liable for, and NPP **are not** responsible or liable for:-

- 1/. Seeing the works through until satisfactory completion and conclusion.
- 2/. Informing the authorities, including NPP, of any pollution and remediating any new pollution occurring.
- 3/. Carrying out the works in a manner so as to cause as little nuisance and inconvenience as reasonably possible to the occupiers of neighbouring land and other Port users.
- 4/. Carrying out the works expeditiously and with the degree of skill, care and diligence as is reasonably to be expected of skilled, competent and properly qualified professional persons experienced in undertaking projects of similar size, scope and complexity as to the works.
- 5/. Taking all proper steps to ensure that the carrying out of the works does not make any neighbouring land or building unsafe or affect the safety of navigation or other port operations.
- 6/. Minimising the impact on the rights of navigation and liaising with NPP regarding the issue of Notice to Mariners.
- 7/. Removing any obstruction so caused within the harbour and rectifying the causes of the obstruction as soon as possible.
- 8/. Reporting any archaeological object discovered to NPP.
- 9/. Reporting any bombs or live ammunition to the Police and NPP.
- 10/. Indemnifying and keeping indemnified NPP in respect of any claims arising directly or indirectly in relation to the works from death, injury, pollution, damage, navigational obstructions, nuisance, disturbance, infringements of rights, breaches of terms of licences and consents and any environmental proceedings.
- 11/. Indemnifying and keeping indemnified NPP in respect of any fees and costs incurred arising out of or resulting from the carrying out of the works or any breach of non-compliance with any terms of this licence or the non-completion of the works specified by the Licensee resulting in NPP having to resolve and complete.

This Licence and any dispute or claim arising out of it or in connection with it or its subject matter shall be governed by and construed in accordance with the Law of England.

The parties irrevocably agree that the courts of England shall have exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this Licence or its subject matter.

This licence has been entered into on the date stated at the end of it and is valid for 6 months, although it may be extended by mutual consent.

Nothing contained in this Licence shall prejudice or affect any of the statutory rights, powers, duties and obligations for the time being vested in NPP as the Statutory Harbour Authority.

The Licensee (Company):-

The Works:-

The Location:-

Signed for NPP:

Captain Dave Collins-Williams
Harbour Master/Port Manager
Newhaven Port & Properties Ltd.

Signed for The Licensee:

Name:
Position:
Licensee (Company):

Issue date of this Licence for Works: -

(Valid for 6 months)

Section 30

Maintenance, Inspections, Asset Management, Action Plans & Defect Reporting Policy and Procedures

The Port Engineer is responsible for this aspect of the Port Operations, reporting to the Port Manager. When external expert advice or assistance is required, NPP uses the services of Beckett Rankine, Royal Haskoning DHV, Helmsley Orrell Partnership (HOP) or another suitably qualified and experienced civil engineer/marine contractor.

The day to day overseeing of the asset management system is carried out by the Deputy Harbour Master for marine assets and the Maintenance Supervisor for landside assets.

Routine maintenance of the Port infrastructure is carried out in-house as much as possible, with the Maintenance team and the Pilot Boat Crew. If required, the Port Control Officers and Duty Officers assist with specific works. Larger and/or more specialist works are carried out by contractors. All jobs are properly risk assessed before commencing works and the SHEST Officer checks and files copies of all contractors RAMS's and NPP "one-off jobs" RAMS's. Working with the Port Engineer, the SHEST Officer ensures that all relevant staff and port users are informed of the works.

The Maintenance Supervisor is responsible for assigning jobs for the Maintenance team and reporting directly to the Port Engineer on a weekly basis on progress.

The Deputy Harbour Master is responsible for assigning jobs and responsibilities for the Pilot Boat Crew and reporting directly to the Harbour Master on a weekly basis on progress.

Regular inspections are carried out covering the whole port by the Port Manager, Harbour Master, Port Engineer, SHEST Officer, Duty Officers and the Maintenance Supervisor. The Pilot Boat crew also conduct regular inspections of the harbour by boat.

Defects are reported either directly to the Maintenance team or via Port Control using a defect report form and emailed to the generic maintenance@newhavenport.com address. The person taking the corrective action or otherwise providing feedback completes the defect report form and circulates the completed form. The Admin Officer collates all the defects on the internal server system which can be viewed by Management. Any defect affecting Safety, Health, Environment or Security must also be passed to the SHEST Officer. When Port Control issue a defect note, this is recorded in the Port Control Logbook, together with the feedback action and closure. **An electronic asset management system has been implemented in September 2021 and will be utilised to enhance the above procedures in due course.**

The larger infrastructure maintenance projects are planned and budgeted for on an annual basis, with the budget year being from January to January. The Port Engineer produces and maintains a spreadsheet covering these scheduled works.

Maintenance meetings are held on a monthly basis and attended by the Port Manager, Harbour Master, Deputy Harbour Master, Port Engineer, SHEST Officer, Maintenance Supervisor and the Office/HR Manager.

The Port Marine Operations Checklist Register assigns the responsibilities and records the frequency and dates of inspections, surveys, routine maintenance tasks and meetings. The Harbour Master updates this register on a regular basis to the best of his ability, dependent on the feedback received from other departments. **The electronic asset management system will eventually supersede this system.**

Section 31

Inspection of Logbooks, Monthly Reports and Port Marine Operations Checklist Register/Asset Management

For the purposes of Port Marine Operations, the following logbooks are kept: -

1/. Port Control Logbook – For recording all notable events and the operational state of equipment and lighting. The shift times and names of the Duty Port Control Officer, Duty Officer and Pilot boat crew are recorded. The arrivals and departures of Ferries and Commercial vessels and swingbridge openings are also recorded.

2/. Port Control VHF Logbook – the time and brief description of all calls made between Newhaven Radio and Commercial/Ferry traffic.

3/. SHESTO Logbook – Maintained by SHESTO and records all inspections made, defects found, meetings attended and note-worthy events.

4/. Individual Port Authority Vessel Logbooks – maintained by the Pilot Boat crew noting all operations, checks and maintenance carried out. Overseen by the Deputy HM.

5/. Pilot boat crew - records of training, exercises, inspections of LSA and PPE, inspections of river and ladders. Overseen by the Deputy HM.

6/. Harbour Master's Diary – recording all notable events and inspections carried out.

The Harbour Master inspects all logbooks on a monthly basis and extracts from each the pertinent points which he uses to compose his **Monthly Harbour Master's Report** to the Port Manager. Monthly reports are also submitted to the Port Manager by the SHEST Officer, Port Engineer and Deputy Harbour Master. The Port Manager formulates all the reports and sends the **Port Manager monthly report** to the Duty Holder and Designated Person.

The full 12 months of reports are included in the **Harbour Master's Annual Report** to the Designated Person and the Duty Holder at the Management Review Meeting. The latest Checklist Register is also included in the Annual Report.

The **Port Marine Operations Checklist Register** assigns the responsibilities and records the frequency and dates of inspections, surveys, routine maintenance tasks and meetings. The Harbour Master updates this register on a regular basis, requesting input from the other departments. The Checklist also details what inspections need to be recorded in the respective logbooks. **The electronic asset management system will eventually supersede this system.**

Section 32

PSS/HSE Guidance on Port Operations

This guidance has been produced by the Ports Industry, with assistance from the Health & Safety Executive, to help those who have duties under health & safety legislation to identify key risks. This guidance also gives good examples of good practice, which Duty Holders can use to inform their risk assessments and procedures.

There are 3 sets of the Guidance Notes in hard copy, namely in the **Port Operations Office, the Workshops and in the Harbour Master's Office**. All NPP staff have been informed of their locations and the contents. A copy of the HSE Safety in Docks ACOP L148 is also included. The complete suite of guidance is available on the internal server in the MEGA folder.

Certain Guidance Notes have been distributed to specific personnel concerned, namely:-

SIP005 "Mooring Operations", SIP014 "Safe Access", SIP020 "Water Safety in Ports" and SIP021 "Access to Fishing Vessels and Small Craft", have been distributed to the Pilot Boat Crew and can be found in **Appendices 11 and 18**.

SIP009 "Lighting" has been distributed to the Port Electricians and can be found in **Appendix 12**.

SIP010 "RoRo and StoRo Operations" and SIP012 "RoRo Passenger and Cruise Operations" have been distributed to LCT Operations Management and Supervisors, and they have been made aware of the existence of the full suite on the Ports Skills & Safety website.

The full suite of Guidance Notes: -

SIP001 – Workplace Transport – Port & Terminal Planning.
SIP002 – General Cargo.
SIP003 – Container Handling.
SIP004 – Timber Handling.
SIP005 – Mooring Operations.
SIP006 – Transfer of Bulk Liquids.
SIP007 – Loading & Unloading of Dry Bulk Cargo.
SIP008 – Storage of Dry Bulk Cargo.
SIP009 – Lighting.
SIP010 – RoRo and StoRo Operations.
SIP011 – Sources of Occupational Health Information.
SIP012 – RoRo Passenger & Cruise Operations.
SIP013 – Managing Non-Permanent Employees.
SIP014 – Safe Access and Egress.
SIP015 – Confined Spaces in Ports.

SIP016 – Emergency Planning in Ports.

SIP017 – Management of fitness to work in Ports. (not yet published)

SIP018 – Safety Induction and Training in Ports. (not yet published)

SIP019 – guidance relocated to SIP020.

SIP020 – Water Safety and buoyancy equipment.

SIP021 – Safe access to Fishing Vessels and Small Craft.

SIP022 – Biomass.

The full suite of guidance notes are available at:-

<https://www.portskillsandsafety.co.uk/resources>

Section 33

Industry Notices and Publications

Information received by the Harbour Master and filed as necessary for future reference. Items of particular importance and /or interest will be forwarded to the relevant Staff and Stakeholders.

1/. BPA monthly newsletter, General Circulars, Ferry Ports Circulars, Regional Ports Circulars, Marine & Pilotage Circulars, Fishing Circulars, Security & Resilience circulars.

2/. PSS monthly newsletters and Safety Alerts. Adhoc messages of industry updates, statistics and interest.

3/. Merchant Shipping Notices, Marine Guidance Notices and Marine Information Notices (MSN, MGN, MIN).

4/. MAIB annual reports, accident and investigation reports, safety flyers.

5/. CHIRPS reports.

6/. MCA notices and letters.

7/. Trinity House Notice to Mariners.

8/. Other Ports/Marinas Notice to Mariners.

9/. UK Harbour Master's Association (UKHMA/SASHMA/SEHMA) bulletins.

10/. Department for Transport information notices.

11/. Maritime Lawyers Newsletters.

12/. Workboat Association Information and Safety Bulletins.

NPP Company procedures and information documents are kept fully up to date on the internal server MEGA folder to which all NPP staff have access to. This includes Marine SMS, Navigational and Marine H&S risk assessments, Marine safety Notices, rules and regulations, Safety, Health & Environment documents and notices.

Section 34

Waste Management Policy and Procedures

The Port Authority has a Waste Management Plan as required by the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003 and the Amendment Regulations of 2009 and 2016. These regulations are made under the MS Act 1995.

The Directives and Regulations stem from the International Convention for the Prevention of Pollution from Ships 1973, as modified by the protocol of 1978, commonly known as MARPOL 73/78.

European Commission Regulations No.1069/2009 and No.142/2011 covering International Catering Waste have been transposed into UK legislation as The Animal By-products (Enforcement) (England) Regulations 2013.

MARPOL Waste categories are as follows:-

Annex 1 - Oily waste including bilges, sludge, slops, tank cleanings and dirty ballast.

Annex 2 - Noxious Liquid Substances

Annex 3 - Packaged Hazardous Waste including drums and packages of oil waste, light tubes, batteries, aerosols, paint containers, fishing nets and cargo residues.

Annex 4 – Sewage

Annex 5 – General non-hazardous Garbage including food, plastic and other general waste.

There is also a Category 1, International Catering Waste, DEFRA/APHA classification.

All vessels (apart from exempted vessels) must submit a **Waste Declaration** to the Port Authority prior to entry into the port detailing the types and quantities onboard, to be discharged at Newhaven, and to be retained onboard for departure. This declaration is sent as part of the CERS3 Workbook. The Port Authority shall provide waste reception facilities at East Quay adequate to meet the needs of ships normally using the harbour, without causing undue delay to ships. Other terminal operators must do the same.

If a vessel has declared it will land waste, Port Control/Duty Officer will ensure that the Maintenance team and the Pilot boat crew are informed to collect the waste from the quayside. All catering waste landed at East Quay is classed as International Catering Waste and must be securely bagged and placed in the designated ICW skip outside the Workshops. Every 2 weeks, this skip is collected, emptied, disinfected, and returned on the same day by Veolia. The 2-week rotation is considered adequate but can be quickly changed if demand requires. Non bagged waste is collected and put into the general waste skips for emptying by approved contractor as required.

Annex 5 (General wastes) are as per the last paragraph and are presently collected by Veolia Environmental Services Ltd. There are reception facilities for mixed dry recyclables on-site, but it has been decided to class all bagged galley/catering waste as ICW to prevent cross contamination with the domestic UK waste streams.

Annex 3 (Hazardous wastes) can be received using NPP's contractors, Allied Waste or Veolia (normally 2 days' notice).

Annex 1, 2 and 4 waste can be received using NPP's contractors or Agents contractors (normally 3 days' notice).

All vessels are charged a set fee for waste reception facilities; however, additional charges will apply to the reception and disposal of all waste other than Annex 5 (general waste).

Receipts will be issued to all vessels for their waste landed and the Port Authority will maintain records of all waste landed both on paper and in the PORTZ database. All paperwork must be retained for 3 years for general waste and 5 years for hazardous waste. Veolia provide waste disposal receipts for all ICW, which are logged and recorded by the Harbour Master.

A full copy of the Port Waste Management Plan can be requested from the Harbour Master or downloaded from the website.

Specific arrangements are in place at the ferry terminal due to the quantity of waste landed. LCT are responsible for the removal and supply of garbage bins onboard the ferry. There is a colour coded system in place that must be strictly adhered to. Red bins for general non-recyclable waste, yellow bins for re-cyclable and green bins for glass. This system is under review as of October 2021 due to the new Brexit ICW rules. Waste will either be landed in Dieppe, or a new compactor unit will have to be installed in Newhaven with special collections and a disinfecting regime in place to prevent any cross-contamination with UK domestic waste.

A scrap metal skip and a hazardous waste IBC are located in the vicinity of the ferry berth. It is the responsibility of the Ferry Master to provide LCT Duty Officer with a *declaration of waste* landed. LCT Duty Officer forwards a copy of this to Port Control. LCT Port Ops inform Port Control of the amount and type of waste landed. The waste is collected by an approved contractor. All paperwork must be retained for 3 years for general waste and 5 years for hazardous waste. The Port Operations Supervisor will collate the waste information and produce a monthly report for the Harbour Master. The information is also entered into the PORTZ system by Port Control.

All **waste** from East Quay vessels must be collected and placed in the correct receptacles. The Duty Officer is responsible for ensuring the quayside is clear of any waste materials when a vessel departs. The waste landed must correspond to the information provided by the Master on the CERS form. If there is a discrepancy, the Duty Officer/Port Control Officer must request an updated CERS form.

It is a **criminal offence** for anything to be discarded from a vessel onto the quayside or overboard into the river (scrap metal/wood/fish/wires/ropes/general garbage/etc...). The Environmental Protection Act 1990 and the Environmental Permitting Regulations 2010 apply (enforceable by the EA), in addition to the Harbour's own legislation.

Section 35

Helipad Policy and Procedures

A helicopter landing area is located within the port, primarily for the use of the Emergency Services and the Armed Forces. However, private organisations may be permitted to use the site subject to the Harbour Master or Port Manager's permission. Each case being studied individually on its merits and a fee will be charged. The Harbour Emergency Plan states:-

"Should it be necessary to use helicopters for any reason, the designated helipad at Tidemills, to the east of the Port Offices will be used subject to the procedures laid down within the Port's Safety Management System."

Post Code BN9 0BN. OS Ref TQ455002. Lat/Long 50°47.0'N, 000°03.9'E.

A risk assessment covering use of the helipad has been undertaken by the SHESTO as part of the SHE Safety Management System and the site is inspected by SHESTO at regular intervals. The yellow "H" is painted as required.

Procedures for Commercial Use

- 1/. Permission to be granted by the Harbour Master or Port Manager and fees agreed.
- 2/. Port Control, Duty Officer and SHESTO to be informed.
- 3/. SHESTO/Duty Officer to inform Police and ESFRS, although their attendance is not required.
- 4/. The Helipad risk assessment and Helicopter Operations risk assessment to be studied by all staff involved in the operation. Operation to be aborted in bad weather.
- 4/. SHESTO/Duty Officer to ensure the site is inspected and cleared of any debris.
- 5/. SHESTO/Duty Officer to ensure minimum of two personnel on site to keep public clear (\geq 30m).

Procedures for Coastguard Use

- 1/. Coastguard will inform Port Control of operation.
- 2/. Port Control to inform Harbour Master, SHESTO and Duty Officer.
- 3/. The local CG Rescue Team have access to and will attend the site, clear debris and enforce a cordon.
- 4/. The CG will maintain communication with Port Control throughout.

Procedures for other Emergency Services/Armed Forces Use

- 1/. Permission to be granted by Harbour Master or SHESTO.
- 2/. Port Control, Duty Officer, SHESTO and Harbour Master to be informed.
- 3/. The Helipad risk assessment and Helicopter Operations risk assessment to be studied by all staff involved in the operation.
- 4/. SHESTO/Duty Officer to ensure the site is inspected and cleared of any debris (if time permits).
- 5/. SHESTO/Duty Officer to ensure minimum of two personnel on site to keep public clear (\geq 30m).

Section 36

NPP Terms & Conditions of Use and Site Rules

36.1 NPP Terms & Conditions

1. INTERPRETATION

1.1 A reference to "Conditions" is a reference to these terms and conditions, as amended from time to time in accordance with Condition 13.2.

1.2 A reference to "Contract" is a reference to the contract between NPP and the Owner for the supply of berthing services, mooring services and/or Additional Services in accordance with these Conditions. It also applies to the owner of any vessel within the Newhaven Harbour Limits for whatever reason.

1.3 Where NPP has not previously provided berthing, mooring or any other services to the Owner, or the vessel is just visiting the Harbour, the Contract shall be referred to as a "One-Off Contract".

1.4 A reference to "NPP" is a reference to Newhaven Port & Properties Ltd (company number 01923744) whose registered office address is at Port Administration Office, Commercial Freight Terminal, East Quay, Newhaven, East Sussex, BN9 0BN.

1.5 A reference to "Owner" includes a lawful owner, charterer, master or agency or any other person for the time being lawfully in charge (other than NPP) of the vessel, vehicle or goods. A reference to vessel includes any floating pontoons, barges or rigs.

2. BASIS OF CONTRACT

2.1 The Owner indicates its acceptance of these Conditions and a legally binding Contract is formed as follows:

2.1.1 The advance booking by an Owner of berthing, mooring or other services;

2.1.2 Entry into the area of the port by water or by land or use of a mooring buoy.

2.2 Upon formation of the Contract, NPP grants to the Owner a non-exclusive, revocable licence (such licence being by word, paper, virtual or assumed) to use such berth or such mooring as is allocated to it wheresoever in the harbour, or for use of the vessel within the harbour limits, pursuant to Condition 3.

2.3 The Owner acknowledges that nothing in these Conditions shall create a relationship of landlord and tenant between the Owner and NPP and the Owner shall have no rights of residency, or to exclusive use of a particular berth. The Owner may not, under any circumstances, provide the port address as its home address, nor may it register any personal documents including, but not limited to bank statements, drivers licence, or utility bills to the port address.

2.4 The Contract constitutes the whole agreement and understanding between the parties. The Owner acknowledges that it has not relied on any statement, promise or representation made or given by or on behalf of NPP which is not set out in the Contract. Nothing in this Condition shall limit or exclude any liability for fraud.

2.5 These Conditions apply to the Contract to the exclusion of any other terms that the Owner seeks to impose or incorporate, or which are implied by trade, custom, practice or course of dealing.

3. PROVISION OF BERTH AND MOORING

3.1 In consideration of the payment by the Owner of the relevant berthing fee (calculated in accordance with Condition 6) and subject to availability, NPP shall allocate to the Owner a berth of the type required by the Owner. These terms & conditions in whole or in part shall also apply to vessel owners allocated a berth or mooring by any other berth or mooring provider within the harbour limits.

3.2 The Owner acknowledges that NPP does not guarantee the Owner use of any particular berth and NPP shall be entitled to reallocate berths at its discretion. These terms & conditions in whole or in part shall also apply to vessel owners allocated a berth or mooring by any other berth or mooring provider within the harbour limits.

3.3 If at any time the berth allocated the Owner is vacant, NPP may use or reserve that berth for another vessel [and the Owner shall not be entitled to any refund of the berthing fees paid by it]. The Owner shall give NPP not less than 48 hours notice of its intention to return to the port to enable NPP to make arrangements to allocate a suitable alternative berth to the Owner. NPP

accepts no responsibility should there be no suitable berth available for use by the Owner where the Owner has failed to give NPP the requisite notice of its return.

3.4 In consideration of payment by the Owner of the relevant mooring fee (calculated in accordance with Condition 6), where the Owner requires a mooring, the Owner shall be entitled to moor its vessel in the port in such a location and in such manner as shall be directed by the Harbour Master so as not to cause any obstruction to other users of the port. Regardless of payment made or not, all vessels within the harbour limits are subject to the Harbour Master's directions or those of his nominated deputies.

3.5 The Owner may only moor its vessel to equipment provided for that purpose and the Owner is responsible for ensuring that its vessel is properly and safely secured to the mooring at all times.

3.6 NPP reserves the right at any time without prior notice, for its staff or agents to board the Owner's vessel in order to move, moor (or re-moor) or re-berth the vessel for reasons of safety, security, an emergency, or to prevent or stop a nuisance. The Owner shall reimburse NPP in respect of any reasonable expenses incurred by it in connection with moving, re-mooring or re-berthing the Owner's vessel.

4. ADDITIONAL SERVICES

4.1 In addition to providing the Owner with the berthing or mooring service in accordance with Condition 3, NPP may, at its discretion, provide the Owner with additional services from time to time ("Additional Services"), including, but not limited to (a) pilotage services; (b) the provision of a linesman; (c) the supply of fresh water; (d) the hire of a gangway; and (e) the hire of a crane, forklift or workboat. Full details of these Additional Services can be found on the website at www.newhavenportauthority.co.uk Entry into the harbour limits is an implied use of additional services.

4.2 If the Owner requires NPP to provide it with Additional Services, it shall order such services by confirming in writing using email or fax, setting out which of the Additional Services it requires. The order constitutes an offer by the Owner to purchase Additional Services from NPP in accordance with these Conditions. The order shall only be deemed to be accepted when NPP issues written acceptance of the order, at which point and on which date the contract for Additional Services shall come into existence.

4.3 NPP will provide the Additional Services using reasonable care and skill.

5. OWNER'S OBLIGATIONS

5.1 The Owner must:

5.1.1 co-operate with NPP in all matters relating to any services provided by NPP pursuant to these Conditions and shall provide NPP, its employees, agents, consultants and subcontractors, with access to the Owner's vessel as reasonably required by NPP;

5.1.2 keep the berth which is allocated to it in a clean and tidy condition;

5.1.3 keep its vessel in a mobile, seaworthy and reasonably smart condition; and

5.1.4 provide NPP with a contact name and address to which NPP may send notices and other correspondence to the Owner, together with a telephone number which NPP may use in case of emergency.

5.1.5 The Owner shall comply with all applicable statutes, statutory instruments, rules, regulations, directions and bye-laws and the Owner's use of its vessel and/or vehicle within the area of the port is subject to NPP's Harbour Bye-laws, Directions and any other requirements imposed by NPP. A copy of the NPP Harbour Bye-laws and General Directions can be found on NPP's website at www.newhavenport.com. Any changes to the Bye-laws, General Directions or other rules and regulations will be notified to the Owner at this web address;

Failure to comply with any of the above requirements will be a breach of contract.

6. CHARGES AND PAYMENT

6.1 The Owner shall pay to NPP a deposit when booking an NPP berth. Subject to the Owner making payment to NPP of all sums due to NPP under the Contract, NPP shall return the deposit to the Owner upon termination of the Contract.

6.2 The fees for the berthing and mooring service and for the Additional Services and any relevant deposit shall be calculated in accordance with NPP's standard rates in force from time to time, as set out at NPP's website (www.newhavenport.com);

6.3 NPP reserves the right to increase its standard rates. NPP will give the Owner notice of any such increase by posting the updated rates on its website at least 1 month before the proposed date of the increase. If such increase is not acceptable to the

Owner, it shall notify NPP in writing and NPP shall have the right, without limiting its other rights or remedies to terminate the Contract by giving 2 weeks' written notice to the Owner.

6.4 Subject to Condition 6.6, NPP shall invoice the Owner in respect of the berthing and mooring fees (as applicable) in advance and shall invoice the Owner in respect of any Additional Services on completion of the Additional Services.

6.5 Subject to Condition 6.6, the Owner shall pay each invoice submitted by NPP in full and in cleared funds into a bank account nominated in writing by NPP, or by cheque payable to Newhaven Port & Properties Ltd, within 30 days of the date of the invoice.

6.6 In respect of One-Off Contracts, NPP may require the Owner to pay the relevant fees in advance or on delivery of the services.

6.7 All amounts payable by the Owner under the Contract are exclusive of amounts in respect of value added tax chargeable for the time being ("VAT").

6.8 Without limiting any other right or remedy of NPP, if the Owner fails to make any payment due to NPP under the Contract by the due date for payment, NPP shall have the right to charge interest on the overdue amount at the rate of 5% per cent per annum above the then current base lending rate of Natwest Bank accruing on a daily basis from the due date until the date of actual payment of the overdue amount, whether before or after judgment, and compounding quarterly.

7. INDEMNITY AND INSURANCE

7.1 The Owner shall indemnify and keep indemnified NPP against all loss, claims, actions, proceedings and damage arising out of or in connection with the Contract ("Claims"), including, but not limited to Claims suffered by NPP which are caused directly or indirectly by the Owner's vessel or other vehicle, or otherwise caused by the Owner, its employees, agents, crew members or guests, except where arising out of the act, negligence or default of NPP, its employees or agents.

7.2 The Owner agrees that it will fully compensate NPP for the cost of making good any such Claims and all consequential loss.

7.3 Without limiting its responsibilities under the Contract the Owner warrants to NPP that it has and will maintain at all times, a suitable policy of insurance with a reputable insurer in respect of third party (public liability) insurance for leisure and fishing vessels with a minimum level of cover of £3M per incident, and, in respect of Commercial vessels, adequate Protection & Indemnity Insurance, and to also include pollution and salvage insurance. The Owner shall, immediately upon request, supply NPP with copies of its insurance policies, cover notes, premium receipts and any other evidence that NPP reasonably requires as evidence of its compliance with this Condition. This condition applies to all vessels within the harbour limits. Failure to have in place adequate insurance as stated above will be treated as a breach of contract.

8. LIMITATION OF LIABILITY

8.1 Nothing in these Conditions excludes or limits the liability of NPP for: (a) death or personal injury caused by NPP's negligence; or (b) for fraud or fraudulent misrepresentation; or (c) for any matter in respect of which it would be illegal for NPP to exclude or attempt to exclude its liability.

8.2 Subject to Condition 8.1, NPP shall not be liable to the Owner whether in contract, tort (including, but not limited to negligence), breach of statutory duty, or otherwise for:

8.2.1 any loss or theft of, or damage of any nature to the Owner's vessel or vehicle, or any other property of the Owner, or its employees, agents, crew members or guests; and

8.2.2 loss of profit, loss of business or depletion of goodwill, in each case, whether direct, indirect or consequential, arising under or in connection with the Contract.

8.2.3 NPP's total liability to the Owner in respect of all other losses arising under or in connection with the Contract, whether in contract, tort (including negligence), breach of statutory duty, or otherwise, shall not exceed £100,000.

8.2.4 The weight/package limitation of liability for NPP is 2 SDR's per kilo or 667 SDR's as a package with a 12 month time bar limit, applicable to all cargo, stores, commodity or object whatsoever.

8.3 Except as set out in these Conditions, all warranties, conditions and other terms implied by statute or common law are, to the fullest extent permitted by law, excluded from the Contract.

8.4 This Condition 8 shall survive termination of the Contract.

9. DURATION AND TERMINATION

9.1 The Contract will commence on the date of acceptance of these Conditions in accordance with Condition 2.1 and will continue in full force and effect unless terminated in accordance with the provisions of this Condition 9.

9.2 Either party may terminate the Contract with immediate effect by giving notice to the other in writing if the other party commits a material breach of the Contract and (if such a breach is remediable) fails to remedy that breach within 14 days of that party being notified in writing of the breach.

9.3 NPP may revoke the Owner's licence immediately upon notice to the Owner in its absolute discretion.

9.4 Without limiting its other rights or remedies, NPP may terminate the Contract with immediate effect by giving written notice to the Owner if:

9.4.1 the Owner fails to make payment of any amount due under the Contract by the due date or there is a breach of any of the terms and conditions detailed above.

9.4.2 the Owner (being a natural person) has a bankruptcy order made against him or makes an arrangement or composition with his creditors, or otherwise takes the benefit of any statutory provision for the time being in force for the relief of insolvent debtors, or (being a body corporate) convenes a meeting of creditors (whether formal or informal), or enters into liquidation (whether voluntary or compulsory) except a solvent voluntary liquidation for the purpose only of reconstruction or amalgamation, or has a receiver or manager, administrator or administrative receiver appointed of its undertaking or any part thereof, or documents are filed with the court for the appointment of an administrator of the Owner or notice of intention to appoint an administrator is given by the Owner or its directors or by a qualifying floating charge holder (as defined in paragraph 14 of Schedule B1 to the Insolvency Act 1986), or a resolution is passed or a petition presented to any court for the winding-up of the Owner or for the granting of an administration order in respect of the Owner, or any proceedings are commenced relating to the insolvency or possible insolvency of the Owner; or

9.4.3 the Owner ceases or threatens to cease to carry on its business.

9.5 The termination of the Contract, however arising, shall be without prejudice to the rights and duties of NPP accrued prior to termination.

9.6 Without limiting its other rights or remedies, either party shall have the right to terminate the Contract by giving the other party not less than 3 months' written notice.

10. CONSEQUENCES OF TERMINATION

10.1 On termination of the Contract for any reason:

10.1.1 the Owner shall immediately pay to NPP all of NPP's outstanding unpaid invoices and interest and, in respect of any Additional Services supplied but for which no invoice has been submitted, NPP shall submit an invoice, which shall be payable by the Owner immediately on receipt;

10.1.2 the licence to berth, or the licence to moor (as applicable) or the licence to use the harbour granted to the Owner pursuant to Condition 2.2 shall immediately terminate and the Owner shall be required to remove its vessel from the berth or mooring, (as applicable) within 7 days of the date set out in the notice of termination; and

10.1.3 the accrued rights, remedies, obligations and liabilities of the parties as at expiry or termination shall not be affected, including the right to claim damages in respect of any breach of the Contract which existed at or before the date of termination or expiry.

10.2 If NPP terminates the Contract in accordance with Condition 9.6, NPP shall, subject to the Owner having paid all sums due to NPP pursuant to the Contract, return to the owner the unexpired portion of the berthing fees which the Owner has paid in advance to NPP.

10.3 Conditions which expressly or by implication have effect after termination shall continue in full force and effect.

11. NPP'S POWER OF REMOVAL AND SALE

11.1 If, upon termination of the Contract for any reason, the Owner fails to remove its vessel from its berth or mooring or from the harbour limits as required pursuant to Condition 10.1.2, NPP shall be entitled to:

11.1.1 charge the Owner for the berthing/mooring of its vessel at NPP's then current visitor rates for berthing and mooring; and/or

11.1.2 remove the vessel from the berth or mooring wheresoever that may be and store it ashore, in which case NPP shall be entitled to recover from the Owner, the reasonable costs incurred by NPP in so doing. NPP shall not be liable for any damage caused to the Owner's vessel as a result of such removal and storage.

11.2 If, following removal and storage of the vessel by NPP in accordance with Condition 11.1.2, the Owner fails to pay all monies owed and to take delivery of the vessel, within 14 days, NPP shall, pursuant to the provisions of the Tort (Interference with Goods) Act 1977, be entitled to dispose of or sell such vessel and apply the proceeds of sale against any sums owing to NPP and deduct from the balance, any costs incurred by NPP in connection with the removal and the sale.

12. MATTERS BEYOND NPP'S CONTROL

12.1 NPP shall not be liable to the Owner as a result of any delay or failure to perform its obligations under this Contract as a result of matters which are beyond its reasonable control, which for the purposes of this Contract includes but is not limited to strikes, lock-outs or other industrial disputes (whether involving the workforce of NPP or any other party), failure of a utility service or transport network, act of God, war, riot, civil commotion, act of terrorism, malicious damage, compliance with any law or governmental order, rule, regulation or direction, accident, breakdown of plant or machinery, fire, explosion, flood, fog or bad weather, storm or default of suppliers or subcontractors.

12.2 If any of the events set out in Condition 12.1 prevents NPP from providing any of the services contemplated by these Conditions for more than eight weeks, NPP shall, without limiting its other rights or remedies, have the right to terminate this Contract immediately by giving written notice to the Owner.

13. GENERAL

13.1 NPP may assign the Contract or any part of it to any person, firm or company. The Owner shall not be entitled to assign the Contract or any part of it without the prior written consent of NPP.

13.2 NPP may from time to time amend or vary these Conditions for any reason by giving notice to the Owner by way of notification on the NPP website. NPP shall use its reasonable endeavours to give as much notice of any such amendment or variation as is reasonably practicable and, save for where an amendment or a variation is necessary to comply with law, such notice period shall be at least three (3) months. Any amendment or variation NPP makes shall take effect from either the date stated in the notice where such amendment or variation is necessary to comply with law, or in all other circumstances, from the 1 January of the following year.

13.3 If any court or competent authority finds that any provision of these conditions (or part of any provision) is invalid, illegal, or unenforceable, that provision or part-provision shall, to the extent required, be deemed to be deleted and the validity and enforceability of the other provision of the Contract shall not be affected.

13.4 Failure or delay by NPP in enforcing or partially enforcing any provision of the Contract shall not be construed as a waiver of its rights under the Contract. Any waiver by NPP shall not be deemed a waiver of any subsequent breach.

13.5 The parties to the Contract do not intend that any term of the Contract shall be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person that is not a party to it.

13.6 All notices between the parties about the Contract shall be in writing and delivered by hand or sent by pre-paid first class post, or sent by fax to the relevant party's registered office or such other address as it has previously notified to the other. Notices shall be deemed to have been received: (a) if sent by pre-paid first class post, two days (excluding Saturdays, Sundays and public and bank holidays) after posting (exclusive of the day of posting); (b) if delivered by hand, on the day of delivery; or (c) if sent by fax on a working day prior to 4pm, at the time of transmission and otherwise on the next working day.

13.7 The Contract shall be governed by and construed in accordance with English law and the parties submit to the exclusive jurisdiction of the English courts.

13.8 Nothing contained in these terms and conditions shall prejudice or affect any of the statutory rights, powers, duties and obligations for the time being vested in NPP as the Statutory Harbour Authority for Newhaven. All powers granted by Ports, Harbours and Maritime legislation apply at all times.

36.2 NPP Site Rules

- All visitors must follow the Harbour Byelaws and Directions (which can be seen at www.newhavenport.com or at the Harbour Masters office). Use of any port access road is only permitted to those authorised by NPP, (the "Port Authority") or on company business for an approved NPP tenant. The only exception to these rules is freedom of access for emergency vehicular access.
- NPP have the right to refuse access to any vehicle and/or person or to remove any person or vehicle causing a nuisance or failing to abide by these rules or the byelaws/directions, or failing to obey the reasonable instructions of Port Staff.
- Liability remains with the vehicle driver(s) and their employer who will ensure that they have adequate insurance.
- All drivers delivering to vessels berthed at East Quay must check in at the Port Operations office.
- Users of access roads MUST comply with NPP health and safety requirements and these site rules.
- Pedestrians MUST stay within the confines of any walkway which will be clearly identified.
- Perimeter/boundary fencing, access gates and crash barriers along the length of the road MUST be kept clear at all times and not be altered, interfered with or damaged. In the event of loss or damage NPP MUST be notified immediately and repairs will be to NPP satisfaction.
- Users of the access road shall not cause any pollution or harm to the environment that could be deemed to be a breach of environmental law. In the event of a breach of this obligation NPP MUST be contacted immediately. Approval must then be gained prior to the required remediation steps taken by the offender.
- Any person requiring access to either NPP or the various tenants on site MUST have a pre-arranged appointment or approved by NPP or the various tenants upon arrival.
- All visitors will be required to provide proof of identity (photograph) to Security Personnel who are entitled to conduct random personnel searches.
- All persons accessing the East Quay site MUST wear as a minimum the following PPE: hi-vis jacket or vest and suitable footwear when outside of any vehicle. Lifejackets must be worn at the quayside.
- The speed limit on the access road is 20mph. Seat belts MUST be worn and dipped headlights or hazard lights must be switched on.
- All vehicles will be subject to a visual inspection and search by the security guard, upon entry and exit of the site. CCTV is in operation throughout the Port.
- No photography shall be permitted on NPP premises without prior approval.
- A railway level crossing is present just after entering the East Quay Site. Prior to travelling over the crossing, all vehicles shall stop and check for oncoming trains. When barriers are down no access is permitted across the crossing.
- Any amendments to the site rules relating to access to the Port Site and associated sites shall be adhered to.
- A warning system shall apply to all of the above site rules. Continued breach of these rules will result in access being denied.
- All use of the Port is subject to Newhaven Port & Properties Ltd Terms & Conditions which can be found on the website at www.newhavenport.com

By order of: Newhaven Harbour Master and Port Manager.

Section 37

Pleasure Vessels – Rules and Guidance

The below reflects National and International legislation and guidance, and is in addition to any rules stipulated by the Harbour Authority in the form of Byelaws and Directions. More information is in the Recreational Section of the website including a useful Booklet to download. www.newhavenport.com

Pleasure vessels are vessels used for sport or recreational purposes and do not operate for financial gain. Pleasure vessels of any size are subject to legislation and the owners/skippers/masters/operators liable to prosecution. SOLAS (safety of life at sea) Chapter V and subsequent UK legislation applies.

If you are involved in a boating accident and it is subsequently shown that you have not applied the basic principles, you may be breaking the law and could ultimately face a fine and/or imprisonment. More information is available from the Maritime & Coastguard Agency at www.dft.gov.uk/mca and particularly in MGN 489 (M).

Get Trained – It is sensible to undertake some form of training; if you do get trained you will be far less likely to be involved in a maritime incident. If you get into difficulty you will also know how to get the right help quickly, reducing the impact of your problem;

Check the weather and tides – Always check the weather and tidal conditions before you set out so that you can prepare accordingly. At sea changes in tidal streams could make conditions worse, particularly if the wind and tide are against each other. Tidal heights may hide underwater hazards;

Wear a lifejacket – a lifejacket that is properly serviced and maintained will significantly increase your survival chances if you fall overboard. It should be fitted with a light, whistle and spray hood and if possible crotch straps to stop the lifejacket riding up over your head;

Avoid alcohol – If you have been drinking alcohol, your judgement will be impaired and you will be more likely to make mistakes, which at sea could be life threatening;

Keep in touch – Tell someone responsible ashore where you are going and what time you expect to return so they are able to let the Coastguard know if you are missing; and preferably carry a VHF radio and mobile phone.

Wear the kill cord – if your boat is fitted with a kill cord, please ensure the driver wears it. If the driver ends up falling overboard, it may help save their life and the lives of others who may also be in the water.

Voyage Planning (SOLAS Regulation V/34)

Voyage planning is basically common sense. As a pleasure vessel user, you should particularly take into account the following points when planning a boating trip:

- **Weather:** before you go boating, check the weather forecast and get regular updates if you are planning to be out for any length of time.
- **Tides:** check the tidal predictions for your trip and ensure that they fit with what you are planning to do.
- **Limitations of the vessel:** consider whether your vessel is up to the proposed trip and that you have sufficient safety equipment and stores with you.
- **Crew:** take into account the experience and physical ability of your crew. Crews suffering from cold, tiredness and seasickness won't be able to do their job properly and could result in an overburdened skipper.
- **Navigational dangers:** make sure you are familiar with any navigational dangers you may encounter during your boating trip. This generally means checking an up-to-date chart and a current pilot book or almanac.
- **Contingency plan:** always have a contingency plan in case something goes wrong. Before you go, consider places where you can take refuge should conditions deteriorate or if you suffer an incident or injury. Bear in mind that your GPS set is vulnerable and could fail at the most inconvenient time. This might be due to problems with electrical systems, jamming or interference with the signals or meteorological activity. It is sensible and good practice to make sure you are not over-reliant on your GPS set and that you have sufficient skills and information (charts, almanac and pilot book) to navigate yourself to safety without it should it fail.
- **Information ashore:** make sure that someone ashore knows your plans and knows what to do should they become concerned for your wellbeing. The MCA recommends joining the Coastguard Voluntary Safety Identification Scheme (commonly known as CG66) which is free and easy to join. The scheme aims to help the Coastguard to help you quickly should you get into trouble while boating. It could save your life.

Lifesaving Appliances

Pleasure vessels less than 13.7m in length do not need to comply with any national or international regulations whilst in UK waters, but the strong guidance is that there should be sufficient lifesaving appliances onboard for the number of persons carried. Also, means of communications (VHF and mobile phone) and attracting attention (pyrotechnics).

Radar Reflectors (SOLAS Regulation V/19)

Many large ships rely on radar for navigation and for spotting other vessels in their vicinity. So, whatever size your boat is, it is important to make sure that you can be seen by radar. This means if it is possible to use a radar reflector on your boat then you should use one. You should fit the largest radar reflector in terms of Radar Cross Section (RCS) that you can. Whatever length your boat is, the radar reflector should be fitted according to the manufacturer's instructions, and as high as possible to maximise its effectiveness.

Life-saving Signals (SOLAS Regulation V/29)

You should have access to an illustrated table of the recognized life-saving signals, so that you can communicate with the search and rescue services, or other vessels, if you get into trouble. You can get a free copy of this table in a leaflet produced by the MCA, available at www.dft.gov.uk/mca, or you can find it in various nautical publications. If your vessel is not suitable for carrying a copy of the table on board (because it is small or very exposed), make sure you have studied the table before you go boating.

Distress/Assistance (SOLAS Regulations V/31, V/32, V/33)

You are required to let the Coastguard and any other vessels in the vicinity know if you encounter anything that could cause a serious hazard to navigation, if it has not already been reported. You can do this by calling the Coastguard on VHF, if you have a radio onboard, or by telephoning them at the earliest opportunity. The Coastguard will then warn other vessels in the area and you are required to respond to any distress signal that you see or hear and help anyone or any vessel in distress as best you can.

Misuse of Distress Signals (SOLAS Regulation V/35)

You are prohibited from misusing any distress signals. These are critical to safety at sea and by misusing them you could put your or someone else's life at risk.

The International Regulations for Preventing Collisions at Sea (COLREGS)

With respect to navigation and collision avoidance, any person in charge of any vessel that proceeds to sea, irrespective of size, is required to comply with the Merchant Shipping (Distress Signals & Prevention of Collisions) Regulations. These UK regulations implement the International Regulations for the Prevention of Collisions at Sea and it is of paramount importance that all persons in charge of vessels at sea comply with them. They are contained within the merchant shipping regulations which also set out the penalties for non-compliance. A breach of the regulations could result in a substantial fine or custodial sentence. Copies of the requirements can also be obtained from yacht chandlers or found in various other publications such as nautical almanacs.

The Regulations apply to all vessels upon the high seas and in all waters navigable by seagoing vessels and require that all vessels that proceed to sea are correctly provided with, and exhibit, navigation lights, shapes and sound signalling devices consistent with the vessels' length, type and circumstances. Navigation lights are required if the vessel is likely to operate at night or in poor visibility by day.

While special rules may be made by an appropriate authority for roadsteads, harbours, rivers, lakes or inland waterways connected with the high seas and navigable by seagoing vessels, such special rules shall conform as closely as possible to the COLREGS.

The COLREGS consist of the following sections:

Part A – General

Part B – Steering and Sailing Rules

Part C – Lights and Shapes

Part D – Sound and Light Signals Part E – Exemptions

Annex I – Positioning and technical details of lights and shapes

Annex II – Additional signals for fishing vessels fishing in close proximity

Annex III – Technical details of sound signal appliances

Annex IV – Distress signals

The COLREGS are reproduced in MSN 1781 available at www.dft.gov.uk/mca

Pollution Prevention

The International Maritime Organization's (IMO) International Convention for the Prevention of Pollution from Ships (MARPOL) covers the control of several types of ship-generated pollution. The Convention's various Annexes are transposed in UK legislation. Generally, all pollution prevention legislation applies to all vessels, including pleasure vessels of all sizes, and includes controls on the discharge of waste into the sea from ships. The best practice advice is to return all waste generated on board to shore waste reception facilities.

Sewage

The MS (Prevention of Pollution by Sewage and Garbage from Ships) Regulations sets out provisions for the control of ship generated sewage and garbage.

Although no specific provisions are made in the regulations for vessels less than 400GT, pleasure vessels should consider the impact when discharging sewage from a sea toilet or holding tank into the sea. Best practice advice is to return all waste generated on board to shore waste reception facilities but this is not always possible or practical. Holding tanks if fitted should be used and should only be emptied at pump out stations or when more than 3 miles offshore in the open sea where waste will be quickly diluted and dispersed by wave action and currents. On vessels without a holding tank avoid the use of toilets in poor tidal flushing areas by using marina/shore facilities whenever possible.

Garbage

Regulations 26 to 28 and 30 of the MS (Prevention of Pollution by Sewage and Garbage from Ships) Regulations, apply to pleasure vessels.

The disposal of any garbage other than food wastes is prohibited. (English Channel Special Area).

Food wastes must be disposed of more than 3 miles from the nearest land.

However, it is best not to dispose of anything at sea and wait until you return to land your waste ashore. If you are coming from foreign, your food waste is classed as International Catering Waste and must be double bagged and landed to the correct waste receptacle.

Oil

The Merchant Shipping (Prevention of Oil Pollution) Regulations, in general require that oil should be retained onboard for disposal to shore reception facilities.

Use of Antifouling Paints

The Merchant Shipping (Anti-Fouling Systems) Regulations, provides the legal framework required in the UK for the offences and penalties in relation to EC Regulation EC 782/2003 on the prohibition of organotin compounds on ships. The UK Regulations also implement the IMO's International Convention on the Control of Harmful Anti-Fouling Systems on Ships.

Under EC Regulation 782/2003 it became compulsory for all ships in the European Economic Area (EEA) not to apply or re-apply organotin compounds which act as biocides in anti-fouling systems from the 1st July 2003. The UK Regulations, which apply enforcement

provisions, came into force on 1 December 2009. The Regulations apply to all ships including pleasure vessels of any size.

Emissions

All pleasure vessels fitted with a marine diesel engine of over 130 kW must comply with the emissions standards in the Recreational Craft Directive (EC Directive 94/25/EC, as amended). Further guidance on emissions from pleasure vessels can be found in MSN 1819 available at www.dft.gov.uk/mca

Unsafe use of the vessel (any vessel of any size)

Section 58 of the Merchant Shipping Act deals with conduct endangering ships, structures or individuals, and section 100 of the same Act deals with unsafe operation of a vessel.

More guidance is available at:-

www.rnli.org.uk/seasafety

www.rya.org.uk/infoadvice/safetyinfo

www.dft.gov.uk/mca

JET SKIES/PWC's

Jet Skies/PWC's must keep to the speed limits within the harbour and not cause a nuisance to other port users with their speed, wash or noise. They must abide by all rules and regulations applicable to all other port users and obey the traffic signals. It is strongly recommended that all jet skiers wear floatation devices and carry some form of communication such as a mobile phone or a marine band VHF radio listening on channel 12.

All Jet Skies launching into the harbour are strongly recommended to use Simpsons Marine Slipway as the only safe and controlled slip for their entry and exit within the harbour.

All Jet Ski owners must complete a registration form and be on a database which was compiled and is maintained by a joint initiative comprising of the Port Authority, Simpsons Marine and individuals from the Jet Ski community. An example of the form is shown below.

Failure to comply with the rules will result in:-

1st Offence – Verbal warning from Simpson Marine staff/Port Authority staff.

2nd Offence – Verbal warning from Port Authority staff/Harbour Master.

3rd Offence - Written notice from the Harbour Master and you will be barred from the harbour and may face prosecution.

Notwithstanding any of the above, the Harbour Master reserves the right to prosecute any port user if the offence committed warrants such action. This means a summons to the Magistrates Court, following which, a successful prosecution will result in the offender having a criminal record, in addition to a fine. The most serious offences may be dealt with by the MCA and the offender liable to imprisonment.

BE SAFE – BE NICE – BEHAVE – BE LIKED !!

Newhaven Jet Ski Register

Personal Details

Name:
Address:

Ski Details





Make:
Model:
Colour Seat:
Hull:
Mobile No: Data Tag Number:

Do you carry a VHF radio on channel 12 ? YES / NO

Harbour Rules

The speed limit in the harbour is **5 KNOTS = 6 MPH**

Outer harbour limit between the east and west pier is **8 KNOTS = 9 MPH**

Red Red Red		Flashing	Serious Emergency - All vessels/craft to stop or divert according to instructions issued by 'Newhaven Port Control' VHF Ch.12.	Once you have been launched please respect other harbour users, by proceeding straight out to sea, unless you are waiting for the harbour signals to change. If so please keep your wash minimal and do not be a nuisance to other harbour users at any time.
Red Red Red		Fixed	No vessels/craft, either pleasure or commercial, shall proceed contrary to this signal.	
Green Green White		Fixed	Small vessels/craft may proceed. Two way traffic.	
Green White Green		Fixed	A vessel may proceed ONLY when it has received specific orders, from 'Newhaven Port Control', to do so. All other vessels/craft must keep clear of the navigable channel.	

Beach Rules

Inside the yellow marker buoys **8 KNOTS = 9MPH**

Respect beach users and swimmers, please go straight into the beach and straight out.

Consequences of not complying with these rules

1st - Verbal Warning from Simpson Marine/Port Authority Officers

2nd - Verbal Warning from Port Authority Officers/Harbour Master

3rd - written notice from Harbour Master and you will ceased to be launched from Newhaven Harbour and may be prosecuted

Signed

Date

Section 38

Organised events within the Harbour Limits

The Port Marine Safety Code requires all harbour authorities to ensure that risk assessments are carried out to identify and minimise risks which may result in personal injury, or damage to property or the environment.

Although many clubs are now familiar with undertaking appropriate risk assessments for their activities, for some a formal risk assessment is still an abstract concept. The purpose of this guidance note is to facilitate the process for those less familiar with undertaking risk assessments by providing standard forms and procedures.

If an event is to be held within the Newhaven Harbour Limits an **Event Notification Form** is to be submitted and approved by the Harbour Master prior to the event being held. Depending on the size of the event, a **Formal Risk Assessment** and an **Event Procedures Plan** will probably be required and a **Notice to Mariners** will be issued.

The definition of an **event** is “Any vessels, vehicles or persons participating in an organised gathering or scheduled activity that may affect the safety of navigation or impact directly or indirectly on any other port users in Newhaven Harbour, or members of the public in the vicinity, or be considered a threat to the environment”.

All documentation, e.g. Event Notification Form, risk assessments, event procedures plans etc for the proposed event should be submitted to the Harbour Master at least 21 days prior to the event. harbour.master@newhavenport.com

Three key points that should be recognised by organisers and/or designated persons:

1. The primary responsibility for the safety of participants lies with the participants themselves. Beyond that, the organiser/ club/ group are likely to have a duty of care and must ensure that the event is managed as safely as reasonably possible. A submitted event notification form or risk assessment approved by the HM does not eliminate the responsibility of the organiser/ club/ group to ensure the safety of all their participants.
2. The Harbour Authority has the power of General Direction and “Byelaws”. These are in force and may impact on the setting of courses and other aspects of an event. Organisers/ clubs/ groups and their participants all need to be aware of these. It is imperative that organisers/ clubs/ groups clearly indicate the location/s that the event/s will be held. Organisers/ clubs/ groups should take all reasonable steps to promulgate Port Rules and restrictions to their participants
3. Potential conflicts between different Organisers/ clubs/ groups should be addressed between the Organisers, in advance. All events will be prioritised on a “first in” basis.

Events being held in the Harbour Limits are classed as MAJOR or MINOR.

MAJOR:

This is an event that will have a significant and potentially disruptive impact on the operation of the Harbour. This event will require special arrangements agreed in advance with the Harbour Master. **The Event Procedures Plan and the Risk Assessment** will need to be prepared in consultation, where appropriate, with the emergency services and stakeholders.

The criteria for a MAJOR event includes one or more, but not limited to;

- Multiple participating vessels/ craft,
- An expected large spectator fleet,
- An event where an exclusion zone is considered,
- An event that will attract large numbers of the public.

MAJOR event organisers will need to submit an “**Event Procedures Plan**” as well as the **Formal Risk Assessment**.

The **Event Procedures Plan** includes, but is not limited to:

- An itinerary of each day's scheduled activities on and over the water.
- Where and when participating vessels will arrive and leave race location.
- An on-water management plan for marshalling.
- A complete communications plan and how each relevant authority is included.
- An Emergency management plan.
- Contingency plans in case of adverse weather.
- Details of the refuelling procedures.
- Complete lists of main players and safety vessels/vehicles and marshals.
- As much other information as relevant.

MAJOR event organisers will need to submit the Event Procedures Plan and Risk Assessments for consultation with the following:-

- HM Newhaven Port Authority
- MCA Maritime & Coastguard Agency
- Sussex Police, Ambulance and Fire & Rescue
- Lewes District Council Emergency Planning
- East Sussex County Council Emergency Planning

MINOR:

This is an event having little impact on the overall operation of Newhaven Harbour and has minimal risks to participants and non-participants. For this category of event the **Event Notification Form** must still be completed and the Harbour Master will decide if a formal risk assessment is still required. A MINOR event may not require the in-depth review that the MAJOR requires.

Event Notification Form

The first step in the process (Major or Minor) is to submit the Event Notification Form to the Harbour Master. The Notification Form and the Risk Assessment Form are in **Appendix 8** and can be downloaded from www.newhavenport.com

Section 39

Licencing of Workboats, Charter vessels and Small Passenger vessels (less than 12 passengers)

The Port Marine Safety Code requires Port Authorities to ensure that commercial vessels are properly maintained, equipped and manned and used only for purposes which they are capable.

All commercial operators with small vessels (vessels up to 24m loadline length) working out of Newhaven, based in Newhaven, or working within the Harbour Limits are therefore required to register their vessels with Newhaven Port Authority on an annual basis providing the following information:

- 1/. Name, address, email address and phone numbers of owner/operator.
- 2/. Name, address, email address and phone numbers of regular Master/Skipper (if not the owner/operator).
- 3/. Vessel name, Port of Registry, Berth/Mooring and full dimensions (Length, beam, draft and displacement).
- 4/. Type and number of propulsion units.
- 5/. Evidence of a valid Workboat Code Certificate, showing area of operation and seaworthiness of vessel.
- 6/. Evidence of the Master/Skipper valid commercial qualifications.
- 7/. Evidence of a valid ENG1 or ML5 certificate of medical fitness for Master/Skipper and crew.
- 8/. Details of crew members training.
- 9/. Evidence of adequate insurance cover for activities to be undertaken with a minimum of £3M Third Party (Public Liability) Insurance.
- 10/. Nature of the commercial activity to be carried out (e.g. Fishing/Angling Charter vessel, General harbour workboat, Sightseeing tours, Crew transfer vessel, Ferry service, Dredger, Tugboat, Salvage vessel, Dive vessel).

Areas of Operation/Master's Qualifications

- 0 = Unrestricted. (Minimum Yachtmaster Ocean).
- 1 = Up to 150 miles from a safe haven. (Minimum Yachtmaster Offshore).
- 2 = Up to 60 miles from a safe haven. (Minimum Yachtmaster Offshore).
- 3 = Up to 20 miles from a safe haven. (Minimum Coastal Skipper or Advanced Powerboat).
- 4 = Up to 20 miles from a safe haven, in favourable weather and daylight. (Minimum Coastal Skipper or Advanced Powerboat).

- 5 = Within 20 miles of a nominated port (named on certificate), in favourable weather and daylight. (Minimum Day Skipper).
- 6 = Within 3 miles of a nominated port (named on certificate), in favourable weather and daylight. (Minimum Powerboat level 2 or Day Skipper).

Any person appointed as Master/Skipper must be a minimum of 18 years of age.

Certification requirements for vessels over 24m in length are covered under current Merchant Shipping Legislation or the MCA Large Yacht Code (up to 3000GT).

Qualifications for the Masters of vessels over 24m are STCW Masters 200GT, 500GT and 3000GT. All three levels of certificate are either limited (150 miles from a safe haven) or Unlimited.

Crew members

Unless permitted to operate in the single-handed mode as below, a second person must be onboard capable of assisting the Master/Skipper in an emergency.

All crew members must have a valid ENG1 (unlimited) or ML5 (60 miles) certificate of medical fitness.

All crew members must have completed the STCW or Seafish Basic Training Courses, to include Sea survival, Firefighting, First aid and Health & Safety.

Vessels certificated for area 0 (unlimited) and area 1 (150 miles) have more onerous and specific requirements for the crew members and the SCV Code should be consulted.

Exemptions from any of the above will be considered by the Harbour Master on a case by case basis provided MCA requirements are not breached.

Single-handed Operations

This is not permitted for any vessel involved in the transfer of personnel at sea.

All other vessels may operate single handed, (**but it is strongly discouraged**), provided the vessel's certificate states it is "**suitable for single-handed operations**", and the following conditions are met: -

- The Master holds the appropriate qualification as above
- The vessel does not go beyond 20 miles from a safe haven
- The weather is going to be favourable throughout the voyage, including good visibility
- The voyage does not exceed 8 hours
- The Master wears a lifejacket
- A voyage plan is filed with somebody ashore and regular communications maintained.

The application form and an example of the licence is in Appendix 8.

Section 40

Ballast Water Management

The Ballast Water Management Convention (BWM Convention) intends to regulate the ballast water discharge from ships and to control the transfer of invasive species; The IMO adopted the Convention in February 2004, with it entering into force internationally in September 2017, **although as of October 2021, the UK has not yet ratified the convention or implemented it into UK Law.**

Once ratified the Convention will apply to all vessels operating internationally, regardless of size/tonnage, which are designed to carry ballast water. Vessels which operate exclusively within UK controlled waters will not be required to comply with the Convention.

Vessels subject to the Convention shall carry and implement an approved Ballast Water Management Plan. These vessels will be required to meet one of two ballast water standards:

D1 – Ballast Water Exchange Standard; and

D2 – Ballast Water Performance Standard.

The D1, Ballast Water Exchange standard states that ships undertaking a ballast water exchange will do so with an efficiency of at least 95% volumetric exchange of ballast water. This ballast water exchange should be conducted at least 200 nautical miles from the nearest land and in water at least 200 metres deep. Where the vessel is unable to meet the above conditions, the vessel should conduct their exchange as far from the nearest land as possible and at least 50 nautical miles from the nearest land and in water at least 200 metres deep.

With the majority of vessels calling at Newhaven being involved in short sea trades, it will not be possible to meet the requirements of the D1 Ballast Water Exchange Standard. There is provision for use of a Ballast Water Exchange area which is situated in the North Sea.

The D2, Ballast Water Performance standard allows for ballast water to be treated to reduce the organisms to acceptable levels. The most common method will be to have a type approved ballast water treatment system onboard the vessel. D2 will be the default Ballast Water standard with all vessels requiring to have a type approved system, following the next renewal of their International Oil Pollution Prevention Certificate.

Within the Convention there is provision for ballast water reception facilities to treat ballast water ashore. This would allow for vessels to carry untreated ballast which could be treated at the shore side facilities upon arrival. This will not be applicable at Newhaven Port as there are no ballast water reception facilities at the port.

In addition, the code stipulates that sediments from spaces designated to carry ballast water should be cleared from the vessel and landed at sediment reception facilities ashore. With

no planned cleaning or repair facilities within Newhaven Port, there is no provision for the landing of sediment.

The emphasis for compliance with the BWM Convention lies with the ship owner. The Convention will have minimal impact on the operations of the activities of the port or the import/export of goods through the port.

Once ratified by the UK, it will be assumed that a visiting vessel complies with the Ballast Water Management Convention (BWM Convention) and if it transpires that the vessel does not, the vessel will be detained in Newhaven until cleared to depart by the MCA.

SECTION 41

Drones ((Unmanned Aircraft Systems (UAS)/Small Unmanned Aircraft (SUA))

There are two operations to consider.

1/. Commercially operated drones whereby a registered commercial operator is providing a paid service to clients and are very useful for inspecting assets, filming events, monitoring projects, etc.... These operations are controlled by NPP by issuing a licence to operate within the air space above the harbour limits and/or port property. As the operator is conducting operations commercially, they will be CAA trained and licenced and have the appropriate insurance cover. They are expected to operate professionally and with sensitivity to other port users. **See below for the Port Authority Commercial Drone licence application.**

2/. Recreational drones, whereby the operator is using the drone as a hobby or for fun. NPP cannot control these using Port regulations as the air space is controlled by the Civil Aviation Authority (CAA) and is not classed as being within the harbour limits and covered by harbour legislation. It was never envisaged by society that unmanned flying machines would require enforcement under harbour legislation. The majority of problems with drone's stem from recreational users not having the professional approach and courtesy towards other port users, causing embarrassment at the lower end of the scale and outright danger to life at the other end of the scale. **Port Users can use the below form to report drones.**

The majority of airports and some of the larger seaports have been considered as strategically secure and sensitive locations and are protected through individual specific legislation creating no-fly zones around them. Despite having a cross-channel ferry service and the associated Government agency facilities at Newhaven, it is not considered strategically important enough to warrant a specific no-fly zone.

Both the Port Authority and Border Force are therefore handicapped in just what can be done other than to notify the Police of actions considered to be dangerous and illegal.

To enable the Police to take any action they need evidence, and so photographs and/or videos of the drone are essential and even more important is evidence of the actual operator/pilot, otherwise nothing can be done.

For all drones over 250g and any drone fitted with a camera, the operator needs a CAA licence. Which means that drones under 250g that do not have a camera do not need to be licenced.

The operator/pilot must have the drone in view at all times. That means within eyesight.

Drones must not fly above 120m in height.

Drones must not fly closer to people than 50m. This includes people in buildings and transport, including cars, lorries, trains, ships or boats. However, drones less than 250g are allowed to do so if it is operated safely.

Drones must keep at least 150m away from residential, recreational, commercial and industrial areas. However, drones less than 250g are allowed to do so if it is operated safely.

For more information: <https://register-drones.caa.co.uk/>

If you think a drone operator/pilot has breached the above conditions, then contact the Police with the evidence.

Request for permission to operate Unmanned Aircraft Systems (UAS), Small Unmanned Aircraft (SUA), Drones – within the Newhaven Harbour Limits for commercial purposes.

NB: non-commercial flights are not permitted.

PILOT/FLYER/OPERATOR	
Name:	
Mobile telephone number:	
Email:	
OPERATOR/OWNER/COMPANY:	
Name:	
Address:	
Telephone:	
Email:	
Website:	
FLIGHTS REQUESTED	
Reason for Flights/Client details:	
Dates, times, and duration:	
Flight paths:	
Take-off and landing site:	
Make, model and weight:	
EVIDENCE OF COMPETENCE/COVER TO ACCOMPANY THIS REQUEST	
Copy of CAA Permission/Licence	
Copy of 3 rd party liability Insurance cover	
Copies of any Certificates of CAA approved training undertaken	

I confirm that I have read and understand the latest CAA rules, regulations, and guidance for UAS/SUA and will conform to the restrictions that are laid down in the CAA Permissions that have been granted to me and in addition I will not cause distress/concern to any Vessel, Statutory Authority or Government Agency.

Name:	
Signature:	
Date:	

Approved / Declined by Harbour Master. Signed:

Date:

Newhaven Harbour Drones sightings/incident reporting form

Date of sighting / incident:
Sighting / incident times: <div style="display: flex; justify-content: space-between;"> From: To: </div>
Location/s drone was seen operating in:
Brief description:
Estimated distance of drone (in metres) from – name of building /name of vessel/persons:
Location of the operator: (if Known)
Identity of the operator: (if Known)
<p>Note: Drone operators will usually publish their “flights” on social media soon after the event so may be traceable from there. See note below reference Data Protection Act.</p>
Was the incident reported to the Police? Yes / No Police Incident Ref: Additional Info: <p>Note: If the Drone was within 50m of building / vessel / persons it is a criminal offence and should be reported to the Police. If not reported then please state why above.</p>
Reporter/s name/s:
Position:
Contact details:
<p>CAA regulations state:</p> <p>The drone must not be flown over or within 150m of any congested area or within 50m of any vessel, vehicle, structure or person. The operator must be within line of sight of the drone at all times (usually taken as 500m).</p> <p>The operator could also be in breach of the Data Protection Act if taking images of identifiable individuals, even if inadvertently.</p>