



**PD TEESPORT LIMITED**

**PORT MARINE SAFETY CODE  
ANNUAL PERFORMANCE REVIEW 2019**



Issue: 01  
Date: January 2020

## 1. **INTRODUCTION**

The "Port Marine Safety Code" (the "Code") establishes a national standard for every aspect of port marine safety and aims to enhance safety for those who use or work in ports, their ships, passengers and the environment.

The Code and the associated Guide to Good Practice, play an instrumental role in achieving this by providing a pragmatic and proportionate approach to safety standards, which enable everyone who is involved, from major ports to smaller marine terminals and harbours, to apply the principles upon which it is based.

The Code 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. However, although not mandatory, there are several measures which are key to the successful implementation of the Code. Therefore, in order to comply with the Code, Statutory Harbour Authorities must consider the following:

- Duty Holder
- Designated Person
- Legislation
- Duties and Powers
- Risk Assessment
- Marine Safety Management System
- Review and Audit
- Competence
- Plan
- Aids to Navigation

The Annual Performance Review is prepared following an internal audit, which is carried out every year. The internal audit was based on the Maritime & Coastguard Agency ("MCA") "Aide-Memoire", as included in the Guide to Good Practice.

This review provides a statement of performance and a summary of marine activities, which can be used by the Designated Person when presenting to the Duty Holder.

## 2. **DUTY HOLDER**

The Duty Holder is accountable for compliance with the Code and performance in ensuring safe marine operations.

As part of the role, the Duty Holder should report compliance with the Code to the MCA every 3 years.

The following Statement of Compliance was issued to the MCA on 9 February 2018:

*"I, Jerry Hopkinson, Chief Operating Officer and Vice Chairman, on behalf of PD Teesport being the Port Marine Safety Code Duty Holder for the Ports of Tees and Hartlepool, having considered all the requirements of the Port Marine Safety Code, including reviewing the risk assessment and safety management system, certify that the Ports of Tees and Hartlepool meet the standards required by the Port Marine Safety Code."*

A "Commitment to Compliance" is also published on the PD Ports' website within the Port Marine Safety Code section.

### 3. **DESIGNATED PERSON**

A Designated Person, (Jon Armstrong - PD Ports Head of Operational Finance) has been appointed to provide independent assurance in relation to the operation of PD Teesport's Marine Safety Management System.

The Designated Person has direct access to the Duty Holder.

The role of the Designated Person does not absolve the Duty Holder and the Board Members from their role and collective responsibility for compliance with the Code.

The Designated Person takes appropriate measures to determine whether the individual elements of the Marine Safety Management System meet the specific requirements of the Code. This is partly discharged via the quarterly Port Marine Safety Code Designated Person Committee Meeting, which is chaired by the Designated Person.

### 4. **LEGISLATION, DUTIES AND POWERS**

PD Teesport has published a Marine Safety Plan, dated 20 February 2018. The Marine Safety Plan commits PD Teesport to undertaking the management and regulation of marine operations and, in particular, safe navigation, within the scope of its powers and authorities in a way that safeguards the port infrastructure and port users, including members of the public and the marine environment.

PD Teesport recognises that it must treat its duties to ensure the safety of all activities within its jurisdiction and to serve the public interest as primary; that it is accountable for what it does and fails to do in this regard. PD Teesport must adopt measures to ensure that it discharges its responsibilities in accordance with nationally agreed standards and in compliance with the law.

PD Teesport is entrusted with a public and statutory power to conserve and facilitate the safe use of the port, its environment and the community. PD Teesport undertakes to conduct its business in a transparent and open manner. To this end, it will report on its performance, both good and bad, against national standards and standards of operation to which it adheres.

### 5. **RISK ASSESSMENT**

Marine and Risk Consultants were appointed by PD Teesport in 2018 to update the current Navigational Risk Assessment.

One of the aims of the Assessment was to enhance safety within the Ports of Tees and Hartlepool by ensuring that all marine navigation hazards are identified, control measures are in place and the risks are at acceptable levels.

The Assessment identified a total of 144 navigational related hazards in PD Teesport's statutory area and approaches. Those hazards have been grouped into three Risk Registers, with 48 identified hazards in the River Tees, 33 in the Hartlepool area and 63 in the Offshore area. Hazman II (risk assessment software) Risk Registers have been configured for each of these areas to provide a complete

and "fit for purpose" baseline risk register of navigational hazards for PD Teesport Limited.

The Assessment process is continuous to ensure that new navigational hazards and changes to existing hazards are properly identified and addressed.

Risk Assessments are reviewed on a planned periodic basis, post-incident/accident, post-review of a relevant marine accident, or a health check trend report, as detailed in the PMSC.

The number of Hazard Reviews conducted during the period 1 January 2019 to 31 December 2019 were, as follows:

- River Tees 48
- Hartlepool Area 29
- Offshore Area 57

Higher ranked hazards are reviewed more frequently than those ranked lower and require greater management time and attention.

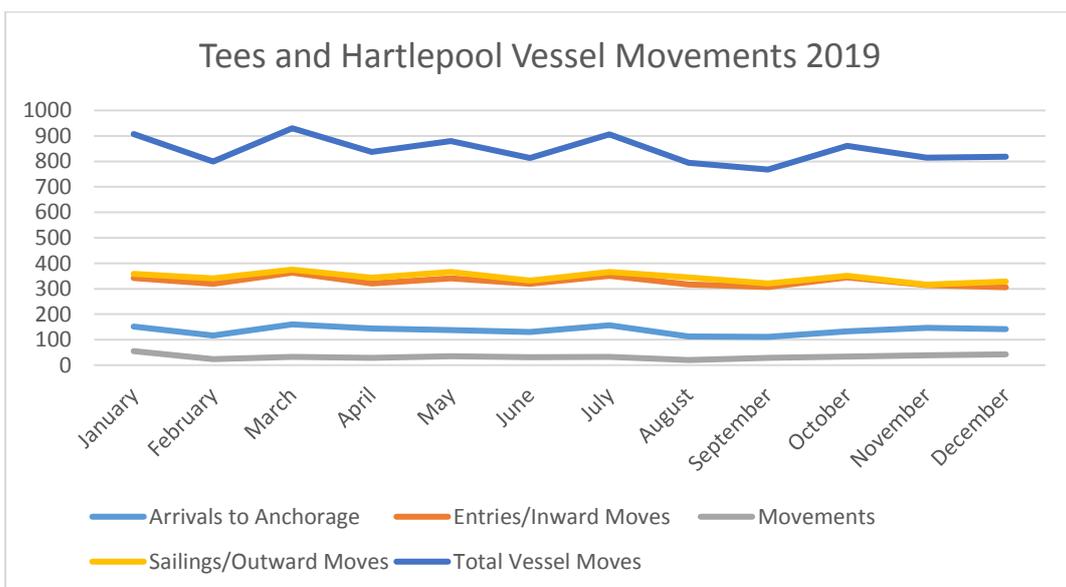
Details of the Risk Review Log/Amendments are recorded within the Hazman software for auditing purposes.

## 6. **MARINE MANAGEMENT SYSTEM**

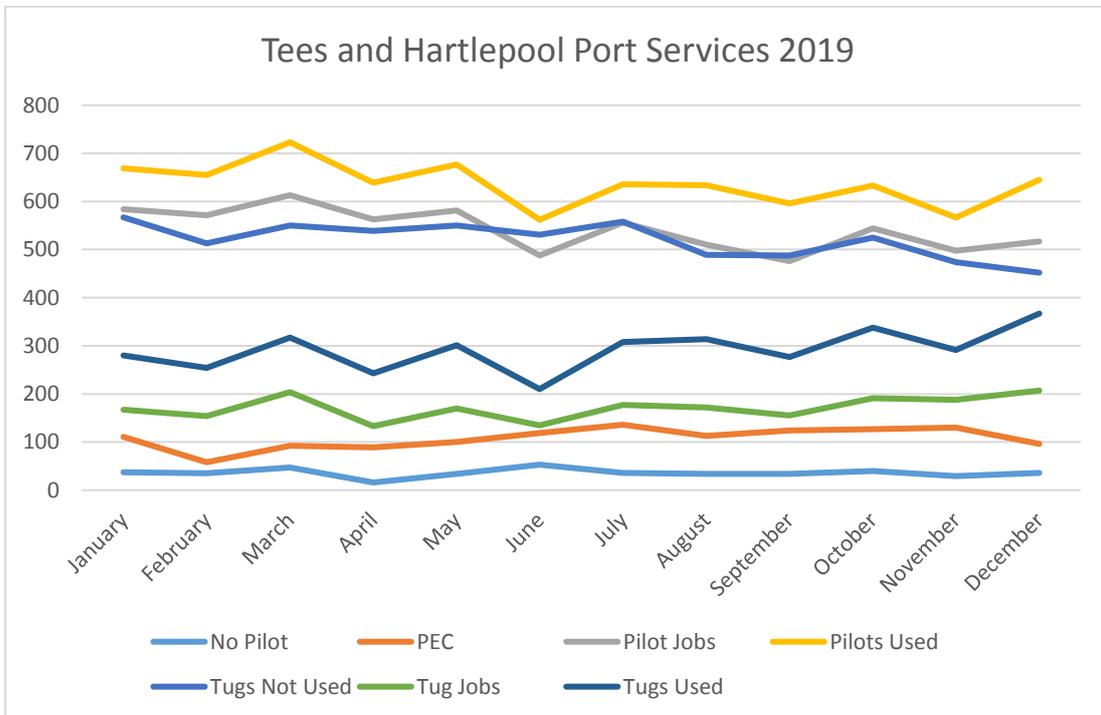
### 6.1 **Vessel Activity**

During 2019 there were a total of 10130 vessel moves within the Ports of Tees and Hartlepool, details of which are shown below:

Vessel Movements	2019												2019 Total
	January	February	March	April	May	June	July	August	September	October	November	December	
Arrivals to Anchorage	152	116	160	144	138	130	157	113	111	133	146	142	1642
Entries/Inward Moves	342	319	363	321	341	320	351	317	307	344	314	306	3945
Movements	55	24	32	29	35	31	32	20	29	33	39	42	401
Sailings/Outward Moves	358	341	375	343	366	332	366	345	321	351	316	328	4142
<b>Total Vessel Moves</b>	<b>907</b>	<b>800</b>	<b>930</b>	<b>837</b>	<b>880</b>	<b>813</b>	<b>906</b>	<b>795</b>	<b>768</b>	<b>861</b>	<b>815</b>	<b>818</b>	<b>10130</b>

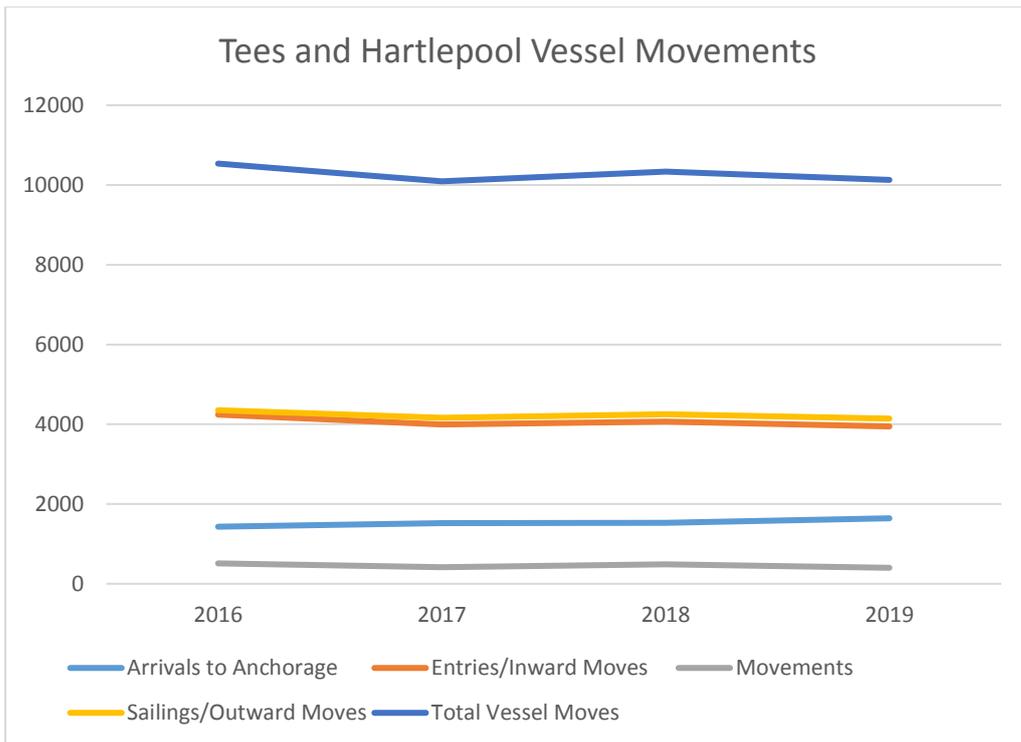


Port Services	2019												2019 Total
	January	February	March	April	May	June	July	August	September	October	November	December	
No Pilot	37	35	47	16	34	53	36	34	34	40	29	36	431
PEC	111	58	92	89	100	119	136	113	124	127	130	96	1295
Pilot Jobs	584	571	613	563	581	488	556	510	476	544	498	517	6501
Pilots Used	669	655	723	639	677	562	636	634	596	633	567	645	7636
Tugs Not Used	567	513	550	539	550	531	558	489	488	525	474	452	6236
Tug Jobs	167	154	204	133	170	135	177	172	155	191	188	207	2053
Tugs Used	280	254	317	243	301	210	308	314	277	338	291	367	3500

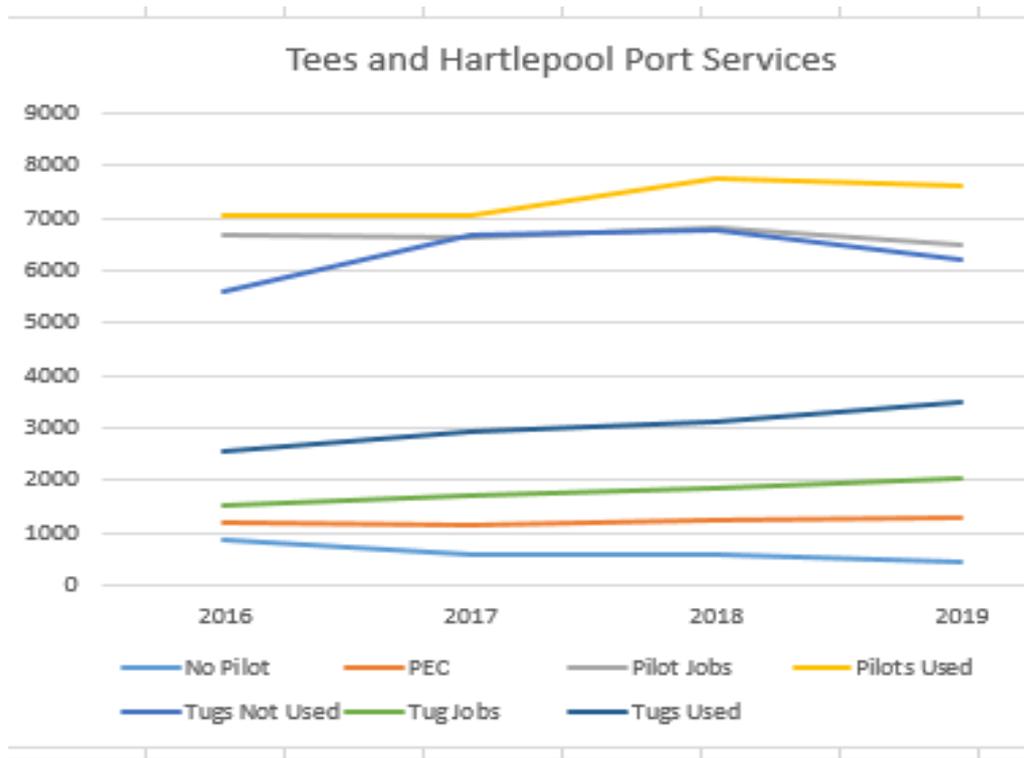


Comparison of the 2019 performance versus the last three years:

<b>Vessel Movements</b>				
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Arrivals to Anchorage	1431	1524	1528	1642
Entries/Inward Moves	4242	3993	4070	3945
Movements	511	415	490	401
Sailings/Outward Moves	4352	4160	4248	4142
<b>Total Vessel Moves</b>	<b>10536</b>	<b>10092</b>	<b>10336</b>	<b>10130</b>



<b>Port Services</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
No Pilot	870	603	562	431
PEC	1172	1166	1242	1295
Pilot Jobs	6664	6628	6818	6501
Pilots Used	7080	7041	7749	7636
Tugs Not Used	5598	6666	6796	6236
Tug Jobs	1526	1732	1839	2053
Tugs Used	2558	2928	3108	3500



## 6.2 Incident Reports

The duties of a Harbour Authority include an obligation to converse and facilitate the safe use of the harbour and a duty of care against loss caused by the Authority's negligence. Such losses may be caused by accidents within a Harbour Authority's area of jurisdiction.

The Code relies upon the principle that duties and powers in relation to marine operations in ports should be discharged in accordance with a Safety Management System. That system should be informed by and based upon a formal risk assessment. The aim is to establish a system covering all marine operations in ports, which ensures that risks are both tolerable and as low as reasonably practicable.

It is recognised, however, that no matter how informed the risk assessment process and how effective the Marine Safety Management System regime is, accidents and incidents do occur. The Marine Safety Management System does address the potential for incidents to occur and provides instructions and guidance on any investigations.

An incident with the Ports of Tees and Hartlepool is categorised using the Trigger Table shown below:

### TRIGGER TABLE

		CONSEQUENCES					
		1	2	3	4	5	6
SEVERITY		Damage to Port infrastructure	Injury to Person or Persons	Damage to the Environment – Release of Hazardous Substance to Water Column or Air	Disruption to Business Continuity	Accident to ship (PMSC) One or more of the IMO Categories which will result in the following	Effect of Negative Publicity on the Company
	0	Potential for Incident	Threat of damage.	Threat of injury.	Threat of damage to the environment.	Threat of disruption to the port or vessels.	Threat of damage to vessel or marine structure.
1	Insignificant Incident	Cosmetic damage.	Person receives First Aid.	Small area of sheen <10msq. Small gas release. No clean up required. No action by workforce.	Incident closes port for up to 1 hour. Vessel(s) delayed for a period of up to 6 hrs.	Cosmetic damage. Vessel drags anchor but is under control. Vessel sustains major system failure (engines, etc).	Incident results in small item on 'Local News'.
2	Minor Incident	Loss of timbers from fendering. Bent ladders. Coping stones cracked.	Person visits doctor for treatment (not in ambulance).	Area of metallic appearance <50msq. Pollution team called out - no action. Terminal workforce in containment area onsite.	Incident closes port for up to 3 hours. Vessel(s) delayed for a period up to 18 hrs.	Bent rails. Vessel anchors against advice. Denting to hull.	Regional news with press statement required.
3	Moderate Incident	Bollards broken, berth used with care. Tow lines part. Significant damage to fendering system/berth.	Fracture of fingers or toes. Immersion in water. Person taken to A&E but not kept in or injury other than major which results in 3 consecutive days' incapacity.	Discontinuous true colour >50msq. Pollution team called out, up to 1 day clean up. Terminal workforce in containment area offsite.	Incident closes port for up to 6 hours. Vessel(s) delayed for a period up to 36 hrs.	Vessel in collision, ground or floods. Actual damage to hull, cargo gear or accommodation. Vessel fails to respond to instruction to weigh anchor. Mooring lines part.	National news. Journalists attend. Interviews required.
4	Serious Incident	Fender system compromised, requires repair before use. Pipeline damage.	Major injury (MAIB); limb fracture; loss of limb; loss of sight; penetrating eye injury; 24 hrs hospitalisation. Person suffers hypothermia.	Serious pollution (IMO). Pollution team called out, up to 3 days' clean up. Local evacuation.	Incident closes port for up to 24 hrs.	Structural damage rendering the ship unseaworthy (IMO). Breakdown necessitating towage. Vessel drags over pipeline. Master/Pilot/Seaman under influence. Master takes the Con from Pilot.	National and International journalists attend. Media management required. A 24 hr response may be needed.
5	Very Serious Incident	Berth closed for rebuild. Pipeline breach.	Loss of life (IMO).	Severe pollution (IMO). Pollution team called out. Up to 7 days' clean up. Large scale evacuation.	Incident closes port more than 24 hrs.	Total loss of vessel (IMO).	World agencies require 24 hr information for prolonged period.

2019 Incident Statistics based on the above Trigger Table:

Severity	Number of Incidents
1	17
2	10
3	8
4	3
5	2

Comparison of the 2019 performance versus the last three years:

Severity	Number of Incidents			
	2016	2017	2018	2019
1	22	24	27	17
2	11	13	10	10
3	6	6	6	8
4	1	3	-	3
5	1	-	-	2

## 7. AUDIT AND REVIEW

7.1 During the period 1 January 2019 to 31 December 2019, the following Audits/Reviews have been conducted:

Audit/Review	Date	Status	Non-conformities
Port Marine Safety Code External Audit	15 July 2019	Complete	-
Accredited Spill Response Organisation (Tier 2)	2 August 2019	Complete	-
Trinity House Audit	20 September 2019	Complete	-
Trinity House Inspection	21 November 2019	Complete	-
Environmental and Energy Compliance Evaluation	November 2019	Complete	-
Internal Port Marine Safety Code Audit	30 October 2019	Complete	-
Management Standards review	Ongoing	Processing	-
Navigation Risk Assessment Hazard Reviews	Ongoing	Processing	-
General Directions Review	December 2019	Progressing Completion expected Q1 2020	-

## 7.2 **Port Marine Safety Code - External Audit**

PD Teesport appointed Marine and Risk Consultants to undertake an external audit covering all aspects of compliance with the Code and the accompanying Guide to Good Practice on Port Marine Operations.

The audit was commissioned to provide re-assurance to the Harbour Master and Duty Holder that the Port remains compliant with all aspects of the Code.

### **Conclusion**

<b>Recommendations Identified</b>	<b>Status</b>		
	<b>Complete</b>	<b>Progressing</b>	<b>Pending</b>
6	2	3	1
<b>Improvement Opportunities Identified</b>	<b>Status</b>		
	<b>Complete</b>	<b>Progressing</b>	<b>Pending</b>
13	7	2	4

Notwithstanding the Recommendations and Improvement Opportunities identified, the Ports of Tees and Hartlepool were found to be compliant with the requirements of the Code in all areas reviewed.

## 7.3 **Accredited Spill Response Organisation**

### **Conclusion**

PD Teesport has been accredited as a Spill Response Operator to carry out spill response for the following categories designated under the MCA UK National Standard for Marine Oil Spill Response organisation:

- Sheltered/Enclosed Waters
- Coastal and Large Estuary
- Shoreline Clean-up

The Accreditation is valid until 2 August 2022.

## 7.4 **Trinity House - Audit & Inspection**

Empowered by the Merchant Shipping Act 1995, Trinity House have a statutory duty as the General Lighthouse Authority (GLA) for England, Wales, the Channel Islands and Gibraltar.

The General Lighthouse Authorities are responsible for the superintendence and management of all lighthouses, buoys or beacons within their respective areas. They have a duty to inspect all lighthouses, buoys, beacons and other navigational aids belonging to, or under the management of a local lighthouse authority. (PMSC 4.1 & Section 195 MSA 1995).

The scope and purpose of the audit was to assess the suitability and availability of the Aids to Navigation against applicable elements of the Code as stated in Merchant Shipping Act and the response to Aids to Navigation inspection/defect reports and confirm rectification of deficiencies.

**Conclusion**

All aspects of Aids to Navigation Policy, Management and Record Keeping were found to be in good order.

Overall, a very high standard of administration is evident at Teesport.

**7.5 Environmental and Energy Compliance Evaluation**

An environmental and energy compliance audit was undertaken by ClearLead Consulting Ltd on 6 November 2019. The focus of the audit was to review legal compliance status of the operations of Conservancy and the Harbour Office.

**Conclusion**

Numerous examples of best practice were observed during the audit, including extremely well-managed waste storage areas, good signage, established cleaning stations, undercover oil storage areas and significantly improved housekeeping.

ISO 5001 Certification has recently been achieved.

Improvement Opportunities Identified	Status		
	Complete	Progressing	Pending
4	3	1	-

**7.6 Port Marine Safety Code - Internal Audit**

Recommendations/ Improvement Opportunities	Status
It is recommended that the Duty Holder/Designated Person adopts formal terms of reference and Port Marine Safety Code training should be formally recorded.	Progressing – Expected Completion Q2 2020
Develop a matrix to highlight trigger dates for PMSC documentation; therefore expiry dates are not missed.	Progressing – Expected Completion Q2 2020
Establish a formal procedure for the notification of various publication (MAIB Reports, etc.)	Complete - standing item on the PMSC Designated Person Committee Meeting Agenda

Recommendations/ Improvement Opportunities	Status
Include an MAIB trigger within the current Trigger Table used for incident reporting.	Pending

## 8. **COMPETENCE**

PD Teesport assess the fitness and competence of all persons appointed to those positions responsible for safe navigation.

PD Teesport must ensure their staff meet the nationally agreed standards of competence or, alternatively, be able to show that their local competency standards are fully equivalent.

Achieving marine port safety is a team operation and people in these roles must be competent and adequately trained.

## 9. **PLAN**

PD Teesport publishes a Marine Safety Plan, as required by the Code.

The current Marine Safety Plan is valid until 2021, with the following policy statements due for review in 2020:

- Safety of Navigation
- Enforcement
- Health and Safety
- Environment

Communication, consultation and feedback is a fundamental requirement in ensuring the safety and navigational requirements are understood and are continually reviewed. The following are undertaken to ensure the maintenance of an effective Safety Management System in support of compliance with the requirements of the PMSC:

- Daily communications between the Duty Assistant Harbour Master (AHM) and Port Services (Pilots, Foyboatmen, Towage Operator, Agents and Berth Operators) in relation to the safe and efficient regulation of vessel movements within the Port of Tees and Hartlepool and its approaches.
- Dedicated risk assessments of new and existing marine operations and services as required.
- The proactive and reactive review of identified hazards to navigation and the associated risk control measures that mitigate those risks to an acceptable (As Low Reasonably Practicable) level.
- Port Liaison Committee Meeting.
- Conservancy Liaison Meeting.
- PMSC Designated Person Committee Meeting.

- Marine Services/Safety Forum.
- North East Ports Group.
- The investigation of all reported marine incidents.
- Regular internal and external audits and reviews of the SMS, its functions and procedures.
- The maintenance and exercising of PD Teesport's Emergency Plans and procedures, including oil spill management.

### **Standing Objectives**

	<b>Service Provision/Activity Target</b>	<b>Target</b>
1	Navigational and Marine Incidents	<ul style="list-style-type: none"> <li>▪ No major incidents, serious injuries or serious pollution as a result of a failure of the Port's Safety Management System.</li> <li>▪ Thorough reporting, investigation and analysis of Navigational and Marine Incidents and Occurrences.</li> <li>▪ Ensure all risk assessments are appropriate to prevent any major navigation or pollution incidents.</li> </ul>
2	Vessel Traffic Service	<ul style="list-style-type: none"> <li>▪ Maintain an effective VTS in accordance with National, IALA and IMO Standards.</li> <li>▪ Ensure infrastructure is properly maintained to ensure continued operation.</li> </ul>
3	Provision of a Pilotage Service including the Authorisation of Pilotage Exemption Certificates	<ul style="list-style-type: none"> <li>▪ No Major incidents resulting from Pilotage or Pilotage Exemption errors</li> <li>▪ Provide trained and qualified pilots to ensure an effective 24/7 pilotage service is maintained.</li> </ul>
4	Conservancy and Hydrographic Service	<ul style="list-style-type: none"> <li>▪ Ensure the survey schedule is maintained.</li> <li>▪ Ensure the survey is promulgated to stakeholders as deemed necessary.</li> <li>▪ Through appropriate reporting, maintenance and response ensure Local Aids to Navigation availability meets Trinity House targets.</li> </ul>
5	Liaison and consultation with Port Stakeholders	<ul style="list-style-type: none"> <li>▪ Ensure, through regular routine meeting/forums as described above, that appropriate and open consultation with port stakeholders is maintained regarding proposed amendments to Port Byelaws, General Directions and operational Management Standards.</li> </ul>

## Period Targets

	<b>Service Provision/Activity Target</b>	<b>Target</b>	<b>Status</b>
1	Navigational Risk Assessment (NRA)	Total review of the Navigational Risk Assessment in accordance with the principles, contents and details set out in the Code and associated Guide to Good Practice. The NRA forms an essential part of managing a port safely and ensures that appropriate risk control measures are put in place, eliminating risk where possible, or reducing it to acceptable levels. As part of this process, PD Teesport introduced an electronic Marine Risk Management System.	Complete 15 July 2019
2	Port Emergency Plan	Total review of the Port Emergency Plan. The Port Emergency Plan will be developed, as far as practicable, based on the formal risk assessment, published and exercised.	Complete 1 May 2019
3	Marine Safety Plan	Introduce and publish a Marine Safety Plan and report annually against it.	Complete 20 February 2018
4	The Tees and Hartlepool Byelaws	Byelaws to be reviewed and updated, as necessary.	Pending - Expected completion Q4 2020
5	Marine Policy Statement	Introduction and maintenance of Policy Statements for Safety of Navigation, Enforcement, Health and Safety and Environment. Publish these Statements on the PD Ports website	Complete 20 February 2018
6	Harbour Office and Tees VTS relocation	Maintain an effective VTS and marine operations during relocation.	Complete 2018
7	Harbour Office and VTS Staff Training - Continual Professional Development	Undertake annual appraisals and six-monthly reviews with all staff.	Pending Expected completion Q4 2020

## 9. AIDS TO NAVIGATION

PD Teesport acts as the Local Lighthouse Authority and has the power to carry out and maintain the marking or lighting of any part of the harbour within the Authority's area.

All aids to navigation maintained must comply with the "International Association of Lighthouse Authorities Guidelines and Recommendations".

In 2019 the availability of the Local aids to Navigation were as follows:



### Aton Availability By Category

IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
<b>P1916 : Tees Bay and River Tees</b>								
1	7	61,152	1	0:01	0:01	61151:59	100.00 %	99.80 %
2	1	8,736	0	0:00	0:00	0:00	100.00 %	99.00 %
3	192	1,677,312	36	7172:54	199:15	46392:45	99.57 %	97.00 %
Not Specified	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Total	200							
<b>P1917 : Tees and Middlesbrough</b>								
1	0	0	0	0:00	0:00	0:00	0.00 %	99.80 %
2	1	8,736	0	0:00	0:00	0:00	100.00 %	99.00 %
3	75	665,200	9	3352:07	372:27	72427:33	99.49 %	97.00 %
Not Specified	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Total	76							
<b>Overall Report Total</b>								
IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
1	7	61,152	1	0:01	0:01	61151:59	100.00 %	99.80 %
2	2	17,472	0	0:00	0:00	0:00	100.00 %	99.00 %
3	267	2,332,512	45	10525:01	233:53	51599:43	99.55 %	97.00 %
Not Specified	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Total	276							

Three-year availability of Local aids to Navigation were as follows:



### Aton Availability By Category

IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
<b>P1916 : Tees Bay and River Tees</b>								
1	7	183,792	14	2288:44	163:29	12964:31	98.75 %	99.80 %
2	1	26,256	2	576:28	288:14	12839:46	97.80 %	99.00 %
3	192	5,027,160	102	33066:44	324:11	48961:42	99.34 %	97.00 %
Not Specified	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Total	200							
<b>P1917 : Tees and Middlesbrough</b>								
1	0	0	0	0:00	0:00	0:00	0.00 %	99.80 %
2	1	26,256	0	0:00	0:00	0:00	100.00 %	99.00 %
3	75	1,841,328	36	52610:47	1461:25	49686:35	97.33 %	97.00 %
Not Specified	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Total	76							
<b>Overall Report Total</b>								
IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
1	7	183,792	14	2288:44	163:29	12964:31	98.75 %	99.80 %
2	2	52,512	2	576:28	288:14	25967:46	98.90 %	99.00 %
3	267	6,868,488	138	85677:31	620:51	49150:48	98.78 %	97.00 %
Not Specified	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Total	276							