The Ports & Marine Facilities Safety Code

Briefing to the Heritage, Buildings & Creek Committee of Faversham Town Council

November 2026

FAVERSHAM

MARKET TOWN OF KINGS

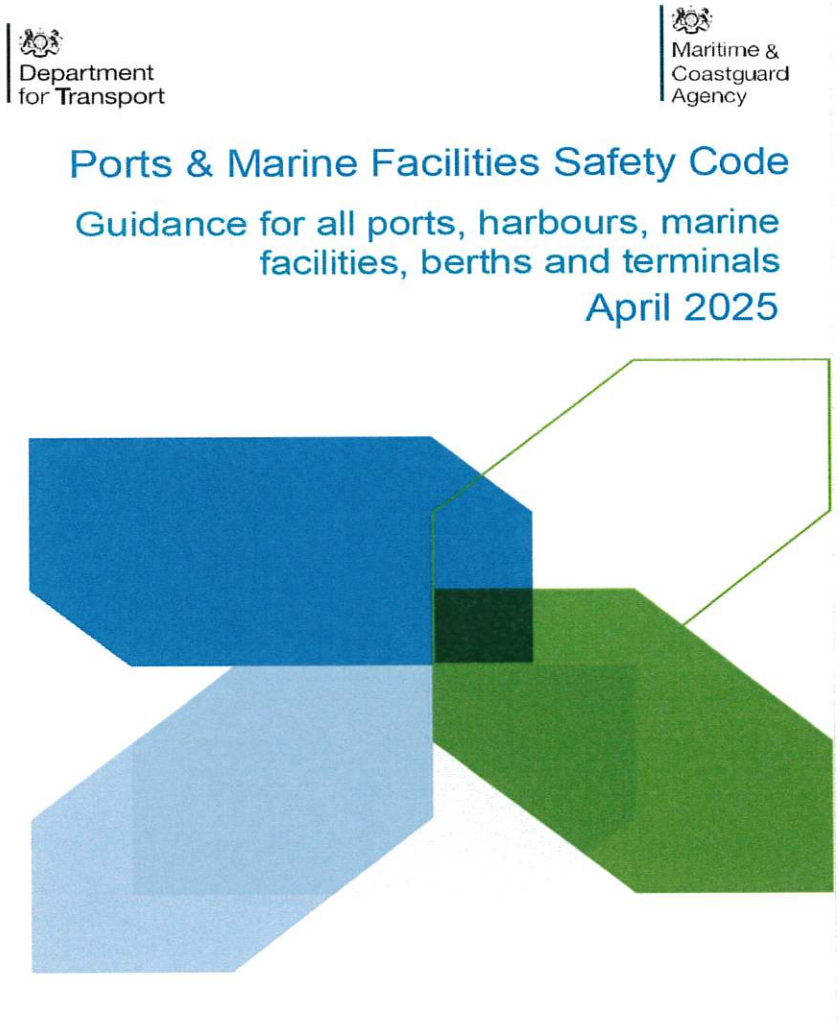
The Ports & Marine Facilities Safety Code (PMSC)

Drawn up in 2000 to improve safety after the grounding of the *Sea Empress* in 1996

- Updated in 2015, revised in April 2025.

- Sets out national standards for marine operations within ports and harbours
- Not mandatory but regarded as industry best practice
- If an accident occurs, it may impact liability if attempts to comply with the Code have not been met.

- Government now wants to apply the Code to smaller marine facilities, e.g., with pontoons, slipways, moorings
- Apply the Code's principles proportionate to the scale and complexity of these facilities
- Focus on **achievable** and **risk-based** measures



Ten requirements of the PMSC

- Based on ten principles (see opposite)
- Written for large port facilities -> not all ten principles relevant to smaller facilities
- For smaller marine facilities, four key elements:
  1. Risk assessment(s) for use of facilities
  2. Marine Safety Management System & Plan
  3. Duty Holder
  4. Designated Person

1. **Duty Holder:** whose members are typically, individually and collectively, accountable for compliance with the Code, and their organisation's performance in ensuring safe marine operations.
2. **Designated Person:** provides independent assurance about the operation of the organisation's marine safety management system and must have direct access to the Duty Holder.
3. **Legislation:** the Duty Holder must be aware of and review the organisation's legal powers, duties and responsibilities based on applicable local and national legislation and seek additional powers if necessary to improve marine safety.
4. **Duties & Powers:** organisations must comply with any statutory duties and responsibilities they have.
5. **Risk Assessment:** organisations must ensure that risks are formally assessed and are eliminated or reduced to the lowest possible level, so far as is reasonably practicable, in accordance with good practice.
6. **Marine Safety Management System:** organisations must operate an effective MSMS which is based on formal risk assessment.
7. **Review & Audit:** organisations must review and audit performance against applicable requirements of the Code.
8. **Competence:** organisations must use people who are appropriately trained, qualified and experienced to manage marine safety.
9. **Plan:** organisations must publish a marine safety plan showing how the standards in the Code will be met and produce a report assessing performance against that plan at least every 3 years.
10. **Conservancy Duty:** organisations must ensure their facilities are fit for purpose and have a duty of reasonable care to ensure that any vessel can utilise them safely.

PMSC – Four key elements for a smaller facility

Duty Holder - the person who is accountable for the organisation's compliance with the Code (e.g., an FTC officer)

- Assess all risks re marine facilities and how to minimise them
- Operate the Marine Safety Management Plan (MSMP)
- Monitor standards achieved against policies and procedures in the Plan
- Work with the Designated Person to audit performance.

Designated Person – the person who audits and monitors the MSMP, risk assessments, incident investigations and lessons learned (e.g., external contractor with marine experience; more senior FTC officer)

Marine Safety Management System & Plan – procedures, processes, plans, permissions etc. to operate the facilities in line with the Code

- Outline procedures for marine safety within the facilities
- Sets out roles and responsibilities of key personnel
- Has emergency plans and procedures
- Is audited on an annual basis

Risk assessments – using a risk matrix, describes, evaluates risk and offers mitigations for all marine facilities operated by FTC.

Way ahead for HBCC & Faversham Town Council

Consultees

- Medway & Swale Boating Association (MSBA) – Peter Norris, Chair
- Medway Yacht Club – Quentin Strauss, Vice Commodore
- Medway Council – Aimee Hubbard, Marine Assets, Facilities Management and Capital Projects (used to be with Queenborough Trust)
- Medway Council – Adam Taylor, Marine Assets Manager
- Canterbury City Council Harbour Board – Matt Young

Documents appraised

- Port of Weymouth Marine Safety Management System & risk appraisal system
- Royal Yachting Association:
  1. Summary of the Code
  2. Offers guidance and training to understand and apply the Code

Dorset Council

Weymouth Harbour

OPERATIONS PLAN AND SAFETY MANAGEMENT SYSTEM

THE PORT AND HARBOUR OF WEYMOUTH

Way ahead for Faversham Town Council

=> Draw up a relevant and proportionate Marine Safety System & Plan
⇒ Augment existing risk assessments
⇒ Decide on two role holders

Marine Safety Management System & Plan

- A MSMS and Plan has been drafted, using the documents assessed (previous page)
- Requires input from Faversham Town Council – Joseph Hannah & Cllr Crayford
- 50% complete

Risk Assessments

- FTC has existing risk assessments for its marine facilities
- Apply PMSC risk matrix to Faversham Town Council's existing risk assessments
- Add elements from the Code to existing assessments
- 80% complete – consult with Joseph Hannah & Cllr Crayford

Duty Holder & Designated Person – decisions to be taken by Faversham Town Council.

=> Faversham Creek Trust will complete the MSMS/Plan and Risk Assessments for sign-off by the HBCC late January 2027.