



DUCHY *of* CORNWALL
ST. MARY'S HARBOUR, ST. MARY'S, ISLES OF SCILLY

ST. MARY'S HARBOUR AUTHORITY

Harbour Policies
Version 1.0 / January 2026





St. Mary's Harbour Authority Navigational Safety Policy

The Duty Holder for St. Mary's Harbour Authority (SMHA) both collectively and individually, accepts responsibility for ensuring that the marine operations at SMHA are conducted in accordance with the requirements of the Ports & Marine Facilities Safety Code (PMSC).

This includes the common law duty of care to all harbour users for conservancy and environmental responsibilities. Implementation of policies and procedures issued by SMHA is overseen by the Harbour Master, with ultimate accountability for marine safety residing with the Duty Holder.

As the owner and operator of SMHA, The Duchy of Cornwall confirms that marine operations at SMHA take into account the principles laid out in the Code and its accompanying A Guide to Good Practice on Ports and Marine Facilities (GtGP), as far as is practicable. The following specific provisions are made:

- A Marine Safety Management System (MSMS) is in place for SMHA, which is kept up to date.
- Marine risks are formally assessed and reduced to a level that is considered to be both tolerable and As Low As Reasonably Practicable (ALARP).
- An effective system is in place to record, report and investigate marine incidents.
- Plans are created and kept up to date for dealing with emergency situations, and that the resources required to implement and exercise these plans is maintained.
- A review is carried out through audit of the performance of the MSMS to achieve the standards laid out in the PMSC; and
- An independent, suitably qualified and experienced Designate Person (DP) is appointed to report to the Duty Holder on the effectiveness of the MSMS.

Duty Holder signature of approval and authority:

Name: Matthew Morris [on behalf of Harbour Executive Committee]

Signature:

Date: 09 February 2026



Harbour Master acknowledgement:

Name: Dale Clark

Signature: **Date:**

Issue Date: January 2026

Review Date: January 2027



ST. MARY'S HARBOUR AUTHORITY


Training Policy

Appropriate and effective training of personnel is an essential element in facilitating the safe use of SMHA. The Duty Holder for SMHA commits to ensuring that all personnel with marine safety responsibilities are competent (trained, qualified and experienced) for the role in which they are appointed. The following specific provisions are made:

- The adoption of industry recognised competency standards for marine personnel or demonstration that any standards adopted as an alternative are fully equivalent and that standards will be maintained through Continuous Professional Development (CPD) principles.
- Maintenance of a role-specific training matrix for mandatory and optional competencies.
- Ensure that any qualifications that time-expire are renewed to maintain currency; record qualifications and/or competency for post-holders; and
- Ensure that adequate resources are made available to maintain the established standards of competence and training.

Duty Holder signature of approval and authority:

Name: Matthew Morris [on behalf of Harbour Executive Committee]

Signature:  **Date:** 09 February 2026

Harbour Master acknowledgement:

Name: Dale Clark

Signature: **Date:**

Issue Date: January 2026

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Conservancy and Environmental Policy

The Duty Holder for SMHA acknowledges their common law duty of care to users of the harbour in regard to conservancy and environmental duties. The following specific provisions are recognised:

- Environmental duties laid out in the 'Harbour Act 1964', Section 40A;
- The Environment Act 2021, Part 6 'Nature and Biodiversity Duty' requiring public bodies, including Statutory Harbours, to have regard to biodiversity in their activities; and
- The Conservation of Habitats and Species Regulations 2010 & 2017.

This commitment covers the Harbour Authority's jurisdiction and its immediate approaches. The following specific provisions are made:

- To keep a 'vigilant watch' for changes in the harbour jurisdiction.
- Evaluate and remove obstructions that may become a danger to safe navigation.
- Ensure the provision of necessary Aids to Navigation for the harbour based on formal risk assessment and in consultation with Northern Lighthouse Board, in its role as the General Lighthouse Authority.
- Promulgate navigational, tidal and weather information to harbour users.
- Conduct hydrographic and topographic surveys as regularly as necessary to identify the least available depths; and
- Maintain a close liaison with, and provide relevant data to, the United Kingdom Hydrographic Office. Such data includes any recent bathymetric survey data, plus any additions or changes to navigation aids and charted features.



Duty Holder signature of approval and authority:

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Signature:  **Date:** 09 February 2026

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Enforcement and Prosecution Policy

SMHA is responsible under the Port Marine Safety Code for the effective enforcement of its regulations, which are adopted in order to assist in managing the safety of navigation within the harbour.

In this Policy, enforcement comprises the promulgation of regulation and guidance, effective surveillance, incident investigation, and where appropriate formal warning and prosecution. The policy is based on 'education in the first instance' and would only be escalated to prosecution for repeat offenders, or for offences bringing significant risk of serious injury or loss of life.

Where appropriate, and where empowered to do so SMHA will prosecute offenders for committing criminal offences, including those set out in the Merchant Shipping Act 1995 and in ancillary regulations.

To this end, it is policy that SMHA shall:

- Maintain through regular reviews, a regulatory framework, which is integrated with relevant national legislation;
- Maintain effective investigation procedures for use in the event of a navigational incident, which supports SMHAs enforcement procedures, but also meets the requirements of the Marine Safety Management System in respect of identifying and promulgating any 'lessons learned';
- Ensure that any staff required to conduct incident investigation receive effective and relevant training;
- Respond to breaches of regulation, where justified by the evidence and other circumstances, by the use of formal warnings and legal prosecution; and
- When bringing prosecutions, SMHA will ensure that they are carried out in accordance with the Police and Criminal Evidence Act 1984 (PACE) and applicable codes of practice (available at www.legislation.gov.uk). Once legal proceedings have commenced, control of the case is ceded to the courts and the criminal justice system. SMHA will fully cooperate with other enforcement agencies as required..



Duty Holder signature of approval and authority:

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Signature: *MM* **Date:** 09 February 2026

Harbour Master acknowledgement:

Name: Dale Clark

Signature: **Date:**

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