



## SAFETY OF NAVIGATION POLICY

Littlehampton Harbour Board (LHB) has a duty of care to harbour users for ensuring navigational safety and will:

1. Provide a fair and balanced opportunity for all recreational sectors to enjoy the harbour in safety through the application of local rules and Directions, zoning and, where applicable, permits and licences.
2. Apply restrictions and controls in accordance with formal risk assessments for specific activities and will where practicable consult with user groups in identifying and imposing control measures. Many of these controls are applied through the Conservancy Policy and other policies.
3. Maintain up to date secondary legislation (byelaws and general directions as appropriate) in consultation with port users and enforce them so as to effectively regulate harbour use
4. Enforce all relevant statutory Harbour legislation, Health and Safety regulations, the Merchant Shipping Act and Harbour byelaws as necessary

### **Powers**

LHB recognises its duty to make proper use of powers to give Directions and to regulate all vessel movements in its waters, and if necessary, its powers to make byelaws as required. These powers shall be exercised in support of the policies and procedures developed in the LHB's Marine Safety Management System and are used to manage the navigation of all vessels.

The LHB was granted powers of General Direction in the HRO of 2015 to manage the hazards identified in the risk assessments. A set of General Directions (GDs) were made in March 2016 and [revised in April 2019](#). All byelaws remaining extant have now been cancelled. These are enforced in line with LHB's Enforcement Policy.

The Harbour Master has powers of direction to regulate the time and manner of ships'



entry to, departure from and movement within the harbour waters, and related purposes.

These powers are given for the purpose of giving specific directions to specific vessels for specific movements, unless the powers have been extended for other purposes. Harbour Master's directions may be referred to as 'Special Directions' to distinguish them from 'general directions' given by the authority itself. Special directions are not for setting general rules but relate to specific vessels – or in an emergency, to a class of vessels – on particular occasions.

The powers of direction are also exercisable by all LHB Duty Officers (trained as per the LHB Training Policy and Matrix) as well as other suitably trained patrol staff notified in writing by the Harbour Master. LHB Duty Officers carry identify badges which document their delegation of the power of Special Directions.

It is an offence not to comply with directions but the master – or pilot – of a vessel is not obliged to obey directions if he believes that compliance would endanger the vessel. It is the duty of a harbour master in exercising these powers to consider the interests of all shipping in the harbour. Directions may include the use of tugs and other forms of assistance.

### **Dangerous Vessels**

Under the Dangerous Vessels Act 1985, the Harbour Master (or appointed Deputy) may give directions prohibiting the entry into, or requiring the removal from, the harbour of any vessel if, in his opinion, the condition of that vessel, or the nature or condition of anything it contains, is such that its presence in the harbour might involve a grave and imminent danger to the safety of persons or property or risk that the vessel may, by sinking or foundering in the harbour, prevent or seriously prejudice the use of the harbour by other vessels.

The Harbour Master must have regard to all the circumstances and to the safety of any person or vessel. Directions given under the Dangerous Vessels Act 1985 may be overridden by the Secretary of State. This power is likely to be exercised through SOSREP, having assumed powers of intervention relating to the salvage of the casualty.

### **Vessel Traffic Management**

A Vessel Traffic Service for Littlehampton would be inappropriate and excessive; instead a Local Port Service is provided. A periodic Local Port Service is provided via VHF and landline during office hours on weekdays year-round and also on weekends between April and September. Contact information for the Local Port Service is listed under 'Littlehampton Harbour' in the 'Admiralty List of Radio Signals' Volume 6. LHB has an effective system for promulgating navigation warnings affecting the Harbour via various channels.

## **Specific Controls on Some User Groups**

The LHB has implemented management policies for specific groups of vessels in response to incidents and after consultation with stakeholders. This currently includes the Personal Watercraft (PWC) Management Policy the Small Commercial Vessel (SCV) Management Policy. These schemes are implemented through specific new General Directions. The option of further similar schemes (e.g. Houseboats and Paddlecraft) are being kept under review and are likely to be implemented in the future.

## **Events**

Organisers of recreational events proposed within harbour limits (e.g. from sea to Queens Road bridge Arundel) must ensure that they consult with the Harbour Master and relevant landowners and mooring operators regarding events both on and over the water, about the need for risk assessments. The need will be proportional to the activity; the Harbour Master may be able to agree that formal assessments are not needed for some low-key leisure activities. More guidance is available on the website [here](#).

## **Marina and Yacht Clubs**

The Harbour Master liaises on safety issues with Littlehampton Marina and the two yacht clubs. The PMSC applies to all organisations that own or manage marine facilities such as terminal and marina operators.

## **Passage Plans**

There is no standing requirement for any vessel in Littlehampton Harbour to file a port passage plan. The Board has a power of Special Direction under the Pilotage Act, 1987 and the 2015 HRO should the requirement need to be introduced in specific circumstances. If they were appropriate in a particular case, powers of Direction would be used to require the use of a port passage plan.

## **Towage Guidelines**

[Towage Guidelines](#) for the port are published. As guidelines, they are not currently enforceable in court but of course taken into account when determining penalties for connected offences.

## **Patrols**

The Harbour maintains a patrol presence on the Harbour to enforce byelaws and other directions during the day in the summer season and with security patrols in the winter. Procedures for the conduct of patrols are in place while procedure for enforcement in

accordance with Police and Criminal Evidence Code is incorporated into the GDs and LHB's Enforcement Policy.

### **Incident Investigation**

Major incidents are subject to immediate investigation to establish cause and to validate control measures. The reporting requirements of RIDDOR and of the MAIB are followed.

Incidents, accidents, complaints and near misses are recorded in the MarNIS software tool incident log with contemporaneous information. This log records follow-up action where appropriate and is used to generate yearly KPIs and identify trends:

- Breakdown of incidents by type with annual comparisons
- Number of interviews under caution and other enforcement metrics
- Number of LNtMs published
- Lifeboat service statistics

### **Consent for Marine Works**

LHB has powers to grant or reasonably withhold consent for marine works within Installation of moorings within the harbour remains subject to formal [LHB consent for marine works and other third party licenses/permissions.](#)

A handwritten signature in black ink, appearing to read "R. O'Callaghan".

Mr Richard O'Callaghan (Chair)  
Littlehampton Harbour Board

Signed 21 February 2022