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17 March 2025

## CHICHESTER HARBOUR CONSERVANCY

A meeting of the Chichester Harbour Conservancy will be held at **2.00 p.m. on Monday, 31 March 2025**, in the **Eames Farm, Thorney Island, PO10 8DE** to consider the agenda set below.

**Matt Briers CBE**  
**CEO**

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### AGENDA

#### PART 1

**1. Apologies for Absence**

**2. Declaration of Interests**

Members and officers are invited to make any declarations of personal or prejudicial interests that they know they may have in relation to items on the agenda (or at any stage during the meeting if it then becomes apparent that this may be required when a particular item or issue is considered).

**3. Port Marine Safety Code**

- (i) To receive the PMSC audit report from the Conservancy's Designated Person Monty Smedley (page 1)
- (ii) To note the Conservancy's annual PMSC report, from the Harbour Master (page 41).

**4. Wildfowling Report**

To receive a report by the CEO (page 51).

**5. Exclusion of Press and Public**

To consider the exclusion of the press and public for the next agenda item on the grounds that the publicity would prejudice public interest by reason of the confidential nature of the business to be discussed.

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#### PART 2 (Confidential Item)

(for members of the Conservancy and the Advisory Committee only)

**6. Part 2 Minutes of the Conservancy Meeting held on 27 January 2025**

To approve the Part 2 minutes of the meeting held on 8 July 2024 (page 1).

**7. Advisory Committee**

To receive the Part 2 minutes of the Advisory Committee held on 24 March 2025 (if any, to follow)

**8. Conservancy Dashboard & Chief Executive Officer's Update**

To note the updated report from the CEO (page 4).

**9. Risk Assessment**

To note the updated Risk Assessment by the CEO (page 6).

**10. Finance, Risk and Audit Group Minutes**

The Finance, Risk & Audit Group has met once since the last meeting, on 12 March 2025. Members wishing to raise matters of strategic importance or policy arising from the meeting of the Finance, Risk and Audit Group may do so under this item (page 14).

**11. Itchenor Jetty Electrics Provision**

To note the report from the Harbour Master and CEO. *\*For information only as approval was obtained under the urgent matters procedure (page 20).*

**12. Itchenor Toilets & Showers Project**

To note a verbal update from the Harbour Master.

**13. Leases and Licences**

To approve the terms of the following agreement:

- (i) Itchenor Park Farm (Salterns Way extension) (page 25)
- (ii) Itchenor Gate Farm (Salterns Way extension) (Page 27)
- (iii) Bosham Boat Park, Chichester District Council (Page 29)
- (iv) Bosham Boat Park, Bosham Yacht Company (Page 30)
- (v) Ellanore Farm (Page 31)
- (vi) Eames Farm (to follow)
- (vii) Wildfowlers – CEO Report and Heads of Terms (Page 34)

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**Return to PART 1**

**14. Part 1 Minutes of the Meeting held on 27 January 2025**

To approve the Part 1 minutes of the meeting held on 27 January 2025 (page 61).

**15. Advisory Committee**

To receive the Part 1 minutes of the Advisory Committee meeting held on 24 March 2025 (to follow).

**16. Chairman's Update**

To note the verbal report from the Chairman

**17. Budget Monitor Report to 28<sup>th</sup> February 2025**

To note the report from the CEO and the Finance Manager (page 65).

## **18. Works Licence**

- (i) To approve the Works Licence for Birdham Pool (Page 72)
- (ii) To approve the Works Licence for Northshore (Page 75)
- (iii) To approve the Works Licence for Orchard House (Page 78)
- (iv) To approve the Works Licence for Snowhill Creek (Page 82)

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**Conservancy members:** Iain Ballantyne, Jackie Branson, Ann Briggs, Andy Briggs, Gillian Harris, Jeremy Hunt, Donna Johnson, Stephen Johnson, Robert Macdonald, Pieter Montyn (Chairman), Sarah Payne, Roger Price, Lance Quantrill, Simon Radford, Alison Wakelin.

# Chichester Harbour Conservancy

## Port Marine Safety Code

Audit: Chichester Harbour 2024

January 2025

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# Port Marine Safety Code

## Audit: Chichester Harbour 2024




January 2025



Source: <https://www.conservancy.co.uk>

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Authorised (Designated Person)	Approved (Quality Manager)	Authorised (Project Director)
Monty Smedley	William Fellows	Gordon Osborn
		

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## Author

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# 1 The Port Marine Safety Code

The Port Marine Safety Code ('the Code') sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses, or works in, the UK port marine environment. It is authored by the UK Government, supported by the devolved administrations and representatives from across the maritime sector and, whilst the Code is not mandatory, these bodies have a strong expectation that all harbour authorities will comply. The Code is applicable both to Statutory Harbour Authorities and to other marine facilities, which may not have statutory powers; these are collectively referred to throughout the Code as 'organisations' (DfT, 2016).

In reading this audit report, the Conservancy should note the following extract from the Code:

*"The Code does not contain any new legal obligations but includes (amongst other things) references to the main legal duties which already exist. Failure to comply is not an offence in itself. However, the Code represents good practice as recognised by a wide range of industry stakeholders and a failure to adhere to good practice may be indicative of a harbour authority being in breach of certain legal duties. Moreover, the organisation may suffer reputational damage if it has publicly committed to the Code's standards and then fails to meet them."*

(DfT, 2016)

In order to measure compliance with the Code, the table below sets out the 10 Duty Holder responsibilities, and corresponding cross-references with sections of the Code, which this audit has considered.

No	PMSC Duty Holder Responsibilities		PMSC Section Reference
1	Duty Holder	Formally identify and designate the Duty Holder, whose members are individually and collectively accountable for compliance with the Code and their performance in ensuring safe marine operations in the harbour and its approaches.	1.6-1.8, 1.10, 1.16-1.17
2	Designated Person	A 'Designated Person' must be appointed to provide independent assurance about the operation of the marine safety management system. The designated person must have direct access to the Duty Holder.	1.11-1.12
3	Legislation	The Duty Holder 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.	2.3-2.6, 4.3-4.5
4	Duties and Powers	Comply with the duties and powers under existing legislation as appropriate.	1.3-1.5, 1.9, 1.13-1.15, 3.1-3.14, 4.2, 4.6-4.20, 4.25-4.32
5	Risk Assessment	Ensure all marine risks are formally assessed and are eliminated or as low as reasonably practicable in accordance with good practice.	2.7-2.11
6	Marine Safety Management System	Operate an effective marine safety management system which has been developed after consultation, is based on formal risk assessment, and refers to an appropriate approach to incident investigation.	2.12-2.17, 2.19-2.23, 2.25, 2.29
7	Review and Audit	Monitor, review and audit the risk assessment and marine safety management system on a regular basis – the independent designated person has a key role in providing assurance for the Duty Holder.	2.2, 2.24, 2.30-2.32
8	Competence	Use competent people (i.e. trained, qualified and experienced) in positions of responsibility for managing marine and navigation safety.	2.18
9	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.	2.26-2.28
10	Aids to Navigation	Comply with directions from the General Lighthouse Authorities and supply information and returns as required.	4.21-4.24

## 1.1 About the Harbour Authority

Chichester Harbour Conservancy (CHC) is a Statutory Harbour Authority (SHA) and a Local Lighthouse Authority (LLA) for Aids to Navigation. The Conservancy was established under the 'Chichester Harbour Conservancy Act, 1971', and incorporates many sections from the 'Harbours, Docks and Piers Clauses Act, 1847'. CHC is also a Competent Harbour Authority with respect to Pilotage. See Figure 1 for limits.

Chichester Harbour is one of the Country's most popular leisure harbours with an estimated 25,000 people enjoying its waters for racing, cruising and fishing each year. The harbour is home to a large recreational fleet with approximately 12,000 leisure vessels using the harbour and its marine facilities. There are 14 sailing clubs, six principal marinas, around 5,000 mooring points and 2,000 marina berths. The harbour has a very active dinghy sailing calendar, with many clubs based within the harbour providing year-round racing calendars. The harbour also has a small, but active, commercial fishing fleet. Commercial shipping activity is very rare and limited to the occasional tug/tow for maintenance work and maintenance dredging of marina and boatyard berths, entrances and approaches (CHC, 2025).

The harbour is a focus for small non-powered vessels such as windsurfers, kayakers and Stand-Up-Paddleboarders (SUP). This group of harbour users has seen considerable growth in numbers during recent years, most notably from 2019 onwards. There has also been an increase in people participating in wild swimming which is an all-year-round activity. Since 2015, the harbour has been experiencing an increase in the use of Personal Watercraft (PWC) such as jet skis, jet bikes and other water jet pump craft.

The harbour has numerous designations for the protection of its habitat, including, a Ramsar site, Special Protection Areas, a Special Area of Conservation, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, Local Wildlife Sites and Natures Reserves. There are 100 kilometres of public footpath with an estimation that around 1.3 million people visit Chichester Harbour National Landscape each year (CHC, 2025).



Figure 1. Harbour Limits

## 2 Purpose and Method

### 2.1 Audit scope

Chichester Harbour Conservancy (CHC) has contracted ABPmer to provide Designated Person services for Chichester Harbour. Part of this service includes the provision of annual auditing to establish if the Harbour Authority is compliant with the requirements of the Port Marine Safety Code (PMSC). The scope of the audit includes a review of Harbour Authority performance against the standard laid out within the latest edition of the Code. Any aspects that do not comply with, or fully address, the requirements of the Code will be identified, and recommendations for improvement will be made.

### 2.2 Audit definitions and outcomes

#### 2.2.1 Definitions

The following definitions are used in the audit report:

**Non-compliance:** is a failure to adhere to a legal requirement such as an Act, Order or its Regulations. The Port Marine Safety Code requires organisations to confirm compliance with the requirements of the Code. Therefore, Port Marine Safety Code audits are designed to test the requirements of the Code with any failure to comply identified as a 'non-compliance'.

**Non-conformity:** is an opportunity for the management system to improve through the identification of a requirement that is not met. Non-conformities are not regulatory but relate to the port or harbour's own operational instructions which are not met or fully met. Any non-conformities identified through the audit process are identified in bold text in the report.

**Evidence:** Non-compliances and Non-conformities are identified through factual evidence sampled during the audit.

#### 2.2.2 Outcomes

The audit report uses the following outcomes:



**Non-Compliance:** a non-compliance with the requirements of the Code which are a breach of legal obligations or may compromise marine safety, environmental safety or present a significant reputational risk. Recommendations for addressing non-compliances are identified in red.



**Observation:** refers to an improvement opportunity such as an update to information, procedural change, or a non-conformity with local operating instructions. Whilst observations are defined as improvement opportunities, addressing them may improve the overall system standard. Recommendations for addressing observations are identified in yellow.



**Satisfactory:** a system component that meets or exceeds the requirements of the Code. Items of best practice are identified in bold.

**Not applicable:** part of the Code that is not relevant to the Organisation being audited.

## 2.3 Audit date and criteria

The audit was carried out on-site at the Harbour Office, Itchenor, on 17 December 2024. The latest version of the PMSC, and the accompanying Guide to Good Practice (GtGP), has been used as the benchmarking standard. The Appendix tables to this report contain the test questions and evidence, noting down compliance, non-compliance and observational remarks. The audit tables also identify the paragraph numbers from the Code (DfT, 2016) and relevant sections of the Guide to Good Practice (DfT, 2018), for cross reference purposes.

## 2.4 Auditors

The following auditors conducted this audit.




Team Member	Initials	Company, Designation
Monty Smedley	MJS	ABPmer, Associate Maritime Consultant Designated Person (PMSC): Chichester Harbour Conservancy Lead Auditor for Quality Management Systems (QMS ISO 9001)

## 2.5 Auditees

The following individuals participated in the audit.

Team Member	Initials	Role/Designation
Adrian Karn	AK	Deputy Harbour Master (Health & Safety)
Alison Wakelin	AW	Duty Holder Conservancy Board, Chair of the Advisory
Jo Cox	JC	Harbour Master
Ludo Munn	LM	Lead Patrol Officer
Matt Briers CBE	MB	Chief Executive Officer

### 3 Audit Summary

Number	Key Measures Ten-point 'health check'			
1	Duty Holder	0	1	5
2	Designated Person	0	0	2
3	Legislation	0	0	6
4	Duties and Powers	0	2	44
5	Risk Assessment	0	1	6
6	MSMS	0	1	11
7	Review and Audit	0	1	4
8	Competence	0	1	3
9	Plan	0	1	3
10	Aids to Navigation	0	0	2
<b>Total</b>		<b>0</b>	<b>8</b>	<b>86</b>

The summary presented in the above table identifies that, for the ten-point health-check, Chichester Harbour Conservancy is found to be compliant with the requirements of the Port Marine Safety Code. ABPmer would like to compliment the Conservancy's staff for their delivery of the Code's requirements in a professional manner. The following five points of best practice are noted:

1. MAIB digest and relevant reports are shared with harbour staff during briefings and through email circulation. Pertinent MAIB investigations are also shared with the wider port community via the Weekly Navigation Bulletins (operated between April to October); this is recognised as a best practice approach.
2. The Conservancy has had five successful prosecutions during the year, using Byelaw 4 (vessels to be navigated with care and caution), and Byelaw 5 (speed of vessels). Following a successful conviction, the Conservancy sends a press release to deter potential future offenders. During 2024, a total of 38 written warnings were issued, plus 4 formal Harbour Master written warnings. Use of enforcement powers is recognised as an area of best practice.
3. The Conservancy has an emergency plan, dated December 2023. The plan was last tested on 17 November 2024 as operation 'Coastal Flame'. Evidence of plan test, including multi-agency involvement provided. Multi-agency involvement in a real-world test is considered a best practice approach.
4. A legal review of Duties and Powers has been completed. A draft Harbour Revision Order (HRO) is awaiting the parliamentary process. Reviewing powers and seeking changes in the form of an HRO is considered an area of best practice.
5. The Conservancy publishes a number of leaflets and advice for harbour users, including: Paddlesport and SUP safety, essential safety leaflet; collision regulations guidance; sailing and powerboating guidance; tender safety advice; and the recent collaborative document 'Code of Conduct for Sailing'. Publication of information for the harbour user community is considered as a best practice area.
6. Proactive management of abandoned vessels reduces the risk of wrecks. In Chichester Harbour, if a vessel owner fails to pay their harbour dues, the vessel is impounded and either sold through auction or disposed of (vessels are always valued first, before being disposed of). Early prevention through actions on non-payment of harbour dues is key to keeping abandoned vessels and subsequent wrecks under control. During 2024, the Conservancy disposed of 6 abandoned vessels. The Conservancy's management of abandoned vessels is considered to be an area of best practice.

The PMSC audit identified 8 observations relating to improvement opportunities for management consideration. The following details the findings, with the full audit output presented in Appendix A:

- The Marine Safety Management System & Safety Plan (MSMS&SP, Annex C) identifies named individuals as the Chair of the Conservancy and the Advisory Committee which are now different post holders.
- Whilst Conservancy staff receive frequent news items and updates, specific items of interest should also be circulated to the Duty Holders. It is recommended that the 'DP Quarterly News' distribution is also circulated to Conservancy Duty Holders.
- During the audit, the score outcome from marine risk assessments were discussed. Whilst each risk assessment has an outcome for the four receptors identified in the GtGP (People, Assets, Environment, Port), which matches the outcome matrix in Annex E of the MSMS&SP. It was not explicitly stated if 'high risk' (red) and 'very high risk' (dark red) was acceptable (tolerable or intolerable). The outcome wording and colour coding system should be reviewed and the tolerability position confirmed.
- The spot check of staff qualification identified that not all dates were complete in entry fields in the staff record database. The database should be reviewed to ensure date fields are correctly completed.
- Version 2 of the 'Compliance and Enforcement Policy' was issued in 2024. There is no sign-off process for reviewing and issuing policy.
- Significant effort has been put into the development of Dashboard Reporting, Incident Review, Risk Assessment and staff training. These initiatives are not reflected in the Safety Plan (Annex E) of the MSMS&SP. It is not considered that the plan is representative of the hard work of the Conservancy.
- CHC has a duty to provide Pilotage. It is possible that a Pilot could be requested, for which the Conservancy would need to respond. There is currently no provision for the Authority to provide a pilotage service. It is recommended that the Conservancy review its needs case and either remove this duty, or make arrangements to provide a Pilotage Service.
- There is no clear process for the storage of Commercial Vessel Registration forms. A check of records revealed that whilst registration information has been received, this was not tracked for its currency, nor reminders sent to obtain up-to-date declarations. A process should be established to store Commercial Vessel Registration forms. The process should include a check of validating for declarations made as part of the registration process.



## 4 References

Chichester Harbour Conservancy (CHC), 2025. About Chichester Harbour [webpage – accessed 08 January 2025]. <https://www.conservancy.co.uk/about-chichester-harbour>

Chichester Harbour Conservancy (CHC), 2019. Chichester Harbour Management Plan 2019-2024.

Department for Transport (DfT), 2016. Port Marine Safety Code, Department for Transport (DfT), November 2016.

Department for Transport (DfT), 2018. A Guide to Good Practice on Port Marine Operations Prepared in conjunction with the Port Marine Safety Code 2016, Department for Transport (DfT), February 2018.

International Hydrographic Office (IHO), 2022. Standards for Hydrographic Surveys SP-44 Edition 6.1.0. International Hydrographic Organization, September 2022

International Organization for Standardization (ISO) 9001: Quality Management Systems. International Organization for Standardization.

### 4.1 Websites

<https://friendsch.org>

<https://www.conservancy.co.uk/about-chichester-harbour-conservancy>

<https://www.conservancy.co.uk/notices>

<https://www.conservancy.co.uk/on-the-water>

<https://www.conservancy.co.uk/on-the-water/commercial-vessel-registration>

<https://www.conservancy.co.uk/on-the-water/harbour-dues-charges>

<https://www.conservancy.co.uk/on-the-water/navigation-safety/towage-guidelines>

<https://www.conservancy.co.uk/on-the-water/navigation-safety/weekend-navigation-bulletin>

<https://www.conservancy.co.uk/on-the-water/water-quality/water-quality-sampling-results>

<https://www.conservancy.co.uk/our-governance/members>

<https://www.conservancy.co.uk/page/byelaws>

<https://www.conservancy.co.uk/speeding-motor-vessels-prosecuted-and-fined>

<https://www.conservancy.co.uk/wp-content/uploads/CH-Management-Plan-2024-25-Refresh.pdf>

[https://www.conservancy.co.uk/wp-content/uploads/Essential\\_Safety\\_Leaflet.pdf](https://www.conservancy.co.uk/wp-content/uploads/Essential_Safety_Leaflet.pdf)

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

## 5 Abbreviations/Acronyms

AtoN	Aid(s) to Navigation
CBE	Commander of the British Empire
CCTV	Closed Circuit Television
CEO	Chief Executive Officer
CERS	Consolidated European Reporting System
CHA	Competent Harbour Authority
CHaPRoN	Chichester Harbour Protection and Recovery of Nature
CHC	Chichester Harbour Conservancy
Code	The Port Marine Safety Code
DfT	Department for Transport
DRA	Dynamic Risk Assessment
DP	Designated Person
E & W	England & Wales
FRA	Formal Risk Assessment
FRAG	Finance, Risk and Audit Group
GLA	General Lighthouse Authorities
GtGP	Guide to Good Practice on Port Marine Operations
HDPCA	Harbour, Docks and Piers Clauses Act
HOA	Harbour Operation and Administration
HOSIs	Harbour Office Standing Instructions
HR	Human Resource
HRO	Harbour Revision Order
HS	Health and Safety (Risk Assessment set)
IFCA	Inshore Fisheries and Conservation Authorities
IHO	International Hydrographic Organization
IMO	International Maritime Organisation
ISO	International Organization for Standardization.
KPI	Key Performance Indicator
LLA	Local Lighthouse Authority
LNTM	Local Notice to Mariners
LPS	Local Port Service
MAIB	Marine Accident Investigation Branch
MCA	Maritime and Coastguard Agency
MSMS	Marine Safety Management System
MSMS&SP	Marine Safety Management System & Safety Plan
n/a	Not Applicable
NEBOSH	National Examination Board in Occupational Safety and Health
NERC	Natural Environment Research Council
NtM	Notice to Mariners
OPRC	Oil Pollution Preparedness Response and Cooperation
PEC	Pilotage Exemption Certificates
PMSC	Port Marine Safety Code
PWC	Personal Watercraft
QMS	Quality Management System
QR	Quick Response Code (Machine readable barcode image)
RATSA	Railway and Transport Safety Act
RIB	rigid inflatable boat
RPI	Retail Price Index
SAC	Special Areas of Conservation



SHA	Statutory Harbour Authority
SOLAS	Safety of Life at Sea
SOP	Standing Operating Procedure
SOSREP	Secretary of State's Representative
SP	Safety Plan
SPA	Special Protection Area
SUP	Stand-Up-Paddleboarders
UK	United Kingdom
UKHO	United Kingdom Hydrographic Office
VHF	Very High Frequency
VTs	Vessel Traffic Services

Cardinal points/directions are used unless otherwise stated.

SI units are used unless otherwise stated.

# Appendix

# A Detailed Audit Findings

## A.1 PMSC Section 1 – Accountability for Marine Safety

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
1.3-1.5	Duties and Powers	Is the Organisation's Duty of Care for users of the harbour, port of facility stated?	<b>Satisfactory</b> – the Chichester Harbour Conservancy 'Marine Safety Management System & Safety Plan' (MSMS&SP), Issue 23, 01 January 2024, in Section 1.2 identifies: <i>"Chichester Harbour Conservancy is committed to complying with the PMSC and undertaking and regulating marine operations in a way that safeguards the harbour, its users, the public and the environment in fulfilment of the Common Law Duty of Care"</i> .		MJS_001	MJS
		Are local Acts and Orders identified?	<b>Satisfactory</b> – the MSMS&SP in Section 1.1 cites the Special Act: <i>"Chichester Harbour Conservancy is a Trust Port established by the Chichester Harbour Conservancy Act 1971"</i> .		MJS_001 MJS_002	MJS
		Is the Harbour, Docks and Piers Clauses Act (HDPCA) 1847 incorporated into local Acts and Orders?	<b>Satisfactory</b> – the Harbour, Docks and Piers Clauses Act 1847 (HDPCA 1847) is incorporated into Section 4(1) of the Chichester Harbour Conservancy Act 1971. In addition, the MSMS&SP references the HDPCA 1847 in Sections 3.11 'Open Port Duty' and Section 5.2 'Special Directions'.		MJS_001 MJS_002	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
1.6 – 1.7	The Duty Holder	Has the organisation appointed and confirmed who the Duty Holder is?	<p><b>Satisfactory</b> – the second page of the MSMS&amp;SP identifies the 15 'Members &amp; Duty Holders'. This is comprised of:</p> <ul style="list-style-type: none"> <li>4 Hampshire County Council</li> <li>4 West Sussex County Council</li> <li>3 Advisory Committee</li> <li>2 Haven Borough Council</li> <li>2 Chichester District Council</li> </ul> <p>The following governance committees and groups are arranged:</p> <ul style="list-style-type: none"> <li>The Finance, Risk and Audit Group (FRAG).</li> <li>Planning Committee.</li> <li>Advisory Committee.</li> <li>The Human Resource (HR) sub-Committee.</li> <li>Freedom of the Harbour sub-committee.</li> </ul>		<p>MJS_001</p> <p><a href="https://www.conservancy.co.uk/our-governance/members">https://www.conservancy.co.uk/our-governance/members</a></p>	MJS
1.8	The Duty Holder	Are the Duty Holder's responsibilities for compliance with Code defined?	<b>Satisfactory</b> – the MSMS&SP, in Section 2.1, under the sub-heading 'Duty Holder' outlines accountability.		MJS_001	MJS
1.10	The Duty Holder	Does the Duty Holder (Harbour Board members) have a clear understanding of the port's marine activities and MSMS?	<b>Satisfactory</b> – the Harbour Master provides a report to Board meetings on the PMSC, evidence provided from the 11 November 2024 Board Meeting, Item 19 'PMSC Report from the Harbour Master'. Additionally, the CEO provides a round-up, evidence of Agenda Item 6 'Conservancy Dashboard & CEO Update'.		MJS_004	MJS
		Has the Duty Holder (Harbour Board members) been provided with a clear brief or training on their role under the requirements of the Code?	<b>Satisfactory</b> – induction training is provided by CHC officers on first appointment to the Board. At the time of audit, all Duty Holders were recorded as having attended Duty Holder Training. Awareness tours are conducted which includes members of the Board, the last tour was on the 27 September 2024 and included the Langstone Sea Wall, and Eames Farm Thorney Island. The awareness tour was well attended with all but one Duty Holders present.		<p>MJS_005</p> <p>MJS_009</p>	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
1.11-1.12	The Designated Person	Has the Harbour Authority appointed an individual as the Designated Person?	<b>Satisfactory</b> – ABPmer is contracted to provide Designated Person services. Monty Smedley is the appointed Designated Person. Contact information has been circulated in the Local Notice to Mariners (LNTM), No.2 of 2025.		MJS_003	MJS
		Is the Designated Person's role explained in the MSMS?	<b>Satisfactory</b> – the MSMS&SP, in Section 2.1, under the sub-heading 'Designated Person' outlines the role. In addition, the role of the Designated Person is identified in Annex C.		MJS_001	MJS
1.13	Chief Executive [or equivalent]]	Have executive and operational responsibilities for marine safety been clearly assigned?	<b>Satisfactory</b> – the MSMS&SP, in Section 2.1, under the sub-heading 'Officers of the Conservancy' and Annex C identifies the Chief Executive Officer (CEO) role. Responsibilities are assigned in job descriptions, evidence seen.		MJS_001 MJS_044	MJS
		How is marine safety funded within the organisation?	<b>Satisfactory</b> – the CEO can approve financial spending in line with delegated limits of authority. Limits are laid out in the HOSI 'Purchasing' which defines spending limits and approvals. Funds are arranged into a Development Fund and a Repairs/Renewables fund. Any spending for capital items is subject to a needs case assessment, a Capital Expenditure plan, and Board Level approval. The last example (anecdotal) was a quay wall collapse in Emsworth.		MJS_008	MJS
1.9, 1.14 – 1.15	Harbour Master	Have executive and operational responsibilities for marine safety been clearly assigned?	<b>Satisfactory</b> – the MSMS&SP, in Section 2.1, under the sub-heading 'Officers of the Conservancy' and Annex C identifies the Harbour Master role. Job descriptions for the Harbour Master and Lead Harbour Technician provided as evidence of assigned responsibility.		MJS_001 MJS_045 MJS_046	MJS
		Does an officer with responsibilities for marine safety attend Board meetings?	<b>Satisfactory</b> – the CEO and Harbour Master attend Board Meetings. Evidence from Chichester Harbour Conservancy Meeting dated 29 January 2024 Board meeting provided. The National Landscape Director, Finance Manager and the Executive Officer also attend Board Meetings.		MJS_004	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
1.16 – 1.17	The Organisation's Officers	Does the MSMS provide details of the organisation's Officers and their responsibilities for marine safety?	<p><b>Satisfactory</b> – the MSMS&amp;SP, in Section 2.1, under the sub-heading 'Officers of the Conservancy' and Annex C identifies all roles within the harbour team at Chichester Harbour Conservancy.</p> <p><b>Observation</b> – the MSMS&amp;SP, Annex C, identifies named individuals as the Chair of the Conservancy and the Advisory Committee which are now different post holders.</p>	<p><b>Recommend</b> – the MSMS&amp;SP, Annex C Organisational chart should be reviewed to for accuracy.</p>	MJS_001	MJS

## A.2 PMSC Section 2 – Key Measures Needed to Secure Marine Safety

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
2.2	Further guidance	Does the organisation review any of the following: <ul style="list-style-type: none"> <li>MAIB digest / reports</li> <li>MCA health check trends</li> </ul>	<p><b>Satisfactory</b> – MAIB digest and relevant reports are shared with harbour staff during briefings and through email circulation. A distribution box is located outside of the staff welfare room containing recent safety publications. Pertinent MAIB investigations are also shared with the wider port community via the Weekly Navigation Bulletins (operated between April to October); <b>this is recognised as an area of best practice.</b> The Harbour Master briefs the Harbour Board on the MCA's Health-Check Trends, the last update was provided following the MCA's publication of the Health Check Trends report 2019/2020.</p> <p><b>Observation</b> – whilst Conservancy staff receive frequent news, specific items of interest should also be circulated to the Duty Holders.</p>	<p><b>Recommend</b> – the DP New distribution is also circulated to Conservancy Duty Holders.</p>	MJS_006 MJS_010	MJS
2.3 – 2.6	Review existing powers	Does the Harbour Authority have an understanding of local legislation?	<b>Satisfactory</b> – the MSMS&SP, in Section 1.1, states that: ' <i>Chichester Harbour Conservancy is a Trust Port established by the Chichester Harbour Conservancy Act 1971</i> '.		MJS_001	MJS
		Are local Acts and Harbour Orders referenced in MSMS?	<b>Satisfactory</b> – the MSMS&SP references the Act extensively. The Chichester Harbour Conservancy Act 1971 is also referenced in the Conservancy's website with a link to the harbour act.		MJS_001 <a href="https://www.conservancy.co.uk/about-chichester-harbour-conservancy">https://www.conservancy.co.uk/about-chichester-harbour-conservancy</a>	MJS
		Have the Harbour Authority's existing powers been reviewed?	<b>Satisfactory</b> – the Conservancy commissioned a full legal review of the Chichester Harbour Conservancy Act 1971. A Harbour Revision Order has been prepared, submitted and is awaiting parliamentary time for issue. The HRO seeks to modernise legislative powers, duties and responsibilities.		MJS_013	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
Cont. 2.3 – 2.6	Cont. Review existing powers	Is the organisation's jurisdiction mapped and clear?	<b>Satisfactory</b> – the Harbour Limits from the Chichester Harbour Conservancy Act 1971, are mapped on the UK Hydrographic Office Chart, 3418.		Observation, UKHO Chart 3418	MJS
2.7 – 2.11	Use of Formal Risk Assessment (FRA)	Have risks associated with marine operations been assessed and a means of controlling them deployed?	<b>Satisfactory</b> – there are 74 risk assessments maintained by CHC in the following categories: <ul style="list-style-type: none"> <li>A: Navigation (6)</li> <li>B: Public on the harbour (15)</li> <li>C: Working on the harbour (7)</li> <li>D: Employee activity on the harbour (12)</li> <li>E: Employee activity ashore (14)</li> <li>F: Single event Risk Assessments (13)</li> <li>G: Fire safety Risk Assessments (7)</li> </ul>		MJS_014	MJS
		Have risks associated with marine operations been assessed and a means of controlling them deployed?	<b>Satisfactory</b> – a sample of risk assessments was examined; all of the risk assessments were in-date at the time of audit. The risk assessment listing is considered to cover the typical marine related activities occurring within the harbour.  <b>Observation</b> – during the audit, the score outcome was discussed. Whilst each risk assessment has an outcome for the four receptors identified in the GtGP (People, Assets, Environment, Port), which matches the outcome matrix in Annex E of the MSMS&SP. It was not explicitly stated if 'high risk' (red) and 'very high risk' (dark red) was acceptable in regard to tolerability. The colour coding implies that 'Low risk' (Green) and 'medium risk' (amber) are tolerable.	<b>Recommend</b> – the tolerability position is confirmed for the likelihood and severity outcomes detailed in Annex E of the MSMS&SP.	MJS_001 MJS_014 MJS_071 MJS_072 MJS_073	MJS
		How does the organisation ensure those undertaking marine risk assessment are competent in the role?	<b>Satisfactory</b> – the Deputy Harbour Master has completed a National Examination Board in Occupational Safety and Health (NEBOSH) Occupational Health and Safety Certificate, in August 2015. All of the marine team has received in-house risk assessment training, evidence provided.		MJS_012 MJS_015	MJS



PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
Cont.  2.7 – 2.11	Cont.  Use of formal Risk Assessment	Are stakeholders included in marine risk review/assessments?	<b>Satisfactory</b> – evidence was presented that the Chichester Harbour Federation representatives are provided with copies of the risk assessments, as an Annex to the MSMS&SP. Members hold meetings in advance of the Advisory Committee meetings. The Advisory Committee meets <i>circa</i> seven days before the main Board Meeting to scrutinise the MSMS and risk assessments. Evidence noted in minutes.		MJS_063 MJS_077	MJS
		Does the MSMS prescribe the review frequency for risk assessments?	<b>Satisfactory</b> – this MSMS&SP, Annex F 'Calendar of Safety Topics' documents review frequency. The MSMS&SP identifies January for review of Sections A and B, and April for Sections C and D. A footnote explains that all shore-based Risk Assessments; Employee Activity Ashore, Single Events, and Fire Safety, are reviewed on an annual basis outside of this schedule. To assist scheduling, Harbour Assist (Software) is used to schedule risk assessment review		MJS_001	MJS
		Is a system of Dynamic Risk Assessment (DRA) used?	<b>Satisfactory</b> – the use of DRA is covered in seasonal patrol officer training, managing people training and inductions by the Hampshire Police Marine Unit. Evidenced through patrol officer training slides.		Training Slides	MJS
2.12-2.14	Implement a MSMS	Is there an MSMS? Does this incorporate policies and procedures? The MSMS must incorporate a regular and systematic review of its performance.	<b>Satisfactory</b> – the Chichester Harbour Conservancy 'Port Marine Safety Code' Marine Safety Management System & Safety Plan', Issue 23, published on the 01 January 2024 is the latest version. The MSMS&SP, Section 3.8.4, details the review process for the system. An annual external audit provides assurance that the system is functioning to the expectation of the Code. The Conservancy uses a set of Harbour Office Standing Instructions (HOSI) split into subject topic areas. The HOSIs form the Standard Operating Procedures (SOPs) for the Harbour Authority.		MJS_001 MJS_017 MJS_018	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
2.15	MSMS standards and Key Performance Indicators (KPIs)	Does the MSMS detail KPIs and/or make a statement about performance in the organisation's annual report?	<b>Satisfactory</b> – the MSMS&SP, Annex E, sets out safety objectives for marine operations. These have completion dates set. Additionally, the 'Management Plan Annual Review' layout out in detail, indicators (such as incidents, complaints, enforcements and conservancy items).		MJS_016	MJS
2.16	MSMS assigning responsibility	Does the MSMS explicitly assign responsibility for appropriate safety/conservancy matters?	<b>Satisfactory</b> – the MSMS&SP, Annex C identifies the staff structure. Section 2.1 under the heading 'Officers of the Conservancy' states that: <i>"the responsibility for executing the plans and policies of the Conservancy rests with its officers"</i> .		MJS_001	MJS
2.17	MSMS Consultation	Are forum/consultation meetings held?	<b>Satisfactory</b> – consultation is detailed within the MSMS&SP, Section 3.4 (plus, 3.4.1 and 3.4.2). Consultation is carried out primarily through the Advisory Committee (which is a statutory requirement). Attendee Organisations include: <ul style="list-style-type: none"> <li>▪ Royal Yachting Association.</li> <li>▪ Chichester harbour federation.</li> <li>▪ Sussex IFCA.</li> <li>▪ Professional Boatman's Association.</li> <li>▪ Natural England.</li> <li>▪ Environment Agency.</li> <li>▪ Chichester District Association of Local Councils</li> <li>▪ British Marine</li> <li>▪ Residents of the Borough of Havant</li> <li>▪ Apuldram Fishing and Boat Club</li> <li>▪ Naturalists.</li> <li>▪ Wildfowlers.</li> <li>▪ Friends of Chichester harbour.</li> <li>▪ Recreational and Sports Anglers.</li> <li>▪ Farming in protected landscapes.</li> <li>▪ Harbour Business Association.</li> </ul>		MJS_001 MJS_077  <a href="https://www.conservancy.co.uk/our-governance/members">https://www.conservancy.co.uk/our-governance/members</a>  <a href="https://friendly.org">https://friendly.org</a>	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
Cont.  2.17	Cont.  MSMS Consultation	Cont.  Are forum/consultation meetings held?	Cont.  Chichester Harbour Federation consults with its membership and provides input to the Advisory Committee. The Advisory Committee meets one week before each Conservancy meeting to consider the Conservancy agenda and papers. CHC is represented at the following meetings by Conservancy staff:  <ul style="list-style-type: none"> <li>Chichester harbour federation (Sailing)</li> <li>Friends of Chichester harbour</li> <li>Marina manager's meeting</li> <li>Sailing clubs and lifeboat meetings</li> <li>Chichester Harbour Protection and Recovery of Nature (CHaPRoN) partnership.</li> <li>Individual meetings with Boatyard Owners and Operators.</li> </ul>		MJS_001 MJS_077  <a href="https://www.conservancy.co.uk/our-governance/members">https://www.conservancy.co.uk/our-governance/members</a>  <a href="https://friendsh.org">https://friendsh.org</a>	MJS
2.18	Competence standards	Are personnel qualified and trained for their marine safety role?	<b>Satisfactory</b> – in the MSMS&SP, Section 3.5 states: <i>"Employees of the Conservancy are recruited and selected on their suitability to fill the Job Descriptions, which are maintained on the HR Toolkit database, these are based on national occupational standards. Employees are reported upon annually and, at that time, their Job Description, responsibilities and performance are reviewed. Reports on Harbour staff are held on the HR Toolkit. Arising from the annual review of performance, training standards and requirements are examined and appropriate training undertaken"</i> . HOSI HOA01 also identifies training and experience requirements for vessel Coxswains. Training is managed against job roles through the use of a bespoke database which identifies role, staff member, training/qualification achieved date, expiry date (if relevant) and experience signoffs. The auditor conducted spot checks of certification against training records.		MJS_001 MJS_054 MJS_055 MJS_056 MJS_057 MJS_058	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
Cont.  2.18	Cont.  Competence standards	Is there a policy on revalidation or maintenance of qualifications in place?	<b>Satisfactory</b> – the MSMS&SP, Section 3.5.1, identifies that: “Staff training and qualifications are recorded in a Training Database. This database records all qualifications gained and training received by individual staff members. The database highlights job roles where certain qualifications are compulsory and automatically flags up when items of qualifications or training are due for re-validation”. This forms the Conservancy’s commitment and policy on training and revalidation.		MJS_001	MJS
		Is there a list of the organisation’s staff, training received, qualifications held and/or experience required for their role?	<b>Satisfactory</b> – staff training and qualifications are recorded in a Training Database, which is maintained by the Harbour Master and Lead Harbour Technician. Spot checks conducted during the audit.  <b>Observation</b> – not all dates were complete in entry fields in staff records (for example, the Lead Patrol Officer had dates for Very High Frequency (VHF) certification and Marine Accident/Incident investigation training completion date was missing.	<b>Recommend</b> – the database entries for staff are reviewed to ensure date fields are correctly completed.	MJS_057 MJS_058	MJS
2.19 – 2.22	Incident reporting and investigation	Does the MSMS identify the organisation’s instruction regarding: <ul style="list-style-type: none"> <li>reporting</li> <li>recording of incidents</li> <li>investigation</li> <li>enforcement (if relevant).</li> </ul>	<b>Satisfactory</b> – the MSMS&SP, Section 3.6 details the Conservancy’s approach to incident investigation. All accidents and incident reports are recorded on the Conservancy’s in-house database. The total number of incidents for the period 01 January 2024 to 16 December 2024 was 233. Incident investigation is listed on the skills matrix, Harbour Master and the Lead Patrol Officer have attended ‘Marine Accident/Incident Investigation training’. At the time of audit, one incident was open, and 232 incidents were closed.		MJS_001 MJS_039 MJS_040 MJS_059 MJS_060	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
GtGP 13.2	Incidents involving Death or Crime	Are procedures in place for incidents involving death or crime?	<b>Satisfactory</b> – emergency procedures and anecdotal evidence (from Conservancy staff) identified the actions taken in the event of death or crime. HOSI HOA04 details the process required if CHA staff suspect that a mariner is operating under the influence of alcohol or drugs. This references Byelaw 21 (giving powers relating to recreational users).		MJS_018 MJS_028	MJS
GtGP 13.9	Incident publication	Does the Harbour Authority disseminate information from accident investigations?	<b>Satisfactory</b> – information is supplied to parties involved in incidents. During October 2024, information on the new incident reporting system was provided to Marina Managers.		MJS_050	MJS
2.23	Incident statutory reporting	Are procedures for reporting incidents to the MAIB in place?	<b>Satisfactory</b> – in the MSMS&SP, Section 3.7 identifies the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012, and the Merchant Shipping (Accident Reporting and Investigation) (Amendment) Regulations 2012 are followed, with notification provided to the MAIB. The last MAIB reportable incident was in 2020 and involved a RIB capsize (outside of harbour limits, in the harbour approaches). There have been no MAIB reportable incidents in 2023.		MJS_001	MJS
2.24	Monitoring performance and auditing	Has the MSMS been subject to audit (internal and/or external)?	<b>Satisfactory</b> – the MSMS&SP is subject to annual audit by the Designated Person.		n/a	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
2.25	Enforcement	Are local officers aware of enforcement powers and responsibilities?	<b>Satisfactory</b> – the MSMS&SP, Section 3.9 provides an overview of the Conservancy's approach to enforcement. This is further detailed in the Conservancy's Compliance and Enforcement Policy. The Conservancy has had five successful prosecutions during the year, using Byelaw 4 (vessels to be navigated with care and caution), and Byelaw 5 (speed of vessels). Following successful conviction, the Conservancy sends a press release to deter potential future offenders. <b>Use of enforcement powers is recognised as an area of best practice.</b> The Conservancy also makes use of a written warning system, if an offence is observed, a written warning can be issued to dissuade further offending. During 2024, a total of 38 written warnings were issued, plus 4 formal Harbour Master written warnings.		MJS_019  <a href="https://www.conservancy.co.uk/speeding-motor-vessels-prosecuted-and-fined">https://www.conservancy.co.uk/speeding-motor-vessels-prosecuted-and-fined</a>	MJS
		Is there a policy on enforcement and prosecution in place?	<b>Satisfactory</b> – the Conservancy has a 'Compliance and Enforcement Policy' which is also published on the Conservancy's website.  <b>Observation</b> – version 2 of the 'Compliance and Enforcement Policy' was issued in 2024. There is no sign-off process for issuing policy.	<b>Recommend</b> – the Conservancy consider how policy is reviewed, approved and issued (for example, with a HOSI).	MJS_019	MJS
2.26	Publication of plans and reports	Does the organisation commit itself to developing policies and procedures to satisfy the requirements of the Code?	<b>Satisfactory</b> – this requirement is met through the combination of the following: <ul style="list-style-type: none"><li>▪ Publication of the MSMS&amp;SP, with Annex E providing the Safety Plan for 2024.</li><li>▪ Chichester Harbour Annual Review.</li><li>▪ Chichester Harbour Management Plan (CHC, 2019).</li></ul> <b>Observation</b> – significant effort has been put into the development of Dashboard Reporting, incident review, risk assessment and staff training. These initiatives are not reflected in the Safety Plan (Annex E). It is not considered that the plan is representative of the hard work of the Conservancy.	<b>Recommend</b> – the Conservancy review and adopt a more representative version of the plan that more accurately captures the safety and efficiency initiatives of the Conservancy.	MJS_001 MJS_016	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendation	Evidence Reference	Auditor
2.27	Plan assessment	Is an assessment of the organisation's performance against the plan published?	<b>Satisfactory</b> – this requirement is met through the publication of the MSMS&SP which provides the Safety Plan (Annex E) plus the reporting against the plan in the Chichester Harbour Annual Review.		MJS_001 MJS_016	MJS
2.28	Safety plan for marine operations	Is a 'Safety Plan for Marine Operations' published (every three years).	<b>Satisfactory</b> – published annually as Annex E of the MSMS&SP.		MJS_001	MJS
2.29	Consensus	Has the Harbour Board maintained consensus with harbour users and service providers about safe navigation?	<b>Satisfactory</b> – see response to Audit Report Section 2.17.		n/a	MJS
2.30 – 2.32	Monitoring compliance	Has the Harbour Authority confirmed compliance with the PMSC for the port to the MCA within the last three years?	<b>Satisfactory</b> – a letter to the MCA from the Conservancy Chair regarding compliance with the Code was sent on 01 February 2021. Chichester Harbour Conservancy is listed in the DfT webpage showing 'UK port facilities confirming PMSC compliance up to 31 January 2022 which was last updated on 01 February 2022.		MJS_020  <a href="https://www.gov.uk/government/publications/port-marine-safety-code-compliant-ports">https://www.gov.uk/government/publications/port-marine-safety-code-compliant-ports</a>	MJS
GtGP 2.2.3 (also, Code Executive Summary)	Monitoring compliance	Has the Harbour Authority confirmed that all organisations within its jurisdiction comply with the requirements of the Code?	<b>Satisfactory</b> – this topic has been raised with marina managers through consultation meetings. Evidence of 16 October 2024 meeting, agenda Item 3.0. Also, through individual meetings with Boatyard operators.		MJS_050	MJS

## A.3 PMSC Section 3 – General Duties and Powers

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
3.1 – 3.4	Safe and Efficient Port Operations	Does the Duty Holder have regard to efficiency, economy and safety of operation in respect to the services and facilities provided?	<b>Satisfactory</b> – the Conservancy puts forwards plans and proposals to enhance marine safety and improve efficiency. A recent example is the Itchenor jetty/pontoons to provide walk-ashore berthing and reduce small craft (tender) use.		MJS_021	MJS
3.5	Open port duty	Is the port or harbour subject to Open Port Duty'?	<b>Satisfactory</b> – the Chichester Harbour Conservancy Act 1971 includes the provision laid out within the Harbours, Docks, Piers, Clauses Act 1847, Section 33. This is identified in the MSMS&SP, Section 3.11 'Open Port Duty'.		MJS_001	MJS
3.6 – 3.6	Conservancy duty	How does the harbour authority conserve the harbour?: <ul style="list-style-type: none"><li>▪ Survey as regularly as necessary</li><li>▪ Place navigation marks in optimum positions</li><li>▪ Keep 'vigilant watch' for any sea bed changes</li><li>▪ Keep hydrographic records</li><li>▪ Ensure hydrographic information is published</li><li>▪ Update UKHO with chart information.</li></ul>	<b>Satisfactory</b> – the Management Plan covers Conservancy Policy and statement of intent. Evidence of annual hydrographic survey was provided, covering the Bar and harbour entrance, surveyed on 22 April 2024. The survey was communicated to mariners via Local Notice to Mariners, Number 07 of 2024, with a full download of the survey made available. Approximately 5% of the harbour area is surveyed annually, most of the harbour being drying intertidal. The MSMS&SP, Section 4.1.1 states that: <i>"Hydrographic surveys will be undertaken with reference to the Hydrographic Code of Practice (International Hydrographic Organization publication SP44, IHO standards of survey)"</i> (IHO, 2022).		MJS_001 MJS_022 MJS_047 MJS_048  <a href="https://www.conservancy.co.uk/wp-content/uploads/CH-Management-Plan-2024-25-Refresh.pdf">https://www.conservancy.co.uk/wp-content/uploads/CH-Management-Plan-2024-25-Refresh.pdf</a>	MJS
3.7	Updates provided to UKHO	Does the organisation have an Agreement with UKHO, and/or do they provide survey information to UKHO?	<b>Satisfactory</b> – the latest UK Hydrographic Office Chart, 3418 was sighted during audit. CHC has a bilateral agreement with UKHO, dated 22 November 2011.		MJS_023	MJS



PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
GtGP 1.9.11, and 7.8	Licensing, Regulating Harbour Works and Dredging?	Does the harbour authority have the power to licence works?	<b>Satisfactory</b> – the Conservancy has powers to licence Harbour Works (Section 45) and Dredging (Section 46). The Conservancy's regulations and conditions for the issue and control of works and dredging licences are contained in HOSI HOA19. Works licence issued on 27 August 2024 at Bosham Quay evidenced. And a dredging application and consent for Sparkes Marina, issued 25 November 2024.		MJS_024 MJS_025 MJS_037	MJS
3.8	Environmental duty	Does the Organisation understand its obligations: <ul style="list-style-type: none"> <li>Nature conservation Section 48A of Harbours Act 1964</li> <li>Obligations for SPA, SACs under Habitat Regs.</li> <li>Compliance with Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006 [E &amp; W]</li> <li>Environment Act, 2021</li> </ul>	<b>Satisfactory</b> – the MSMS&SP, Section 4.2 states that: <i>"The conservation of nature is a primary function off the Conservancy under the 1971 Act, The Harbour environment is highly protected reflecting the important habitats and species it supports. CHC carries out all its functions with special regard to the possible environmental impact, protecting from damage and pollution the marine environment and the landscape, heritage, amenity and tourism attractions of Chichester Harbour. It is cognisant of the Natural Environment and Rural Communities Act 2006 and its duty under section 40 to conserve biodiversity"</i> . The Conservancy samples water quality monthly during winter and fortnightly during summer, results are presented on the Conservancy's website.		MJS_001  Chichester Harbour Conservancy Act 1971  <a href="https://www.conservancy.co.uk/on-the-water/water-quality/water-quality-sampling-results">https://www.conservancy.co.uk/on-the-water/water-quality/water-quality-sampling-results</a>	MJS
3.9	Civil Contingency Duty and Emergency Planning	Does the MSMS include reference to the Harbour Authority's obligations as a Category 2 responder?	<b>Satisfactory</b> – the MSMS&SP, Section 4.3 acknowledges Civil Contingences duties.		MJS_001	MJS
GtGP 6.2.4, 6.5	Emergency Planning / Pollution control	Does the MSMS include emergency planning and oil pollution response?	<b>Satisfactory</b> – the MSMS&SP, Section 4.3.1 acknowledges emergency plans. The Conservancy has an Emergency Plan updated in December 2023, an Oil Pollution Response Plan valid until 30 December 2026 and a Waste Management Plan updated in July 2024.		MJS_026 MJS_027 MJS_041 MJS_042 MJS_043	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
Cont.  GtGP 6.2.4, 6.5	Cont.  Emergency Planning / Pollution control	Does the port/harbour carry out emergency plan exercises?	<b>Satisfactory</b> – the last Tier 2 Oil Spill Exercise was carried out on 17 February 2022 as 'exercise barged in'. [Auditor's note: a Tier 2 exercise is required ever three years, the next exercise is planned as a joint exercise with Langstone Harbour on 26 February 2025]. The OPRC Annual Return form for 2023 was also evidenced. The Conservancy has an emergency plan, dated December 2023. The plan was last tested on 17 November 2024 as operation 'Coastal Flame'. Evidence of plan test, including multi-agency involvement provided. <b>Multi-agency involvement in a real-world test is considered a best practice approach.</b>		MJS_041 MJS_043 MJS_074 MJS_075	MJS
3.10 – 3.11	Harbour Authority Powers and review	Has the Harbour Authority reviewed its powers?	<b>Satisfactory</b> – a legal review of Duties and Powers has been completed.		MJS_013	MJS
3.12 – 3.14	Revising Duties and Powers	Evidence of Harbour Revision Orders, or Harbour Closure.	<b>Satisfactory</b> – a legal review of Duties and Powers has been completed. A draft Harbour Revision Order (HRO) is awaiting the parliamentary process. <b>Reviewing powers and seeking changes in the form of an HRO is considered an area of best practice.</b>		MJS_013	MJS

## A.4 PMSC Section 4 – Specific Duties and Powers

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
4.2	Appointment of Harbour Master	Is there a Harbour Master appointment for the port?	<b>Satisfactory</b> – Conservancy meeting minutes from 24 April 2023, identify the Board Appointment of the Statutory role of Harbour Master. Additionally, the Harbour Master has been provided with an appointment letter from the Conservancy 'with an appointment as the Harbour Master within the Organisation's jurisdiction'.		MJS_007 MJS_011	MJS
4.3 – 4.5	Byelaws	Does the organisation have powers to make Byelaws, are these published?	<b>Satisfactory</b> – the Conservancy has two sets of Byelaws: <ul style="list-style-type: none"> <li>Chichester Harbour Conservancy, Byelaws for the protection of Pilsey Island Local Nature Reserve, 1985.</li> <li>Chichester Harbour Conservancy, Byelaws relating to vessels entering using or leaving the Harbour and notes for guidance of harbour users, 1996.</li> </ul>		MJS_028  <a href="https://www.conservancy.co.uk/page/byelaws">https://www.conservancy.co.uk/page/byelaws</a>	MJS
		Date of last byelaw review?	<b>Satisfactory</b> – a recently completed legal review of Duties and Powers has considered the Byelaws. The date of last Byelaw publication was 1985 and 1996 respectively.		<a href="https://www.conservancy.co.uk/page/byelaws">https://www.conservancy.co.uk/page/byelaws</a>	
4.6 – 4.7	Special Directions	Are the Harbour Master's powers of Direction shown in the MSMS, how is delegation identified?	<b>Satisfactory</b> – the MSMS&SP, Section 5.2 details the Conservancy's powers of Special Directions. This is also detailed within the Compliance and Enforcement Policy, under schedule 1, under the heading 'Special Direction'.		MJS_001 MJS_019	MJS
4.8	General Directions	Are the powers of General Directions available to the Harbour?	<b>Satisfactory</b> – powers of General Direction are not available to the Conservancy. However, Section 89 of the 1971 Act provides powers similar to General Directions that may be used in an emergency. Powers are being sought via the HRO to make General Directions.		MJS_013  Chichester Harbour Conservancy Act 1971	MJS
		When were General Directions last reviewed?	n/a		n/a	MJS
4.9	Harbour Directions	Are Harbour Directions used and published?	<b>Satisfactory</b> – powers of harbour directions were granted on 6 April 2015 by the DfT. These powers have not been exercised.		MJS_075	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
4.10 GtGP 6.4	Dangerous Vessels	Does the MSMS (or other plan) make provision for giving directions to dangerous vessels?	<b>Satisfactory</b> – Dangerous Vessel Directions are identified in the 'Compliance and Enforcement' Policy.		MJS_019	MJS
		Is the role of the SOSREP acknowledged?	<b>Satisfactory</b> – the role of the Secretary of State's Representative (SOSREP) is identified the 'Compliance and Enforcement' Policy, under the heading 'Dangerous Vessel Directions'.		MJS_019	MJS
GtGP 6.2	Dangerous goods / substances	Are there clear requirements for declaration of dangerous goods/substances?	<b>Satisfactory</b> – vessels carrying dangerous goods are subject to a specific risk assessment by the Harbour Authority. Cargo vessels do not routinely use the harbour.		Anecdotal	MJS
GtGP 8.4	Vessel Traffic Management	Is vessel traffic managed within the port area, how is this achieved?	<b>Satisfactory</b> – Chichester Harbour Conservancy operates a Local Port Service, comprised of: <ul style="list-style-type: none"> <li>Recreational traffic self-manage, using issued guidance and Byelaws; amplified by Notice to Mariners (NtM).</li> <li>Circulars via the weekend navigation bulletins.</li> <li>Emsworth Office, operated 01 April to 31 October (Thursday to Monday inclusive).</li> <li>From Itchenor, daily watch on VHF Channel 14, during the period 08:30 to 17:00 hrs (weekends and holidays excepted November to April or Easter if earlier).</li> <li>Out of hours emergency contact from the on-call Duty Harbour Master.</li> <li>Closed Circuit Television (CCTV) operated from the Itchenor office and Emsworth office.</li> <li>The Conservancy runs a seasonal harbour patrol service 01 April to 31 October.</li> <li>Mobile Patrol Office at launch points to offer safety advice and assistance.</li> </ul>		Anecdotal  <a href="https://www.conservancy.co.uk/on-the-water/navigation-safety/weekend-navigation-bulletin">https://www.conservancy.co.uk/on-the-water/navigation-safety/weekend-navigation-bulletin</a>  <a href="https://www.conservancy.co.uk/notices">https://www.conservancy.co.uk/notices</a>	MJS
		Is vessel traffic monitoring information passed to the MCA by the quickest means?	<b>Not applicable</b> – commercial vessels do not use the harbour (other than small tugs/tows and dredging vessels). There is no requirement to complete the Consolidated European Reporting System (CERS).		n/a	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
Cont. GtGP 8.4	Cont. Vessel Traffic Management	Has the need for VTS/LPS been reviewed recently?	<b>Satisfactory</b> – Risk Assessments A1a to A1e (Navigation Assessment, Section A) considered the requirements of navigation. Components of a Local Port Service is concluded to be necessary.		MJS_014	MJS
GtGP 13.2.2	Drink and drugs	Do staff know what to do if they suspect that a mariner (master, pilot, seaman) has committed an offence whilst on duty?	<b>Satisfactory</b> – Byelaw 21 (giving powers relating to recreational users) is part of Patrol Officer training and more applicable to operations within Chichester Harbour. In addition, HOSI 01 'Use of Conservancy Vessels' and HOSI 04 'Harbour Patrols', Section 8.0 in each document addresses Alcohol and Drugs use, referencing the Railways and Transport Safety Act (RATSA) 2003.		MJS_017 MJS_018	MJS
4.11 GtGP 9.0	Pilotage	Is the port a CHA?	<b>Satisfactory</b> – the MSMS&SP in Section 5.7 states that: " <i>Chichester Harbour Conservancy is a Competent Harbour Authority (CHA), and has the authority to require pilotage</i> ". Chichester is listed as a CHA by the DfT.		MJS_001	MJS
		Has the requirement for pilotage been reviewed?	<b>Satisfactory</b> – the MSMS&SP in Section 5.7 states that: ' <i>CHC assesses the risk of the movement of shipping into and out of the harbour. With no large commercial traffic other than dredgers, there are no extant pilotage directions and the movements are judged on an individual basis.</i> ' HOSI HOA13 documents the need for Pilotage. Risk Assessment C1 'Vessels over 20 metres LOA' provides an assessed basis to support this statement which includes factors of limited harbour depth, no commercial wharves, large expanse of shallow intertidal making commercial shipping activity unlikely.  <b>Observation</b> – CHC has a duty to provide Pilotage. It is possible that Pilot could be requested, for which the Conservancy would need to respond. There is currently no provision for the Authority to provide a pilotage service.	<b>Recommend</b> – a risk-based review of Pilotage, to concluded if the CHC should retain this duty and if so, make arrangements to provide a Pilotage Service.	MJS_001 MJS_035 MJS_064	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
4.12 GtGP 9.4	Pilotage Directions	Are Pilotage Directions issued?	<b>Satisfactory</b> – as pilotage is not assessed to be compulsory, there are no issued Pilotage Directions.		n/a	MJS
Cont.  4.12 GtGP 9.4	Cont.  Pilotage Directions	Were stakeholders consulted during the drafting phase of the most recent Pilotage Direction?	<b>Not applicable</b> – no pilotage directions are issued.		n/a	MJS
4.13 GtGP 9.4	Authorisation of pilots	Is the process for appointing Pilots referenced in the MSMS?	<b>Not applicable</b> – there are no authorised pilots.		n/a	MJS
4.14 GtGP 9.4.31	Pilot Training	Does the CHA implement the international regulations on the training and certification and operational procedures for pilots contained within International Maritime Organisation (IMO) Resolution A960?	<b>Not applicable</b> – there are no authorised pilots.		n/a	MJS
GtGP 9.5.43	Pilotage	Does the authority operate an effective Pilot Fatigue Management System?	<b>Not applicable</b> – there are no authorised pilots.		n/a	MJS
4.15 – 4.16 GtGP 9.5	Pilot Exemption Certificates	Is a clear process for the issuing of PECs published?	<b>Not applicable</b> – there are no issued Pilot Exemption Certificates (PECs).		n/a	MJS
		Are the requirements equivalent to those for an authorised pilot?	<b>Not applicable</b> – there are no issued Pilot Exemption Certificates (PECs).		n/a	MJS
GtGP 8.7.15 – 8.8.10	Port Passage Plan	Is there a published passage plan?	<b>Satisfactory</b> – the MSMS&SP, Section 5.4 states: <i>'There is no standing requirement for any vessel in Chichester Harbour to file a port passage plan, notwithstanding the requirements of SOLAS. Vessels with large or unusual tows are required to consult with the harbour master. Vessels of 18 m or more in length overall, vessels not under command, restricted in their ability to manoeuvre, or towing a vessel or structure over 12 m in length, or the tow exceeds 20 m are required to give notice of their movements to 'Chichester Harbour Radio'. Special directions and port passage guidance is issued when the situation requires, e.g. movement of dredgers and other large vessels'.</i>		MJS_001  <a href="https://www.conservancy.co.uk/wp-content/uploads/Essential_Safety_Leaflet.pdf">https://www.conservancy.co.uk/wp-content/uploads/Essential_Safety_Leaflet.pdf</a>	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
GtGP 8.10	Recreational navigation	Are recreational users of the harbour considered?	<b>Satisfactory</b> – the Conservancy publishes a number of leaflets and advice for harbour users, including: Paddlesport and SUP safety, essential safety leaflet; collision regulations guidance; sailing and powerboating guidance; tender safety advice; and the recent collaborative document 'Code of Conduct for Sailing'. <b>This is considered an area of best practice.</b>		MJS_029 MJS_030  <a href="https://www.conservancy.co.uk/on-the-water">https://www.conservancy.co.uk/on-the-water</a>	MJS
4.17 – 4.20	Collecting Dues	Are dues clearly defined?	<b>Satisfactory</b> – harbour dues are published on the Conservancy's website. Increased in dues and charges are set based on Retail Price Index (RPI) increases are discussed in the Finance, Risk and Audit Committee. The November Board meeting considers proposals for dues and charges. The Conservancy commenced a new QR Code payment method in 2024 with signage at slipways and other launch points. The QR code also links to safety information.		<a href="https://www.conservancy.co.uk/on-the-water/harbour-dues-charges">https://www.conservancy.co.uk/on-the-water/harbour-dues-charges</a>	MJS
4.21-4.23	Aids to Navigation	Are defects and rectification of defects recorded?	<b>Satisfactory</b> – the Conservancy maintains 102 AtoN within the harbour (split into light, structure and top mark). To allow management and repair, a planned maintenance system for scheduling AtoN inspections at regular intervals is used. The history of all repairs and maintenance to each AtoN is logged. HOSI HOA 007 identifies Conservancy processes.		MJS_031 MJS_033 MJS_036	MJS
4.24	GLA returns	Are returns made to the GLA?	<b>Satisfactory</b> – regular returns and correspondence with the GLA were noted during audit, the three-yearly AtoN availability statistics were sampled. These identify that: <ul style="list-style-type: none"> <li>Cat 2: target availability = 100.0%, CHC achieved 100% availability.</li> <li>Cat 3: target availability = 99.71%, CHC achieved 100%.</li> </ul> Both Cat 2 and 3 AtoN exceeded the availability targets. Trinity House conducted an inspect of AtoN on 15 November 2024.		MJS_032 MJS_033	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
4.25-4.32	Wrecks, Abandoned or unserviceable vessels	Does the MSMS refer to powers for dealing with wrecks?	<b>Satisfactory</b> – the Conservancy has powers to remove wrecks (Section 43) which are further strengthened by powers contained within the Merchant Shipping Act, 1995. A documented procedure for the removal of wrecks provided in HOSI HOA24. Proactive management of abandoned vessels reduces the risk of wrecks. If a vessel owner fails to pay their harbour dues, the vessel is impounded and either sold through auction or crushed (vessels are always valued first, before being disposed of). Early prevention through actions on non-payment of harbour dues is key to keeping abandoned vessels and subsequent wrecks under control. During 2024, the Conservancy disposed of 6 abandoned vessels. <b>The Conservancy's management of abandoned vessels is considered to be an area of best practice.</b>		MJS_002 MJS_034	MJS
GtGP 9.4.17 -9.4.21	Pilot Launches	Do pilot boats meet statutory requirements and appropriate Codes?	<b>Satisfactory</b> – the Conservancy is a CHA, however no Pilotage operations are conducted. A formal risk assessment is maintained in HOSI HOA13 and Risk Assessment C1 'Vessels over 20 metres LOA'.		MJS_035 MJS_064	MJS
GtGP - 10	Towage Operations	Does the organisation produce towage guidelines?	<b>Satisfactory</b> – towage guidance is provided annually in Local Notice to Mariners, No.2 of 2024, Section 6, 'towage'. This requires all vessels towing another vessel or structure over 12 m or total length of tow exceeding 20 m to give notice. Unusual or non-routine tows are treated as 'events' and subject to a specific risk assessment. Towing for Conservancy staff is addressed in HOSI 'HOA06 Towing' which addresses emergency and non-emergency tows. Towage training and competency checks for Authority staff conducting towage is in place. The Conservancy issued 'Chichester Harbour Towage Guidelines', dated September 2024.		MJS_038 MJS_066 MJS_076  <a href="https://www.conservancy.co.uk/on-the-water/navigation-safety/towage-guidelines">https://www.conservancy.co.uk/on-the-water/navigation-safety/towage-guidelines</a>	MJS
		Is there a process for approving towage providers?	<b>Not applicable</b> – commercial towage providers do not operate within the harbour.		n/a	MJS



PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
Cont.  GtGP - 10	Cont.  Towage Operations	Are non-routine tows pre-approved / managed by the organisation?	<b>Satisfactory</b> – non-routine tows are covered in the MSMS&SP, Section 5.8 which states: <i>'Masters of vessels undertaking large or unusual tows are required to consult the harbour master.'</i> In addition, Risk Assessment D4 refers. Local Notice to Mariners, No.2 of 2025, Section 6, 'towage' also covers non-routine towage.		MJS_001 MJS_003	MJS
GtGP 1.9.11	Licensing Harbour Tugs?	Does the harbour authority have the power to licence tugs?	<b>Satisfactory</b> – commercial towage providers do not operate within the harbour. The Conservancy has powers under Section 38 of the Chichester Harbour Conservancy Act 1971 to licence towage.		MJS_002	MJS
GtGP - 10.4	Diving Operations (commercial)	Is there a process for managing commercial diving?	<b>Satisfactory</b> – the Conservancy operates a dive permitting system, this is also documented in Risk Assessment C4. Evidence of the last dive permit issued for a replacement of anodes in Sparkes Marina, 29 October to 08 November 2024.		MJS_001 MJS_051 MJS_052	MJS
GtGP - 10.4	Diving Operations (recreational)	Is there a process for managing recreational diving?	<b>Satisfactory</b> – the Conservancy does not encourage recreational diving. Local Notice to Mariners, No.2 of 2023, Section 9 'Diving' sections 'b' and 'c' provides safety information.		MJS_003	MJS
GtGP - 6.7.3	Hot Work Permits	Is there a process for managing Hot Works?	<b>Satisfactory</b> – a permit to work system is in place that details those activities considered hazardous and requiring a permit. Exemptions are listed in HOSI HS06 and related to Conservancy facilities. Evidence of a permit for welding, issued on 20 July 2023 provided.		MJS_061 MJS_062	MJS
GtGP – 6.7.3	Bunkering	Is there a process for managing Bunkering?	<b>Satisfactory</b> – bunkering locations, procedures and spill response is detailed in the Conservancy's Oil Pollution Response Plan. Many of the marinas and some boatyards provide refuelling facilities. These are subject to local Organisation risk assessment processes. Assessment 'C7 Bunkering' is in place and lists control measures.		MJS_053	MJS

PMSC / GtGP Reference	Subject	Evidence Required For Compliance	Evidence of Compliance	Recommendations	Evidence Reference	Auditor
GtGP – 11.3, 11.4	Regulation of Port Craft, Pilot Launches and Workboats	Does the Authority have a procedure for regulating port craft?	<p><b>Satisfactory</b> – the following Conservancy craft are coded:</p> <ul style="list-style-type: none"> <li>Barge '<i>Regnum</i>', under the Brown Code (expiry 21 May 2025).</li> <li>The Patrol Catamaran and the passenger craft '<i>Sola Heritage</i>'. Evidence seen.</li> </ul> <p>The Conservancy does not have the power within its Special Act to licence harbour workboats. The Conservancy does have powers to licence Pleasure Craft (Section 86 of the 1971 Act) and Tugs (Section 38). Chichester Harbour operates a Commercial Vessel Registration scheme, for all workboats and small commercially operated craft, including fishing vessels. Operators are requested to participate. The scheme commenced in 2021.</p> <p><b>Observation</b> – there is no clear process for the storage of Commercial Vessel Registration forms. A check of records revealed that whilst registration information has been received, this was not tracked for its currency nor reminders sent to obtain up-to-date declarations.</p>	<p><b>Recommend</b> – a process is established to store Commercial Vessel Registration forms. This process should include a check of validating for declarations made as part of the registration process.</p>	<p>MJS_067 MJS_068 MJS_069 MJS_070</p> <p><a href="https://www.conservancy.co.uk/on-the-water/commercial-vessel-registration">https://www.conservancy.co.uk/on-the-water/commercial-vessel-registration</a></p>	MJS



## CHICHESTER HARBOUR CONSERVANCY

**31 MARCH 2025**

### PORT MARINE SAFETY CODE – ANNUAL REPORT

<b><u>TO NOTE</u></b>
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#### **1.0 BACKGROUND**

- 1.1 The Port Marine Safety Code (PMSC) (amended November 2016) guides the structure of Chichester Harbour Conservancy's safety reports.
- 1.2 Chichester Harbour Conservancy's PMSC compliance document, the Marine Safety Management System & Safety Plan, details how duties and powers in relation to marine operations in Chichester Harbour are discharged in accordance with a marine safety management system based upon formal risk assessment. The Conservancy's Marine Safety Management System & Safety Plan (MSMS & SP) is available to view on the Conservancy's website.
- 1.3 This annual report is an assessment of Chichester Harbour Conservancy's performance against the MSMS & SP. It reviews the incidents recorded in 2024 within Chichester Harbour and details actions taken in support of the marine safety management system. It also highlights the report of Monty Smedley of ABPmer, who audited and examined the Conservancy's compliance with the PMSC in December 2024.

#### **2.0 ACCOUNTABILITY FOR MARINE SAFETY**

- 2.1 Accountability and Responsibility – The Duty Holder and Designated Person
  - a. Duty Holder. Members of the Conservancy are collectively the 'Duty Holder' for Chichester Harbour accountable for the discharge of its duties and powers. Accountability for compliance with the code cannot be assigned or delegated on the grounds that members do not have particular skills.
  - b. Designated Person. Monty Smedley of ABPmer is the 'Designated Person' responsible for giving the Conservancy independent assurance that the safety management system is working effectively.
  - c. Officers of the Conservancy. The job descriptions of the Officers reflect their responsibilities for implementing the PMSC.

#### **3.0 KEY MEASURES OF COMPLIANCE**

- 3.1 Existing Powers. The powers available to the Conservancy, under the Chichester Harbour Conservancy Act 1971 and other legislation enabled by

it were subject to a review by Ashfords LLP. In light of the review, commissioned by the Conservancy, an application was made 18 December 2020 to the Marine Management Organisation to give the Conservancy the powers of General Direction and to fine-tune other areas of Act to ensure it remains fit for purpose.

- 3.2 Risk Assessments for harbour operations have been reviewed in light of incidents in the harbour during 2024, re-assessment of control measures and wider changes.
- 3.3 The 2024 season was heavily impacted by weather, with higher than average rainfall and strong winds affecting much of the peak season.
- 3.4 Activity in the Harbour was similar to the previous year, with paddleboard and kayak figures returning to pre-covid levels.
- 3.5 The overall number of incidents during 2024 was 233, an increase of 52 from the previous year. This increase is due to a change in the reporting system, with more incidents now reported.
- 3.6 A large proportion of the total figure is made up of towage. Of the 47 tows undertaken by the patrol team, 39 of these were due to mechanical failure, a proportion more than 83% and continuing the trend of the last seven years. A full breakdown of the incidents attended is at Annex A.
- 3.7 There were 6 reports of collision or near misses between moving vessels and 4 reports dealt with vessels in allisions with moored vessels or navigation aids.
- 3.8 The Patrol team attended 2 incidents where the vessels in distress were involved in racing. Generally, the safety cover provided by each sailing club is comprehensive and fit for purpose.
- 3.9 Vessels aground numbers increased to 25 from 19 in 2023. The groundings were spread across all areas of the Harbour, with a noticeable reduction in the number of these incidents occurring on the Winner Bank.
- 3.10 Forty-two Byelaw Warning Tickets, were issued, the same as in 2023. The tickets remain an effective way to engage with harbour users, without escalating to a formal caution and are a useful aid in educating harbour users about the wider effects, and consequences, of their actions.
- 3.11 Four Harbour Masters final warning letters were issued. These followed investigation for prosecution, but where prosecution was ruled out.
- 3.12 Five prosecutions for byelaw breaches were put forward during 2024. One of these was for speed and wash, with four for speed alone. Of these, three were for motor boats and two for PWCs. A guilty verdict was found in all five cases, with fines and costs payable.
- 3.13 Two cases of potential pollution were reported in 2024. Both were from land based activities, with one and abandoned leaking oil container, and the

second a lorry that got stuck in the mud. Neither caused pollution of the harbour.

- 3.14 It was a very safe year in the harbour in relation to personal injuries, with the patrol teams only responding to 2 incidents. The first of these involved 4 children, who were close to hypothermic following a jet ski trip. The second involved a fishing hook in a toe.
- 3.15 Following a campaign in 2022 to raise awareness of the risks associated with swimming in the harbour, there were no incidents of the patrol team attending swimmers in difficulty during the 2024 season.
- 3.16 Three man-overboard incidents were recorded. One of these was a result of a person falling overboard from a tender.
- 3.17 On 27 June patrol responded to a PanPan call raised by Itchenor Sailing Club. A Swallow keel boat had broached and sunk during racing. The club rescue boats were unable to recover the three crew due to engine issues. The patrol team and Hayling rescue assisted and safely recovered the casualties with no injuries. The harbour team worked with Haines and a dive contractor the following day to recover the boat.
- 3.18 Many of the harbour information booklets have been reviewed and revised for the 2024 season. These include a complete update of paddle sport safety and speed and wash. It is proposed to continue to issue safety campaigns through weekend navigation bulletins, and the well-received series of collision regulation articles. The patrol team will also be handing out safety campaign postcards and leaflets to all harbour users they engage with. We will continue to broadcast the safety messages through education and advice to mariners throughout the year.
- 3.19 H&SAW for Conservancy Employees. There were 19 incidents/ near misses ashore during 2024. Of these 1 required notification under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). All incidents are investigated and working practices reassessed.
- 3.20 Marine Safety Management System. The policies and objectives of the Conservancy's Management Plan provide overarching direction for PMSC compliance. Policies and actions in 'Safety on the Water' (P4) and 'Facilitating Navigation' (p5) of the Management Plan 2019-24 specifically address the requirement of the PMSC.
- 3.21 The Marine Safety Management System and Safety Plan publication details the components of the system.
- 3.22 The guide to the execution of plans and policies are contained in the Conservancy's Harbour Office Standing Instructions (HOSIs).
- 3.23 Consultation on all harbour policy and budgetary matters has been conducted through the Advisory Committee during the year.

- 3.24 Competence Standards. All members of harbour staff are fulfilling their job descriptions to a satisfactory standard or better.
- 3.25 Prior to the start of the season, newly appointed, returning, and full-time staff all attended a comprehensive week of training. Harbour knowledge, administration, towage training, scenario based first aid training, man overboard and rescue techniques, were attended by seasonal patrol staff. The training week is important to ensure confident and skilled staff and to fulfil PMSC compliance regarding the appointment of "competent, adequately trained, qualified and experienced" officers.
- 3.26 During 2024, 2 x Marine investigation courses, 3 x Oil Spill Level 2, 3 x oil spill level 4, 1 x yacht master shorebased, 1 x Sea Survival, and 6 x First Aid training courses took place.
- 3.27 Incident Investigation. All incidents were reviewed, and investigations were carried out where the cause was unclear or in dispute.
- 3.28 Statutory Reporting. There were no incidents within Chichester Harbour that required reporting to the Marine Accident and Investigation Branch (MAIB) during 2024.
- 3.29 Monitoring Performance and Auditing. Twenty-two key performance indicators are used to measure performance in, Policy 4 – Safety on the Water in the Management Plan 2019-24. All are being met effectively.
- 3.30 Records of incidents and accidents have been maintained, and the calendar of safety topics has been reviewed in year.
- 3.31 Safety inspections of equipment were carried out by Zurich Engineering in year and no defects affecting safety were identified.
- 3.32 An audit of the safety management system was undertaken by ABPmer 17 December 2024. This report is being presented to the Conservancy at their March meeting. No non-compliant items were identified and 8 observations are being acted upon.
- 3.33 Publication of Plans and Reports. The Conservancy's Marine Safety Management System & Safety Plan is reprinted annually and placed on the website. This report constitutes the Duty Holder's assessment of the Marine Safety Management System & Safety Plan and is a public document.
- 3.35 Monitoring Compliance. The Maritime and Coastguard Agency (MCA) currently monitor compliance with the PMSC by seeking a statement of compliance from the Duty Holder. This was completed in 2021. The next report will be made following the update of the code in 2025.

## **4.0 GENERAL DUTIES AND POWERS**

### Conservancy Duties

- 4.1 Hydrography. The Chichester Bar and approach channel and the channel from Black Point to Sandhead, were surveyed in May 2024. Additional survey work was undertaken of Itchenor Reach. Details of shoaling were promulgated in the Local Notice to Mariners and surveys made available on the Conservancy's website.
- 4.2 The 2025 annual surveys are scheduled for late April. The survey data will be used to ascertain any dredging requirements.
- 4.3 Admiralty Charts. Bathymetric surveys and the Local Notice to Mariners were passed to the Hydrographic Office. The latest edition of chart 3418 Langstone and Chichester Harbours (Edition No.12) was released by the UKHO on 13 April 2023.
- 4.4 Prevailing Conditions. The Conservancy has continued to provide access to weather forecasts on its website and notice boards, with real time weather information available through Chimet and Cambermet. A third weather station 'EMSMET' will be established in the Emsworth Channel in Spring 25.
- 4.5 Aids to Navigation. Trinity House, the General Lighthouse Authority, conducted an audit of the records of the availability of the local aids to navigation on 09 May 24. Everything was found to be in good order.
- 4.6 An inspection of local aids to navigation was conducted on 11 November 2024 by an Officer of Trinity House. 3 minor defects were found, which were immediately rectified.
- 4.7 Anchorages. The use of anchorages continues to be kept under close review. Snowhill and East Head Spit buoys remain appropriately sited for current levels of activity at East Head. Two unlighted starboard floating withies along the chart datum contour within the East Head anchorage to give a visual indication of the shallow areas continue to serve a useful purpose.
- 4.8 Wrecks. An isolated danger mark was positioned for a 24 hour period to mark the sunken keelboat in June. There were no wrecks in the harbour in 2024 affecting navigational safety.
- 4.9 Works and Dredging Licenses. Six Works Licenses were approved and three Dredging Licences issued in 2024.
- 4.10 Environmental Duty. Chichester Harbour's Port Waste Management Plan (PWMP) is endorsed by the MCA and is valid until 14 May 2027. The last inspection was conducted by the MCA on 8 January 2024.



## Civil Contingency Duty & Emergency Plans

- 4.11 CHC's Emergency Plan was revised October 2024.
- 4.12 A multi-agency major incident exercise was held on 17 November 2024. The exercise scenario which was co-ordinated by CHC, involved a fire on the CHC mooring barge Regnum IV. The CHC team were joined by the fire service, coastguard, ambulance service and RNLI. The exercise provided a full test of the Emergency Plan.



- 4.13 The Conservancy's Fire Plan is unchanged since the review in 2019 and remains fit for purpose. The Harbour Office Fire Risk Assessment was reviewed December 2024. Any new staff have received induction training regarding fire protocols and the fire alarm system has been tested weekly throughout the period.

## **5.0 SPECIFIC DUTIES AND POWERS**

- 5.1 Byelaws. Chichester Harbour's Byelaws continue to be effective, but national difficulties in modifying them at times have led us to apply for the powers of General Direction, to give greater ability to respond to new issues.
- 5.2 Special Directions. Are available to regulate vessels.
- 5.3 Harbour Directions. Are available to regulate vessels, although some craft fall outside of their scope
- 5.4 Port Passage Plans. Nautical almanacs are reviewed and revised annually. The Harbour News and website provided additional guidance.
- 5.5 Prevention of Pollution. Issue 5 of the Conservancy's Oil Spill Response Plan was approved by the MCA in December 2021 and is valid until December 2026. There were no significant oil spill incidents during the 2024 season.

- 5.6 Vessel Traffic Service. The Conservancy continues to provide information on request at peak times, while the office is manned, or vessels are patrolling.
- 5.7 Pilotage. Following risk assessment, it continues to be judged that the historical and current mix of vessels does not require pilotage. An assessment is made of the movement of large vessels, and the criteria to be satisfied before their operations are approved.
- 5.8 Ship Towage. The Conservancy's fleet of vessels were appropriate to our needs in 2024. Requirements for large or unusual tows were detailed in LNTM 2/2024, with further towage guidance on the conservancy website.
- 5.9 Local Lighthouse Authority. On the 3-yearly rolling assessment of the availability of aids to navigation set by the General Lighthouse Authority the Conservancy's performance was:
- Category 2 100.00%  
Category 3 99.96%
- 5.10 Licensing of Passenger Vessels and Masters of Passenger Vessels. 9 vessels were issued licenses under the Conservancy's passenger boat licensing scheme in 2024.
- 5.11 Moorings. Mooring let rates have seen a decline throughout the year. This trend is representative of an overall decline in marina and mooring occupancy across the UK.
- 5.12 As well as several private mooring maintenance contracts across the harbour, Conservancy moorings continue to be maintained in accordance with the maintenance schedule.

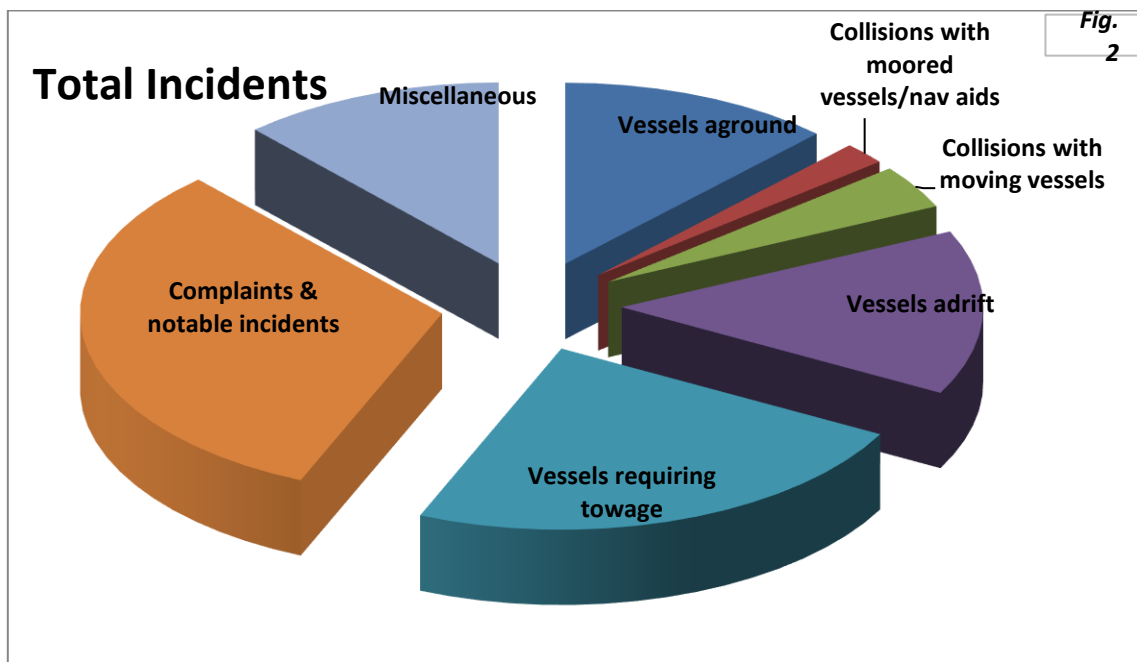
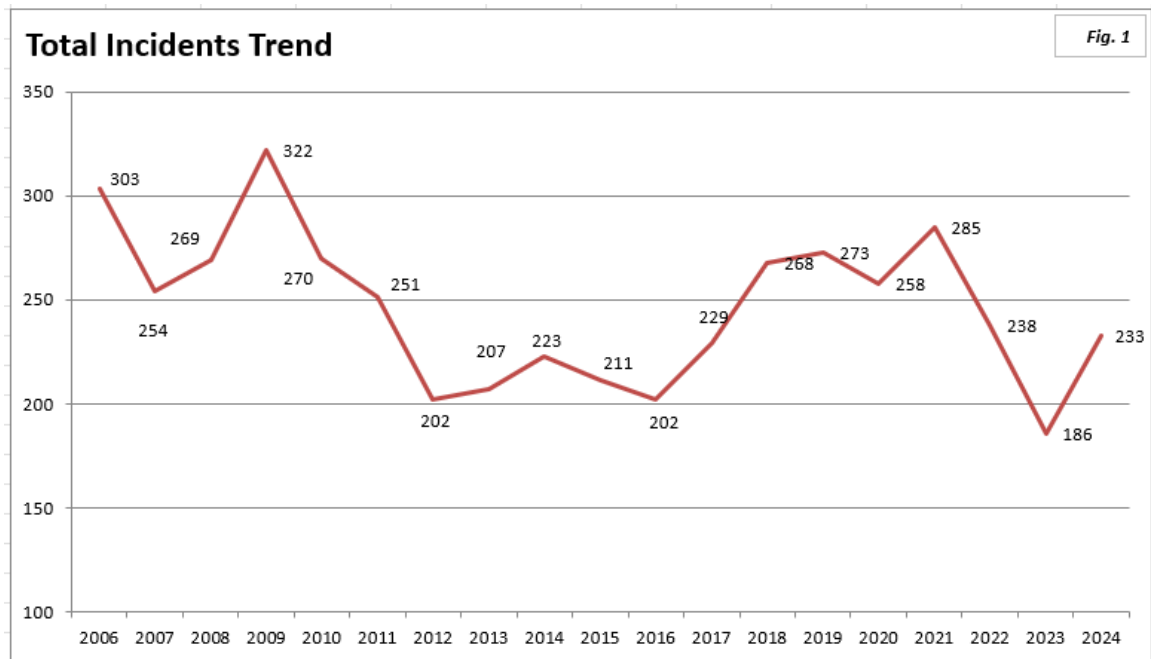
## **6.0 RECOMMENDATION**

- 6.1. The Conservancy's Safety Plan (PMSC compliance document) provides a useful framework and audit trail for the safe management of Chichester Harbour. In this assessment of performance against the Marine Safety Management System & Safety Plan it is judged that it has been a satisfactory year and that the Conservancy has discharged its duty to undertake and regulate marine operations in a way that safeguards the harbour, its users, the public and the environment.
- 6.2 It is recommended that this report is endorsed by the Duty Holders.

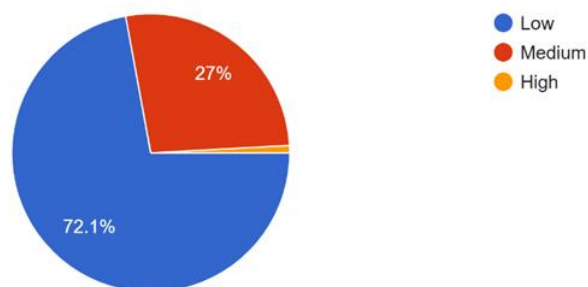
**Captain Jo Cox**  
**Harbour Master**

*Annex A: Incident summary 2024*

INCIDENT SUMMARY 2024									
upto 31 December 2023									
Vessels aground									
	2024	2023	2022	2021	2020	2019			
Sail	20	11	18	18	14	11			
Motor	5	8	6	14	4	11			
Total	25	19	24	32	18	22			
Cause									
Navigation error	17	15	20	22	12	19			
Mechanical failure	8	4	4	10	6	3			
Dragged anchor	0	0	0	0	0	0			
Collisions with moored vessels or navigation aids									
Sail	3	3	2	2	5	7			
Motor	1	1	0	1	4	8			
Total	4	4	2	3	9	15			
Collisions / near miss with moving vessels									
Sail & Sail	1	4	12	11	3	4			
Sail & Motor	3	0	1	4	1	2			
Motor & Motor	2	5	1	6	1	0			
Total	8	9	14	21	5	6			
Vessels adrift									
Sail & Motor	30	17	44	26	36	28			
Cause									
Mooring failure	0	1	20	10	19	19			
Mooring strap failure	14	5	8	6	3	5			
Deck failure/Drugged anchor	10	1	9	2	2	4			
Tender/ Kayak/ Canoe/ Small Craft	6	10	7	8	12				
Vessels requiring tow									
Sail	23	23	24	45	29	18			
Motor	25	17	23	25	25	20			
Total	48	40	47	70	54	38			
Cause									
Mechanical Failure	39	35	39	57	41	33			
Out of fuel	3	1	1	7	4	4			
Fouled prop	2	2	3	3	1	1			
Taking on water	0	0	0	0	2	0			
Weather	3	1	3	1	4	0			
Resemasted	1	1	1	2	2	0			

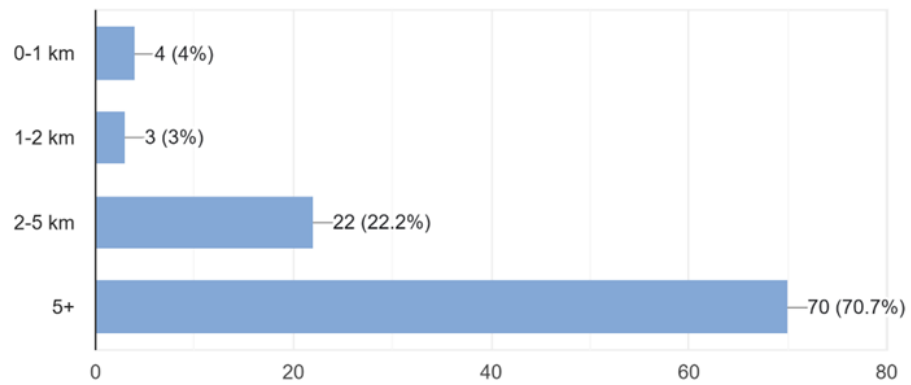


**Seriousness**  
233 responses



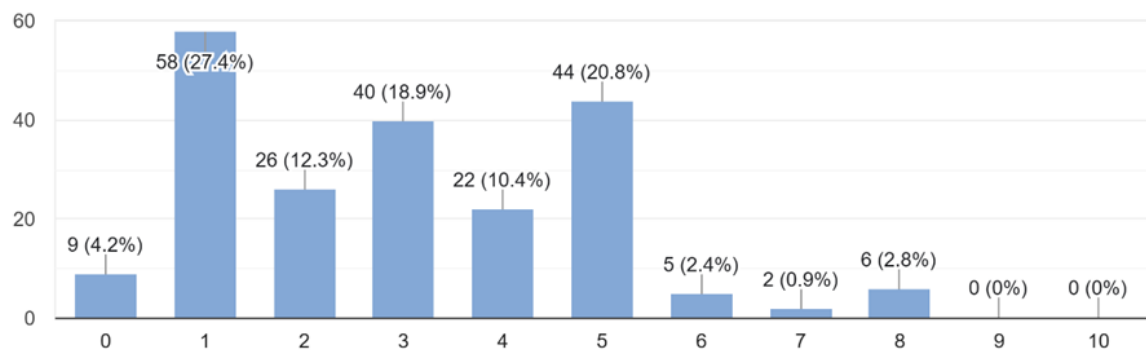
### Visibility

99 responses



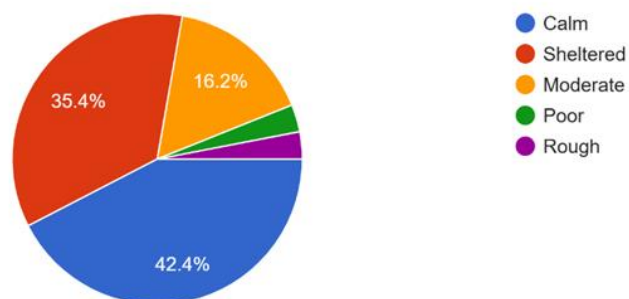
### Wind Strength

212 responses



### Sea State

99 responses



CHC/WF/1/25 (V5.2- P1)

17 Mar 25

**The Conservancy**  
Advisory Committee

**Wildfowling in Chichester Harbour**

**Issue**

1. Renewal of lease that grants wildfowling rights over land and foreshore in Chichester Harbour.

**Recommendations**

2. Members are requested to **note**:
  - a. **Chichester Wildfowling Association (CWA) are seeking to renew their lease with CHC.**
  - b. **However, societal acceptance of hunting, unless for pest control, has undoubtedly diminished in recent years and is a subject that arouses strong emotions.**
  - c. **The proposed lease is more restrictive than previous agreements.**
  - d. **Waterbird assemblage in Chichester and Langstone Harbour SPA has declined by 26% in the last 25 years.<sup>1</sup>**
  - e. **Wildfowling has been undertaken in the harbour for over 350 years and been under the control of the CWA since 1956. As part of their activities, the CWA also conduct stewardship tasks in support of nature around the harbour.**
  - f. **CHC recently made the conservation of nature its Main Effort to 2050. CHaPRoN and wider efforts to reverse the decline of nature are central to the Conservancy's efforts.<sup>2</sup>**
  - g. **Regardless of personal views as to the appropriateness of shooting wild birds in a National Landscape, renewal of the lease will likely be perceived as incompatible with the stated aims and values of the Conservancy. As such, there is a clear risk that renewal will lead to adverse public opinion and press attention. This would result in reputational damage and adversely impact the credibility of the Conservancy.**

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<sup>1</sup> Woodward, I.D., Frost, T.M., Hammond, M.J., and Austin, G.E. (2019). Wetland Bird Survey Alerts 2016/2017: Changes in numbers of wintering waterbirds in the Constituent Countries of the United Kingdom, Special Protection Areas (SPAs), Sites of Special Scientific Interest (SSSIs) and Areas of Special Scientific interest (ASSIs). BTO Research Report 721. BTO, Thetford. [www.bto.org/webs-reporting-alerts](http://www.bto.org/webs-reporting-alerts)

<sup>2</sup> CHaPRoN – Chichester Harbour Protection and Recovery of Nature.

**h. It has emerged that an Appropriate Assessment (AA - last conducted in 2012) is required ahead of any lease renewal. This will likely take longer than the time remaining on the current lease.**

## **Background**

3. Following early engagement last year, the CWA reduced the scope of the proposed lease. According to the CWA website, approval of the lease would enable the shooting of:

<b>Species</b>	<b>Period</b>
Duck and Goose (Below HWM)	Aug 12 – Jan 31
Common Snipe	Aug 12 – Jan 31
Woodcock	Oct 1 – Jan 31
Coot/Moorhen	Sep 1 – Jan 31

Fig 1

4. Since their founding in 1956, the CWA have been responsible tenants and today abide by the British Association of Shooting and Conservation (BASC) code of practice. In addition, they conduct regular cleaning activity and contribute to habitat maintenance in the harbour. The Conservancy Chairman received a letter from the CWA 17 Mar 25<sup>3</sup> at the Annex B.

5. The CWA website articulates their commitment to sustainable shooting. All Wildfowlers are required to make an end-of-year return detailing each wildfowling visit, the locations, times, shots fired and duck taken. These are aggregated at year end and compared with the British Trust for Ornithology (BTO) wildfowl counts. This then enables national and local measures to be taken to ensure sustainability.

6. It has emerged that a revised Appropriate Assessment<sup>4</sup> (last carried out in 2012) is required prior lease renewal. This would include a review of the WeBS<sup>5</sup> data and bag returns from the last 10 years, to ensure the shooting activity is not having a negative impact on the designated features of Chichester Harbour Special Protection Area. This will delay any lease renewal as it requires detailed input from CWA, CHC and NE.

7. The Harbour is an internationally important location for 2 birds and nationally for 10 and is a highly popular location for walkers and Bird Watchers. In the past year, the Conservancy has adopted a 26-year strategy, placing the restoration and conservation of nature as its Main Effort. Considerable effort has been made to re-establish CHC's authority as the lead for all Harbour matters. This has included a more robust approach to enforcement, a revised rigorous approach to CHaPRoN and willingness to take the lead on difficult ecological matters. It has also successfully increased its communications with the local community and wider afield.

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<sup>3</sup> A not-for-profit organisation.

<sup>4</sup> If a proposed plan or project is considered likely to have a significant effect on a protected habitats site (either individually or in combination with other plans or projects) then an appropriate assessment of the implications for the site, in view of the site's conservation objectives, must be undertaken (Part 6 of the Conservation of Habitats and Species Regulations 2017).

<sup>5</sup> Wetland Bird Survey Data

8. It could be contended that the practice of hunting in the UK is increasingly controversial and opposed as social attitudes shift and urban dwelling predominates. It is an issue that elicits strong reactions from the public. The Conservancy Chairman received a letter from West Sussex Wildlife Protection dated 13 Mar 25<sup>6</sup> opposing renewal at the Annex A.

9. Whilst the CWA operate to high standards and responsibly, there is potential that renewing the lease will at best confuse our messaging. It could also lead to adverse public opinion and press coverage, running as it does counter to our stated aims. If this were to occur, it would undoubtedly result in reputational damage to the Conservancy.

10. The CWA arrangement will be considered under the normal leases and licences procedures under Part 2.

**Matt Briers CBE**  
**CEO**

Annexes

- A. Letter from Chairman West Sussex Wildlife Protection dated 13 Mar 25 (name redacted).
- B. Letter from Chairman Chichester Wildfowlers Associated dated 17 Mar 25 (name redacted).

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<sup>6</sup> A not-for-profit organisation.



**Letter received from West Sussex Wildlife Protection**

(Author's font colour changes. Redaction personal details by CHC).

Mr Pieter Montyn  
Chairman  
Chichester Harbour  
Conservancy  
County Hall  
Chichester  
PO19 1RQ



13/03/2025

[www.westsussexwildlifeprotection.co.uk](http://www.westsussexwildlifeprotection.co.uk)

01243 825804

[XXX@XXX.com](mailto:XXX@XXX.com)

PO Box 3058, BN163LG

Dear Mr. Montyn,

In 1988, I initiated a campaign to stop wildfowling at Pagham Harbour Nature Reserve. Much of the defence against a ban on wildfowling was that “there would hardly be any wildfowl in the reserve” without the wildfowlers. The reserve warden’s view was that “it would be easier to manage and interpret and much less disturbance” without them. They were banned from the harbour in the 1990s, and the reserve has gone from strength to strength and it would now be considered outrageous if they were ever to return.

**Avian Flu (Bird Flu)**

This is taking a significant toll on duck and geese numbers and has been a serious and increasing problem over the last five years.

Wildfowling can increase the risk of disease transmission if hunters or their dogs come into contact with infected birds and the risk level of HPAI H5 in wild birds is assessed as “very high” as of January 2025 by DEFRA.

Vets will not even allow an injured or sick waterfowl into their practices!

**Inhumane:**

All wildfowl shooting is inhumane as it is not always possible to retrieve wounded birds, but the wildfowlers “bag” reports show a marked increase in shooting of the large Canada Goose. Studies of European goose populations indicate a high incidence of crippling rate when shooting geese (ranging between 13 and 62% (Jönsson et al. 1985, Mateo et al. 2007, Holm and Madsen 2013).

The horrible image of a live flapping goose being caught by a dog – or at times being left to die – is not a good image for Chichester Harbour and those that allow it.

### **Chichester Harbour's decline:**

The devastating "Condition Review" by Natural England: report published 23<sup>rd</sup> Feb. 2021 shows the extent of the decline of Chichester Harbour in terms of biodiversity and bird habitat. The Conservancy has been lulled into thinking the small-scale efforts by wildfowlers who do some voluntary work in exchange for cheap shooting is enough, when it is clear from the report that only projects carried out by professionals such as saltmarsh restoration and Island construction can achieve results.

Overwintering bird numbers in the harbour have been in rapid decline over the last 15 years, and since the Conservancy last issued a lease, wildfowlers have a moratorium on no longer shooting Tufted Duck, Golden Eye, and Pochard. However, they are still shooting declining birds. The following are extracts from the Natural England 2021 report:

**Shelduck:** The trend on the site appears to be tracking that of the region although not the British trend. **The declining** proportion of the regional numbers supported by this site suggest that site-specific pressures may be affecting this species.

**Shoveller:** The trend on the site does not appear to be tracking that of either the region or the British trend. **The declining** proportion of the regional numbers supported by this site suggest that site-specific pressures may be affecting this species.

**Teal:** **The declining** proportion of the regional numbers supported by this site suggest site-specific pressures may be affecting this species. Although alerts have been triggered, they are difficult to interpret, therefore it would be prudent to continue to closely monitor populations on this site in coming winters to assess whether these alerts are due to ongoing fluctuations or other pressures.

**Disturbance** The 2021 Natural England report makes the following remarks:

Other forms of recreational pursuits are also present in the harbour, including wildfowling, light aircraft, model aircraft and bait digging. Therefore, **there is probably no part of the SSSI that is unaffected by disturbance.**

Natural England in discussing wildfowling in their literature on shooting in an SSSI as part of the habitat Regulations Assessment make the following comments:

**"Disturbance as a result of wildfowling activity is of more concern as it has the potential to affect much larger numbers of birds than the relatively small number shot, including rarer and protected non-quarry species. Disturbance can result in lost foraging time as birds seek alternative feeding areas and can cause increased energy expenditure due to increased flight activity. Such effects are most likely to be detrimental in harsh weather conditions or when high numbers of birds are restricted to small patches of suitable habitat. It is important to recognise that disturbance can have a wide range of consequences, from minor changes in bird behaviour to**

major changes in distribution ... as part of the Habitat Regulations assessment it is necessary to also consider in-combination effects.”

**I therefore ask that you do not renew the Wildfowling lease in Chichester harbour, and:**

- 1) When making the appropriate Habitat Regulations assessment that Natural England requires for shooting on an SSSI, you take into account Natural England’s Feb. 2021 report into the declining habitat, biodiversity and waterfowl condition of Chichester Harbour, and to recognise drastic action is needed, and as Natural England state to consider “in combination effects.”
- 2) To take into account the serious threat of Avian Flu risk to human health from wildfowling – where dogs and people are brought into close contact with potentially diseased birds.

Yours sincerely,

XXXXXX

Chairman,

West Sussex Wildlife Protection

**Letter received from Chichester Wildfowlers Association**

(Redaction personal details by CHC)

**Chichester Harbour Conservancy**

I am concerned at what I see (and I do not say this lightly) as delaying behaviour towards our efforts at a lease renewal.

We have held a lease with CHC on parts of the harbour since the inception of CHC and the Chichester Harbour Act of 1971 in which we are appointed a member to the Advisory Committee to stand for wildfowlers' interests. The Act remains extant.

**Who we are.**

A private membership club of some 100 individuals who have been shooting on the foreshore (below the mean high-water line and above the mean low water line) of Chichester harbour since 1956, with wildfowling documented on the harbour since records began. We have been involved with the CHC advisory committee since its inception.

We are proud of our excellent relationships and leases with all the major landowners whose land borders the foreshore and with whom we have had leases since our inception in 1956. We have particularly close ties to the Manor of Bosham, with whom we are constantly engaged in conservation projects. Our members have other shooting right and run syndicates.

We are a stakeholder of the harbour, owning some 60 acres of the foreshore and our members own land in the national landscape. We are in the initial stages of a survey of flora and fauna with a marine biologist friend of the club. We are mid application to Natural England for a permit to carry out sea grass planting. This work is vital, and our wardens have identified areas where this needs to be done across other parts of the harbour where we know others do not reach nor visit sufficiently often.

**Wildfowling-what is it?**

Wildfowling is the pursuit of legal quarry (certain species of geese and duck) from 01<sup>st</sup> September to 20<sup>th</sup> February in the coldest, wettest months of the year. All members take home what they shoot for the pot (4 birds maximum per flight. The reality is none to one or two birds if that). There is no wastage or needless killing.

No other body who uses the harbour can cover the 55 or so miles of foreshore that we monitor- this is done daily. Of a membership of 100, some 50-60 are actively wardening the foreshore from a daily basis to a weekly one. We were one of the first to report the avian flu cases on the harbour in 2022- and ceased shooting at once (in advance of any potential nationwide or local ban) while we monitored the situation and complied with scientific advice.

We have an excellent working relationship with both Hampshire and West Sussex constabularies.

Members of the public may see wildfowlers on the foreshore at dawn or dusk, mostly in foul weather and occasionally during the day if the tide is right, again in foul weather.

### **Legality**

All new members are tested for their knowledge of wildfowl and are escorted on the foreshore by a full member for a probationary period of a year. This is to ensure accuracy of bird identification and that the probationary member has the correct attitude of respect towards wildfowl, the harbour and fellow users of the harbour.

All members own legally held shotguns and carry both their shotgun certificates and CWA membership cards on them when on the foreshore in such a capacity.

Wildfowling is a solitary sport. The norm is for a member to be accompanied by a trained working dog to retrieve any quarry shot. Occasionally members of the public will see several wildfowlers together.

### **Conservation**

Members of CWA (as is the case with wildfowling clubs across the country) are passionate about conservation projects. Wildfowlers have an inherent love of wild places and are passionate about the conservation of wetland habitats. Many of us have seen the effect of overcrowding in south-east England and the damage that this brings to our foreshore. It is vitally important that Chichester Harbour remains a truly wild place. We believe we are crucial to this effort.

We run work parties on the foreshore on an almost weekly basis. We have been involved in Wetland Habitat Management for over 67 years, having over that time won numerous conservation awards both locally and nationally. Conservation Projects include wetlands at Fishbourne, West Ashling, Aldsworth, Stansted Lakes, Emsworth, Singleton, Midhurst, Cobnor, Chidham, Godalming, Aldwick and the (re)building of sea walls at Fishbourne and Chidham. Also involved with the creation of the Tern Colony on North Stakes Island, Chichester Harbour.

### **Summary**

Although the lease between CHC and CWA covers a small part of our leased foreshore, the lease nonetheless allows CHC to influence all shooting activities in and around the harbour and National Landscape and crucially those areas not managed by CHC. CWA owns foreshore in the harbour and its members own land in the wider National Landscape. With a

lease in place with CHC, the wider shooting and land-owning community whose land borders the harbour can be influenced and engaged with, many of whom are members of CWA. We also have a strong tie with Chichester Harbour Trust.

We have engaged with CHC for over a year now on this particular issue and despite initial meetings with the CEO to explain who Chichester Wildfowlers Association is and the part played in the harbour, subsequent communications have remained unanswered. It is unclear whether this is deliberate or not. We appear to have been pushed down the line quite deliberately at each advisory meeting until the point where the lease is running out. Such tactics appear painfully underhand. So notable has this behaviour been that we are already taking legal advice on this issue and will instruct our solicitors to act. It is not a welcome course of action to take but we fear we are left with no choice against such continued silence.

Non-renewal of a lease will mean a loss of the wardening which benefits the whole harbour and will greatly decrease the influence with inland shoots. This will see an increase of activity on the harbour. Existing inland ponds will be heavily fed to entice geese and ducks inland to be shot by elements of the shooting community who have less regard for the wildfowl, their habitat and numbers.

We have agreed to all proposed changes in the lease without hesitation. We have even offered to pay more on a yearly basis.

We believe the wider harbour benefits greatly from our activities which keep undesirable elements at bay, goes a little way to reversing a deteriorating harbour environment and keeps a focussed eye on the harbour at large. No other body can do this.

XXXXX

Chair

Chichester Wildfowlers Association

## Chichester Harbour Conservancy

### Conservancy

Minutes of the meeting held on 27 January 2024 at 2.00 p.m. at County Hall, Chichester.

**Present –** Pieter Montyn (Chairman)

Iain Ballantyne	Jackie Branson	Ann Briggs	Andy Briggs
Gillian Harris	Donna Johnson	Stephen Johnson	Robert Macdonald
Sarah Payne	Roger Price	Lance Quantrill	Simon Radford
Alison Wakelin			

### Officers Present –

Richard Austin (National Landscape Director)	Mel Belderson (Finance Manager)	Matt Briers (CEO)
Jo Cox (Harbour Master)	Pasha Delahunty (Executive Officer)	Fiona Morris (Deputy Treasurer)

**In attendance –** Ashley Hatton (The Manor of Bosham)

### Part 1 Minutes

#### Apologies for Absence

111. Apologies for absence were received from Jeremy Hunt.

#### Declarations of Interests

112. Harbour users: Simon Radford, Robert Macdonald, Gillian Harris, Iain Ballantyne and Jo Cox. Alison Wakelin declared an interest as a marina business owner.

### Part 1 Minutes – 25 November 2024

113. The Chairman asked that a notation to the minutes be made to acknowledge that Emma Noyce who attended the meeting, holds to the role of *Assistant Director Regeneration and Growth (Culture, Communities and Strategic Assets)*.

114. **Resolved** – That, subject to the notation above at point 113, the minutes of the meetings of the Conservancy meeting held on 25 November 2024 be approved as a correct record and that they be signed by the Chairman.

### Advisory meeting 20 January 2025

115. The Chairman of the Advisory Committee agreed to bring points of note from the Advisory Committee discussions forward at the relevant item during the meeting.

## **Chairman's Update**

116. The Chairman gave a verbal update and shared that he had written to the Secretary of State in his capacity of Chairman of the Conservancy and his association with FiPL to set out the good work being conducted by the group and to offer general support for farmers considering the recent changes to inheritance taxing of farms. No acknowledgement has yet been received. The Chairman also supported farmers at an event at Tesco this past weekend.

## **Budget Monitor Report on 30<sup>th</sup> November 2024**

117. The Finance Manager (FM) presented her report with figures accurate to the end of November 2024 which was noted by the Conservancy. Details presented in the report are now aligned with the revised budgeted.
118. The Harbour budget is behind profile which was linked to an agreement which has since been finalised. The FM noted that an audit of one income generating licence needs to take place to determine how that will affect the year end figure. The National Landscape is ahead of profile which is due to increased income from the Education Centre. The good work of the Education Centre was noted.
119. Attention was drawn to the overview of grants in appendix 3 as those funds need to be spent in year. The FM was thanked for her report.

## **Port Marine Safety Code**

120. The Harbour Master (HM) presented her report and confirmed that the annual PMSC audit had been completed with those results, alongside the Annual Harbour Master's report, scheduled to be presented to members at the March meeting. She highlighted that the increase in incidents recorded in the report is not indicative of an increase but linked to a better reporting system and that 2024 was a good season and many issues were linked to local harbour users who ran aground while taking short cuts. The HM confirmed that any relevant metrics would be added to the report when needed. There were no updates on the status of the Harbour Revision Order.

*(Sarah Payne entered the meeting)*

121. In response to a question, the HM confirmed that the incident reporting system being used by CHC was bespoke and not used by any other ports and that the process is more robust at tracking written and verbal warnings. The incidents included under the miscellaneous heading included minor incidents such as dogs stuck in the mud, details of which are not needed to be reported.
122. The HM shared that a group in Emsworth, which included local sailing clubs, had raised funds to purchase equipment for the *Emsmet* weather station which will be installed before the start of the season. This is a welcome addition and will operate alongside *Chimet* which has been in place for several years. The HM was thanked for her report.



## **Works Licence**

### **7A Thornham Marina**

123. The Harbour Master presented a report for a dredging licence at Thornham Marina that was circulated to Members via email on 27.01.25. The application is for levelling only as a separate licence is in place for formal dredging. As the application was received too late to include in the papers, hard copies were also distributed at the meeting.
124. **Resolved** – That the dredging licence for the Thornham Marina be approved, subject to standard conditions and such other conditions as are appropriate to the method and site.

## **Exclusion of Press and Public**

125. **Resolved** – That, in accordance with the Public Access Bodies (Admissions to Meetings) Act 1960, the press and public be excluded from the remainder of the meeting on the grounds that the publicity would prejudice public interest by reason of the confidential nature of the business to be discussed.

## **PART 2 (Confidential Items) Summary**

### **Part 2 Minutes of the Conservancy held on 25 November 2024**

The minutes were approved as a correct record.

### **Part 2 Minutes of the Advisory Committee held on 20 January 2025**

The Vice Chairman of the Advisory Committee agreed to bring points of note from the Advisory Committee discussion forward at the relevant item during the meeting.

### **Conservancy Dashboard (Chief Executive Officer's Update)**

The CEO presented the updated Dashboard to the Conservancy.

### **Risk Assessment**

The Risk Assessment was already covered under the Conservancy Dashboard.

### **Finance, Risk & Audit Group**

Members noted the minutes of the Finance, Risk & Audit Group meeting held on 8 January 2025.

### **Langstone Footbridge**

The NL Director presented for decision an update paper on the project for the Langstone footpath.

**Salterns Way**

The NL Director presented for decision a report on the Salterns Way link route agreements and arrangements.

**Leases and Licences**

The CEO presented for review the heads of terms for a licence renewal of a section of Salterns Way at Old House Farm.

*The meeting ended at 3:00pm*

Chairman

## **CHICHESTER HARBOUR CONSERVANCY**

### **Budget Monitor Report To 28<sup>th</sup> February 2025**

#### **Report by the Finance Manager and CEO**

#### **1. Introduction**

- 1.1 This report sets out the Conservancy's budget position for the period to 28<sup>th</sup> February comparing actual income and expenditure against the **2024-25 revised budget**.
- 1.2 All income and expenditure is processed through the Common Fund, however the budget monitor considers the budgets of the Harbour and National Landscape (NL) operations separately to enable greater fidelity and enhanced scrutiny.
- 1.3 Appendix 1 sets out the combined budget summary.

#### **2. Harbour Budget**

- 2.1 Appendix 2 sets out the Harbour Budget monitor to the end of February 2025. Details of the key issues within the Harbour budget are set out below.

##### Income

- 2.2 **Harbour Dues** - Annual Harbour Dues income is projected to be £7,400 in excess of the budgeted level, offsetting a reduction in casual dues of £2,000, resulting in the projected variation of an additional £5,400 overall.
- 2.3 **Moorings Income** - Annual and visitor moorings income is below the budgeted level, with a projected year end unfavourable variance of £7,100.
- 2.4 **Lease / License Income** - The projected unfavourable year end variance of £18,800 largely relates to one income generating licence.

##### Expenditure

- 2.5 **Staffing Costs** - Additional Patrol costs have been offset by savings relating to one part of the Mooring Officer job share role (currently vacant).
- 2.6 **Professional Services** - The projected favourable year end variation relates to smaller savings across a number of budgets. Of note is a reduction to the commission payments (£6,000) , as a result of anticipated reduced income generated by one licence, as referred to in para 2.4.

##### Transfers to/from Reserves

- 2.7 There are no anticipated variations.

##### Summary

- 2.8 The Harbour Budget is currently projecting a £8,700 surplus, a £4,900 reduction to that budgeted.

### **3. National Landscape (NL) Budget**

- 3.1 Appendix 3 sets out the NL Budget monitor to the end of February 2025. Details of the key issues within the National Landscape budget are set out below.

#### Income

- 3.2 **Other Income** - The anticipated year end variation of £9,600 relates to income generated by the Education Centre.

#### Expenditure

- 3.3 **Staffing Costs** – The current and year end variations represents savings relating to the NL Operations Manager role (currently vacant).
- 3.4 **Office Supplies** – This variation has two elements, the first being the cost of replacement life jackets for the Solar Heritage. The second element represents a redistribution of office costs between the two budgets, Harbour and National Landscape, based on employee numbers.

#### Transfers to/from Reserves

- 3.5 There are no anticipated variations.

#### Summary

- 3.6 The overall National Landscape deficit position reduces from the budgeted level of -£484,400, to -£465,700.
- 3.7 Taking account of the anticipated surplus generated by the Harbour budget, the total deficit overall reduces to -£457,000 (against a budget of -£470,800)

### **4.0 AONB Grants**

- 4.1 Appendix 4 details grants and other 'one-off' sources of income which have been awarded for specific purposes. The anticipated grants total is £1,131,200.
- 4.2 £152,100 has been spent through the core FiPL programme.
- 4.3 £237,520 has been spent through the Historic Building Restoration Grant Programme (also under the FiPL umbrella).
- 4.4 DEFRA have awarded £53,300 Access for All Funding, plus additional core capital funding of £36,700.
- 4.5 Solent Seascape funds from Blue Marine have been brought forward from the last financial year, with an additional £83,000 received in year. Expenditure on the project in 2024-25 currently totals £54,300.
- 4.6 Solent Seascape match funding from East Head Impact has been brought forward from the last financial year with an additional £24,400 received in year. Expenditure from this match funding totals £16,500.
- 4.7 The Environment Agency (EA) had awarded £268,300 towards a further BuDs trial. This project is unable to take place in 2024-25 due to lack of suitable sediment. The EA has instead amended this funding to £95,000 towards monitoring and Marine Management Organisation approval work. £62,200 has been spent to date, a further application has been made to EA to fund the BuDs trial in 2025-26.

- 4.8 The EA has also provided £120,000 towards consultancy work relating to a saltmarsh creation project. The tender process was successfully completed in late September with the successful contractor commencing work in October. £39,800 has been spent to date.
- 4.9 The EA has funded one further project in-year, to create 3 animations to raise awareness of water quality, coastal squeeze and nature recovery opportunities in Chichester Harbour. £4,500 has been spent to date.
- 4.10 Corporate Sponsorship of £7,000, from Lockheed Martin, of has been secured to support the Education Centre. This sponsorship will provide fully funded education trips to selected schools in the Havant area who would not otherwise have the means to access the trips.

**Mel Belderson**  
**Finance Manager**

**Matt Briers CBE**  
**CEO**

# **Budget Monitor - Combined Summary**

Chichester Harbour Conservancy  
For the 11 months ended 28 February 2025

## **Appendix 1**

Account	Combined Budget Year End Projection	Harbour Budget Year End Projection	NL Budget Year End Projection
<b>Income</b>			
DEFRA Grant	209,800	0.00	209,800
Other Income	250,900	151,900	99,000
Harbour Dues	496,100	496,100	0
Moorings Income	918,600	918,600	0
Lease / Licence income	217,800	174,900	42,900
<b>Total Income</b>	<b>2,093,200</b>	<b>1,741,500</b>	<b>351,700</b>
<b>Expenditure</b>			
Staffing Costs	1,326,300	748,400	577,900
Maintenance	87,200	65,600	21,600
Premises Costs	389,900	349,600	40,300
Transportation	112,000	77,800	34,200
Equipment	166,900	152,800	14,100
Office Supplies	77,800	57,300	20,500
Professional Services	176,900	136,400	40,500
NL Projects	47,800	0	47,800
County Council Charges	29,200	20,500	8,700
<b>Total Expenditure</b>	<b>2,414,000</b>	<b>1,608,400</b>	<b>805,600</b>
<b>Surplus / (Deficit) prior to transfers to/from Reserves</b>	<b>(320,800)</b>	<b>133,100</b>	<b>(453,900)</b>
<b>Transfers to/from Reserves</b>			
Budgeted transfers to Reserves	136,200	124,400	11,800
<b>Total Transfers to/from Reserves</b>	<b>136,200</b>	<b>124,400</b>	<b>11,800</b>
<b>Surplus / (Deficit)</b>	<b>(457,000)</b>	<b>8,700</b>	<b>(465,700)</b>
<b>Budgeted Surplus / (Deficit)</b>	<b>(470,800)</b>		

**Budget Monitor - Harbour**

Chichester Harbour Conservancy  
For the 11 months ended 28 February 2025

**Appendix 2**

Account	Harbour Budget	Harbour Profile	Harbour Actual	Harbour Variance	Year End Projection	Projection Variance	Comments
<b>Income</b> <div> + Additional Income  - Reduced Income </div>							
Other Income	151,200	112,095	107,455	(4,640)	151,900	700	Rechargeable Works
Harbour Dues	490,700	490,360	493,916	3,556	496,100	5,400	
Moorings Income	925,700	925,400	918,495	(6,905)	918,600	(7,100)	
Lease / Licence income	193,700	112,834	87,286	(25,548)	174,900	(18,800)	Licence Income
<b>Total Income</b>	<b>1,761,300</b>	<b>1,640,689</b>	<b>1,607,152</b>	<b>(33,537)</b>	<b>1,741,500</b>	<b>(19,800)</b>	
<b>Expenditure</b> <div> - Additional Expenditure  + Reduced Expenditure </div>							
Staffing Costs	754,900	684,352	675,750	8,602	748,400	6,500	Moorings Officer / Patrol
Maintenance	64,700	60,578	48,257	12,321	65,600	(900)	
Premises Costs	345,800	332,042	313,725	18,317	349,600	(3,800)	
Transportation	77,500	72,195	54,820	17,375	77,800	(300)	
Equipment	147,900	135,667	112,556	23,111	152,800	(4,900)	
Office Supplies	55,300	51,070	53,031	(1,961)	57,300	(2,000)	
Professional Services	154,800	110,376	102,021	8,355	136,400	18,400	Includes Commission
County Council Charges	22,400	22,400	20,397	2,003	20,500	1,900	
<b>Total Expenditure</b>	<b>1,623,300</b>	<b>1,468,680</b>	<b>1,380,556</b>	<b>88,124</b>	<b>1,608,400</b>	<b>14,900</b>	
<b>Surplus / (Deficit) prior to transfers to/from Reserves</b>	<b>138,000</b>	<b>172,009</b>	<b>226,596</b>	<b>54,587</b>	<b>133,100</b>	<b>(4,900)</b>	
<b>Transfers to/from Reserves</b>							
Budgeted transfers to Reserves	124,400	0	0	0	124,400		
<b>Total Transfers to/from Reserves</b>	<b>124,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>124,400</b>	<b>0</b>	
<b>Surplus / (Deficit)</b>	<b>13,600</b>	<b>172,009</b>	<b>226,596</b>	<b>54,587</b>	<b>8,700</b>	<b>(4,900)</b>	

**Budget Monitor - National Landscape (NL)**
**Appendix 3**

Chichester Harbour Conservancy

For the 11 months ended 28 February 2025

Account	NL Budget	NL Profile	NL Actual	NL Variance	Year End Projection	Projection Comments Variance
<div> <div>+ Additional Income</div> <div>- Reduced Income</div> </div>						
<b>Income</b>						
DEFRA Grant	209,800	158,000.00	157,322.55	(677)	209,800	
Other Income	89,400	71,153	86,763	15,610	99,000	9,600 Education Income
Lease / Licence income	44,600	37,695	27,531	(10,164)	42,900	(1,700)
<b>Total Income</b>	<b>343,800</b>	<b>266,848</b>	<b>271,617</b>	<b>4,769</b>	<b>351,700</b>	<b>7,900</b>
<div> <div>- Additional Expenditure</div> <div>+ Reduced Expenditure</div> </div>						
<b>Expenditure</b>						
Staffing Costs	595,600	547,957	541,765	6,192	577,900	17,700 NL Operations Manager post
Maintenance	21,600	19,929	17,877	2,052	21,600	
Premises Costs	35,800	27,334	23,807	3,527	40,300	(4,500)
Transportation	35,400	33,048	37,053	(4,005)	34,200	1,200
Equipment	15,900	14,605	12,732	1,873	14,100	1,800
Office Supplies	13,000	11,944	19,585	(7,641)	20,500	(7,500) Lifejackets, redistribution of office costs
Professional Services	42,300	34,805	28,287	6,518	40,500	1,800
NL Projects	47,800	43,764	43,765	(1)	47,800	
County Council Charges	9,000	9,000	8,741	259	8,700	300
<b>Total Expenditure</b>	<b>816,400</b>	<b>742,386</b>	<b>733,612</b>	<b>8,774</b>	<b>805,600</b>	<b>10,800</b>
<b>Surplus / (Deficit) prior to transfers to/from Reserves</b>	<b>(472,600)</b>	<b>(475,538)</b>	<b>(461,995)</b>	<b>13,543</b>	<b>(453,900)</b>	<b>18,700</b>
<b>Transfers to/from Reserves</b>						
Budgeted transfers to Reserves	11,800	0	0	0	11,800	
<b>Total Transfers to/from Reserves</b>	<b>11,800</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11,800</b>	<b>0</b>
<b>Surplus / (Deficit)</b>	<b>(484,400)</b>	<b>(475,538)</b>	<b>(461,995)</b>	<b>13,543</b>	<b>(465,700)</b>	<b>18,700</b>
Less Harbour Surplus					(8,700)	
<b>Deficit to be funded by the County Councils</b>					<b>(457,000)</b>	



## National Landscape Grants and Contributions

## Appendix 4

For the 11 months ended 28 February 2025

Grants / Income	2024-25					Total Grants Awarded / Income Expected (Brought Forward and Received in Year)
	Brought Forward	Received to Date	Total Brought Forward / Received	Expenditure to Date	Year End Projection	
Friends	0.00	0.00	0.00	9,035.00	0.00	15,000.00
FiPL	0.00	295,923.00	295,923.00	152,090.98	0.00	258,351.00
Historic Building Restoration Grant (FiPL)	0.00	304,449.00	304,449.00	237,519.84	0.00	304,449.00
DEFRA Access for All	0.00	53,298.00	53,298.00	0.00	0.00	53,298.45
DEFRA Capital Funding	0.00	27,516.00	27,516.00	26,594.14	0.00	36,688.83
DEFRA National Pot	0.00	20,000.00	20,000.00	0.00	0.00	20,000.00
Solent Seascape Project - Blue Marine*	74,104.49	83,043.00	157,147.49	54,308.49	0.00	157,693.49
Solent Seascape Project - EHI match funding*	29,288.00	24,428.00	53,716.00	16,457.00	0.00	53,715.00
Environment Agency - BuDs **	0.00	15,707.58	15,707.58	62,202.00	0.00	95,000.00
Environment Agency - Saltmarsh Creation	0.00	97,709.60	97,709.60	39,758.00	0.00	120,000.00
Environment Agency - Communications	0.00	5,000.00	5,000.00	4,500.00	0.00	10,000.00
Corporate Sponsorship (Education)	0.00	7,000.00	7,000.00	1,851.67	0.00	7,000.00
<b>Total</b>	<b>103,392.49</b>	<b>934,074.18</b>	<b>1,037,466.67</b>	<b>604,317.12</b>	<b>0.00</b>	<b>1,131,195.77</b>

It is expected that each Grant / Income and specific expenditure will equal £0 by the end of the financial year. Any remaining balances will be subject to accounting adjustments to ensure the correct transactions are included in the relevant financial year.

Specific funding has been allocated to the National Landscape for specific purposes and must be spent in accordance with individual project criteria

\* Project financial year runs October 2024 to September 2025 therefore expected income is an estimate only

**CHICHESTER HARBOUR CONSERVANCY****31 MARCH 2025****APPLICATION FOR WORKS LICENCE**

SITE ADDRESS: Birdham Pool Waterside &amp; Marina, Birdham, PO20 7BG

**UNAUTHORISED WORKS:****1.0 Introduction**

- 1.1 Aquavista have identified structural instability in the outer lock wall at Birdham Pool Marina. In December they sought MMO approval through a self service application to undertake minor works to prevent degradation of the land around the lock hut.
- 1.2 Due to the mechanism of MMO self service application, and statement that the works were minor and fully within the existing 3D footprint, the application did not require consultation and was approved.
- 1.3 In early February 2025, CHC received a report from a neighbouring property to report that unauthorised works were being undertaken at Birdham Pool Marina. The HM attended the site on 5<sup>th</sup> February and observed that extensive, unauthorised works were in progress on the seawall in the vicinity of the lock hut. The HM requested the marina manager to cease works with immediate effect, until appropriate licencing was in place.
- 1.4 The unauthorised works were reported to the MMO, Natural England and CDC. The MMO enforcement team have attended the site and are following up.
- 1.5 On 14<sup>th</sup> February HM and CEO met the marina manager and project manager at site to discuss next steps. Aquavista are now fully aware that the works are unlicensed, and will work with MMO, NE, CDC and CHC to secure appropriate consents. Aquavista have assessed that without immediate remedial works, there is a risk to life and the environment from structural failure.

Figure 1 – Works location



## 2.0 Nature of works

- 2.1 The works to the seawall involve the insertion of steel beams into mudland, with pre-cast concrete panels fitted between the beams, and the structure back filled with concrete.
- 2.2 The works extend the existing site approximately 1m further out into the harbour than the existing wall.
- 2.3 The works involved driving steel piles into the mudland at a time of year where such activities would not be licenced due to the presence of overwintering birds.
- 2.4 The works are not in keeping with the character of the surrounding area.

Figure 2 – Site photos showing works

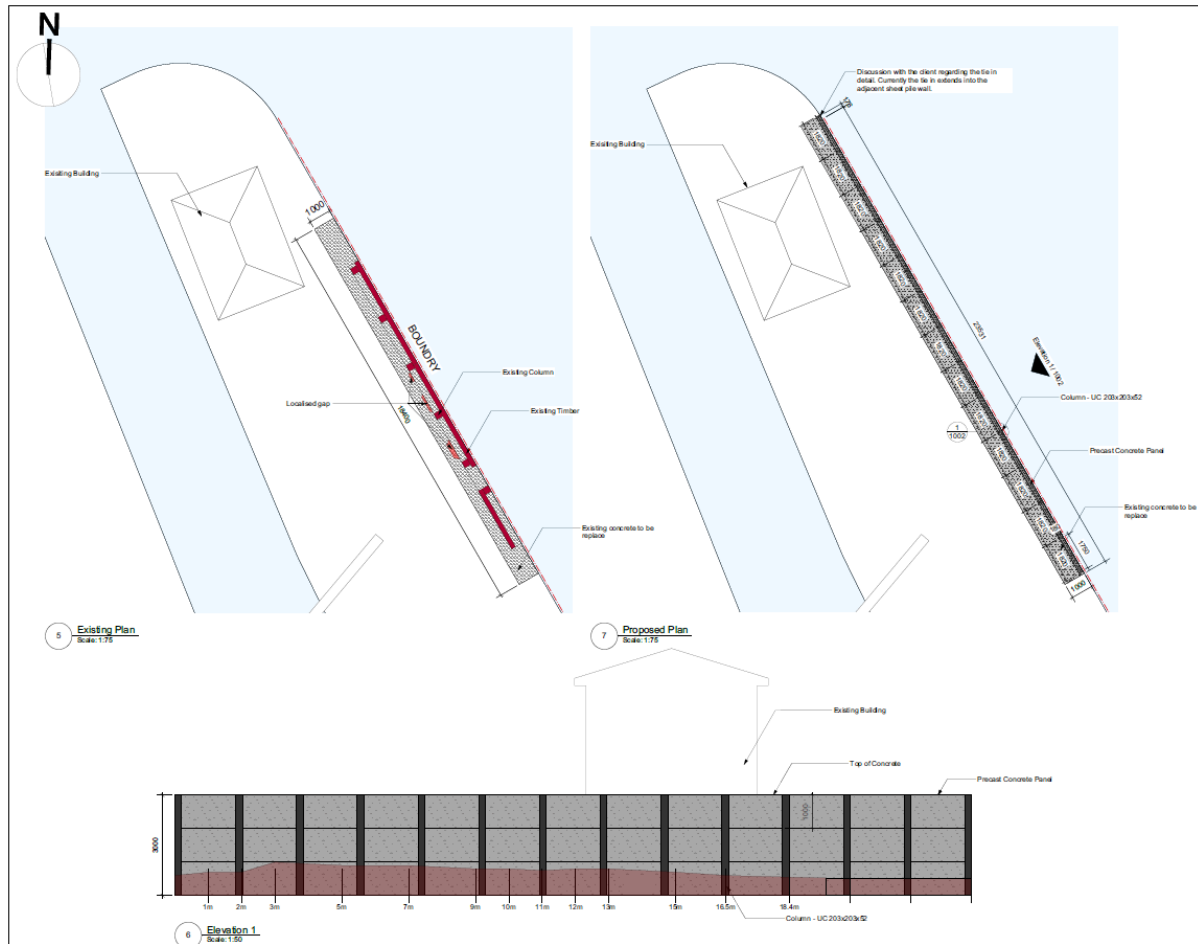




### 3.0 WORKS LICENCE APPLICATION

- 3.1 CHC received a works licence application on 10<sup>th</sup> February, to cover emergency works in order to make the site safe. The relevant emergency works are to install the pre-cast panels in between the king posts, and weld a steel plate between the final king posts and existing walls.

Figure 3 – Proposed works plan



- 3.2 The project manager has been advised that CHC will not consider the works licence application until such time as all other permissions are in place.

### 4.0 Recommendation

- 4.1 It is recommended that the Conservancy rejects the application to undertake emergency works at the site. CHC will continue to liaise with the land owner and contractor as they progress applications with the MMO, NE and CDC for all appropriate permissions.

**Captain Jo Cox**  
Harbour Master

## CHICHESTER HARBOUR CONSERVANCY

**31 MARCH 2025**

### APPLICATION FOR A WORKS LICENCE

#### FOR APPROVAL

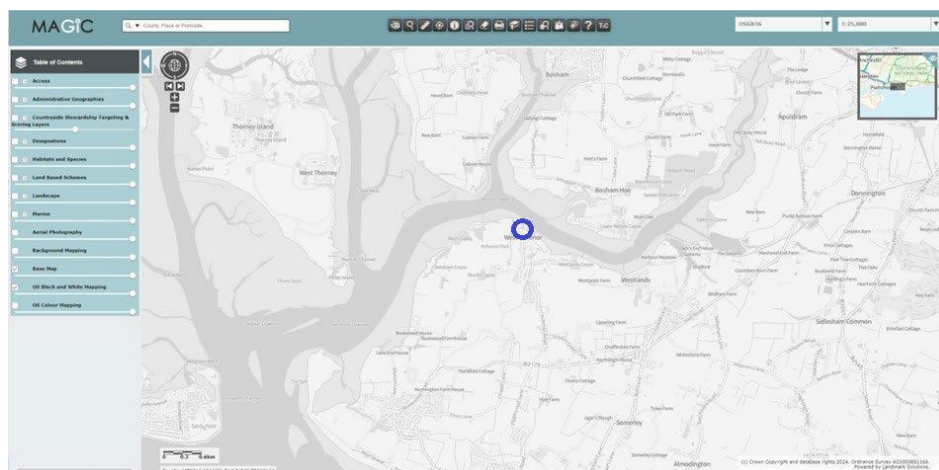
Address: **Northshore Boatyard, West Itchenor, Chichester, PO20 7AY**

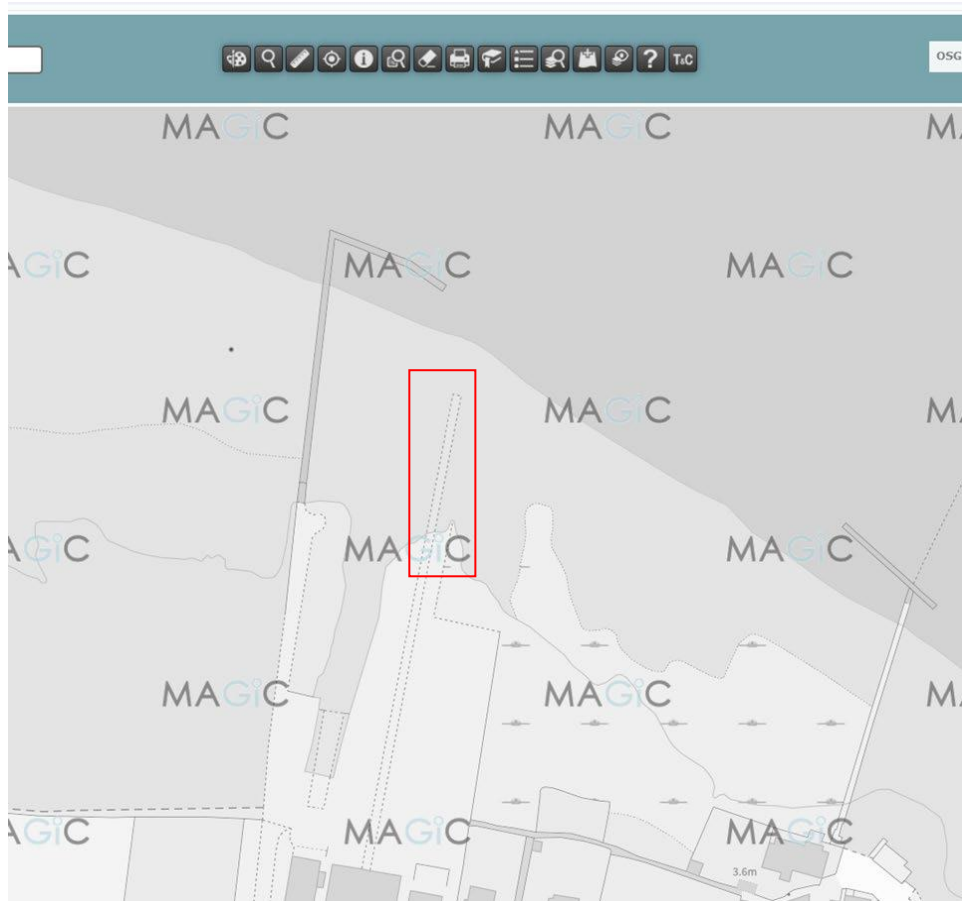
Proposed Development: **Maintenance of Rail Slipway**

#### 1.0 Background

- 1.1 The Trafalgar group are seeking to undertake maintenance works on the rail slipway at Northshore Boatyard. The slip has fallen into disrepair, with works required to ensure functionality.
- 1.2 The slipway requires some small concrete repairs (at the rails) and hardcore/gravel replacement at the sides.
- 1.3 All concrete mixing to be within bunded area. Concrete placement to be within timber shuttering to prevent any spillage into the watercourse.
- 1.4 Works will all be undertaken from land using manual labour and small plant (mini digger, mini dump truck etc). Plant will only operate within the existing hard area. Ground mats to be used where appropriate. The works are very small scale and within the indicated area. Material storage will be within the existing yard storage.
- 1.5 The works can only be undertaken over low waters and are anticipated to take 2-3 weeks over suitable tides. Daylight working only.
- 1.5 An MMO licence and appropriate NE approval has already been obtained.

**Figure 1+2 – Works location**





## 2.0 Recommendation

- 2.1 It is recommended that Conservancy approve a works licence for maintenance works.

**Jo Cox**  
**Harbour Master**

# CHICHESTER HARBOUR CONSERVANCY ACT 1971

## SECTION 45 WORKS LICENCE

To: Jonny Boys, Managing Director  
The Trafalgar Group, Northshore Boatyard, West Itchenor, Chichester, PO20 7AY

In accordance with Section 45 of the Chichester Harbour Conservancy Act, 1971, you are **HEREBY LICENSED** to carry out works comprising maintenance of rail slipway at Northshore Boatyard, for the period of this licence. In accordance with your application dated 16 March 2025, subject to the following conditions:

- (i) The works shall at all times be maintained in a safe, secure and serviceable condition so as not to cause danger or obstruction to harbour users.
- (ii) The works are to be carried out in accordance with the plans and particulars of the works as submitted to and approved by the Conservancy, a copy of which is attached to and forms part of this Licence.
- (iii) The Licensee is to fully and effectually indemnify the Conservancy from and against all costs, claims, damages, injury, losses and demands whatsoever and howsoever arising from the exercise of the rights by the Licensee under the terms of this Licence.
- (iv) The works are to be completed to the satisfaction of the Harbour Master and the site is to be left in a clean and tidy condition.
- (v) The Conservancy may revoke this Licence if it appears to the Conservancy that the holder of the Licence is in breach of any condition included in it.
- (vi) The issue of this Licence does not absolve the Licensee from obtaining such authorisations, consents, permits, licences or any other formal permissions which may be required under any other Act or from any owner or occupier of land or premises affected by the works.
- (vii) The Licensee shall give the Harbour Master at least forty-eight hours' notice on commencement of works.
- (viii) This Licence expires on 30 September 2025.

Dated the 31 March 2025



**Captain Jo Cox**  
Harbour Master

**CHICHESTER HARBOUR CONSERVANCY**

**31 MARCH 2025**

**APPLICATION FOR WORKS LICENCE**

**FOR APPROVAL**

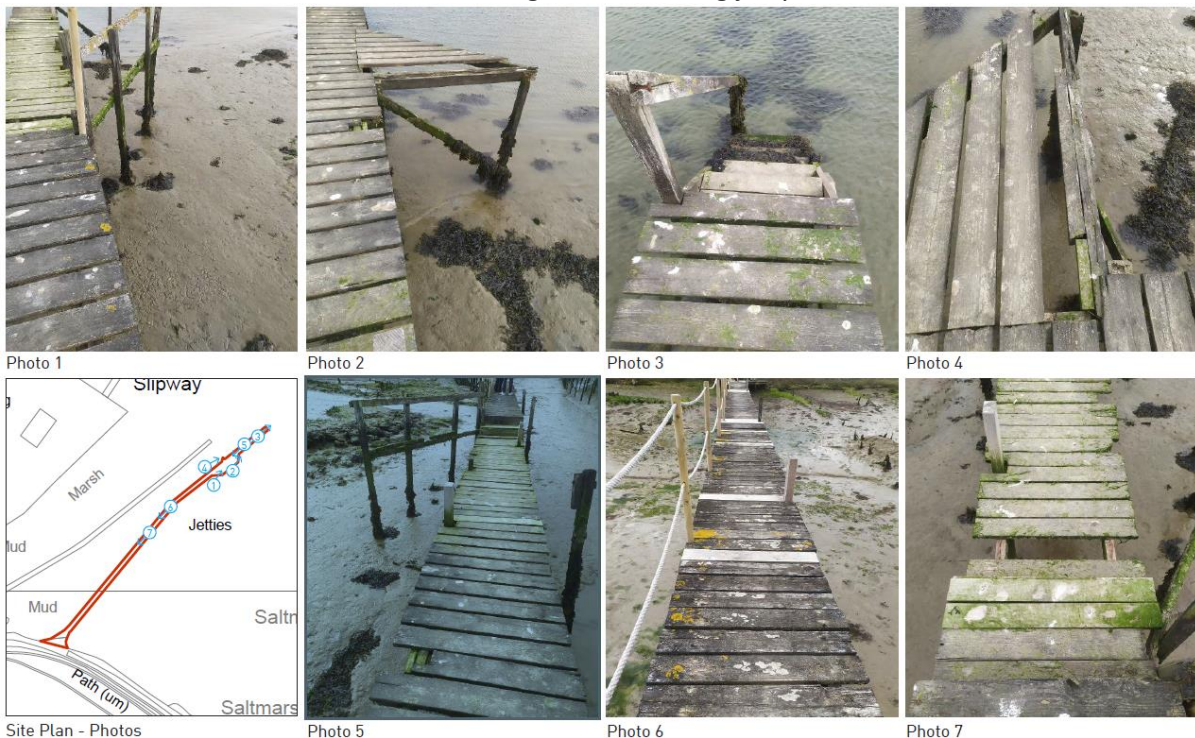
**SITE ADDRESS: Orchard House, Orchard Lane, Itchenor, PO20 7AD**

**PROPOSED DEVELOPMENT: Jetty Renewal**

**1.0 Introduction**

- 1.1 The current jetty at Orchard House is in a state of disrepair. The existing jetty which is currently 82m long will be replaced with a like for like replacement. The replacement will utilise all timber materials, and incorporate rope guarding and an access gate for enhanced safety.

Figure 1 – Existing jetty



- 1.2 The applicant has obtained an MMO licence for the works.

**2.0 Extent of Works**

- 2.1 MMO licencing prohibits any works from been undertaken between 1<sup>st</sup> October and 31<sup>st</sup> March. The applicant has advised that works will take approximately 8 weeks to complete, with hours of work limited to 0700 and 1700 Monday to



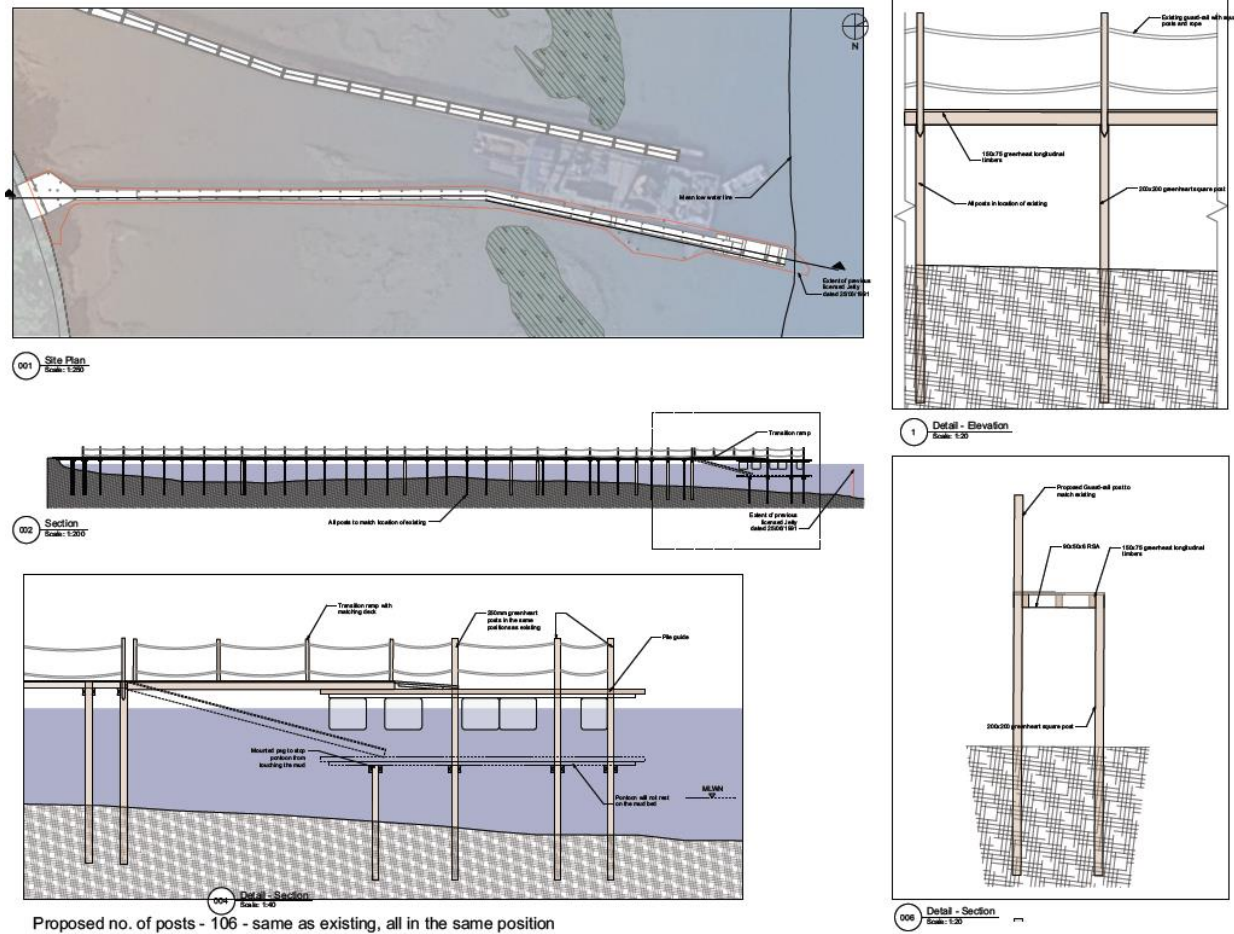
Friday and 0800 to 1300 on Saturdays with no works to be undertaken on Sundays.

- 2.2 The project will require the full removal of existing jetty deck boards, cross beams and all 106 existing timber piles. A full method statement has been provided detailing these works.
- 2.3 The replacement will utilise all timber materials, with the replacement 106 piles utilising the original pile holes where feasible.
- 2.4 The works will require the use of marine plant and vessels, including a 'mini rig' modular floating platform that contains an 8t excavator and all necessary materials as well as smaller pontoon based working platforms. These will be towed to the site by contractor utilising two small dory work boats and secured to the jetty. All marine plant (including all floating platforms used to undertake the licensed activities) will be towed away upon works completion.

Figure 2 – Site Location Plan



Figure 3 – Proposed Jetty Drawings



### 3.0 Comment

- 3.1 This project is like for like in terms of dimensions, position and materials. It is important to note as this replacement proposal is like for like there will be no increased impact on the Chichester Harbour SSSI.
- 3.2 The project has secured and provided to CHC evidence of MMO licencing.
- 3.3 Existing UKHO charting for the jetty indicates a starboard lateral navigation mark. This is not currently in position due to the dereliction of the jetty. CHC will require the re-instatement of this nav mark as part of the licence conditions.

### 4.0 Recommendation

- 4.1 Propose approve subject to standard conditions, such other conditions as are appropriate to the method and site.

Author:

**Jo Cox**  
**Harbour Master**

## CHICHESTER HARBOUR CONSERVANCY ACT 1971

### SECTION 45

#### WORKS LICENCE

To: Mr Marc Boughton, Orchard House, Orchard Lane, Itchenor, PO20 7AD

In accordance with Section 45 of the Chichester Harbour Conservancy Act, 1971, you are **HEREBY LICENSED** to carry out jetty replacement at the above property:

- (i) The works shall at all times be maintained in a safe, secure and serviceable condition so as not to cause danger or obstruction to Harbour users.
- (ii) The works shall not damage the mudland.
- (iii) The works are to be carried out in accordance with the plans, sections and particulars of the works as submitted to and approved by the Conservancy, a copy of which is attached to and forms part of this Licence. The works are only permitted to take place between 1 April and 30 September.
- (iv) The repairs are to be strictly as detailed in the Works Licence application and accompanying documents submitted to the Conservancy.
- (v) The Licensee is to fully and effectually indemnify the Conservancy from and against all costs, claims, damages, injury, losses and demands whatsoever and howsoever arising from the exercise of the rights by the Licensee under the terms of this Licence.
- (vi) The works are to be completed to the satisfaction of the Harbour Master and the site is to be left in a clean and tidy condition.
- (vii) The licensee will be required to re-instate the navigation mark as shown on digital navigation charts.
- (viii) The Conservancy may revoke this Licence if it appears to the Conservancy that the holder of the Licence is in breach of any condition included in it.
- (ix) The issue of this Licence does not absolve the Licensee from obtaining such authorisations, consents, permits, licences or any other formal permissions which may be required under any other Act or from any owner or occupier of land or premises affected by the works.
- (x) The Licensee shall give the Harbour Master at least forty-eight hours' notice of the date and time of commencement of the works.
- (xi) On completion of works, the Conservancy will require the jetty to be re-assessed and a new jetty licence agreed and issued.
- (xii) This Licence expires on 30 September 2027.

Dated 31 March 2025.

**Jo Cox**

**Harbour Master**

# CHICHESTER HARBOUR CONSERVANCY

31 MARCH 2025

## APPLICATION FOR A WORKS LICENCE

### FOR APPROVAL

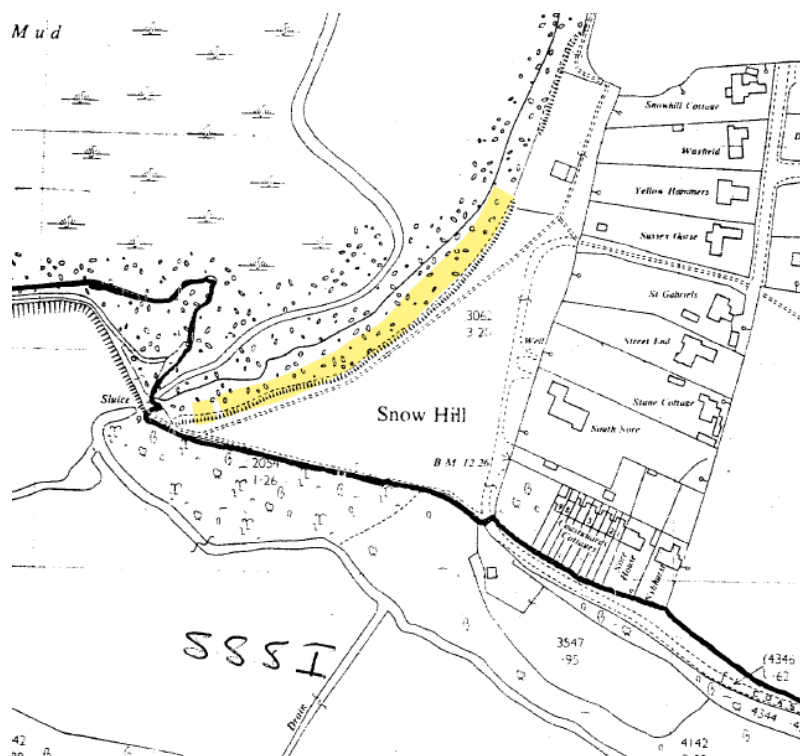
Address: **Snowhill Creek, West Wittering, West Sussex, PO20 8SS**

Proposed Development: **Shingle recharge**

### 1.0 Background

- 1.1 West Wittering estate on behalf of West Wittering Sailing Club are seeking a works licence to put 10ton of 20mm marine grade shingle onto the foreshore at Snowhill Creek.
- 1.2 The area is where the club have chains on the foreshore to moor/secure their sailing vessels. The current shingle topping has been depleted and requires recharging.
- 1.3 The shingle will be delivered to site by lorry, before transfer to the by frontend loader. The application of the shingle to the chains area will be by hand shovelling.
- 1.4 There will be no requirements to remove, dredge or disturb any mudland.

**Figure 1 – Recharge location**



## **2.0 Recommendation**

- 2.1 It is recommended that Conservancy approve a works licence for shingle recharge at Snowhill for a 5-year period.
- 2.2 The licence will permit a maximum deposit 10t of shingle/year during the term of the licence, subject to the conditions detailed to the Works Licence.

**Jo Cox**  
**Harbour Master**

# CHICHESTER HARBOUR CONSERVANCY ACT 1971

## SECTION 45 WORKS LICENCE

To:	Keith Rathbone, West Wittering Estate PLC, Pound Road, West Wittering, PO20 8GH, West Sussex
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In accordance with Section 45 of the Chichester Harbour Conservancy Act, 1971, you are **HEREBY LICENSED** to carry out works comprising shingle recharge at Snowhill Creek, for the period of this licence. In accordance with your application dated 7 February 2025, subject to the following conditions:

- (i) The works shall at all times be maintained in a safe, secure and serviceable condition so as not to cause danger or obstruction to harbour users.
- (ii) The works are to be carried out in accordance with the plans and particulars of the works as submitted to and approved by the Conservancy, a copy of which is attached to and forms part of this Licence.
- (iii) The Licensee is to fully and effectually indemnify the Conservancy from and against all costs, claims, damages, injury, losses and demands whatsoever and howsoever arising from the exercise of the rights by the Licensee under the terms of this Licence.
- (iv) The works are to be completed to the satisfaction of the Harbour Master and the site is to be left in a clean and tidy condition.
- (v) The Conservancy may revoke this Licence if it appears to the Conservancy that the holder of the Licence is in breach of any condition included in it.
- (vi) The issue of this Licence does not absolve the Licensee from obtaining such authorisations, consents, permits, licences or any other formal permissions which may be required under any other Act or from any owner or occupier of land or premises affected by the works.
- (vii) No more than 10 ton of material should be deposited in any calendar year.
- (viii) The Licensee shall give the Harbour Master at least forty-eight hours' notice on each occasion the recharge happens.
- (ix) This Licence expires on 30 March 2030.

Dated the 31 March 2025



**Captain Jo Cox**  
Harbour Master