

FHC - FaBTest Operating Policy

FHC/FT/102

In line with the organisations Health, Safety and Environmental Policies, Falmouth Harbour Commissioners are committed to ensuring that all activities taking place within the FaBTest area do so in a safe manner with due regard to the affect they may have on the environment, other Harbour users and the wider stakeholders.

In discharging this commitment, FHC will ensure that any developer wishing to use the FaBTest site will be fully compliant with their responsibilities as defined by the Health and Safety at Work Act (1974), the Marine and Coastal Access Act 2009 and all other pertinent legislation or regulation.

This will be achieved through an independent review of a developer's project plan (with regard to health & safety) to be commissioned by the berthing applicant and presented to the FaBTest regulatory panel. The independent review will be performed by a suitably qualified and experienced contractor and will assess whether potential developers are fully aware of their responsibilities and have adequately planned to fulfil them. The regulatory panel will also apply the requirements of the FaBTest Device Specific Regulatory System as described in document FHC/FT/101.

Areas for consideration will include, but may not be limited to;

Safety of Navigation

The Falmouth Harbour Commissioners have a duty to ensure the Safety of Navigation for all Harbour Users.

A safety management system is in place as required by the Port Marine Safety Code which looks at the hazards involved with marine operations then establishes controls and procedures to mitigate the risks. Considerations include, but are not limited to;

- Close liaison with Trinity House according to accepted existing practice.
- The effect of deployed devices and associated operations on the safety of navigation.
- The interaction between operational, support and third party vessels.
- The safety of FHC, developer and contractor infrastructure.
- Emergency preparedness.

All vessels proposed for operations at FaBTest must comply with Harbour Regulations and Harbour Master's directions at all times.

Safety of people, assets and the environment during marine operations at FaBTest

To ensure that marine operations are undertaken in a safe manner, it is crucial that;

- Any equipment being deployed is designed and constructed to deal with the loads that will be experienced throughout the life of its deployment.
- The operations are planned by competent persons giving due consideration to the hazards which can occur.
- Vessels and plant used during any marine operations are fit for purpose and in a good condition.
- Operations are executed by trained and experienced personnel.
- All health and safety incidents including near misses are reported to FHC, thus allowing safe operating policy to evolve in an informed manner.

Any developer or contractor wishing to operate at the FaBTest site must ensure that they have planned their marine operations in line with recognised standards. Throughout the life of any deployment or project, the developer or contractor remains responsible for all Health, Safety, Quality and Design issues associated with their project.

To ensure that operations will not be detrimental to the overall safety of the FaBTest site, its infrastructure or other users, a robust auditing procedure is implemented. This is administered by the Regulatory Panel who will ensure that operations planned by device installers and/ or marine contractors are thoroughly vetted by competent personnel where necessary.

Detailed guidelines will be issued to developers to aid them with this process.

Managing interaction between users

In meeting the FHC and developers responsibilities with regard to the safety of the FaBTest site, due consideration must be given to the interaction between various site users. This can include up to three MEC developers at any time.

It is understood that the activities taking place may adversely affect the operations of other users. It is also understood that during periods of high activity, there could be significant numbers of personnel and plant operating at the site. It is therefore important that the activities are coordinated to prevent adverse interactions taking place.

For developers, and marine contractors connected therewith, this will form part of the considerations of the permitting process.

Permits to operate will only be issued once the FaBTest regulatory panel is assured that the operations will not adversely affect any other user of the site, infrastructure or port operations.

In the event that more than one permit has been issued, FHC will ensure that co-operation and communication is in place between the permit holders.

Emergency Preparedness

Operating at sea is an inherently hazardous activity and despite effective controls, we must be prepared in such a way as to minimise the effect of an emergency situation.

Procedures must be in place to deal with a range of emergency scenarios and these must take into account the Port of Falmouth's emergency plan. Lessons learnt from drills and reviews will be used to keep procedures up to date and relevant.

Specific procedures to deal with mooring failure or device excursion will be particularly important.

Insurance

The harbour authority will require all projects to be adequately insured. This will include third party liability insurance and adequate cover for remedial/removal works in the event of a mooring/device failure and/or financial failure of the organisation.

Device owners are required to remove any sunk or wrecked devices from the Site as soon as practicable after the sinking or wreck occurs. They are required to have insurance cover in place against these eventualities which complies with the following;

1. Cover in place to a minimum of £10,000,000.
2. The policy is to name Falmouth Harbour Commissioners as first party insured.
3. The name of the Insurance Company is submitted with the first application.
4. A copy of the policy is to be provided prior to issue of the permit.
5. A bank guarantee or bond is to be provided for any deductible stated in the policy.
6. Evidence is to be provided of payment of premium.
7. The owner warrants that the policy shall not be cancelled whilst the device is deployed. Falmouth Harbour Commissioners interest shall be noted on the policy.
8. The cancellation of the policy whilst the device is deployed shall cause the permit to be rescinded. The bond or bank guarantee shall also become immediately payable.