

# Health and Safety Guide 4

## Marinas and Boatyards





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## 1 Introduction

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### 1.1 General

Marinas and boatyards present a particularly challenging and complex environment for putting in place safety management arrangements which fulfill legal, moral and business needs without being unduly complicated, restrictive to marina users' activities or expensive.

This guide is intended to give a broad overview of the main health and safety issues which marina and boatyard managers have to deal with and guide them to resources which will help them find solutions which are realistic and pragmatic. It does not attempt to be comprehensive.

The BMF *Guide to Members* describes how the UK health and safety regulatory system works, the principles behind it and the main requirements. It is presumed that readers of this guide will be familiar with the content of the *Guide to Members*, hence that material is not repeated here.

This guide will also make reference to guides on specific health and safety topics relevant to marina management. These include topics which are generally applicable throughout UK businesses, for example, assessing computer workstations and welfare requirements.

For the purposes of this Guide, the following definitions of the principal stakeholders are used:

- **Manager.** The person responsible for managing the marina undertaking. The “employer” for the purposes of health and safety law.
- **Clients.** Persons who pay the manager for services such as provision of berths or shore services.
- **Visitors.** Members of the public or people on business who visit the marina from time- to-time.

A brief guide such as this cannot comprehensively cover all the health and safety issues in a particular marina. The *Guide to Members* and Sector Guides provide overviews of statutory requirements and some guidance on how to comply. They are not exhaustive and it is the responsibility of each employer to ensure that their particular business

complies in the context of the services they provide and the circumstances of their operation.

Whilst great care has been taken in the preparation of these guides, the British Marine Federation and its advisers cannot be held responsible for any errors or omissions, or for any consequences arising.

## 1.2 Scope

This guide covers the operation of marinas, moorings and boatyards in coastal, tidal and inland areas, and certain areas of design that have a direct bearing on personal safety. For those seeking guidance on good practice for the wider aspects of marina design and operation, refer to the code of practice published by The Yacht Harbour Association Ltd<sup>1</sup>.

This guidance does not include:

- Design and management of catering facilities
- Refuse and waste disposal facilities
- Potable water supplies, or other utilities
- Events, such as races or regattas. These require safety planning in their own right
- Security
- Environmental management, including sewage treatment and disposal
- Health and safety during construction activity beyond the duties of the marina manager as 'client' for these works (see section 4.9 for further information)

## 1.3 Structure of this Guide

These are the sections of the guide:

- **Section 2. Safety Management Overview.** Discusses some of the main health and safety issues facing marina and boatyard managers

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<sup>1</sup> [A Code of Practice for the Design, Construction and operation of Coastal and Inland Marinas and Yacht Harbours.](http://www.tyha.co.uk) The Yacht Harbour Association. [www.tyha.co.uk](http://www.tyha.co.uk)

- **Section 3. Marina Inspection and Maintenance.** The importance of this to achieving good health and safety standards and some of the main issues which arise
- **Section 4. Services and Activities.** Discusses some of the main areas of service provision and activity which present significant health and safety risks
- **Section 4. Emergency Preparedness.** How to be prepared
- **Section 5. Communications.** Effective communications with your clients and visitors



## 2 Safety Management Overview

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This section takes an overview of the safety management challenges facing marina and boatyard managers.

### 2.1 Planning for Safety

Whilst there are some things that the law requires you to do (such as having a safety policy, or putting up the health and safety notice), the adequacy of what you do to satisfy most health and safety law will be subject to a test of 'reasonableness'. Your safety management arrangements (refer to the *BMF Guide to Members* for further information) will include risk assessments which identify foreseeable risks and how you propose to control them. It is likely that you will have operating instructions which sets down the details of what you will do. It is important that these are kept up to date as circumstances and conditions change.

Major factors in the successful management of risks are having staff that are trained and competent as well as communicating effectively with employees and clients.

### 2.2 The Public

Perhaps the most obvious distinguishing factor in marina and boatyard management is the presence, sometimes in quite large numbers, of members of the public who:

- have a wide range of expectations of you
- are with very few exceptions, your principal clients
- share and occupy what the law regards as your 'workplace'
- are generally less prepared to be controlled, compared with your own members of staff

Apart from the public, who are your clients, if you are in an area which is visited by the general public, you may be an attraction for people wishing to watch the boats and associated activity. When these people are on your premises (which may well include the water space under your control) you owe them a duty of care.

Some of the work activities which you undertake on your premises present levels of hazard which will require the public to be excluded from the immediate work area. Others, such as routine inspections or providing assistance in navigation, inherently require the workplace to be shared with the public.



Many of your clients will want to carry out repairs or improvements to their boats. For those clients who feel they do not have the necessary skills, or have no desire to carry out these types of work, they may wish to engage their own contractors (or their friends) to carry out the work. Whilst you can have little or no direct control over this type of work, some of its consequences could seriously affect other marina users, particularly in the event of fire or explosion and it would be expected that managers take reasonable measures to ensure that, firstly, the DIYer has some awareness of the potential consequences of what they propose to do and how to do it properly, and secondly, to be prepared to stop activities<sup>2</sup> which they feel are putting others at unacceptable risk. This is the marina manager exercising his duty of care which comes about not just from him being responsible for the 'undertaking' but from his knowledge and expertise of marina management.

Similar considerations apply to those marinas that provide facilities for clients (or their contractors) to carry out works (see Section 4.10). Examples of these are dry-docks and laying-up areas.

## 2.3 Contractors

Marinas use contractors for a wide range of construction, maintenance and operational tasks. Many of these contractors will not be familiar either with marinas in general, or the peculiarities of a particular marina. The marina manager has particular duties and responsibilities in the selection and management of contractors. These are discussed further in Section 4.9.

## 2.4 Shared Premises

It is common for marinas and boatyards to share their premises with other businesses that often provide associated services such as workshop facilities, catering and retail. These businesses naturally have their own duties and responsibilities for health and safety, but their activities can endanger the marina's employees, clients and visitors *on the marina's premises* if not managed appropriately. It is important therefore that the agreements and contracts between the marina and the co-located businesses are very clear on minimum standards, responsibility for repairs and maintenance and site rules required by the marina or boatyard management.

Some marinas also have private tenants (often for historical reasons) who share the marina premises with clients and visitors and require access. These too need to have the marina manager's requirements clearly set out, often in tenancy agreements.

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<sup>2</sup> Within available legal and commercial powers

## 2.5 Communications

Good communications with staff, clients, visitors, contractors and many other stakeholders are very important in achieving good safety management performance. The complexity of a marina business does not make achieving this easy and it is likely that a range of measures (signs, notices, emails, instructions, circulars, meetings, inspections, etc) will be required, as well as maintaining an 'open door' to any stakeholder who has concerns.

This is more fully discussed in Section 6.

## 2.6 Emergencies

Unlike many businesses where emergency planning starts and finishes with the evacuation of employees in the event of a fire, marinas have a wider range of emergency scenarios to contend with. These are discussed further in Section 5.

## 2.7 Enforcement

Where the main activity is in relation to leisure, which as well as moorings and associated support services, could include catering and retail activity, enforcement activity can be expected to be carried out by the local authority. Where the main activities were more related to boat repair, boat building, or the running of a dock, the HSE would take enforcement responsibility.

If the business has facilities for dispensing petrol, the licensing requirements (see Section 4.1) will be enforced by the local petroleum licensing authority, usually the local authority trading standards department.

The arrangements for fire safety are enforced by the local fire and rescue authority. Further information is on the HSE website<sup>3</sup>.

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<sup>3</sup> [www.hse.gov.uk/toolbox/fire.htm](http://www.hse.gov.uk/toolbox/fire.htm)

### 3 Marina Inspection and Maintenance

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A routine of regular inspection and defect reporting by marina staff is necessary to ensure that the facilities provided for public use remain in a safe and serviceable condition. These will include:

- **Service Bollards.** Functional checks can be carried out by suitably trained staff but more thorough inspections and repairs, as with all mains electrical equipment, will require competent staff in compliance with statutory requirements<sup>4</sup>.
- **Surfaces.** Slips and trips occur often and regular inspections will help ensure that surfaces create the minimum of hazard. Checks will include marine growth, loose planking or spalled surfaces, rot, projecting fasteners, etc.
- **Safety Equipment.** Checks should ensure that safety equipment is in place and serviceable, with priority being given to remedial works or replacement if necessary. Repeated loss of equipment due to vandalism may reach a point where the worth of continued provision is called into question. Where removal is decided upon, this should be supported by a change to the risk assessment and a record of the replacements<sup>5</sup>.
- **Swinging Moorings, etc.** Other types of mooring should be included to ensure they remain secure and serviceable.

For some of these checks it is useful to carry them out as if through the eyes of a first time user. Familiarity with a location and its condition can lead to it being accepted as the 'norm' even though it may actually be unacceptable to an unfamiliar observer.

Should an incident occur it can be very useful to have a simple record of when the check was carried out and its extent. Keeping a defect log and plans for remediation can also be very useful in defending claims.

The tasks discussed above are primarily to ensure the safety of the public using the marina. They also raise occupational safety issues for those carrying them out. These include:

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<sup>4</sup> [Electricity at Work Regulations 1989, HSE: HSR25](#) [www.hse.gov.uk](http://www.hse.gov.uk)

<sup>5</sup> [RoSPA 'Safety at Inland Water Sites'](#). [www.rospace.com](http://www.rospace.com)

- **Workboats.** Where these are required for access or other purposes, they must be to a standard to suit the area of operation and the tasks to be carried out, and be crewed by suitably competent staff.
- **Water safety.** The Yacht Harbour Association's Code of Practice provides guidance for the siting of water safety equipment provided for the public<sup>6</sup>.
- **Waterborne diseases.** Marina staff need to be aware of Leptospirosis, a disease transmitted by rats' urine<sup>7</sup>.
- **Lone working.** Refer to the HSE guide<sup>8</sup>.
- **Diving.** Professional divers are occasionally required to carry out inspections or repairs to underwater structures or on moored vessels. The high hazard nature of this work has led to the setting up of a specialist team of inspectors within the HSE, and a set of specialised regulations. The regulations place responsibilities on those who commission diving work as well as those carrying them out. Using amateur SCUBA divers for this type of work is illegal. Refer to the Health and Safety Executive<sup>9</sup>.

<sup>6</sup> [A Code of Practice for the Design, Construction and operation of Coastal and Inland Marinas and Yacht Harbours.](http://www.tyha.co.uk) The Yacht Harbour Association. [www.tyha.co.uk](http://www.tyha.co.uk)

<sup>7</sup> [Leptospirosis HSE: INDG84.](http://www.hse.gov.uk) [www.hse.gov.uk](http://www.hse.gov.uk)

<sup>8</sup> [Health and Safety Guidance on working alone. HSE: INDG73.](http://www.hse.gov.uk) [www.hse.gov.uk](http://www.hse.gov.uk)

<sup>9</sup> [www.hse.gov.uk/diving](http://www.hse.gov.uk/diving)

## 4 Services and Activities

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This section looks at the main services and activities which can either generate hazards which need to be controlled, or are provided as a means of controlling risks. These hazards and risks will have been considered in a risk assessment.

### 4.1 Fuel Dispensing

#### a) Petrol

Because of its volatility, low flash point and heavier-than-air vapour, there are special licensing arrangements where petrol is dispensed into boats or vehicles by mechanical or electrical means. This applies both for retail and the business's own use. The licensing authority is usually the local authority's trading standards department or, in metropolitan areas, the fire authority.

Apart from local licensing requirements, petrol, as a 'dangerous substance' is subject to regulation<sup>10</sup> which requires, amongst other things:

Plant and equipment to be properly designed (and made safe when the facilities are no longer required)

- Storage facilities appropriately designed and located
- Controls to minimise the risk of vapour ignition
- Appropriate maintenance management (including the use of permit-to-work systems for 'hot work')
- Safe tanker unloading practices

Reference 10 provides further information on petrol dispensing and storage.

#### b) Diesel

Having a much lower flash-point than petrol, diesel dispensing is not subject to licensing, however the general principles of managing outlined in a) above should still be applied.

#### c) LPG Cylinders

Full and nominally empty LPG cylinders must be safely stored and electrical systems in the vicinity must meet minimum standards<sup>11</sup>.

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<sup>10</sup> [Dangerous Substances and Explosive Atmospheres Regulations. Approved Code of Practice. HSE. L138;](#)  
[Controlling Fire and Explosion Risks in the Workplace HSE.INDG370.](#)

## 4.2 Navigation Services (Coastal, Tidal & Inland)

### a) Navigation Aids

Advice on aids to assist with entry and exit from the marina and to mark obstructions is given in guidance published by TYHA<sup>12</sup>. This states that the design and installation of all navigation aids must be of an adequate design and approved by the local harbour authority and Trinity House.

The Association of Inland Navigational Authorities (AINA) developed the signage system for Inland Waterways<sup>13</sup>.

### b) Locks and Bridges

Where marinas provide locks or moveable bridges to enable navigation within the marina or to enter or leave, their design should consider the following:

- Provision of safe holding areas or moorings on either side to prevent congestion and enable safe access/egress to operate the lock bridge or manoeuvre the boat
- Indication of when it is safe to proceed (this can range from simple line-of-sight to traffic light systems)
- For locks, ensuring that boats are safely marshalled and secured within the chamber prior to emptying or filling
- Ensuring the safety of people to landward, especially from hazards of falling, crushing and trapping. This includes boaters disembarked to operate the lock or bridge

The volumes of boat and land based traffic are major considerations here.

### c) Weather warnings

Where warnings of adverse weather or flow conditions are issued, including by a navigation or harbour authority, the marina should consider how it should pass these onto the clients. See Section 6, Communications.

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<sup>11</sup> UKLPG Code of Practice gives guidance on new installations, proximity to electrical power cables, separation distances, electrical installations, indoor and outdoor storage, fire precautions and emergency procedures. [www.uklpg.co.uk](http://www.uklpg.co.uk)

<sup>12</sup> A Code of Practice for the Design, Construction and Operation of Coastal and Inland Marinas and Yacht Harbours. The Yacht Harbour Association. [www.tyha.co.uk](http://www.tyha.co.uk)

<sup>13</sup> Navigation Signs and Symbols: An Industry Standard for UK Inland Waterways. Association of Inland Navigation Authorities. [www.aina.org.uk](http://www.aina.org.uk)

#### **d) VHF facilities**

Provision of VHF facilities should be considered essential for coastal sites. Where facilities are provided they must be licensed and only operated by or used under the supervision of licensed people. Further information on licensing is available from the Office of Communications (OFCOM)<sup>14</sup>.

### **4.3 Lifting, Storing and Launching of Boats**

#### **a) Location of lifting and launching points**

Where mobile lifting equipment is being used it is essential to ensure that the point from which the boat is being lifted or launched is of adequate strength and stability for the operation planned. Account must be taken of:

- Weight to be lifted (allowing for bilge water and suction effect from channel bed)
- Bearing pressures of stability out-riggers or bearing feet (these will change with the position of the load)
- Possibility of voids within the waterside structure
- Water's edge wall strength may be adversely affected when the waterway is dewatered, or the tide is out

It is recommended that marina and boatyard operators establish as far as is practicable defined lifting/launching points of known strength.

Note also that navigation or harbour authorities may have specific requirements which must be followed.

#### **b) Lifting operations**

The lifting operation itself requires suitable equipment, properly inspected and maintained, a lifting plan, and operation by trained and competent people. The risk assessment will need to take account of the likelihood of members of the public being in the vicinity of the lift or in the path of mobile lifting equipment.

Further information is available from the HSE<sup>15</sup>.

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<sup>14</sup> [www.ofcom.com](http://www.ofcom.com)

<sup>15</sup> [Lifting Equipment at Work HSE:INDG290](#) [www.hse.gov.uk](http://www.hse.gov.uk).



### c) Chocking and Support

The methods adopted should take account of the exposure of the site to strong winds and the likelihood of their occurrence, noting the expected increasing frequency of severe weather. It is strongly recommended that single keel sailing yachts are stored in purpose-built cradles. Note that working-at-height issues are also likely to arise in the course of placing craft for shore storage<sup>16</sup>.

### d) Slipways

Slipway machinery should be treated in the same way as lifting equipment<sup>15</sup>. It requires regular inspection and maintenance and should be operated only by competent people. The slipway surface will require regular maintenance to limit the build-up of marine growth.

### e) Public access

Risk assessments for the operations discussed at 4.3 (a) – (d) above all need to take account of the risks to members of the public. These may be boat owners, other marina users, or just interested bystanders. Typically they may encounter hazards such as:

- Unprotected edges (at the waterside, or edges of slipways for example)
- Slippery or uneven surfaces
- Vehicle movements (especially mobile lifting equipment)<sup>17</sup>

Appropriate measures to take will very much depend on the site layout and conditions and the numbers of people around.

## 4.4 Maintaining safe and useable Channels

The principal activity of interest here is channel dredging, whether from a work boat using, for example, bucket or suction techniques, or from the shore, for example using an excavator.

The equipment used in dredging operations will need to comply with requirements for work equipment (PUWER<sup>18</sup>) and in some cases, lifting equipment (LOLER<sup>19</sup>). Note also that work equipment and lifting equipment used from a boat will be subject to the

<sup>16</sup> [Working at Height a Brief Guide INDG401](https://www.hse.gov.uk/indg401/). www.hse.gov.uk

<sup>17</sup> Further guidance on vehicle risks can be found in [Workplace \(Health, Safety and Welfare\) Regulations – Approved Code of Practice. HSE:L24](https://www.hse.gov.uk/practise/l24/). www.hse.gov.uk

<sup>18</sup> [Providing and Using Work Equipment Safely \(PUWER\). HSE:INDG291](https://www.hse.gov.uk/indg291/). www.hse.gov.uk

<sup>19</sup> [Lifting Equipment at Work \(LOLER\). HSE:INDG290](https://www.hse.gov.uk/indg290/). www.hse.gov.uk

Maritime and Coastguard Agency's requirements<sup>20</sup>, although in practice these are very similar to the equivalent land-based requirements under POWER and LOLER.

Workboats and hoppers will need to be to a satisfactory standard and competently crewed. Refer to the BMF Sector Guide on Boat Using at Work

Risk assessments will need to take account of the effect on marina customers of any restrictions to navigation and the need for warning notices, lights or temporary barriers.

## 4.5 Providing and Maintaining Life Saving Equipment for Public Use

### a) Assessing provision

- The risk assessment should take into consideration:
- The likelihood of persons falling into the water, their ages and abilities
- The water conditions, temperature, depth and flow conditions
- The possibility of self-recovery
- The likelihood of others being in the area to affect a rescue

As well as the siting of life saving equipment (LSE) in the marina, the likelihood of it being required would be reduced by the marina operator and staff giving more encouragement to the general level of lifejacket wearing by boaters. The wearing of lifejackets by marina staff in appropriate situations would give more encouragement to this, for example, lifejackets should always be worn by staff in hours of darkness or foul weather.

### b) Types of Life Saving Equipment

There are many different types and manufactures of life saving equipment available. This guide can therefore only be a very brief summary of what is available:

- **Large life rings.** The SOLAS type, most suitable for dropping into the water near the casualty
- **Small/Medium sized life-rings.** (450 to 600mm diameter) with buoyant line. Suitable for throwing
- **Throw bags.** These take the form of a bag with an integral float and a line. Particularly suited where water is flowing

<sup>20</sup> Marine Guidance Notes [MGN331](#) and [MGN332](#) available from MCA website [www.mcga.gov.uk](http://www.mcga.gov.uk)

### c) Siting

LSE needs to be sited where it is most likely to be required (as shown by the risk assessment) and where it is likely to be seen from a distance by a rescuer. Where obstructions to line-of-sight are unavoidable, signs indicating the location of the LSE can be used. Emergency plans should show where the LSE is located.

### d) Maintenance

A routine of regular inspection and maintenance is essential. Where vandalism or theft is a serious problem, removal of the LSE should only be considered where there is a documented history of loss or damage and all reasonable measures have been carried out to reduce it. If removal is carried out, marina users need to be informed and plans and signs altered accordingly.

Occupational safety issues relating to marina maintenance are discussed in Section 3.

## 4.6 Dry Stacking

The design and installation of dry stacking systems requires specialist input and must take account of:

- Numbers, sizes and weights of boats to be handled
- Weight bearing capacity of the ground
- Planning of transport routes, including access by fork-lifts
- Requirements for work equipment<sup>21</sup>

The stacking operations will need to comply with statutory requirements for lifting equipment<sup>22</sup> especially with respect to the planning of lifts and training of personnel.

Further information can be found in the TYHA Code of Practice<sup>23</sup>.

## 4.7 Brokerage

This guidance is prepared on the basis that the broker is co-located within the marina. Brokers located elsewhere should still consider this advice and act accordingly. Similar advice is included in the BMF sector guide, *Boat Using at Work*.

The viewer is owed a duty of care by the broker to ensure that viewings, inspections and demonstrations can be safely undertaken.

<sup>21</sup> [Providing and Using Work Equipment Safely \(PUWER\). HSE:INDG291. www.hse.gov.uk](#)

<sup>22</sup> [Lifting Equipment at Work \(LOLER\).HSE:INDG290.](#)

<sup>23</sup> [www.tyha.co.uk](#)

The following paragraphs discuss some of the hazards that need to be addressed by the broker. In assessing and deciding what is reasonable to control these he may well decide to use some check sheets to ensure that appropriate controls are in place. Some examples of these have been produced by and are available from the ABYA<sup>24</sup>.

#### a) Viewing and Inspections – Vessel stored ashore

The viewing of vessels stored ashore by potential purchasers often presents difficulties due to:

- **Difficult access.** Unless staging is in place, the height of the boat access points above ground frequently requires the use of a ladder and may also require the viewer to negotiate pushpit rails or guardrails. Where a ladder is the only practicable means of access it is essential that it is properly secured to the boat at a place where safe access can be made. The viewer should be wearing suitable footwear with a good grip. They should be advised at the earliest opportunity of any access difficulties and must not be left to their own devices to find the boat(s) in question and gain access.
- **Moving around Boat decks at Height.** If there is work in progress on the boat which increases the risk of falling, for example tripping hazards or removed sections of guardrails, the access to the deck should not be permitted and the viewer advised of this as soon as possible. Where the deck area is clear and intact, the broker may decide to permit access to the deck area provided that the viewer is:
  - Briefed on the location of secure handholds and the importance of using them
  - Told of any areas which must not be accessed
  - Accompanied by the broker (or a competent representative)

Additionally, the number of viewers on the deck at any one time should be kept to a minimum and young children should not be permitted on deck at any time.

Refer to HSE guide on Working at Height<sup>25</sup> for more information.

#### b) Trials and demonstrations

Where a prospective buyer is being taken out on a boat for a demonstration or to witness a trial, the company responsible for the trip owes that prospective buyer a duty of care comparable to that of a passenger boat operator. The ‘passenger’ in this case will

<sup>24</sup> Association of Brokers and Yacht Agents. [www.abya.co.uk](http://www.abya.co.uk)

<sup>25</sup> [Working at height. HSE:INDG401](#). [www.hse.gov.uk](http://www.hse.gov.uk)

be subject to a number of hazards for which they can reasonably be expecting to be 'looked after'.

There are many combinations of circumstances which come under this general heading, including boat type, the expectations and experience of the potential buyer, and the anticipated conditions. The company will need to judge (i.e. assess the risks) what is appropriate in each circumstance. These are some factors:

- Ensure that safe access and egress from the boat is available (including the use of tenders)
- Make no presumption as to the knowledge or competence of the potential buyer
- Ensure that the passenger is appropriately dressed
- Provide all safety equipment required, recognising that persons will have differing expectations. Some may expect to be wearing a lifejacket all the time they are on water and will not be comfortable if they aren't. The professional skipper's assessment of the trip and the conditions expected will determine the minimum acceptable level of safety equipment. The representative should be prepared to offer more equipment for those passengers with a more conservative view
- Ensure that passengers know where to locate and how to use the safety equipment appropriate to the trial/demonstration
- Fully brief passengers and supervise them during the trip

### **c) Lifting (for survey)**

The lift itself will need to follow the standard guidance<sup>26</sup>. The surveyor will almost certainly be a person also 'at work' so the risk assessment and method of work will need to be done in cooperation between the two parties. They will both have responsibilities for the safe execution of the work and the safety of others who may be in the area.

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<sup>26</sup> [Lifting Equipment at work.HSE:INDG290](https://www.hse.gov.uk/lifting/). [www.hse.gov.uk](https://www.hse.gov.uk)

## 4.8 Managing Access to the Site

### a) The Public

Marinas and boatyards come in a large variety of layouts and access limitations. As well as providing access to clients and (usually) their vehicles, many are also accessible to:

- Casual visitors (on foot or in vehicles who may be accessing other businesses on site, or just watching what is going on)
- Visitors to marina clients (as well as seeking somewhere to park they will also probably be looking for the boat they have come to visit)
- Visitors arriving in boats

In addition to this pedestrian, vehicle and boat activity, there will be the marina or boatyards own staff or vehicles going about their business, sometimes involving the use of heavy vehicles such as cranes, tankers or forklifts.

As far as possible avoid mixing of pedestrian and vehicle routes and have clearly marked parking areas<sup>27</sup>. Further guidance on the design of car parking is available in The Yacht Harbour Association's guidance<sup>28</sup>.

Across UK businesses the second highest cause of workplace deaths is due to transport. Often these involve areas which are accessed by both vehicles and pedestrians, restricted visibility, or reversing vehicles. In the case of marinas and boatyards, there is also the general public to consider. When planning works involving vehicles it is important to consider how these issues are dealt with and use the appropriate risk control measures. These could include:

- Temporary barriers to close off work areas
- Use of banksmen to assist in the control of vehicle manoeuvring in restricted areas; also to keep watch for people wandering into the work area
- Advising marina users through the use of, for example, signs or other notices

Further information on workplace transport can be found in HSE documents<sup>29</sup>.

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<sup>27</sup> These may also serve as boat storage areas.

<sup>28</sup> Code of Practice for the Design, Construction and Operation of Coastal and Inland Marinas and Yacht Harbours. The Yacht Harbour Association.

## **b) Contractors' and Business Tenants' Vehicles**

The marina or boatyard operator will have the prime responsibility for managing vehicle movements safely. In the case of business tenants, the operator should clearly state to them how tenant's vehicles are to be driven on site, especially with regard to speed, route and parking; and to define any limitations of access, both in terms of locations and time.

Contractors' and suppliers' vehicles will require similar information but those not familiar with the site may require more detail, or direction on arrival from marina or boatyard staff.

Clients (usually berth-holders) who engage contractors to work on-site should advise the marina or boatyard staff so that appropriate arrangements can be made (see section 4.10)

## **4.9 Contracting for Construction Work**

Section 6 of the BMF *'Health and Safety in the Marine Industry: Guide for Members'* outlines some of the main responsibilities of employers when they contract-out work. Marina and boatyard companies in particular are likely at some stage to use the services of construction companies. Recognising the historically poor health and safety record of the construction industry, particular statutory requirements have been introduced to structure the health and safety management of construction projects<sup>32</sup>. These include specific duties on the clients for construction work<sup>33</sup>, including:

- Appointment of competent builders and designers
- Providing adequate resources and time
- Provide information (particularly in respect of those hazards such as asbestos, buried services, or sunken obstacles) that the contractors might not reasonably be aware of
- Appoint a construction design and management Co-ordinator
- Appoint a Principal Contractor
- Ensure an adequate health and safety plan is in place before the start of construction

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<sup>29</sup> [Workplace \(Health, Safety, and Welfare\) Regulations – Approved Code of Practice HSE:L24.](#)



- Keep a Health and Safety File

It should also be borne in mind that these requirements place a very broad definition on “construction work” and so bring in, for example:

- Maintenance, renovation or demolition of a “structure”
- Assembly of pre-fabricated elements
- Installation, commissioning, repair and removal of mechanical, electrical, hydraulic, etc services secured to a “structure”

The definition of “structure” includes amongst other things:

- Docks and harbours
- Inland navigations
- River works

In practice, the scale and scope of activities required of the client depends on the scale, complexity and risk of the project. There is nothing to stop the client acting as his own co-ordinator providing he has the competence for the proposed works.

#### 4.10 Work Carried Out or Commissioned by Boat Owners

Where private owners carry out work on their own boats, they are generally not subject to health and safety law which primarily concerns itself with ‘employment’, however where the work is being carried out within a marina, its operator will need to consider their duty of care to the private individuals carrying out the work or who may be affected by it and their duties under health and safety law. The three main types of activity are considered further below.

##### a) At the Berth or in Dry Storage

Private individuals carrying out minor works or maintenance on their boats will generally create only minor risks to themselves which do not put others at risk. It would be reasonable for marina staff who become aware that boat owners are putting themselves at unnecessary risk to draw this to their attention, but providing the boat owner is not endangering others, further action should not be necessary.

##### b) In facilities provided by the Marina

Some marinas will provide facilities for owners to carry out more major maintenance tasks. These could include for example, dry docks and scrubbing posts. Marina operators

must ensure that these facilities are maintained in a safe and serviceable condition and should take reasonable measures to ensure that the people using the facilities are aware of the hazards involved and are competent enough to deal with them. This could be done through an application form system where owners are encouraged to assess risks and how they propose to deal with them. There may also be a role for signs and notices (Section 6 gives more information). It would be expected that the marina operator would pay particularly close attention where the risks could affect other persons, or where incompatible activities may be taking place, e.g. one person welding adjacent to another painting.

#### **c) Contractors Employed by Boat Owners**

Where the works are beyond the capability of the boat owner, specialist contractors may be required who may need to bring specialist equipment and vehicles onto the site. The contractor may also be unfamiliar with the particular marina or with marina work in particular. Marina operators should therefore be in a position to be aware of proposed works and to influence how (and if) they are carried out, and to inform the contractor of site traffic rules and access restrictions, etc. Terms and conditions may require prior written consent. The Yacht Harbour Association has produced a template licensing agreement<sup>30</sup>.

### **4.11 Boat-Using Businesses**

The BMF health and safety sector guide which deals with boat-using businesses includes a section on passenger boats. These are classed into those which carry over twelve passengers and are regulated by the Maritime and Coastguard Agency, and those carrying twelve or fewer to which a non-statutory code of practice applies. Further information on these classes of boats is available in the BMF 'Boat Using at Work' sector guide<sup>31</sup>.

Marinas and boatyards need to provide landing stages for these passenger boats which enable safe access and egress, and are suitably maintained to prevent slipping problems. Walkways to and from the berth should be well maintained with clear demarcation from roadways. Landing stages should be adequately lit as required. These basic requirements should be met in co-operation with the boat operators.

The legal background for this comes from the docks regulations<sup>32</sup>.

<sup>30</sup> A Code of Practice for the Design, Construction and Operation of Coastal and Inland Marinas and Yacht Harbours. The Yacht Harbour Association.

<sup>31</sup> BMF Sector Health and Safety Guidance, Boat Using at Work.

<sup>32</sup> [Safety in Docks, ACOP. HSE:L148](#)

## 5 Managing Emergencies

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All employers need to consider the emergencies that could arise<sup>33</sup>. In particular they need to apply a risk-based approach<sup>34</sup> to the non-domestic premises they are responsible for. In the case of marinas, there are a number of factors which place added emphasis on the importance of emergency preparedness:

- **Potential for boat-fire spread.** Boats typically have a high inventory of flammable materials and fuel, often including the hull itself and potentially explosive gas cylinders. Whether on finger or linear moorings, the closeness of boats in marinas gives a significant chance that a fire would spread.
- **Other potential fire sources.** These would include fuel storage and dispensing facilities (including LPG storage), and other businesses within the site that may use dangerous substances such as paints, solvents, and other flammable materials.
- **Extremes of weather.** Predicted climate changes point to a higher frequency of more extreme events which could challenge the design basis of a marina (wind strengths and frequency as well as tidal ranges could be above those designed for).

The approach to managing emergencies follows the principle of the risk assessment route described in the *“Guide for Members”*. In deciding on appropriate levels of risk controls the following should be taken into account:

- **Those at risk.** These include: berth-holders, visitors, marina staff, staff of co-located businesses, contractors (who could be working for the marina, boat owners, or other businesses), and casual visitors.
- **Escape routes and assembly points.** Are these adequate, considering that the emergency event could be denying access to one of them?
- **Fire fighting.** The numbers, types and locations of fire fighting equipment. Isolation points for fuel tanks, gas and electricity supplies.

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<sup>33</sup> Management of Health, Safety and Welfare Regulations. See also BMF Guide for Members, Section 2.

<sup>34</sup> Regulatory Reform (Fire Safety) Order 2005 (England&Wales). Fire Safety(Scotland) Regulations 2006.

- **Actions of Staff.** Assessments need to decide what can reasonably be expected of staff in an emergency. Their role in assisting with evacuation and using fire fighting equipment will require training and pre-planning.
- **How to communicate with marina users,** both during an emergency and beforehand.

Further information is provided in the code of practice produced by The Yacht Harbour Association<sup>35</sup>.

Marina managers should also consider how to get their businesses on the road to recovery following an emergency to ensure business continuity. For example, would the list of clients, especially berth-holders, be available following the loss of the marina office in a fire?<sup>36</sup>

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<sup>35</sup> "A Code of Practice for the Design, Construction and Operation of Coastal and Inland Marinas and Yacht Harbours." The Yacht Harbour Association

<sup>36</sup> 'How Prepared are You?' Business continuity management toolkit.

## 6 Communications

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Communicating safety information is a crucial part of successful safety management. This section discusses some of the options for getting messages and information over to members of the public who use the marina or boatyard. The large number of messages involved, the diversity of the intended recipients and the small ratio of staff to users mean this is not an easy task, but the following points should be considered when deciding strategy.

### 6.1 Signs

These are heavily relied upon in many areas of business and when carefully designed and located, serve a valuable purpose. Signs are particularly effective when people are seeking information (Where is the way out? Where are the toilets?). In these cases signs can be kept small and simple, and when located where the demands for this information are most likely to arise, will remain effective.

Signs can be much less so when the aim is to impress information on people (Do this, Don't do that, Did you know that...?). Generally speaking, you will only have a very small number of opportunities to make an impact on a user who regularly passes the sign before it becomes 'invisible' to them and ceases to make any impact at all. Some points to consider on sign design and location are:

- Keep designs as simple as possible and avoid large blocks of text
- How far from the design do you want to gain people's attention? Size the lettering of headings accordingly
- Use pictures or symbols as much as possible<sup>37</sup>
- Avoid targeting more than one audience on a single sign
- Avoid 'sign clutter', when lots of signs compete for attention and usually none of them receive any

### 6.2 Notice Boards

Located at strategic points where people pass or gather, these can be effective and authoritative providing they are kept up to date and don't become cluttered with redundant material. Avoiding large blocks of text is also important

### 6.3 Interpretation boards

These are becoming more common where there is a need to convey information about the historical, environmental or ecological context of a location or feature. With careful

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<sup>37</sup> British Standards water safety signs. BS5499-11:2002. AINA signs for inland waterways.

design, they can also have an effective secondary role in conveying safety information such as warnings or the location of safety equipment, etc.

#### **6.4 Leaflets, Letters and Emails**

When sent direct to the desired recipient, these can be very effective. For maximum impact, they need to be succinct and not cluttered with less relevant or less important material.

#### **6.5 Verbal**

When delivered on a one-to-one basis there is certainty that the message has been delivered, but there remains the well known risk that in a larger community (such as a marina full of berth-holders) the message will become distorted as it is passed on.

#### **6.6 Emergency Communications**

As part of emergency planning, managers need to consider how they will communicate urgently with users, taking account of the possibility that important utilities, such as power supplies, could be affected.

## Other Guides Available:

### Health and Safety Guide 1 Guide for Members



britishmarine.co.uk

**BRITISH  
MARINE**  
LEADING THE INDUSTRY

### Health and Safety Guide 2 Boat Building and Repairs



britishmarine.co.uk

**BRITISH  
MARINE**  
LEADING THE INDUSTRY

### Health and Safety Guide 3 Boat Use at Work



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