



REPORT TO: ECONOMIC DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE ON 14 AUGUST 2018

SUBJECT: MARINE SAFETY QUARTER 1 2018

BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT, PLANNING & INFRASTRUCTURE)

1. REASON FOR REPORT

1.1 To inform the Committee with regard to matters of Marine Safety and compliance with the Port Marine Safety Code (PMSC) for the first quarter of 2018

1.2 This report is submitted to Committee in terms of Section III (F) (25) of the Council's Scheme of Administration relating to the functions of Council as Statutory Harbour Authority (SHA).

2. RECOMMENDATIONS

2.1 **Committee is asked to consider and note the safety performance fulfilling their function as Duty Holder under the Port Marine Safety Code.**

3. BACKGROUND

3.1 A report was submitted to the meeting of this committee on the 20 March 2018, with the subject Port Marine Safety Code (Para 6 of the minute refers).

3.2 The Committee agreed that officers be instructed to report to this Committee on matters of marine safety and code compliance on a quarterly basis.

3.3 The current Marine Safety Plan is attached as **APPENDIX 1**.

4. QUARTERLY PERFORMANCE REVIEW

4.1 Commitment to the Port Marine Safety Code (PMSC)

Moray Council, in its capacity as a Statutory Harbour Authority, is committed to undertaking and regulating marine operations to safeguard all its harbour areas, the users, the public and the environment.

The aim of the harbour team is to manage operations safely, efficiently, sustainably and as a benefit to all of the users and wider communities. The team are committed to:

- a) full compliance with all legal requirements in harbour operations while seeking to meet the changing needs of all harbour users;
- b) ensuring that all personnel are well trained, engaged and committed to improving safety in all processes. Competent skilled personnel backed by an active safety culture are key to a positive safety record;
- c) undertaking hazard identification and risk assessments when required and implementing improvement measures where necessary.

The team expect that all harbour users recognise the effect that they can have on the harbours operation and reputation and must work to our standards as a minimum. A Permit to Work system is in place to maintain control over hazardous work. The team will ensure that any contractors or other management systems fully support the same commitment to health, safety and environmental performance.

4.2 **Vessel Movements**

In the first quarter of 2018 there were 18 cargo movements (arrival and departure) at Buckie. This included 9 acts of pilotage. All vessel movements including fishing, leisure and others are recorded and work is currently underway to enable more detail to be captured and made available.

4.3 **Conservancy**

All harbours are regularly surveyed to check the depths and identify areas of shoaling, particularly in the entrances. When the dredger is available we have a list of priorities that we work to depending on the commercial nature of that harbour. Generally any high spot reported is actioned promptly depending on commitments of the dredger elsewhere.

The priority areas of current concern are:

- Buckie: west pier into the channel
- Burghead: sand bank which moves across the approach channel
- Hopeman: large bank of silt at the end of the pontoon system limiting access and egress
- Cullen: stones in channel limiting available time to depart the harbour
- Findochty: lack of depth between the pontoons and entrance
- Portknockie: no major issues at this time

4.4 **General Safety Improvements**

Several training packages for the team have been developed including a Harbour Induction, Mooring Operations, Pilotage and Coxwains and Port Security. There are plans to create further training packages e.g. general housekeeping, safe use of chemicals, pollution response, inspection of lifesaving appliances, ladders and bollards.

Further Personal Protective Equipment (PPE) measures for particular tasks have been implemented, such as the requirement for head protection when taking cargo vessels in or out due to the messenger line having to be thrown to the pier when coming alongside.

Housekeeping has been improved significantly with the removal of the scrap nets and metal from West of the Buckie fishmarket and elsewhere. So far 14 tonnes of net have been removed with 12 tonnes of scrap metal. Boats have been informed that we will not be accepting any more scrap nets as had been done in the past. There is still some more of this waste to be taken away.

The Harbourmaster is currently undertaking a review of navigation aids at Buckie, Portknockie and Cullen with the intention of updating some of the systems used to improve safety of navigation.

4.5 Incident Statistics (excluding near misses)

There were no injuries to personnel in the 1st quarter at any of the harbours.

Navigation: On 28th of January the cargo vessel MV Britannica Hav was making the approach to Buckie with the pilot on board. The pilot noticed that the vessel was moving offline to starboard and requested the Captain steer to port. When it became apparent that this action was inefficient or not followed the pilot requested the Captain go hard to Port. There were no known equipment issues. When the pilot realised the steering and thrusters were insufficient he instructed the Captain to go hard astern. The vessel's speed dropped but it still hit the West quay causing slight damage to the bow of the vessel and some handrails on the pier. This incident occurred because the skipper did not react quickly enough to instructions from the pilot as the vessel made the approach. This has been further discussed within the team to minimise the reoccurrence of a similar incident and appropriate lessons learned fed back into the pilot training package.

General: Spill of fuel oil when the wrong valve was operated by a crew member of BCK 364 – Conquest. No clean up required

4.6 Key performance Indicators

Whilst having a pilot available on request at Buckie is a statutory requirement, it is not compulsory for pilotage to occur for all vessel movements. As a result not all cargo movements request the services of a pilot. The number of pilotage acts carried out in the first quarter of 2018/19 was 9, in relation to 18 vessel movements in and out of the harbour.

As a Statutory Harbour Authority, Moray Council has to report the availability of all its navigational lights to the Northern Lighthouse Board. The following table gives the detail that is reported on an annual basis.

Availability of Navigation Lights

IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
Moray Council								
CAT 1	1	26,304	0	0:00	0:00	0:00	100.00 %	99.80 %
CAT 2	15	394,560	7	8:30:30	1267:13	55118:30	97.79 %	99.00 %
CAT 3	4	105,216	1	2:08:00	2:08:00	103008:00	97.90 %	97.00 %
No Category	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Totals	20							

*MTTR – Mean Time To Repair, MTBF – Mean Time Between Failures

4.7 **Overview of Q1 2018**

Safety performance has continued to be of a high standard, with no injuries to personnel recorded. The single navigation incident occurred because the skipper did not react quickly enough to instructions from the pilot as the vessel made the approach. This has been further discussed within the team to minimise the reoccurrence of a similar incident and appropriate lessons learned fed back into the pilot training package. We have four new team members who are all integrating well into the team and proving themselves to be valuable assets as we move forward.

4.8 **Future Objectives and plans**

Objectives identified for 2018 and beyond are as follows:

- Make use of the Sharepoint system to disseminate information, reports and best practice
- Monitor consistent incident reporting, including potential incidents
- Implement new KPIs
- Undertake further reviews of Marine Policy, Safety Management System (SMS) and training requirements
- Maintain momentum of Pilot training and accreditation

Some discussions have already been held with the team regarding incident reporting, particularly looking at the near miss incidents and how we can use them to look for trends and ways to improve our operations. Sharepoint is now used by all those with access.

A review of the training requirements for all staff has been held and a new training matrix is under development which includes a mix of internal and external training courses. Many of the internal courses are yet to be developed and we are in the process of booking the external trainers. Pilot and Coxswain training continues with training opportunities being taken when possible.

5. **HSE VISIT TO BUCKIE HARBOUR**

On the 30 April 2018 Mr C Gibson, Her Majesty's Inspector from the Health and Safety Executive, conducted a planned inspection visit to Buckie harbour. Following the visit, written formal advice was sent to Moray Council, as the Statutory Harbour Authority, on 8 May. Formal advice means that there are no areas where the Inspector believes the Health & Safety At Work Act 1984 has been breached, but where he/she believes that there are areas for improvement. Failure to respond appropriately to formal advice would, however, lead to enforcement action. The Council's response was sent on 31 May, and Her Majesty's Inspector replied to state that he was happy with our response and had closed the inspection file. The advice and our response is summarised as follows:

5.1 **Mooring Operations**

In response to the advice to improve training records and a written safe system of work, a 'Mooring Manual' has been produced which was attached to the letter. The document sets out the importance of safe working practices, and highlights the risks in undertaking mooring operations. It then sets out a safe system of work, and notes key hazards. Officers have also put in place a

training and competency record to be completed for each member of staff. Whilst staff have already had un-recorded training in this area, by the end of June 2018 all members of staff had received full or refresher training and their competence recorded. Also attached to the letter was a blank copy of the training and competency record, and the risk assessment for mooring operations

5.2 Inspection of Bollards, Life Saving Equipment and Harbour Ladders

All of these items will be subject to a visual inspection on a monthly basis with immediate effect, the details of which will be recorded and stored, and used to inform repair and maintenance work. The guidance notes and a blank record sheet for Buckie Harbour were attached to the letter.

Bollards and ladders will also be inspected annually by competent engineers to give a more detailed assessment of their condition. Records of these inspections (including names and qualifications) will be kept by the Council, and again the results will inform repair and maintenance work. These inspections may include non-destructive testing where necessary.

5.3 Use of quay edge protection for mooring

The advice noted that the quay edge protection had been used by a vessel for mooring. The Council has made it clear that this is not acceptable, and the Harbourmaster (and his team) will ensure that this practice no longer takes place. The Mooring Manual referred to above clearly states in Section 4 that all mooring ropes must be attached to a bollard and not to any other structure.

5.4 Workplace Transport Arrangements on Pier 1

This is an area which the Council had already given considerable thought to, however, following the inspection and advice we have looked into this again, particularly with respect to the potential proximity of pedestrians to the movement of heavy goods vehicles in the area. A Traffic Management Risk Assessment was attached to the letter, with a sketch of the arrangements described below.

Officers have agreed to create a safe 'holding' area for pedestrians, marked with paint, on the pier surface close to the main gate at the corner of Basin 1. Appropriate signage will be positioned in this area and at the gate to explain the procedure. Any pedestrian entering the area must wait at this location for an instruction from the person in overall charge of the cargo operation at the time. In the vast majority of cases, persons entering the area when cargo operations are underway are ship's crew returning to the vessel, harbour staff, or members of the Stevedore team. The person in charge of operations will temporarily stop vehicle and plant movements (if required) to ensure safe pedestrian movement for the individual(s) concerned. At the start of each cargo operation the person in charge (normally the Stevedore) must communicate the plan for vehicle and pedestrian control to all personnel present. In this way, safe control of pedestrian movements can be achieved without creating fixed walkways and crossing points which officers do not believe are workable because of the different working patterns created by different cargo and vessel types.

With regard to control of access on to the site, it is fully recognised that unauthorised persons must be kept off the pier when cargo operations are taking place. Officers have commissioned monitoring of vehicle and pedestrian activity of this area using a camera designed for this purpose, which will be kept in place for a month to gain a full and accurate picture of activity, and the scale of any unauthorised pedestrian or vehicle access. The results of this monitoring will allow officers to determine if further control measures are required. If the monitoring indicates that this is the case, automatic gates / barriers, trained gate keeper and further signage improvements are some of the options that would be assessed for effectiveness.

For all of the controls and changes stated above, a review date of Monday 26 November 2018 has been established to assess the effectiveness of all the measures.

6. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Sustainable harbours maintained to operate safely and efficiently contribute to the economic development of Moray

(b) Policy and Legal

Non-compliance with the PMSC could have legal implications as it would likely be a breach of health & safety legislation.

(c) Financial implications

Non-compliance of the PMSC may have financial implications in relation to cost of remedial actions and any fines related to this.

(d) Risk Implications

Prosecution of the authority may result from the failure to comply with the Port Marine Safety Code.

(e) Staffing Implications

Key personnel are to be trained, qualified and experienced.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

There are no specific equalities matters, however, the Equalities Officer has been consulted and comments incorporated into this report.

(h) Consultations

The Legal Services Manager (Property & Contracts), Principal Accountant, Committee Services Officer (L Rowan), and Equalities Officer have all been consulted and their comments incorporated into this report.

7. CONCLUSION

- 7.1 The council is currently deemed to be compliant with the PMSC, however, there is still work to be done to stabilise our position in relation to marine safety. This will be evidenced through future reports to this Committee, and scrutinised by this Committee as Duty Holder.**

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Harbours

Background Papers:

Ref: