



**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
SERVICES COMMITTEE ON 14 NOVEMBER 2023**

SUBJECT: PORT MARINE SAFETY CODE QUARTERLY REPORT

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

1.1 To inform the Committee on matters of Marine Safety and compliance with the Port Marine Safety Code (PMSC) for the period Q1 and Q2 year 2023/24.

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. RECOMMENDATION

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

3. BACKGROUND

3.1 Under the statutory requirements of the Port Marine Safety Code (PMSC) the organisation (Moray Council) must appoint a duty holder to ensure compliance with the PMSC is achieved. The organisation must provide a report on PMSC performance annually as a minimum.

3.2 The role of Duty Holders is held by Members of this committee. The role requires accountability for ensuring the organisation's compliance with the PMSC.

3.3 The 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 through its Safety Management System (SMS).

4. **Q1/2 Review**

4.1 The following sections of the report set out an overview of marine safety performance for Q1 and Q2 of 2023/24.

PMSC Audit

4.2 A full annual audit of Moray Council compliance with PMSC was carried out by Marex Marine within their capacity as designated person. The Audit was conducted at Buckie Harbour Office on 27 March 2023 and concluded that the Moray Council harbours are compliant with the Port Marine Safety Code.

4.3 The Audit process made observations, mainly clerical in nature, which are provided in the table below.

Observations from PMSC Audit:

Observation	Progression
Review Harbour Bye-laws with particular regard to continued relevancy	Progression in reviewing Bye-laws with aim to deliver to legal services at end of Q4 2023/24
Consider cyber security protocols	Addition of cyber security policy to be added to SMS during review cycle.
Risk assessment review required	Annual Risk assessment review was delayed from February but carried out in June 2023 continuous review required to be seen in 2024 Audit.

Key Performance Indicators

4.4 Details of the Council's compliance with PMSC are provided below.

Q1/Q2 Accident, Incident and Near Miss Statistics

4.5 **Incident statistics Summary Table**

Quarter	Injuries	Incidents	Near Misses
1	0	0	1
2	1	0	0

4.6 Near Miss:

On 14 April 2023 a near miss occurred with a vessel leaving berth with divers ready to work. A vessel asked via radio for permission to leave berth and depart for sea. The watchkeepers checked traffic and gave permission for the vessel to depart. Approximately 20 minutes after this divers engaged in repair works to the North pier asked for clearance to enter the water. Permission was given believing entrance was clear. Before entering water divers noticed vessel still manoeuvring and abandoned entry preparations. The harbour office was notified of the near miss and report made. No injuries occurred. Lack of sight from temporary harbour office was determined to be root cause of the near

miss. As a result of the near miss, all staff were reminded that traffic clearance and movements must be confirmed fully by sight and radio before any works can be initiated.

4.7 Accident:

On 13 September 2023 works commenced by street lighting service on North Pier to repair pier lighting. On confirmation that all relevant health and safety controls had been met, work commenced. During the works, an employee fell from approximately 2 metre height sustaining an arm injury. The casualty was taken to hospital and diagnosed with broken arm. As a result of the injury, the employee required long term absence from work for recovery. Street lighting service have completed the relevant incident reports with Harbourmaster being forwarded the information for PMSC reporting requirements.

Aids to Navigation

- 4.8 As a Local Lighthouse Authority, Moray Council is required to report the availability of all of its navigational lights to the Northern Lighthouse Board in March of each year.
- 4.9 New solar powered lights are currently being installed in Burghead and Buckie. The new solar powered lighting will decrease the number of faults observed and as a result lead to an increase in the availability figures for all navigational aids. This work has been funded by Scottish Government Marine Fund Scotland Scheme and installation will be completed after completion of harbour office move and appropriate weather conditions exist with a target completion by end of December 23.
- 4.10 Buckie navigational light installed June 2023: Notice to Mariners 04 2022 was issued on the 15 of December 2022 notifying all mariners that the Mucks Navigation light is extinguished. A suitable temporary replacement was located and installed on the next weather/tidal window which occurred on 14th of February 2023. While this light was not the correct sequence it helped highlight the Mucks to vessels. The correct light, once purchased, was installed in June 2023
- 4.11 Due to shore side power issues, power had to be isolated to the Buckie West pier (green) navigation lights due to safety requirements. Installation of the new solar light was completed on the 31st of July 2023. This changed the sequence from 2 fixed green lights to a single flashing green light. Preparations are being made for the other lights which will be completed after the power upgrade is complete.
- 4.12 Burghead navigation solar lights installed October 2023: Notice to Mariners 02 2021 was issued on the 8th of September 2021 notifying all mariners that the Burghead Navigation light is extinguished. This light was re-instated on the 4th of October 2023 to the same sequence and range as before. Three additional lights in Burghead were changed over to solar lights at the same time, all the sequences remain the same as previous with a slight change in

the range of these lights. The appropriate notifications have been made to the Northern Lighthouse Board.

- 4.13 The table below summarises the availability of Navigational lights under Moray Council's responsibility.



Aton Availability By Category

IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
Moray Council								
CAT 1	1	26,280	1	1456:30	1456:30	24823:30	94.46%	99.80%
CAT 2	15	394,200	3	44350:33	14783:31	116616:29	88.75%	99.00%
CAT 3	4	105,120	0	0:00	0:00	0:00	100.00%	97.00%
No Category	0	0	0	0:00	0:00	0:00	0.00%	0.00%
Totals		20						

Criteria:

Date Range from [05/10/2020 00:00:00 to 05/10/2023 00:00:00]
 Third party Organisations are not included.
 Organisations [Moray Council].
 Filter [LLA AtoN].
 User [DBremner] belonging to Organisation(s) [Moray Council]

1 of 1

OOS Hours = Out of Service Hours, MTTR = Mean Time to Repair, MTBF = Mean Time Between Failures

05/10/2023 11:39:08

The 'Availability Objective' is calculated over a rolling 3-year period. This means that over this period a Cat 1 Aid to Navigation needs to be functional for 99.8% of the time.

Pilotage

- 4.14 Pilotage is not compulsory at Buckie harbour, therefore, not all cargo movements require the services of a pilot. The number of pilotage acts carried out in quarters 1 and 2 of 2023/24 was 20 acts of pilotage in relation to 27 vessel movements, 3 of which were at night.

Training

- 4.15 There are currently two full time members of staff deemed competent to pilot restricted to daylight hours. Currently, one additional pilot unrestricted is also retained on staff only for pilotage duties. Training will begin for other harbour staff during Q3/4 with 2 new harbour assistants beginning training as soon as possible.
- 4.16 Refresher training for Port Facility Security officer has been completed by Harbourmaster. Full Port Facility Security training was also completed by 2 members of staff who are awaiting required documentation from government to finalise the accreditation. Currently harbours are compliant with PMSC and International ship and port facility code (ISPS) the additional trained staff will provide resilience and shared responsibilities.

- 4.17 Training has also been completed during Q1/2 as follows:
- First Aid for 3 staff members.
 - VHF training for 2 staff members
 - Powerboat level 2 training for 1 staff member
 - International convention on standards of training, certification and watchkeeping for seafarers (STCW) refresher training for 1 staff member.

Staffing

- 4.18 Currently recruitment for a new harbour assistant is underway with interviews scheduled for mid-November.
- 4.19 Recruitment for MV Selkie staff has been delayed due to prioritisation of staffing issues within the harbour office however, a new recruitment round for vessel master is being planned to be undertaken during Q3/4.

Conservancy

- 4.20 Dredging has continued during Q1 and Q2 of 2023/24, with priority given to Buckie basin 4 and Burghead channel when weather and tide permitted.
- 4.21 From 1 April 2023 to 30 September 2023 the total amount of spoil removed to designated spoil grounds was 6,820 Tonnes (Q1 2040 Tonnes, Q2 3,960 Tonnes) over 39 digging days. This includes the harbours at Burghead and Buckie (see table 2 para 4.26).
- 4.22 Burghead groyne regeneration project was completed at the end of June 23 within budget.
- 4.23 In Buckie the current depth under chart datum is officially 2.5 Metres with relevant Notice to Mariners promulgated. There has been significant improvement in the depth of the channel as a result of work carried out in 2022/23. Indication from Selkie and pilot boat sounding is that depth under chart datum exceeds 2.5 metres. These soundings have been confirmed by a bathymetric survey completed in September with no depth less than 2.5 metres in the navigational channel. External contractor dredging works are being completed during October 2023 to bring all depths to a minimum of 3.0 Metres in the channel and basins 1 and 2 with Selkie continuing work in Basin 3 and 4 as well as works in Burghead.
- 4.24 There is a Notice to Mariners published warning vessels of the fluctuating depths within the entrance channel of Burghead advising all mariners to contact Harbourmaster for accurate information and tidal information. Once works have been completed in all areas relevant Notice to mariners will be completed with updated controlling depths.

4.25 The priority areas for dredging remain Burghead (sand bank approaching harbour entrance) and Buckie. The agreed capital works to undertake outsourced dredging, (agreed on 29 June 2022 paragraph 22 of the minute refers,) is currently progressing with vessel Aase Hoj which arrived 03 October carrying out works in Buckie harbour currently. The planned works are estimated to take up to 1 month and will incorporate work to dredge all harbour basins in Buckie utilising a combination of Selkie and the external vessel. Other dredging requirements include:

- Hopeman: Awaiting Marine licence which is planned to include ability to dispose of spoil on Land. Expected imminently, once received plans for land based dredging to be completed in Q1 2024/25 will be finalised. Dredging by sea planned for Q3/4 2023/24 by use of Selkie.
- Findochty: Entrance channel works planned for Q3 2023/24.

Selkie

4.26 MV Selkie has completed works within Buckie and Burghead during Q1/Q2 of 2023/24. The table below summarises the work carried out during this period:

Table 1: Days worked and total tonnage removed comparison

Year	Days working	Weather days	Maintenance	Working days %	Tonnage Removed
2023/24 Q2	19	8	2	66	3,960
2023/24 Q1	20	5	14	51	2,860
2023/24 Q4	17	25	7	35	2,440
2022/23 Q3	23	13	14	46	3,240
2022/23 Q2	24	17	14	44	3,260
2022/23 Q1	30	12	20	48	3,460
2021/22 Q4	24	30	9	38	3,330

Table 2: Summary of works carried out per harbour during Q1 and Q2

Q1	Cumulative working days	Cumulative weather days	Cumulative maintenance days	Tonnage removed
Buckie	15	5	14	2,040
Burghead	5	0	0	820
Total (%)	20 (51)	5 (13)	14 (36)	2,860

Q2	Cumulative working days	Cumulative weather days	Cumulative maintenance days	Tonnage removed
Buckie	19	8	2	3,960
Total (%)	19 (66)	8 (28)	2 (6)	3,960

- 4.27 During the Q1/ Q2 period of 2023/24 there has been an improvement on working days compared to the previous quarter (Q4 2022/23, 35% see Table 1 para 4.25). This improvement in working day percentage has resulted in a large tonnage of spoil deposited particularly in Q2 with 3960 tonnes taken to spoil in only 19 days of work.
- 4.28 The updated figures for the current year 2023/24 are now 50% working days 30% weather days and 20% maintenance days (unplanned). This is just reaching the target KPI of 50% working days (see paragraph 4.33).

Table 3: Comparison of working days compared to weather and maintenance

Year	Days working %	Weather days %	Maintenance %
2023/24 current Total	50	30	20
2023/24 Q2	66	28	6
2023/24 Q1	51	13	36
2022/23 Total	46	25	29
2022/23 Q4	35	51	14
2022/23 Q3	46	26	28
2022/23 Q2	44	31	25
2022/23 Q1	48	20	32

- 4.29 The plan for increased efficiency moving forward is to maximise the number of days crewed on vessel as much as practically possible whilst adhering to contractual rest day requirements. Scheduling of large scale maintenance during crew rest days (unmanned days) so that maximum digging day availability exists. Scheduling of the vessel to maximise days on board where weather is expected to be the best

Environmental Considerations

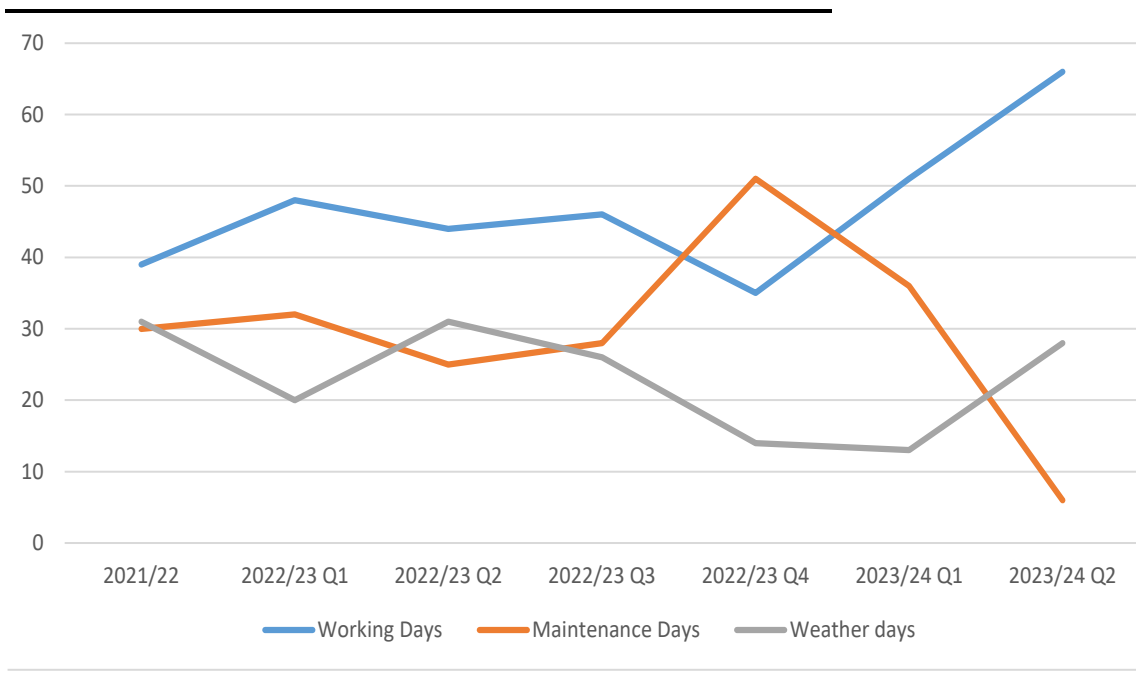
- 4.30 There has been continuing work carried out with the focus on lowering carbon emissions and promoting overall environmentally sound practices within the harbours. This includes work currently progressing to upgrade the electrical infrastructure available within Buckie harbour, allowing less reliance on fossil fuel generators for power. This work is due to be completed by end of Q3.

4.31 **KPI Summary Table**

KPI	Progress at the end of Q2	Completion Target Date
Conservancy		
Buckie Channel Depth 3.0M	Current official depth improved to 2.5M confirmed by bathymetric survey. External dredging programme continuing work	31/12/23
Buckie Basin 1/2/ depth 3.0M	Current depth 2.2M	Review of progress 31/10/23 Fully achieved by 31/12/23
Provide 0.3M channel Burghead	Current depth 0.0M	Review of progress 31/10/23 Fully achieved by 31/03/24
Productivity		
Maintenance days less than	Currently 20% for 2023/24	Continuous review

KPI	Progress at the end of Q2	Completion Target Date
20%		
Working days greater than 50%	Currently 50% for 2023/24	Continuous review
Total minimum tonnage removed above 14,120 Tonnes (aspirational target 18,000 Tonnes)	End of Q2 6,820 (annual projection therefore 13,640)	31/03/24
Total working days above 77 (target 100)	39 end of Q2 (therefore on track to reach KPI)	31/03/24
Staffing		
Full Time master	recruitment campaign (long term skilled agency worker currently)	30/09/22 postponed due to staffing issues within harbour office and long term absence. reviewed target 31/03/24
Safety management/ Maintenance		
SMS review and Update	Reviewed and awaiting audit review by designated person to be carried out Feb 24	15/02/24
Full Risk assessment update	annual review completed.	31/10/23
Financial		
Lower Running costs to within Budget	To be reviewed	31/03/24

4.32 Graph of Selkie Working day % trends per quarter



4.33 The general pattern of Selkie working day availability compared across quarters is showing an overall decrease in unplanned maintenance days and overall increase in working days. There is however still continued improvement required to maintain the desired KPIs highlighted in the table in paragraph 4.34 above now that they have been reached in q2. The anomaly in Q4 was a result in delays for parts from a supplier which resulted in increased unplanned maintenance days. A trend graph will continue to be added in future reports to highlight progress toward KPIs identified for working day and maintenance day targets.

5. **General Safety Updates**

Safety related works

5.1 There have been a number of jobs completed during Q1/2 improving safety conditions within all harbours, these works include:

- Various lighting repairs in all harbours.
- Remove protruding piece of rebar at Buckie causing a health and safety risk.
- Housekeeping across all harbours ensuring all areas are safe and clean.
- Move and replace cargo vessel fenders in Buckie.
- Replace lifebuoy ropes in all harbours where needed.
- Install handrails to allow safer egress.
- Capital works to install rock armour completed in Findochty allowing the road to be opened again.
- Full survey of all anchors, chains and under sides of the Findochty pontoons carried out by a dive team. Some components also replaced by same team.
- Change out various rope ladders across all harbours.
- Various pieces of safety equipment replaced on Pathfinder and annual midterm survey completed with only minor issues which were all corrected within 2 weeks.
- All ice machines and chills inspected by specialist to ensure they were working in a safe and efficient manner
- Modifications made to the rescue ladders on the pontoons at Findochty so the bottom rung sits lower in the water making getting onto it easier.
- Repairs to boards on Findochty pontoons
- New ground chain and risers installed to the Portknockie Pontoons to reduce the swing at the bottom of the tide.
- Steelwork protruding from the pier in Cullen removed to make it safer for those jumping in.

Master action List

5.2 *List of safety related jobs required to be completed in all harbours comprising the Master action list:*

Priority category	Number of safety related jobs needing completion at beginning of Q1	Number of safety related jobs still outstanding at end of Q2	Total safety related jobs completed during Q1/2
1	17	0	17
2	46	15	31
3	40	18	22
4	29	16	13
Totals	132	49	83

5.3 Master action list is a list of all safety related jobs required within the harbours segregated in to 4 categories. Category 1 deemed the most important.

- There are no remaining priority 1 items

Signage

5.4 New signs were received and installed at all harbours. This included:

1. Signs to restrict general access to the pontoons.
2. Harbour operations signs.
3. Designated visitor berths.
4. Operational speed restrictions.

6. Buckie Harbour Operational Update

6.1 All leases and relevant legal papers have been concluded and signed with respect to offshore wind energy Operation and Maintenance (O&M) base. Work to begin on new office buildings and quayside assets for offshore wind base are now well underway.

6.2 Buckie harbour office now temporarily located within the former Buckie Drifter building and remains fully operational in shared building with Offshore wind energy company as new office buildings are developed for Harbour office and Offshore wind O&M base, this is due to be completed by end of Q4

6.3 New weighbridge constructed and completed to west side of existing Fishmarket building providing new improved weighbridge facility. Facility has safer accessibility as well as closer proximity to cargo handling facilities and eventual harbour office location. Due to identified issues with calibration weighbridge was not operational during Q1/2. This has now been resolved and weighbridge is now operational.

6.4 Electrical infrastructure upgrade works currently in progress due to be completed Mid November.

7. **Objectives identified for remaining quarters of 2023/24**

- Undertake further reviews of Marine Policy and Harbour Bye-laws.
- Review training requirements and request necessary training.
- Continue momentum of Pilot training and accreditation leading to 2 fully competent Pilots within the Harbour team by end of Q3.

8. **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 will have legal implications.

(c) **Financial implications**

Non-compliance of the PMSC may have financial implications.

(d) **Risk Implications**

Failure to comply with the PMSC could result in prosecution of the authority.

(e) **Staffing Implications**

No staffing implications arise from this report.

(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) **Climate Change and Biodiversity Impacts**

There are no climate change and biodiversity implications arising from this report.

(i) **Consultations**

The Depute Chief Executive (Economy, Environment and Finance), Head of Environmental and Commercial Services, Legal Services Manager, Head of Financial Services, Committee Services Officer (L Rowan), and Equalities Officer have all been consulted and their comments incorporated into this report.

9. **CONCLUSION**

- 9.1 **The Council is currently deemed to be compliant with the PMSC, however, work to maintain a safe environment remains an ongoing matter in a dynamic environment. Diligent staffing and constant monitoring and risk assessing will be utilised to maintain compliance as demands evolve.**

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Background Papers:

Ref: SPMAN-524642768-985