



**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
SERVICES COMMITTEE ON 19 OCTOBER 2021**

SUBJECT: MARINE SAFETY Q2 2021-2022

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

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 second quarter of 2021/22.
- 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 the Council as Statutory Harbour Authority.

2. RECOMMENDATION

2.1 Committee is asked to:

- (i) **consider and note the safety performance, fulfilling their function as Duty Holder under the Port Marine Safety Code; and**
- (ii) **approve a revised berthing policy as set out in Appendix 2 and described in paragraph 11.**

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 (PMSC).
- 3.2 Paragraph 6 of the minute of that meeting instructs officers to report quarterly to this Committee, as the Duty Holder, on matters of marine safety.

4. COMMITMENT TO THE PMSC

- 4.1 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.

- 4.2 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.
- 4.3 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.
- 4.4 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 management systems of any contractors or others fully support the same commitment to health, safety and environmental performance.

5. SAFETY UPDATES BY HARBOUR

Buckie

- 5.1 Seaward side of the fish market cleaned and treated with algae cleaner reducing slip hazard on quay.
- 5.2 Several electrical issues identified and rectified with some additional repairs to the protection cupboards.
- 5.3 North pier gate is still closed as a matter of health and safety due to damage to the pier surface. North Pier repair is due to be carried out in October.
- 5.4 The roads maintenance team have attended and have repaired a damaged section of road at the top of pier 4. Roads maintenance have also repaired joint between pier 1 and the main road making safer access for trucks accessing pier 1. At present a date is to be confirmed by roads maintenance to complete works at the top of pier 3.
- 5.5 Rope ladder building has continued during the last quarter and will continue further at appropriate times.
- 5.6 Coxswain and pilot training continues as appropriate situations arise.
- 5.7 Forklift training carried out for harbour staff during August. To date two members of staff have still to complete training. The training will be completed within the coming quarter.
- 5.8 Ice plant delivered and installed by the constructor. Electrical connection work being completed within the coming weeks to ready Ice plant for commissioning. Further Electrical works to be completed in the future months

to provide additional power to Buckie fish market, this will be completed whilst equipment is operational

Burghead

- 5.9 Algae treatment required in several areas after pressure washing this has reduced slip hazards on the quays.
- 5.10 Weed control continued through the quarter in addition to chemical treatment given. The continued control of weeds has reduced trip hazards and protects assets in the harbour from damage caused by ingress of weeds.
- 5.11 Electrical issues identified at power points within the chills have been rectified with chills fully operational.
- 5.12 Repairs carried out to several water pipes. Fully functional to date.
- 5.13 Rust removal and painting carried out at various locations around the harbour protecting assets from damage.

Hopeman

- 5.14 The rope ladder project has been completed. Ladders will be monitored as part of planned maintenance schedule and any future repairs or replacements carried out as and when required.
- 5.15 Handrail installation will continue once threaded bar, which is on order, has arrived.
- 5.16 Repairs carried out on water supply and remain fully functional.
- 5.17 Surface rust and scale removed from pontoon pile at the bottom pontoon ramp.
- 5.18 Test to be carried out in coming months by manufacturer with a pontoon protection product on above mentioned pontoon pile. The test phase will be used to establish suitability of product. If deemed successful remaining pontoon piles will have protection product added as a maintenance project in 2022/23.

Findochty

- 5.19 Annual treatment of algae on the west pier carried out reducing slip hazard.
- 5.20 Handrail replaced at McKenzie's beach, contractor has also completed repairs to bottom step providing safe footway for users.
- 5.21 Works have begun on pontoon installation, despite some minor setbacks due to delivery issues caused by haulage shortage, project is still running on schedule to be completed at start of November. Careful monitoring of

programme will be continued to update stakeholders of progress over the project timeline.

- 5.22 Contractor worksite is carefully and clearly fenced to protect public from dangers to health and safety. Public access limitations are as minimal as feasible with signs and alternative routes posted on worksite fences.
- 5.23 As Programme of pontoon installation progresses, public health and safety alongside contractor health and safety will be continuously monitored. If a need for extra controls are identified they will be implemented as required.

Portknockie

- 5.24 Planned Capital works to reface the inside of North Pier now complete. Some minor issues reported and rectified. There were concerns regarding a lip visible where shuttering has been installed creating an unsafe area to berth. On inspection the lip was found to be only 10mm deep and consultancy are satisfied that this should not be an issue. The harbours team will monitor and continue to assess the risk, putting in any required control measures if required.
- 5.25 Work carried out on the pontoons securing fingers in place. This has provided a safer structure for users.
- 5.26 Slipway cleaned and treated with algacide decreasing slip hazard and protecting the structure.
- 5.27 Several derelict boats left as waste, taken away creating more hard standing space for berth holders taking their boats out for winter or maintenance.

Cullen

- 5.28 Concrete facing repairs carried out to the north pier.
- 5.29 Ongoing project at bottom of slipway to secure the structures supporting the road way above.

6. INCIDENT STATISTICS

Injuries:

- 6.1 There were no injuries to harbour staff during the quarter.

Incidents:

- 6.2 There was one incident in Burghead. The Assistant Harbourmaster was carrying out grounds maintenance, and strimming. Unbeknown to him a stone flicked up and hit a glass panel in a house door on opposite side of the street. The matter has been passed to the insurers. Protocols for use of strimmer and training are being investigated.

Near Misses:

6.3 None

7. VESSEL MOVEMENTS

7.1 In the second quarter of 2021/22 there have been 19 cargo movements (arrival and departure) at Buckie to date. This has included 10 acts of pilotage, 5 in and 5 out, with 1 of the operations being during the hours of darkness.

7.2 There have been 5 imports of Malt, 2 of salt and 1 of soya. There has also been one vessel which discharged several large heavy components bound for Blackhillock power station. These were transported from Buckie. Finally there has been 1 export of stones.

7.3 The trawl fishing has remained inconsistent over the summer with previous quantity of squid not being reached. The lower than previous year landings combined with difficult market conditions has produced a challenging economic situation for many vessel operators. There has however been a positive increase in the number of boats using the harbour to land scallops. The creel fishing has had a good quarter with better numbers of lobsters being landed than has been seen in recent years.

7.4 Burghead has had a similar pattern to Buckie with regards to fishing levels. Many of the fishermen based in Burghead have returned to work after a period of furlough so the harbour has recorded more landings than the previous quarter.

7.5 Vessels arriving at Buckie for maintenance work at Macduff Shipyards continue steadily and include fish farm vessels, small ferries and various fishing boats. The shipyard appear to have a busy period ahead with many different types of vessels due to arrive over the coming months. The latest new build fishing boat (MFV Crystal River - FR 178) set sail in September along with her sister ship which was built in Macduff.

7.6 There are a steady number of CTV's working the windfarms from Buckie. Currently 3 vessels are resident at Buckie arriving and departing daily, with a number of other vessels visiting regularly over the last quarter when they required. This can limit pier space as vessels must be alongside appropriately on a quayside berth to safely disembark their passengers.

7.7 There have been 22 visiting leisure vessels during the summer months. While this is less than usual the average size of the boats arriving has increased, including the 118 year old converted herring drifter 'Flying Dutchman' back to the harbour, now operating as a luxury schooner. Providing facilities for vessels like this promotes the harbour to a diverse and widespread base which is a huge positive.

8. CONSERVANCY

8.1 Dredging has continued in the entrance of Findochty completing the maximum allowance as per the Dredging Licence. The licence renews on 7th February 2022.

- 8.2 Dredging has continued in Buckie concentrating on the channel entrance. The dredging plan includes provision to continue to dredge at Buckie regularly concentrating on bringing depth of water available to 2.5 m below chart datum in the channel by the end of the calendar year.
- 8.3 Alongside dredging at Findochty and Buckie, Burghead has been identified as a priority. The dredging plan utilises Selkie dredging in the area at the entrance to Burghead. The goal is to firstly clear a safe navigable channel in to Burghead harbour. This will ensure no vessel will be constrained by their drafts at low water. This will also allow the Selkie to moor in Burghead and achieve a more efficient dredging routine allowing progression to tackle the wider build-up of sand outlying the harbour entrance.
- 8.4 Due to extremely specific licence stipulations and the safety of the vessel crew and environment there are times that even though Selkie is fully operational with crew, digging is unachievable due to weather and licence constraints. At these times the vessel crew continue to work carrying out planned maintenance and any minor repairs that are necessary.
- 8.5 The priority areas for dredging remain Burghead (sand bank approaching harbour entrance) and Buckie (entrance channel). Other dredging requirements include:
- Hopeman: There are some new ideas on how we can maximise our efforts in Hopeman which will have to be further risk assessed, these will combine use of assets and requires careful thought and planning which, will be planned over the coming months.
 - Cullen: removal of sand from the beach side of the basin as this is the only area Selkie can access. There is a small sand bank in the south side of the harbour which Selkie would not be able to access.
 - Portknockie: No major issues or conservancy plans at this time.
- 8.6 Feasibility studies have been completed and plans for the repair of Burghead beach groyne are being undertaken. This will further improve the defence of the channel entrance from sediment deposition. The plan is scheduled to be completed by the end of this calendar year with the repairs to be completed as a capital project in the next financial year subject to financial approval.

9. KEY PERFORMANCE INDICATORS

Pilotage

- 9.1 Pilotage is not compulsory at Buckie harbour, and therefore not all cargo movements require the services of a pilot. The number of pilotage acts carried out in the second quarter of 2021/22 was 10, in relation to 10 vessel movements in and out of the harbour.

Aids to Navigation

- 9.2 As a Local Lighthouse Authority, Moray Council is required to report the availability of all its navigational lights to the Northern Lighthouse Board in

March of each year. Currently the Port Closed light on the North Pier in Buckie is unavailable resulting in availability figures being decreased.

This has been discussed with the Northern Lighthouse Board and they have noted it is not an urgent requirement as the light is not mandatory and there are other provisions to communicate any port closures.

- 9.3 Currently planning, consultation and communication is in progress surrounding the proposed upgrade of Navigational lights in Buckie and Burghead. The proposals would utilise renewable solar power and provide more efficient lighting which is not reliant on unsuitable power connections. As a result the availability of lights reported to the Northern Lighthouse Board will improve significantly

10. GENERAL SAFETY BUSINES

Water Safety Group

- 10.1 Further meeting has taken place in the last quarter discussing targets going forward. It was decided that a scheduled meeting in October will be used to elect a new chair as the Moray Water Safety Group begins work towards achieving its goal of reducing fatalities and water based incidents throughout the whole of Moray.
- 10.2 Harbourmaster and Harbour operations and development manager are in contact with Water Safety Scotland. Moray Council are in the process of enrolling with the Water safety Scotland group. This will allow access to nationwide meetings between various local authorities. From these meetings lessons and advice from authorities with different and relevant experiences can be used to direct the Moray Water Safety Group toward achieving its goal.
- 10.3 Next Water Safety Scotland meeting is scheduled for 05/10/21
- 10.4 Next Moray Water Safety Group meeting scheduled for 15/10/21.
- 10.5 The Water Safety Group is constantly seeking new members to join the ongoing meetings and has reached out to more parties during this quarter. The remit for the group will be to discuss various safety issues and look to improve all aspects of water safety.
- 10.6 Education will be the key focus and both the RNLi and MCA will help to promote the initiative with plans for school visits and visits to other organisations and events. The ultimate goal of the group will be to eventually produce a carefully considered Water Safety Policy. This would be produced after extremely careful collaboration and relevant consultation drawing on expertise from all relevant stakeholders.

Signage

- 10.7 There has been a full audit identifying new signs required around the harbours including, 4 signs to restrict general access to the pontoons as well as general harbour operations signs designating visitor berths, operational speed

restrictions in the harbours warnings and keep slipway clear signs. These will be erected on delivery within the next quarter.

Green Harbours

- 10.8 There has been continuing work carried out in the background with the focus to push the harbour environments towards lowering carbon emissions and promoting overall environmentally sound practices within the harbours.
- 10.9 The works currently being planned to be reported in future meetings would lower the carbon footprint of the harbours and in turn would promote the use of green technologies in the environment.

11. BERTHING POLICY REVIEW

Preamble

- 11.1 A Berthing Policy was approved by this committee on 23 January 2018 (para 7 of the Minute refers) and it is requested that after proposed changes and feedback, committee approves a revised Berthing policy.
- 11.2 A full copy of the proposed berthing policy is attached as **Appendix 1** for full review. In summary the main proposed changes are to ensure the protection of pontoon assets and are set out below.

Summary of proposed Changes

- 11.3 Firstly it is proposed that any person wishing to replace an existing vessel with a new vessel must provide written intention to the Harbourmaster detailing the new vessel's size and weight.
- 11.4 The new vessel will be assessed as to whether it is suitable for the berth it is intended to be put into utilising pontoon manufacturer's guidance and safety management considerations of the harbour.
- 11.5 If suitable, written consent to the changes will be given to vessel owner and only after this written consent will the change be accepted.
- 11.6 If the dimensions of the proposed new vessel are not suitable for the existing berth an alternative suitable berth will be offered.
- 11.7 If no suitable berth is available, the applicant will be placed on a waiting list for a suitable berth.
- 11.8 Proposals to ensure no equipment is left unattended on pontoons and that no alterations are made to fixings or structure of pontoons and that all fenders are secured to vessels not attached to pontoons. This ensures pontoons are not damaged by unsuitable materials and fixings.

Consultation

- 11.9 All Harbour Advisory Committee members have been consulted with regards to the proposed changes. So far feedback received has asked to consider allowing suitable fenders to be added to pontoons. This would allow Yachts to be safely moored with a fender at the bow.

Feedback consideration

- 11.10 Feedback regarding the allowance of suitable fendering which is correctly added to pontoons and will not damage the structure or provide a safety hazard has been considered and has been decided to be incorporated in to the revisions.
- 11.11 An updated Berthing policy after feedback has been added as **Appendix 2**. This version incorporates these changes in section 4 of the policy. It is this version that is requested to be considered for approval by this committee.

12 FUTURE OBJECTIVES AND PLANS

Objectives identified for remainder of 2021 and beyond

- 12.1 Review of the Safety Management System: the SMS is currently under routine review and a revised SMS will be presented to a future meeting of this committee. This will include emergency response and preparedness review, full risk assessment and health and safety reviewing and updating.
- 12.2 Further development of SMS support checklists to aid compliance with Safety management system
- 12.3 PMSC Audit carried out by Designated Person, Marex Marine scheduled for Mid-October
- 12.4 Monitor consistent incident reporting, including potential incidents.
- 12.5 Undertake further reviews of Marine Policy and training requirements.
- 12.6 Maintain momentum of Pilot training and accreditation.

13 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 Code will have legal implications.

(c) Financial implications

Non-compliance of the Code may have financial implications.

(d) Risk Implications

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

(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) Consultations

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

14 CONCLUSION

14.1 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-524642768-499