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**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE  
SERVICES COMMITTEE ON 2 MAY 2023**

**SUBJECT: MARINE SAFETY AND OPERATIONAL SUMMARY OF 2022/23  
UPDATES Q4 2022-2023**

**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 year 2022/23 and details of Q4 2022/23.
- 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 their function as Duty Holder under the Port Marine Safety Code.**
- 2.2 **Committee is asked to amend the reporting requirement from quarterly to 6-monthly as set out in para 6.2**

**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 At a meeting of this committee on 20 March 2018 it was agreed that a report on PMSC would be submitted quarterly (paragraph 6 of the minute refers).

3.4 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 through its safety management system, (SMS).

#### **4. ANNUAL REVIEW 2022/23**

4.1 The following sections of the report set out an overview of marine safety performance in 2022/23, with specific details for Quarter 4 2022/23 attached as **APPENDIX 1**.

#### **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.

The report from the audit is still in production and when received it will be made available

#### **Key Performance Indicators**

4.3 The paragraphs below detail the main statistics from the major areas of concern for review of compliance with PMSC. Where applicable details of KPI's that will continue to be reported at future committee meetings will be detailed and explained.

#### **Annual Accident, Incident and Near Miss Statistics**

4.4 The table below summarises the incidents that occurred throughout 2022/23

Quarter	Injuries	Incidents	Near Misses
1	0	2	0
2	1	1	0
3	0	0	0
4	0	0	0
Total	1	3	0

4.5 The following details the injuries, incidents and near misses for the year 2022/23 as a whole. All information below was reported on in previous quarterly reports to this committee.

4.6.1 Incident: Portknockie harbour fisherman washed in to water.

Date: 8 June 2022.

4.6.2 Incident: Findochty Harbour East pontoon excessive swing.

Date: 25 June 2022

4.6.3 Incident: Watchman struck in abdomen

Date: 26 September 2022.

- 4.7 The number of injuries and incidents at Moray Council harbours during 2022/23 is extremely low. There is however room for improvement and lessons learned from 2022/23 and the findings from Marex Marine as Designated Person will be used to implement further safeguards for the coming year. With this in place the target for Accidents, Incidents and near misses is 0. All accidents, incidents and near misses will continue to be investigated thoroughly and reported accordingly at quarterly and annual meetings. Lessons learned and actions arising from the events will also be detailed.

### **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. 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 other provisions to communicate any port closures are available.
- 4.9 New solar powered lights will be installed in Burghead and Buckie. The new solar powered lighting will decrease the number of faults observed and as a result over time lead to an increase in the availability figures for all navigational aids. This work has been funded by Scottish Government Marine Fund Scotland Scheme.
- 4.10 A risk assessment for changing the lighting system will be prepared and approved by the Northern Lighthouse Board. A Notice to Mariners has been prepared and this will be sent to all harbour users and the UK Hydrographic Office (UKHO) so visiting vessels can be informed of this change. Work will be concluded by end of Q2 2023/24.
- 4.11 The table below summarises the availability of Navigational lights under Moray Council's responsibility.

IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
<b>Moray Council</b>								
CAT 1	1	26,304	0	0:00	0:00	0:00	100.00 %	99.80 %
CAT 2	15	394,560	6	31333:58	5222:20	60537:40	92.06 %	99.00 %
CAT 3	4	105,216	1	5222:00	5222:00	99994:00	95.04 %	97.00 %
No Category	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Totals	20							

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. Currently Moray Council are meeting this target. The availability of Cat 2 and 3 lights is below the target availability.

- 4.12 The target for the year 2023/24 is to increase the availability figures of Cat 2 lights to 95% and cat 3 lights to 97%. This will be achieved by utilisation of new solar powered lights that, once installed, will provide more efficiency due to less reliance on unsuitable cabling prone to faults.

## **Pilotage**

- 4.13 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 year 2022/23 was 38, in relation to 112 vessel movements in and out of the harbour.

## **Training**

- 4.14 Pilotage training continues for 2 members of staff with 1 member of staff deemed competent to pilot during daylight hours after an assessment from the authorised Pilot.

Training requirements for all harbour staff is currently being reviewed.

## **Staffing**

- 4.15 Annual recruitment within the harbours team includes the appointment of 2 new harbour assistants.

## **Conservancy**

- 4.16 In Buckie the current depth under chart datum is 2.5 Metres with relevant Notice to Mariners promulgated.

There is a target Depth of 3.0 metres to be reached in all areas of the channel and basins 1-3 by the end of calendar year 2023. Progress toward this will be reported quarterly as a KPI.

Immediate dredging plans are to complete work in the channel entrance and basin 2 of Buckie. The dredging plan includes provision to continue to dredge at Buckie regularly as the main priority of the dredging programme including in Basin 4 with aid from stakeholders in planning.

- 4.17 Burghead is attended any time there is a suitable weather window during manned periods and when tidal conditions suit. Currently the depth below chart datum at the entrance of Burghead harbour is 0 metres. This build-up of material is due to the deterioration of the groyne at Burghead. Work to complete renovation of the groyne at Burghead is currently awaiting a Marine Licence issue. Once the license has been received by Marine Scotland work will be undertaken promptly.
- 4.18 A capital dredging programme was agreed at a council committee meeting on 29 June 2022 (paragraph 22 of the minute refers,) and is being prepared to incorporate substantial work at Burghead and Buckie. Sediment sampling and processing is completed and awaits issuing of capital licence by Marine Scotland. During the licence issuing process tendering of the required dredging vessel is being completed with a target date of August set for dredging works to be completed.
- 4.19 Currently with the constraints at Burghead, a Notice to Mariners is published warning vessels of the fluctuating depths within the entrance channel of

Burghead. This notice advises all mariners to contact Harbourmaster for accurate information and tidal information.

- 4.20 The priority areas for dredging remain Burghead (sand bank approaching harbour entrance) and Buckie (entrance channel). Other dredging requirements include:
- Hopeman: Different options to increase the efficiency of dredging at Hopeman are being considered and a plan detailing these will be developed in 2023/24 Q1. The inner basin and channel will both be included in dredging plans.
  - Cullen: dredging by the Selkie will focus on the beach side of the basin. There is a small sand bank in the south side of the harbour which Selkie would not be able to access. An alternative land based approach will be explored.
  - Portknockie: there is no need for dredging at Portknockie at this time however the entrance and pontoon basin will be closely monitored.
  - Findochty: Dredging is required at the entrance channel and areas around the middle jetty.
- 4.21 There has been an increase in available water under chart datum of 1.0 metre in the west basin and channel at Findochty harbour as a result of the dredging campaign in 2021/22.

### **Selkie**

- 4.22 MV Selkie has completed works within Buckie, Burghead and Findochty during the year of 2021/22. The below table summarises the work carried out during the year:

*Days worked and total tonnage removed 2022/23 vs 2021/22 and 2020/21*

Year	Days working	Weather days	Maintenance	Working days %	Tonnage Removed
2022/23	94	68	46	46	12,880
2021/22	77	62	59	39	14,120
2020/21	38	14	46	39	11,240

*Tonnage removed per harbour during 2022/23*

Harbour	Total Tonnage removed
Buckie	9,080
Burghead	2,720
Findochty	540
Portknockie	540

During 2022/23 there has been a decrease in the total tonnage removed to spoil by MV Selkie compared to the previous year. There has however also been a decrease in downtime due to maintenance (22% vs 30%). However, there has been an increase in the amount of days the vessel has not been able to work due to adverse weather resulting in a working percentage which is the same for both years.

The plan for increased efficiency moving forward is to maximise the number of days crewed on vessel and continue to work effectively with maintenance to lower the number of maintenance days further.

KPIs measuring the percentage of days working and days of maintenance have been introduced and will continue to be reported moving forward. The KPI's are a measure of the vessels working efficiency with a target of 50% working days and 20% maintenance days set.

*Comparison of working days compared to weather and maintenance*

Year	Days working %	Weather days %	Maintenance %
2022/23	46	32	22
2021/22	39	31	30
2020/21	39	14	47

### **Green Harbours**

- 4.23 There has been continuing work carried out with the focus on lowering carbon emissions and promoting overall environmentally sound practices within the harbours.

### **5. FUTURE DREDGING**

- 5.1 In 2023/24 it is proposed that MV Selkie continues to fulfil its role in carrying out maintenance dredging across the council's 6 harbours. This will be conducted alongside the aforementioned capital dredging campaign (para 4.18). The external dredging campaign is scheduled to be completed at the end of Q2 2023/24 and will comprise of work in Buckie harbour to ensure 3.0 metres of depth under chart datum for all areas of channel and basins 1-3. MV Selkie will work in Basin 4 with consultation with shipyard to ensure adequate depths for their requirements.
- 5.2 In addition to work in Buckie there will also be external dredging work conducted in Burghead to significantly improve access in and out of the harbour entrance. This will be further improved by the replacement of damaged beach defence groyne to the immediate south of the harbour entrance at Burghead. The groyne is due to be replaced during Q1 of 2023/24.
- 5.3 The external works are subject to new dredging licences and these are already in the process of approval with Marine Scotland after requirements for sediment sampling and analysis were completed in Q4 2022/23.
- 5.4 Procurement of a suitable dredging vessel is underway with support from Moray Council procurement officers and is designed to be completed in parallel with receiving of updated capital dredging licence during Q2 2023/24.
- 5.5 SEPA have been contacted to explore the possibility of allowing spoil recovered from dredging to be deposited to a suitable land based site. With aid from specialists involved with the sediment sampling works, this will provide a suitable route if granted to dredge Hopeman and Cullen harbours utilising land based excavators with greater access to the harbour inner basins and avoid the issue of access by Selkie to the inner basins and the

strict issues surrounding movement of spoil recovered from below high water line. In essence this would allow a land based dredging approach to be conducted in Hopeman and Cullen providing a good solution to their immediate dredging need.

## **6. FUTURE OBJECTIVES AND PLANS**

6.1 Objectives identified for 2023/24 include the following:

- Publication of new Safety Management System: the SMS was reviewed during quarter 3 and 4 and a revised SMS will be presented to this committee after it has been reviewed by designated person. This work included emergency response and preparedness review, full risk assessment and health and safety reviewing and updating. Currently Designated person whom completed PMSC audit in March 23 is in receipt of updated SMS. Upon its review Audit report and SMS will be brought to committee for review and consideration.
- Further development of SMS support checklists to aid compliance with Safety management system.
- Continued reporting and review of installed KPIs.
- Undertake further reviews of Marine Policy and Harbour Bye-laws.
- Review training requirements and request necessary training.
- Increase momentum of Pilot training and accreditation leading to 2 fully competent Pilots within the Harbour team.

6.2 As progress has been made in recent years in terms of visible governance and assurance on progress, it is recommended that reporting of PMSC compliance moves to a 6 monthly reporting cycle from quarterly. It is proposed that this position is reviewed after a year. All members of ED&I are able to discuss marine safety and governance with the Head of Environmental & Commercial Services, the Transportation Manager or the Harbours Manager at any time. Further, coastal members are all members of the relevant Harbour Advisory Committee.

## **7. 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**

Failure to comply with the Port Marine Safety Code 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), Legal Services Manager, Chief Financial Officer, Committee Services Officer (L Rowan), and Equalities Officer have all been consulted and their comments incorporated into this report.

**8. CONCLUSION**

**8.1 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:

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