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**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE  
SERVICES COMMITTEE ON 30 APRIL 2024**

**SUBJECT: MARINE SAFETY AND OPERATIONAL SUMMARY OF 2023/24  
AND Q3/4 2023/24 UPDATES**

**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 2023/24 and details of Q3 and Q4 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 their function as Duty Holder under the Port Marine Safety Code (PMSC) and approve a 3 yearly statement of compliance to PMSC letter to be written and signed on behalf of duty holders by depute chief executive (Economy, Environment and Finance). Upon signing, Letter will be sent to Maritime and Coastguard Agency (MCA).**

**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 Economic Development and Infrastructure Services Committee (ED&I). The role requires accountability for ensuring the organisation's compliance with the PMSC.

3.3 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 2023/24**

4.1 The following sections of the report set out an overview of marine safety performance in 2023/24 and an update on Q3 and Q4 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. The next audit is currently in the process of being scheduled for Q1 2024/25 with Marex marine who act as Designated Person as per PMSC guidance. The Audit process made observations, mainly clerical in nature, which are provided in the table below with progress towards close out included.

4.3 It should be noted that duty holders are required to be conversant with PMSC and its relevant content. It is advised that training for Duty Holders is provided through the Designated Person Marex Marine which has been done.

4.4 Observations from PMSC Audit:

Observation	Progression
Review Harbour Bye-laws with particular regard to continued relevancy	Harbours team have carried out an initial review and have some proposed changes. Currently on hold due to capacity issues within legal services. This position will be reviewed in 24/25 to determine conclusive plan including resourcing issues. Low risk, current byelaws are acceptable at present..
Consider cyber security protocols	Cyber security requirements being included and updated as part of ICT works during move to new harbour office May 24.
Risk assessment review required	Annual Risk assessment review carried out in February/ March 24
Consideration of adding extra safety signs around harbour	In conjunction with ongoing water safety group meetings and workstream considerations for signs required to be discussed.
Increasing drills carried out with external institutions suggested	Large multi-party oil spill drill scheduled for 23-25 April 2024

### **Statement of compliance letter**

- 4.5 As part of regular auditing process, MCA requires a declaration of compliance with PMSC. The statement of compliance takes the form of a letter written and signed by Depute Chief executive (Economy, Environment, Finance) stating that Moray Council is compliant with PMSC. Duty holders are asked to approve this letter and permit it to be signed on behalf of EDIS committee and sent to MCA.

### **Key Performance Indicators**

- 4.6 The paragraphs below detail the main statistics from the major areas of concern for review of compliance with PMSC.

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

- 4.7 The table below summarises the incidents that occurred throughout 2023/24.

Quarter	Injuries	Incidents	Near Misses
1	0	0	1
2	2	0	0
3	0	1	0
4	1	4	0
<b>Total</b>	<b>3</b>	<b>5</b>	<b>1</b>

- 4.8 The following details the injuries incidents and near misses for the year 2023/24 as a whole. All information below was reported on in previous quarterly reports to Economic Development and Infrastructure Committee.

	Date	location	Brief summary	outcome
<b>Injuries</b>				
	09/07/23	Portknockie	Member of public fall from paddleboard requiring hospital admission.	Injured party recovered. Increased patrolling and monitoring of harbours. Fee introduced for 3 <sup>rd</sup> party companies engaging in training/ activities in leisure harbours
	15/09/23	Buckie	Moray Council employee fall from height	Health and safety department contacted. Reporting made
	22/02/24	Buckie	Harbour employee struck by rope	Pier Lighting upgraded.
<b>Incidents</b>				
	13/12/23	Findochty	Sinking Vessel	Removal of vessel
	09/02/24	Buckie	Cargo vessel grounding	Notice to mariners produced. Area of channel dredged
	29/02/24	Buckie	Cargo Vessel collision with pier	Vessel repaired in Harbour. Vessel insurance payment for damages to pier railings
	29/02/24	Buckie	Oil pollution recovery	Pollution cleared and disposed of appropriately

	18/03/24	Buckie	Potential unexploded ordnance	External Unexploded Ordnance report carried out. Outcome of report low risk area. Relevant authorities contacted. Appropriate measures taken.
<b>Near Misses</b>				
	14/04/23	Buckie	Diver stop job due to vessel movements.	Increased visual confirmations in place.

4.9 The number of injuries and incidents at Moray Council harbours during 2023/24 is low but has increased since 2022/23. Whether there is an underlying factor, such as increased activity, is unclear given the low numbers, but this is being monitored. It must be noted that strict risk assessments and permit to work procedures are implemented by harbour staff when carrying out jobs and encouragingly incidents and accidents involving Harbour staff are extremely low. Third party incidents and accidents are harder to control but work within Moray Water Safety group and a drive to lead by example in the harbour area will hopefully press a safety culture within the harbours environment. 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**

4.10 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. Mucks Light structure is at end of life and has been through the Asset Management Working Group (AMWG) gateway a procurement of new structure to be installed is underway. Target date for completion is by end of June 2024. Cost of £175,000 has been estimated.

4.11 New solar powered lights have been 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.

4.12 A risk assessment for changing the lighting system was prepared and approved by the Northern Lighthouse Board. A Notice to Mariners has been produced and sent to all harbour users and the UKHO so visiting vessels can be informed of this change.

4.13 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	MTRR	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 %
<b>Totals</b>	<b>20</b>							

4.14 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 meeting this target. The availability of Cat 2 and 3 lights is below the target availability.

4.15 The target for the year 2024/25 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 have been installed during 2023/24. One sector light remains to be installed in Buckie due to be installed during Q1. Once installation is completed of the final light efficiency will increase back to target due to less reliance on unsuitable cabling prone to faults.

#### **Pilotage and Cargo works**

4.16 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 2023/24 was 30, in relation to 106 vessel movements in and out of the harbour.

4.17 During financial year 2023/24 there has been a continuation of regular and frequent cargo loading and discharging in Buckie harbour.

The table below summarises cargo handled this year compared to previous years:

	2023/24	2022/23	2021/22	2020/21	2019/20
Import tonnage	82143.79	86446.02	70488.72	64019.24	74242.20
Export tonnage	21622.97	17954.10	8931.55	31846.33	13330.50
<b>Total</b>	<b>103766.75</b>	<b>104400.12</b>	<b>79420.27</b>	<b>95865.570</b>	<b>87572.70</b>

4.18 Cargo operations within Buckie harbour are and continue to be extremely busy with vessels on average in harbour every week. Tonnages handled have been increasing steadily over a period of years with imports of Malt/ Barley in particular handled regularly. This service is a vital part of the supply chain to Moray local economy.

## **Training**

4.19 Training has been completed in a number of areas including:

- First aid training completed by 4 Harbour assistants.
- Port Security training for 2 assistant harbourmasters carried out May 2023. Security refresher training for Harbourmaster carried out September 2023.
- STCW fire/sea survival and rescue boat course completed by 1 assistant harbourmaster June 2023.
- RYA basic sea survival completed by 1 harbour assistant October 2023.
- MCA oil spill level 1 training completed by 1 harbour assistant September 2023.
- RYA Day skipper theory and engine maintenance course completed by 1 Assistant harbourmaster.
- RYA powerboat level 2 course completed by 1 harbour assistant March 2024.
- Powerboat courses for 2 harbour assistants.

4.20 Pilotage training for hours of darkness continues for 2 members of staff with 2 new members of harbour staff planned to commence pilotage training during Q2 2024/25.

4.21 Training requirements for all harbour staff is currently being reviewed and training matrix updated and agreed upon by OD for 2024/2025.

## **Staffing**

4.22 Recent recruitment within the harbours team includes the appointment of 1 new permanent harbour assistant.

4.23 Recruitment for MV Selkie staff has been paused whilst a change management process is being undertaken within the harbours team. The process is aiming to clarify contractual queries and provide structure and resilience throughout the team enabling full time Moray council employees to crew vessel with all harbour staff providing back up resilience.

**Conservancy**  
**Capital dredging Projects**

- 4.24 A capital dredging programme was agreed at a Full Council meeting on 29 June 2022 (paragraph 22 of the minute refers,) All relevant Marine Directorate licences were completed and are held within Buckie Harbour Office with copies held on Board all dredging vessels engaged in operations within Moray Council harbours.
- 4.25 The recent agreed external dredging project carried out between 5 October and 10 November 2023 has extensively dredged basin 2 to a depth of 2.7 metres except in small areas where bedrock was reached.
- 4.26 In total 6,010 m<sup>3</sup> of spoil was removed from basins 1-3 and navigational channel during the works and discharged at designated spoil ground.
- 4.27 A secondary capital dredging programme was commissioned after a decision of full council on 12 December 2023 (para 9 of the minute refers).
- 4.28 Under delegated authority afforded to Head of Environmental and Commercial Services a tendering process identified a suitable marine contractor to carry out the required works for specialist rock dredging in Buckie.
- 4.29 The works are underway and began on 8 March 2024 with a contract to bring the area of the channel and basin 2 to a level of 3.2 metres below chart datum in entirety.

**Maintenance Dredging**

- 4.30 There is a target Depth of 3.0 metres to be reached in all areas of the channel and basins 1-3 in Buckie Harbour by the end of May 2024/25. Progress toward this has been and will continue to be monitored and reported as a KPI. A recent Bathymetric survey carried out in February 2024 has identified a shallow area to the immediate west of west pier. The area is approximately 5m<sup>2</sup> in area and is being worked upon. The depth of this area was 1.2m below chart datum and appropriate Notice to Mariners has been issued to all mariners warning of the shallow area. The shallow area has developed quickly after prolonged periods of adverse weather forcing sediment toward the harbour entrance.
- 4.31 The recent external dredging campaign alongside work from Selkie throughout the year has provided a controlling depth of 2.5m in the channel outside of above-mentioned shallow area and basins 1 and 2. Areas of rock outcropping discovered in basin 2 are being dredged to ensure the channel and basin 2 are at least 3.0 metres below chart datum by end of May 2024.
- 4.32 Immediate dredging plans are to prioritise the channel entrance with Selkie and to aid in the dredging of basin 2 when required. The dredging plan includes provision to continue to dredge at Buckie regularly as the main priority of the dredging programme with work in Burghead identified as next priority.

- 4.33 Burghead will be attended any time there is a suitable weather window during manned periods and when tidal conditions suit once the shallow area at Buckie harbour entrance is rectified. Currently the depth below chart datum at the entrance of Burghead harbour is 0 metres.
- 4.34 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.
- 4.35 The priority areas for dredging at Burghead remain the sand bank which is located adjacent to the north breakwater and an area of sand build up adjacent to the groyne, which has been repaired during 2023/2024. Other dredging requirements include:
- Hopeman: New licence received. Develop land based plans for dredging utilising Selkie alongside land based excavators. The inner basin and channel will both be included in dredging plans.
  - Portknockie: there is no specific need for dredging plans at Portknockie at this time however the entrance and pontoon basin will be closely monitored and dredged accordingly.
  - Findochty: Dredging is required at the entrance channel and areas around the middle jetty.
- 4.36 Maintenance dredging will continue throughout 2024/2025 with Portknockie and Findochty works planned to take place during Q2/3 with expected favourable weather. It should be noted that commercially and operationally works in Buckie and then secondly Burghead will be prioritised before any additional work is undertaken.

### **Selkie**

- 4.37 MV Selkie has completed works within Buckie and Burghead during the financial year of 2023/2024. The below table summarises the work carried out during the year:

*Days worked and total tonnage removed 2023/2024 vs 2020/2021-2022/2023*

Year	Days working	Weather days	Maintenance	Working days %	Tonnage Removed
2023/24	62	58	28	42	8,472
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 2023/2024*

Harbour	Total Tonnage removed
Buckie	7,092
Burghead	1,380

- 4.38 During 2023/2024 there has been a marked decrease in the total tonnage removed to spoil by MV Selkie compared to the previous year. Although this on the face of it appears to denote less work has been completed by the vessel it is important to note that Selkie has been deployed to work in targeted area of Basin 4 in Buckie which is a more detailed and slower process of work compared to general dredging in the channel area. Selkie has also been



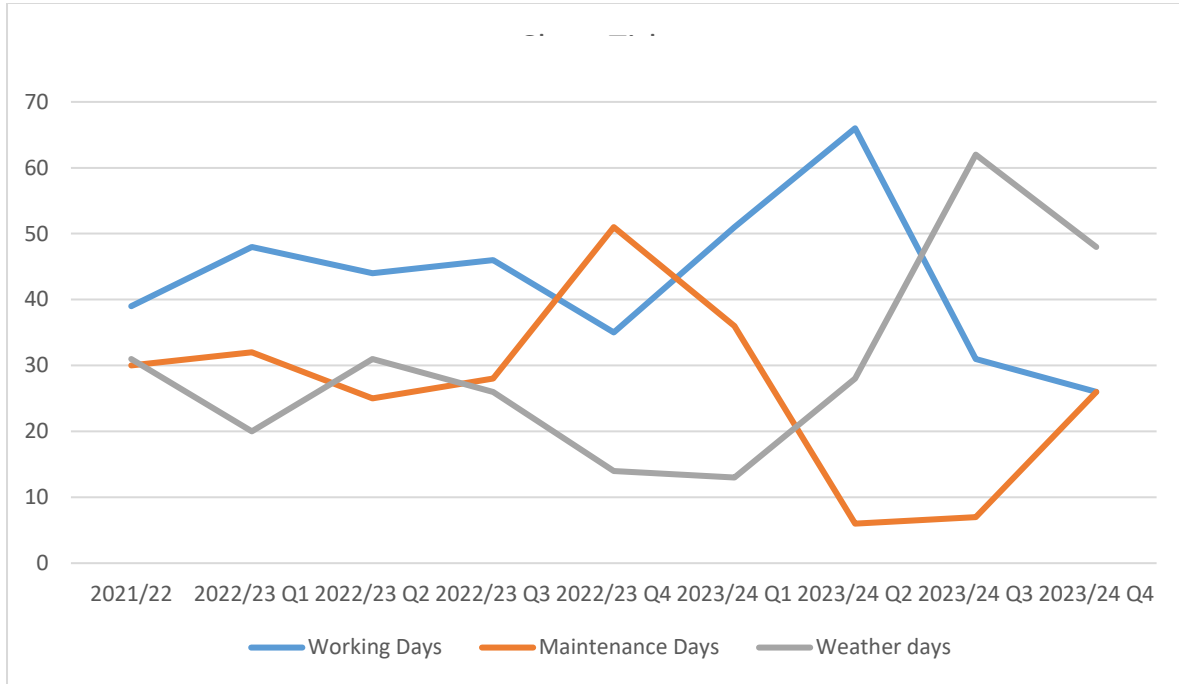
involved in working in Basin 2 during October and November time this year to aid the capital dredging programme. This work involved scraping of extremely dense materials and rock which by its nature was extremely difficult and resulted in lower volumes of material deposited to spoil ground. There has also been a decrease in downtime due to maintenance (19% vs 22%). This has decreased steadily since 2020/2021 from 47% (see table in paragraph 4.42) However, there has been an increase in the number of days the vessel has not been able to work due to availability of crew and adverse weather resulting in a working percentage which has decreased from 46% to 42% over the financial year.

- 4.39 The plan for increased efficiency moving forward continues to be to maximise the number of days crewed on vessel further and continue to work effectively with maintenance to lower the number of maintenance days.
- 4.40 It must however be noted that the maintenance delays of the vessel are invariably the result of excavator issues. The excavator on board Selkie has reached an age where regular issues with components such as valves are likely to remain high despite good maintenance. This is a direct result of age of the excavator and the harsh environment the excavator works in on a constant basis. The implications and options relating to this are currently being explored and will be progressed with fleet services as part of the asset management planning process.
- 4.41 A review is underway in general within the harbour service which ultimately aims to maximise crewing of the vessel by using in house crew working to simpler contractual understandings. The crew will also be more agile in ability to work at shorter notice periods allowing maximum advantage to be taken of periods of good weather. The training of all staff within the harbours team will also allow maximum resilience with multiple members of staff being able to work on the vessel if required.
- 4.42 KPIs measuring the percentage of days working and days of maintenance will continue to be included in quarterly reports moving forward. This is a measure of the vessels working efficiency with a target of 50% working days and 20% maintenance days set. A copy of KPI table is included in paragraph 4.44. Below shows in table and graph form Selkie working percentage vs Maintenance and Weather days.

*% Comparison of working days compared to weather and maintenance per year.*

Year	Days working %	Weather days %	Maintenance %
2023/24	42	39	19
2022/23	46	32	22
2021/22	39	31	30
2020/21	39	14	47

**Graph of Selkie Working day % trends.**



4.43 Although Q4 has shown a trend upwards, the general pattern of Selkie maintenance unavailability compared across quarters in 2023/24 vs 2022/23 shows a slight decrease in days. There has been a decrease in working days over Q3/4 which has correlated with a dramatic decrease in tonnage removed to spoil however, it must be noted that this coincides with a sustained period of consistent poor weather which has limited work and less crew availability and manned days. There is still continued improvement required to reach the desired KPIs highlighted in the table in paragraph 4.44 (below) during 2024/25 financial year. The target of 20% or less of maintenance days has been reached however targets for working days and tonnages removed have not been reached despite significant progress during Q1/2. A trend graph will continue to be added in future reports to highlight progress toward KPIs identified for working day and maintenance day targets.

**4.44 KPI Summary Table**

KPI	Progress at the end of Q4	Completion Target Date
<b>Conservancy</b>		
Buckie Channel Depth 3.0M	Current official depth improved to 2.5M confirmed by bathymetric survey. External dredging programme continuing work	31/05/24
Buckie Basin 1/2/3 depth 3.0M	Current depth 2.5M	Review of progress continuously. Fully achieved basin 2 by 31/05/24 Basin 1/3 achieved by 31/03/25
Provide 0.3M channel Burghead	Current depth 0.0M	Review of progress 31/03/24 Fully achieved by 31/08/24

Productivity		
Maintenance days less than 20%	19% for 2023/24	Continuous review
Working days greater than 50%	42% for 2023/24	Continuous review
Total minimum tonnage removed above 14,120 Tonnes (aspirational target 18,000 Tonnes)	Mid Q4 8,472	31/03/25
Total working days above 77 (target 100)	62 Mid Q4	31/03/25
Staffing		
Full Time master	recruitment campaign (long term skilled agency worker currently)	30/09/22 postponed. Change management process underway to review and implement changes to crewing structure, 30/06/24
Safety management/ Maintenance		
SMS review and Update	Reviewed and awaiting audit review by designated person to be carried out Q1 24/25	30/06/24
Full Risk assessment update	annual review completed Feb 24	31/03/24
Financial		
Lower Running costs to within Budget	To be reviewed	31/03/24

### **Green Harbours**

- 4.45 There has been continuing work carried out with the focus on lowering carbon emissions and promoting overall environmentally sound practices within the harbours. Electrical upgrades to allow greater connectivity for vessels with less reliance on fossil fuel generators is nearing completion with an expected completion date of mid-May 2024.

### **5. Operational Updates**

- 5.1 Multiple works are currently ongoing and nearing completion in Buckie harbour.
- 5.2 Weighbridge has now been completed and is available for use with an interim reduced fee of £0.29 per tonne for a period of 3 months agreed to encourage return to normal operational practices. Further smaller works to improve fencing in line with additional security and increased data automation of the weighbridge and new harbour office will be completed by end of Q2 2024/25.
- 5.3 Offshore windfarm Operations and maintenance (O/M) base and quayside works are progressing with expected completion May 2024.
- 5.4 Delivery of new Harbour office at site of Fishmarket progressing with expected delivery date of May 2024.
- 5.5 New lighting installed on Piers 2 and 4 providing ability for increased focussed lighting for works being carried out during hours of darkness.

5.6 Electrical upgrade works nearing completion. Distribution boxes on Piers energised. Pier 3 cable pulling and completion civil works covering trenches outstanding.

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

### 6.1 **Objectives identified for 2024/25 include the following:**

- Completion of PMSC audit during Q1.
- Procure and replace Buckie Mucks navigational Light structure by end of Q2 2024/25.
- Progress procurement and installation of CCTV equipment in Buckie harbour.
- Completion of multi organisation oil spill drill 25-27 April 2024
- Review and report existing and identify new KPIs.
- Undertake further reviews of Berthing Policy and Harbour Bye-laws.
- Progression of Water safety policy draft framework.
- Review training requirements and request necessary training.
- Increase momentum of Pilot training and accreditation leading to an additional 2 fully competent Pilots within the Harbour team by end of financial year.
- Carry out change management process to address long term staffing queries and dredging crewing requirements.

## 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), Head of Environmental & Commercial Services, Legal Services Manager, Chief Financial Officer, Committee Services Officer (L Rowan), Acting Principal Climate Change Strategy Officer, 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.**

Author of Report: Stuart Akass, Harbours Development and Operations Manager

Background Papers:

Ref: SPMAN-524642768-1055