



**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
SERVICES COMMITTEE ON 17 MARCH 2020**

SUBJECT: PORT MARINE SAFETY CODE – QUARTER 3 19/20

**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 third quarter of 2019/20
- 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.**

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.
- 3.3 It should be noted that this report covers the period 1 October 2019 – 31 December 2019.

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 Training for members of this Committee was provided by the Designated Person (Marex Marine) on 10 September 2019. Following the briefing session the following actions were agreed:
- Arrange Harbour Visits for Committee members: A visit to Buckie and Portknockie took place on Tuesday 12 November 2019.
 - Circulate the SMS to Committee members: This document has been circulated to Committee members.
 - Consolidate the legal advice on Duty Holder status into a single brief: This has been distributed to Committee members.

5. VESSEL MOVEMENTS

- 5.1 In the third quarter of 2019/20 there were 18 cargo movements (arrival and departure) at Buckie. This included 17 acts of pilotage, 9 in and 8 out, with 11 of the operations being in hours of darkness.
- 5.2 6 of the 9 vessels were carrying malt for the whisky industry, importing over 11,000 tonnes to Moray in 3 months.
- 5.3 There were 10 visiting fishing boats working at Buckie and 8 at Burghead through October into November. Landings of squid continued into the middle of November with consistent numbers landed at both harbours.

6. CONSERVANCY

- 6.1 The work carried out by the MV Selkie before Christmas resulted in 0.5m being removed from chart datum in the channel at Buckie.
- 6.2 The priority areas for dredging remain Burghead (sand bank approaching harbour entrance) and Buckie (entrance channel). Other dredging requirements include:
- Hopeman: mound of silt at the end of the pontoon system and another mound in the outer basin
 - Cullen: removal of sand from the beach side of the basin
 - Findochty: increase depth between the pontoons and entrance

- Portknockie: no major issues at this time

7. GENERAL SAFETY IMPROVEMENTS

Buckie

- 7.1 Two roller doors on the seaward side to the west end of the fishmarket building were removed and blocked off with timber and marine ply. This was done as a safety measure to prevent the old damaged doors failing over the winter period. These doors are currently not in use.
- 7.2 The Harbourmaster and the HSEQ/Clerk to the Board from Fraserburgh Harbour carried out a reciprocal Port Facility Security Plan (PFSP) audit. There were no issues of concern with only one recommendation. This was to contact the Department for Transport (DfT) about a briefing note which they can supply, to further inform the duty holder of any security issues.
- 7.3 General housekeeping issues continue to be addressed by the team, but co-operation from the regular fishing vessels is required to make this work.
- 7.4 Lining was carried out on Pier 1 to create the new pedestrian walkway and waiting area in conjunction with new signage. This is to provide safe access to the piers for authorised personnel during cargo operations and to improve traffic separation.

Burghead

- 7.5 Civil works are taking place in Burghead this financial year with several concrete repairs to cavities and cracks.
- 7.6 Heavy seas breaking over the north pier on 5 November resulted in failure of the mains power cable to the navigation lights. This was repaired by Streetlighting the following day, but highlighted the need for consideration of solar power in this location. Plans for this are underway and a consultation will take place with harbour users in 2020.
- 7.7 The installation of new safety railings around the Norwegian Bus Memorial at Burghead was completed on 14 November, following an incident involving a member of the public who fell off the platform after stepping backwards taking pictures of the memorial.

Findochty

- 7.8 Before Christmas vessels were asked to move from the central pontoon at Findochty for safety reasons. Repair works were already planned in for January, but it was felt that vessels should be moved to safety just in case. Further information on this matter is incorporated into the Transportation budget report.
- 7.9 All the old handrails and associated bolts which were creating a small trip hazard have been removed.

Portknockie

- 7.10 Constructex Ltd. started working in Portknockie with the civil works to the north pier vertical face, including replacement of a number of steel ladders. This will resolve the undermining which threatens the structure and enable safe berthing for all vessels.

Cullen

- 7.11 Railings were replaced beside the slipway providing better protection from the road for pedestrians.
- 7.12 For formal reporting in Q4 – further repairs to the sea wall are being undertaken following condition monitoring by Consultancy. This is in part early delivery of works planned for 20/21.

8. INCIDENT STATISTICS

8.1 Injuries:

4-Dec-19 at 1615, Buckie harbour

Individual was boarding the pilot boat and had stepped off the ladder to the deck. As he turned he twisted his knee.

8.2 Incidents:

1-Dec-19 at 0500, Buckie harbour

Fishing vessel Pegasus KY44 took on water resulting in the vessel sitting on the bottom. The cause of incident is still unknown following internal and insurance investigations.

8.3 Near Misses:

8-Nov-19 at 1048, Buckie harbour

Near Miss – while the Pilot was taking in cargo vessel MV Lyrika, local creel boat Intrepid BCK 608 called to go out. Instruction was given over the VHF radio to wait until the cargo vessel was safely on the berth. The skipper refused to comply with the instruction, and then left the harbour while the cargo vessel was making her approach. The owner of Intrepid has since been written to by the Transportation Manager.

8.4 Q4

The following incidents are from the current Quarter 4, and whilst outwith the scope of this report are included for transparency and timely communication:

- 5-Jan-20 at 1945, Buckie harbour: while taking cargo vessel MV Victress into the harbour, a strong gust of wind and wave pushed the vessel off course. Despite the best efforts of the master to correct with thrusters, the bow of the vessel made slow speed contact with the west pier. This resulted to minor damage to the starboard bow well above the waterline.

- 7-Jan-20 at 1350, sea disposal site off Buckie: while exiting the cab of the excavator aboard the dredger, an employee slipped and fell onto the deck.

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 third quarter of 2019/20 was 17, in relation to 9 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. The following table gives the detail that is reported on an annual basis. This is the table submitted in March 2019

Table 1: 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	26,280	0	0:00	0:00	0:00	100.00 %	99.80 %
CAT 2	15	394,200	2	23737:40	11868:50	185231:10	93.98 %	99.00 %
CAT 3	4	105,120	1	17520:00	17520:00	87600:00	83.33 %	97.00 %
No Category	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Totals	20							

Key to headings:

IALA	International Association of Marine Aids to the Navigation and Lighthouse Authorities
OOS hours	Out of service
MTTR	Mean Time To Repair
MTBF	Mean Time Between Failures

- 9.3 Table 2 lists all the navigation aids currently managed by the Council. There is only one Category 1 light, which is located on the West Mucks at Buckie harbour, principally to aid cargo vessel movements. There are eleven Category 2 lights and four Category 3 lights of which two are unlit beacons.

Table 2: Moray Council - Aids to Navigation						
ALLFS No.	AtoN No.	Aton Name	Aton Type	Character	Range	IALA Cat
A3396.1	3396.1	Buckie Harbour. Cliff Terrace.	Sector Light	Iso WG 2s	16	CAT 2
A3394	3394	Buckie Harbour. N Pier. Lts in line 096. Rear. 60m from front	Leading Light	Oc R 10s	15	CAT 2

A3392	3392	Buckie Harbour. North Pier Lts in Line 096. Front	Leading Light	2 F R(vert)	9	CAT 2
A3396	3396	Buckie Harbour. W Pier. Elbow	Light	2 F G(vert)	4	CAT 2
A3391	3391	Buckie Harbour. West Muck	Light	Q R	7	CAT 1
A3429.	3429.	Burghead Harbour. Entrance Groyne	Light	FI G 5s	1	CAT 2
A3428.5		Burghead Harbour. Fishing Transit Light	Light	FG	1	CAT 3
A3424	3424	Burghead Harbour. N Pier. Head	Light	Oc W 8s	5	CAT 2
A3428	3428	Burghead Harbour. S Pier. Head	Light	Q G	5	CAT 2
A3426	3426	Burghead Harbour. Spur. Head	Light	Q R	5	CAT 2
	3383U	Cullen Harbour. North Pier.	Unlit Beacon			CAT 3
A3372	3372	Cullen Harbour. Outer Basin.	Light	FG	1	CAT 3
A3385	3385	Findochty. Ldg Lts 166deg. Front.	Leading Light	F R	3	CAT 2
A3385.1	3385.1	Findochty. Ldg Lts. Rear. Harbour Road. 30m from front	Leading Light	F R	3	CAT 2
	3386U	Findochty. West Pier	Unlit Beacon			CAT 3
A3418.1	3418.1	Hopeman Harbour. Ldg Lts 081deg. Rear. 10m from Front	Leading Light	F R	4	CAT 2
A3418	3418	Hopeman Harbour. N Quay. Elbow. Ldg Lts 081deg.Front	Leading Light	F R	4	CAT 2
A3416	3416	Hopeman Harbour. W Pier. Head	Light	Oc G 4s	4	CAT 2
A3382.1	3382.1	Portknockie Harbour. Ldg Lts 150 30' (Rear)	Leading Light	FI G	2	CAT 2
A3382.	3382.	Portknockie Harbour. Ldg Lts. 150 30' (Front)	Leading Light	FI G	2	CAT 2

9.4 Local Lighthouse Authorities are required to manage their Aids to Navigation within international guidelines as determined by the IALA. Aids to Navigation (AtoN) are categorised according to their navigational importance with their 'availability' requirements reflecting this:

Availability	Objective	Definition
Category 1	99.8%	AtoN considered to be of primary navigational significance
Category 2	99.0%	AtoN considered to be of navigational significance
Category 3	97.0%	AtoN considered to be of less navigational significance

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

9.6 Aids to Navigation statistics for Moray Council harbours in 2019 will be submitted to the Northern Lighthouse Board in March 2020.

10. GENERAL COMMENTARY

- 10.1 General improvements are progressing well as the team explores new ways to carry out tasks with greater safety and efficiency. Housekeeping and manual handling issues around the piers at Buckie will be improved with plans to procure a fork lift truck (business case made as part of the Ice Plant procurement). Plans for a replacement vessel for the ageing Pilot boat are well underway. A new harbour assistant will join the team in January.

11. FUTURE OBJECTIVES AND PLANS

- 11.1 Objectives identified for 2019 and beyond include the following:

- Review of the Harbour Safety Management System (SMS): the SMS was reviewed and a revised version presented to this committee for approval in January 2020 (para 6 of the minute refers)
- Monitor consistent incident reporting, including potential incidents
- Implement new KPIs
- Undertake further reviews of Marine Policy, SMS and training requirements
- Maintain the momentum of Pilot training and accreditation

12. 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

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

13. CONCLUSION

13.1 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.

Author of Report: Duncan Brown, Harbour Operations & Development Manager
Darren Bremner, Harbourmaster

Background Papers:
Ref: