



# HARBOURS SAFETY MANAGEMENT SYSTEM

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# DISTRIBUTION LIST

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**ABBREVIATIONS**

ACOP	Approved Code of Practice
ALARP	As Low as Reasonably Practical
AHM	Assistant Harbourmaster
A To N	Aids to Navigation
CHA	Competent Harbour Authority
DG's	Dangerous Goods
DFT	Department for Transport
EPO	Emergency planning Officer
FV's	Fishing Vessels
GRT	Gross Register Tonnes
HSE	Health & Safety Executive
HSMS	Harbour Safety Management System
HSWA	Health & Safety at Work Act 1974
HM	Harbourmaster
IAL	Incident/Accident Log
ISPS	International Ship & Port Facility Security Code 2004
IMO	International Maritime Organisation
JSA	Job Safety Analysis
LOA	Length Overall
LSA	Life Saving Appliances
MAIB	Marine Accident Investigation Branch
MCA	Maritime & Coastguard Agency
MHWS	Mean High Water Springs
MPT	Marine Pilot training
MS	Merchant Shipping
NLB	Northern Lighthouse Board
OSRP(C)	Oil Spill Response Plan (co-operation)
OSROSC	Oil Spill Response On-scene Commander
PEC	Pilotage Exemption Certificate
PFSO	Port Facility Security Officer
PFSP	Port Facility Security Plan
PMSC	Port Marine Safety Code
PNSP	Port Navigation Safety Policy
PTW	Permit to Work
RA	Risk Assessment
RNLI	Royal National Lifeboat Institution
RV's	Recreational Vessels
SMS	Safety Management System
SOSREP	Secretary of State Representative
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
TWCP	The Workboat Code of Practice
UK	United Kingdom
UKHO	United Kingdom Hydrographic Office
VHF	Very High Frequency (Radio)

## **1.0 INTRODUCTION**

### **1.1 Purpose and Application**

This document demonstrates Moray Council's commitment to operate its Harbours in a safe and environmentally sound manner to the benefit of staff, vessels and their crews, users and the community at large. It gives guidance to staff and others involved in operations on best practice to achieve safe and efficient use of the Harbours, their approaches and environs.

It applies variously to all persons, vessels and craft using, providing services to or otherwise involved with commercial activities on waterways within the various harbour limits. It applies to the all areas and quaysides within the harbour limits, defined in the Byelaws and as shown in the Directory of North-East Council Harbours and to other areas over which Moray Council, as the harbour authority, may have jurisdiction from time to time.

### **1.2 Policy Statement**

Moray Council recognises its continuing responsibility to provide a healthy and safe working environment. Hence, they implement policies in line with provisions of the Health & Safety at Work Act 1974 and the Port Marine Safety Code 2015. Moray Council will:

- Carry out harbour and associated marine operations, in a manner which minimises effects on the environment and the community and which protects the safety and health of: employees; users; others with business in the harbour areas; the general public;
- Operate wherever practical to at least the standards required by law and regulation;
- Ensure that employees perform their duties in a manner consistent with these principles.

### **1.3 Applicable Codes and Regulations**

Below is a summary of the more relevant legislation. Individual documents should be consulted for detailed requirements and obligations.

#### **1.3.1 Port Marine Safety Code**

The Port Marine Safety Code, issued in March 2015, sets standards for the operation of UK Ports. It codifies Duties and Responsibilities of harbour authorities and requires that ports be operated on the basis of Risk Assessment and a Safety Management System.

The PMSC is complimentary to Health & Safety legislation discussed below. In broad terms, the interface is at the quayside.

Harbour operations should meet the standards of the associated Guide to Good Practice on Port Marine Operations, also revised in 2015.

### **1.3.2 Health and Safety at Work Act (HSWA) and Regulations**

The Health & Safety at Work Act 1974 and other health & safety legislation applies to dock operations including the loading and unloading of UK and foreign flag vessels at UK ports and to the handling of dangerous substances in ports and harbours. It does not apply to normal shipboard activities carried out by the master and crew of vessels but does form an interface with the Merchant Shipping (Health and Safety at Work) regs 1997. Port users including fishermen and fish sellers have a responsibility to comply. Harbour staff must abide by its provisions.

### **1.3.3 Pilotage Act 1987**

This legislation addresses Competent Harbour Authorities, Pilotage Districts and other pilotage arrangements. It facilitates overall administration of the pilotage service at Buckie although Moray is not a Competent Harbour Authority within the meaning of the Act

### **1.3.4 Docks Regulations 1988 and Approved Code of Practice**

Specific to quayside work, generally the responsibility of the port users. Harbour staff have an oversight duty to ensure safe practices within the Harbour Area and should have a general knowledge of the regulations.

### **1.3.5 International Ship and Port Facility Security Code (ISPS) 2004**

Applies to commercial harbours handling vessels on international voyages, in the case of Moray Harbours, to Buckie only. Requires an approved Security Plan, appointment of Port Facility Security Officers, arrival reports on security status and control of access to international vessels. Buckie complies in these respects.

### **1.3.6 Port Waste Facilities Management Regulations 2003**

Requires the reporting and recording of the landing of waste by ships and the provision of appropriate facilities by harbour authorities. The purpose is to eradicate the dumping of waste at sea.

### **1.3.7 Grampian Regional Council (Harbours) Order Conformation Act (1987) and Grampian Regional Council Harbour Byelaws (1990)**

The Grampian Regional (Harbours) Order Conformation Act is the legal document under which the harbours are run. The purpose of the order is to allow for better provision for the administration, improvement and regulation of the 6 Moray harbours. It also allows the harbours to create byelaws to further aid these goals.

### **1.3.8 Other Legislation**

The authority has obligations under the following legislation, some of which include express planning duties:

- Dangerous Substances in Harbour Areas Regulations 1987
- Control of Major Accident Hazard Regulations
- Merchant Shipping (Oil Pollution Preparedness Response & Cooperation Convention) Regulations 1998
- Merchant Shipping Act 1995
- Merchant Shipping (Prevention of Oil Pollution) Regulations 1996
- Dangerous Vessels Act 1985
- SOSREP – Sections 151 and 293 of MS Act 1995 and as amended by MS and Maritime Security Act 1997
- Merchant Shipping (Dangerous Goods & Marine Pollutants) Regulations 1990
- Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1998
- Merchant Shipping (Port Waste Reception Facilities) Regulations 1997
- Aviation & Maritime Security Act 1990
- Civil Contingencies Act 2004.

A full list of relevant legislation is appended to the Guide to Good Practice on Port Marine Operations.

### 1.3.9 Consultation Process

Moray Council Harbour Authority's Safety Management System has been developed through a combination of the harbour teams experience and most importantly through risk assessment and consultation. Consultation is an ongoing process which is principally achieved through the Harbour Advisory Committees. The following groups and organisations are involved with the HAC.

- Moray Council Harbour Team
- Shipping Companies
- Shipping Agents
- Stevedoring Services
- Fishing industry
- Fish Selling Agents
- Forsyths and other smaller manufacturing companies
- Macduff Shipyard and other marine services
- Recreational Users
- 3 Harbours Association
- Findochty Water Sports Club

3 or 4 meetings (depending on how often each Committee has elected to meet) are held each year where updates are given on various projects, and views sought on a variety of topics. This gives the harbour team an opportunity to consult harbour users on a range of subjects, including aspects of this SMS.

Some subjects require more detailed harbour user input. On these occasions, email or post is used to consult all harbour users.

The Harbours Team remain in contact with the emergency services (i.e. Police Scotland, RNLI, Coastguard) and maintain good working relationships with all.

## 1.4 Duty Holders – Duties, Powers and Responsibilities

The Port Marine Safety Code defines the Duty Holder for a harbour authority as the Board of Management. In the case of local authority harbours the “Board” is the responsible council committee (See organigram). In the case of Moray Council the position of Duty Holder is the Economy, Environment and Finance (EEF) committee. They remain publicly accountable for the proper operation of the harbour(s).

Harbour authorities may entrust the operation of the harbour to professional people but board members are accountable and may not abdicate that accountability on the grounds that they do not have particular skills. They retain strategic oversight and direction of all aspects of harbour operations. They must ensure that powers are discharged but not exceeded.

Duties of a harbour authority include:

- To take reasonable care that, so long as the harbours are open for public use, that all who choose to navigate them may do so without danger to their lives or property;
- An obligation to conserve and facilitate the safe use of the harbours and a duty of care against loss caused by the authority’s negligence.
- Developing policies, plans, systems and procedures for safe navigation
- Ensuring assessments and reviews are undertaken as required to maintain and improve marine safety
- Ensure that the Harbour Authority seeks and adopts appropriate powers for the effective enforcement of their regulations and for setting dues at a level which adequately funds the discharge of all their duties.

The authority has the power to appoint Harbourmasters who in turn have powers to direct the operations of the ports so that they are carried out safely. They may also authorise pilots.

Board members will make the time to gain an appropriate insight and understanding of the port’s marine activities, marine safety management system and supporting systems.

The duties and responsibilities of harbour authorities are set out more fully in the Port Marine Safety Code.

## 1.5 Responsible Persons – Moray Harbours

### 1.5.1 Duty Holder

The Economy, Environment and Finance Committee (EEF), Moray Council is delegated as the Duty Holder. See section 1.3 for more details on role.

### 1.5.2 Head of Environmental & Commercial Services

The Head of Environmental & Commercial Services is responsible and accountable to the board for operational and financial control of the harbour authority. He advises the board on their powers and duties with input from the Harbourmaster and other officers; he oversees implementation of policy and decisions, has executive responsibility for safety of operations and staffing, oversees recruitment and training.

### **1.5.3 Harbourmaster**

Harbourmasters are appointed by the Duty Holder, they are responsible for the safety of navigation in the various harbours and for exercising the authority's powers in the ports and their approaches. Individually and via any staff, they are responsible for implementing powers of direction both general and local.

The Harbourmaster:

- Has powers of direction to regulate the time and manner of ships entry to, departure from and movement within the harbour waters, and related marine safety purposes.
- Ensures co-ordination and regulation of all vessels within the harbour and its approaches. He/She is also responsible for developing and implementing emergency plans and procedures, for regulating dangerous goods in transit on ships and for counter-pollution and waste disposal plans
- Has overall responsibility for the provision and maintenance of an aids to navigation

The Harbourmaster is based at Buckie and is responsible for the commercial, operational and safety management of the all 6 Moray harbours. There are two Assistant Harbourmasters – one who deals with the leisure harbours and one who is focussed on the commercial harbours of Buckie and Burghead. The Harbourmaster supervises the other harbour staff and advises the Head of Environmental and Commercial Services on harbour issues.

### **1.5.4 Designated Person**

The Harbour Authority appoints a suitably qualified person to act as the Designated Person. This person's function is to provide the Duty Holder with independent assurance that the Harbour Safety Management System is working effectively and to audit compliance with the Port Marine Safety Code.

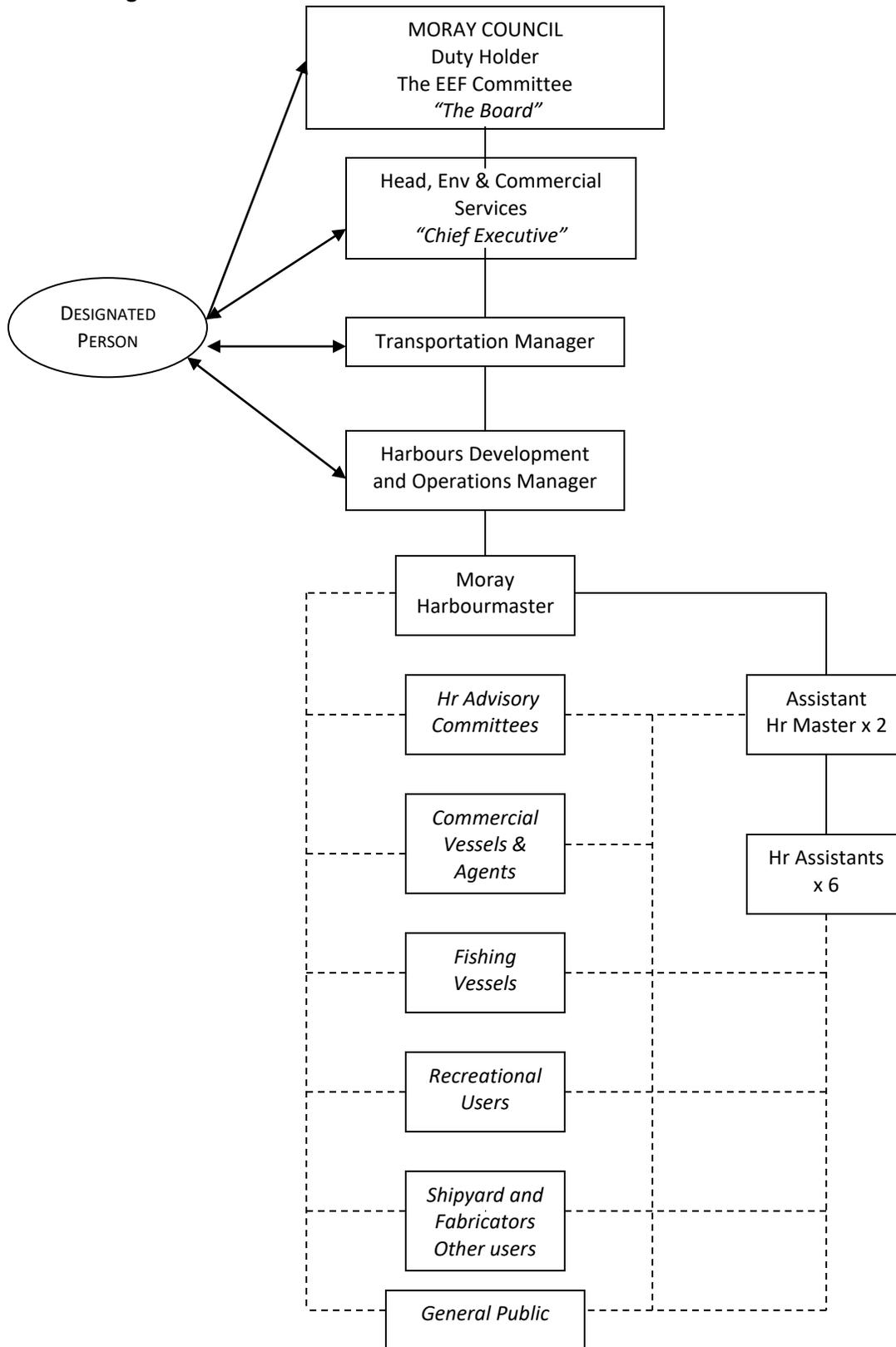
The Designated Person is appointed by the Head of Environmental & Commercial Services. He/she reports periodically on the operation of the SMS to the Head of Environmental & Commercial Services and thence to The Economy, Environment & Finance Committee. This role is currently fulfilled by Marex Marine.

### **1.5.5 Auditing and reporting frequency**

An initial audit will be carried out 6 months after implementation of the SMS or following any considerable changes. Audits will be carried out annually thereafter.

Intermediate audits and reports after a significant change to the operating parameters or after a serious incident.

1.6 Organisation Chart



## **1.7 Qualifications and Training**

Council maintain qualifications and training standards appropriate to the duties and responsibilities of all personnel. In the case of the Harbourmasters and harbour staff, these include appropriate marine qualifications and experience. The Harbourmaster, Harbours Development and Operations Manager and Transportation Manager will set out the required training.

In house training is completed on subjects such as the Mooring Manual or emergency response. There is also a training package for pilots and coxswains to complete which is in line with the training the National Occupational Standards and The Embarkation and Disembarkation of Pilots Code of Safe Practice 2017.

An electronic personnel training file is maintained at the Harbour Office for each person and with the HR department in Elgin. Further training required will be scheduled or booked for the person.

## **1.8 Document Control Procedures**

The Harbours Development and Operations Manager will issue numbered, controlled copies of this document to essential users as listed on page 2. He will initiate any required amendments to this document and issue these amendments to registered holders. Any uncontrolled copies are only valid at time of issue for a specific operation. Holders should check with the local Harbourmaster to obtain updates.

## **1.9 Review and Revision**

This document will be reviewed at regular intervals to ensure it remains current. An interim review will take place if there has been a significant change to operating parameters, legislation or other matters addressed in the document. The document will be reviewed thoroughly at three year intervals.

The Harbours Development and Operations Manager is responsible for initiating and implementing reviews.

## 2 OVERVIEW OF THE HARBOURS

### 2.1 Buckie

#### 2.1.1 Location and Layout

The Harbour is in position 56° 41'N, 02° 57'W, on the southern shore of the Moray Firth. It contains 4 basins with quays. Normally, vessels up to 87 metres LOA and 15 metres beam can be handled. The basins are protected by the North Pier and a narrow NW-facing entrance.

No1 Basin and the North Pier are used for cargo vessels loading/discharging bulk cargoes and fabricated items, Basins 2 & 3 for fishing vessels and the Buckie Shipyard is in Basin No 4. Recreational craft and recreational fishing vessels are normally berthed in Basins 3 or 4.

#### 2.1.2 Operating Constraints

Principal operating constraints are:

- Maximum LOA 90 metres
- Maximum beam 15 metres
- Maximum draft 4.5 metres (5.0 m on bigger tides to be discussed with the Harbourmaster and subject to risk assessment)
- Vessels ≥ 70 metres LOA – must have an operational bow thruster
- Vessels ≥ 80 metres LOA:
  - Wind strength ≤ Force 4
  - Not allowed to enter if significant sea/swell from north or north-east
  - Visibility at least 1 mile
  - Minimum 72 hours' notice of arrival to sufficiently clear No 1 Basin of other vessels.

Normally the port is closed for other vessels in Northerly winds over Force 5 or visibility < 0.5 NM.

Vessels which do not meet the above parameters will be subject to prior Risk Assessment involving Harbourmaster/Pilot and Master. Constraints may include limitations on timing relative to tidal flows and daylight entry.

Vessels of exceptional size, configuration or draft, bound to or from the shipyard are subject to an Unusual Event Risk Assessment. Vessels with high windage deck loads or other characteristics which adversely affect manoeuvrability are also subject to Unusual Event Risk Assessment.

In all cases, the Harbourmaster should be consulted.

#### 2.1.3 Port Control

Vessels entering and leaving Buckie are controlled by VHF radio – Ch 16 calling, Ch 12 working. Approaching vessels have priority over those departing.

The harbour office and VHF radio are manned 24 hours per day. The duty Watchman carries a portable radio when temporarily away from the harbour office to allow communication with vessels moving in the harbour.

Vessels departing or moving through the harbour will get permission from port control before letting go of any ropes.

Port closure due to bad weather is signalled by three vertical red lights at the entrance.

#### **2.1.4 Port Limits**

Port limits are specified in the Schedule to Grampian Regional Council Harbours Byelaws 1990 and the Grampian Regional Council (Harbours) Order Confirmation Act 1987. In broad terms harbour limits extend approximately 1,000 metres north, west and east of the harbour entrance.

#### **2.1.5 Approaches**

The approach to Buckie Harbour is relatively open from the north-west until passing The Mucks – rocky shoals about 0.25 miles north of the entrance. The approach is covered by the white sector of the shore light. This, in line with the Occ (occulting) R (Red) Pierhead light provides a clearing line of 125°/305°, west of The Mucks. West Muck is marked by a light beacon. Buckie pilots recommend using the FR (Fixed Red) and Occ R lights on the North Pier as a lead. Red and green lights mark the extremities of the piers in the entrance.

#### **2.1.6 Anchorages**

There is an anchorage, for vessels able to use Buckie, one mile North West of the harbour entrance, clear of The Mucks, in depths of > 10 metres. Harbourmaster's advice should be taken before anchoring. The anchorage is not recommended in northerly gales.

#### **2.1.7 Pilotage**

**Buckie** offers a pilotage service on demand, although it is not compulsory for any class of vessel. There are authorised pilots: the Assistant Harbourmaster and/or Harbour Assistants. Irregular commercial vessels should take a pilot on arrival, if unfamiliar with the port and for sailing if required.

The high speed pilot Boat allows boarding seaward of The Mucks. The normal boarding area is about one mile north-north-west of the harbour entrance

The Boat is manned by harbour staff.

#### **2.1.8 Controlling Depths and Drafts**

A minimum keel clearance of 1 metre in the channel is recommended, subject to weather.

The minimum depth below datum in the entrance channel is normally maintained at about 3 metres. A depth of some 2.5 metres below datum is available in basins 1, 2, 3. In basin No 4 the entrance depth of

2.0 metres shelves towards the shipyard slipways. Rise of tide varies between 3.2 metres at Neaps and 4.4 metres at Springs.

The controlling depth is over the bank at the entrance. Vessels up to 4.5 metres draft can be handled on all tides; up to 5 metres draft on larger tides subject to risk assessment, if in doubt ask the Harbourmaster or staff for advice. Throughout the harbour vessels deeper than 2.5 – 3 metres take the ground at Low Water. Deep drafted vessels bound for the shipyard are subject to special arrangements and agreement between the Harbourmaster and Macduff Shipyards management. In case of disagreement, the Harbourmaster's view prevails.

The harbour entrance and bed are soft but silt up regularly. Debris can be a problem, particularly abandoned/lost tyres and various plastics (bottles, bags etc.). The pilot Boat carries out regular surveys.

For all vessels with draft greater than 4.0 metres, the tide tables and latest channel survey must be checked by harbour staff.

Draft of deep drafted vessels sailing from the harbour must be checked by harbour staff to confirm sufficient depth of water in the channel at time of exit.

Vessels with draft deeper than about 2.5 metres in the harbour, take the ground at low water.

### **2.1.9 Traffic and Trade**

#### **2.1.9.1 Commercial Traffic**

Approximately 50 cargo vessels per year are handled at Buckie. Cargoes include bulk products, specialised loadouts of large or heavy items fabricated locally and occasional shipments of timber. Basin No 1 is generally kept clear for cargo vessels.

A variety of fishing boats, tugs, ferries and workboats are built and/or repaired at the Macduff Shipyards buildings at the east end of the harbour. Boats are lifted on one of 3 purpose built boat lifters/slip ways and transferred to the work areas, one of these involves taking vessels across the road to their building.

#### **2.1.9.2 Fishing Vessels**

About 10 fishing vessels are based at Buckie. Although fish landings are not as common as they once were, the prawn fishing sector has been growing recently. During the summer squid landings are more frequent with up to 35 boats fishing out of Buckie. About 6 part time creel boats operate out of Buckie. Fishing vessels can find their own berths unless the harbour is congested, when movements are controlled to the extent necessary.

#### **2.1.9.3 Recreational Craft**

A small number of recreational craft are based at Buckie including small passenger vessels. 30 – 60 passing yachts call at the harbour annually.

Recreational craft and the creel boats are normally berthed in Basin No 4.

An RNLI lifeboat is based in basin 4 at Buckie Harbour. The RNLI have provided the harbour with a pager, this allows the harbours team time to prepare for anything that may be required. The RNLI follow all the same procedures for entry/exit from the harbour as all other vessels, however, their movements will take priority.

## **2.1.10 Environmental Factors**

### **2.1.10.1 Tides**

Rise of tide above datum is approx 4.4 metres at Springs and 3.2 metres at Neaps. This allows vessels up to 5.0 metres draft and exceptionally 6.0 metres to be handled. Deep vessels take the ground at low tide.

Tidal heights are observed on the tide gauge and stonework of the North Pier.

### **2.1.10.2 Currents**

Tidal streams along the Moray coast run generally east-west and do not exceed 0.6 knots. Currents are not significant when navigating into or out of Buckie.

### **2.1.10.3 Wind and Wave**

Northerly gales and resultant swell make the entrance difficult and larger vessels are restricted in those conditions. Buckie is closed to vessels > 80 metres LOA in winds over Force 4 and/or heavy swell from northerly or north-easterly directions. It is closed to all vessels in winds over Force 5. Three vertical red lights indicate that the port is closed.

### **2.1.10.4 Visibility**

When visibility is or is forecast between 1.0 and 0.5 NM, Pilot/Duty Harbourmaster and vessel Master will review whether it is safe for a commercial vessel to enter or leave harbour. The Harbourmaster's view will prevail in case of disagreement. Entry/departure is not recommended in poor visibility unless vessel has operating radar with short range settings.

If visibility reduces to < 0.5 NM, movements in and out of the Buckie harbour is not recommended except for fishing vessels and recreational craft with good local knowledge. If visibility falls below 50 metres, movements in/out and within either Buckie or Burghead harbours, is not recommended.

### **2.1.10.5 Ice**

Icing may occur within the harbour in extreme conditions, particularly in Basin No 4. It may cause problems for small craft.

### **2.1.10.6 SSSIs**

The entire Moray Coast is an environmentally sensitive area including: Special Areas of Conservation (SAC), SSSIs and Special Protection Areas (SPA). This is due to the resident and visiting cetacean populations and a number of visiting and resident birds of European Importance.

The sensitive areas are covered in detail in the Moray Coastal Pollution Plan.

### **2.1.11 Navigation Aids**

Following aids are in use:

- Light beacon on West Mucks rocks, north of the harbour
- Sector light behind the harbour which, in line with pier head occulting red light provides a clearing line 125°/305° west of The Mucks; green sector marks the rocks to the west of the entrance
- Fixed red and green lights marks the extremities of the piers at the entrance.

Details are given in Appendix C Section 3.

The navigation aids are maintained by Moray Council staff. West Mucks light beacon is solar powered and the remainder by mains power. All the aids conform with the criteria in the NLB document “Instructions on the Provision and Maintenance of Aids to Navigation”.

### **2.1.12 Deficient Vessels**

Based on Incident & Near Miss Reports the Harbourmasters keep a record in their logbooks of vessels which, due to deficient performance, crewing or equipment increase the hazards of the port or are otherwise unsuitable. The harbourmasters will take appropriate steps to restrict the operations of such vessels pending modifications or improvements. Actions taken will be recorded in the logbook.

The Harbourmasters have powers to issue Special Directions in respect of specific vessels or groups of vessels restricting their activities or requiring special provisions whenever such vessels use the ports. Such Directions may include lightening, restrictions to daylight or certain states of wind and/or tide – in extreme cases prohibition from the port.

## **2.2 Burghead**

### **2.2.1 Location and Layout**

Burghead Harbour is located at 57° 42' N, 03° 29' W on the southern shore of the Moray Firth. The entrance faces SSW and is exposed to SW winds.

The harbour consists of:

- the entrance some 18 metres wide
- a spend and turning basin
- an inner basin, some 200 metres long with quays either side with widths varying between 40 and 24 metres.

### 2.2.2 Operating Constraints

Draft is the principal constraint, although beam and length are also relevant, on which the Harbourmaster should be consulted. Draft is limited to the rise of tide less an allowance depending upon the size of the vessel. Rise of tide is some 3.3 metres at high water Neaps and 4.4 metres at Springs.

The entrance channel is subject to silting depending on the weather and season. There is a channel suitable for fishing and recreational vessels with a minimum depth at about chart datum along the North Pier. Maximum draft of about 3.8 metres can be accepted at Spring tides and 2.7 metres at Neaps. Any larger vessel movements should be planned on the basis of rise of tide less 0.6 metres, in consultation with the Harbourmaster. Depths between chart datum and 0.6 metres below datum are available in the Inner Basin. Deeper vessels take the ground at low water.

The Harbourmaster at Buckie should be consulted for available depths.

### 2.2.3 Port Control

There is no port control at Burghead, vessel operators make their own weather decisions based upon local knowledge. When larger vessels use the port they should contact the Harbourmaster at Buckie by telephone to discuss the operation.

Apart from such larger vessels, whose arrival is planned in advance, there is no active control over navigation into and within the harbour. The Harbourmaster visits the harbour daily and maintains contact with users, allocating berths, dealing with any queries or problems which occur. Berths are arranged for regular vessels according to needs, priorities and availability. Space is normally available for visiting yachts, berth usage by recreational vessels is policed as necessary.

### 2.2.4 Port Limits

Port limits are specified in the Schedule to Grampian Regional Council Harbours Byelaws 1990 and the Grampian Regional Council (Harbours) Order Conformation Act 1987. In broad terms harbour limits extend approximately 500 metres south, west and north of the harbour entrance.

### 2.2.5 Approaches

Approach is from west-north-westerly directions towards the beacon passing close south of the pier head where the harbour entrance opens. From here, depths shoal rapidly eastwards to where they dry out. The actual alignment of the channel varies with silting, recent weather and the season. Local advice should be sought if depths are critical. Once past the North Pier beacon, the channel remains close to the pier and through the narrow entrance. A 90° turn is required on entering the spend basin.

### 2.2.6 Anchorages

Anchorage in depths > 10 metres is available 0.5 to 1.0 miles West of the pier head. Holding ground is good. The anchorage is used principally by vessels which are bound elsewhere than Burghead. It not recommended when gales from between west and north are forecast.

### **2.2.7 Pilotage**

There is no Pilotage available for vessels entering Burghead.

The Harbourmaster is based at Buckie Harbour, he will give advice by radio or telephone if requested.

### **2.2.8 Controlling Depths and Drafts**

Depth in the entrance is maintained to about chart datum. Rise of tide is between 3.3 metres at high water Neaps and 4.4 metres at Springs. Hence the controlling depth is the rise of tide plus an allowance to give a bottom clearance in the entrance of at least 0.6 metres. Lesser clearances can be accepted for small vessels. Within the basin depths between chart datum and 0.6 metres below datum are generally available. Deeper vessels take the ground – soft silt, at low water. In all cases, for advice on available depths, the Harbourmaster should be consulted.

### **2.2.9 Traffic and Trade**

#### **2.2.9.1 Commercial Traffic**

There is no commercial trade to Burghead, the last cargo vessel having called in September 1999.

#### **2.2.9.2 Fishing Vessels**

Up to 30 fishing vessels operate from Burghead year round and this increases during the summer. They catch prawns primarily but often move to squid during the summer and land locally. The authority prioritises facilities for fishing vessels. There are other suitable harbours nearby which offer extensive facilities for recreational craft.

#### **2.2.9.3 Recreational Craft**

There are about 15 locally based boats: part-time creel boats, yachts and launches. A variety of recreational craft use the harbour including about 30 visiting yachts per year.

### **2.2.10 Environmental Factors**

#### **2.2.10.1 Tides**

Rise of tide varies between 3.3 metres at Neaps and 4.4 at Springs.

Painted boards form a tide gauge within the harbour.

#### **2.2.10.2 Currents**

Tidal streams along the Moray Coast generally run east-west and do not exceed 0.6 knots at Springs. Tidal currents are not a significant factor in operation of the port.

### **2.2.10.3 Wind and Wave**

The entrance to Burghead faces just west of south and hence is sheltered from northerly winds. South-westerly gales affect the entrance.

Northerly swells are refracted into the entrance and cause difficult surges in the spend basin. Sustained northerly gales are common in certain seasons.

At Burghead there are no fixed parameters. In the case of larger vessels, a decision is made based upon judgement of conditions at the time. Local fishermen are aware of the weather induced hazards.

### **2.2.10.4 Visibility**

Poor visibility occurs from time to time caused by fog (frontal & radiation), rain and snow blizzards.

### **2.2.10.5 Ice**

Due to its location, icing is rare at Burghead.

### **2.2.10.6 SSSI's**

The entire Moray Coast is an environmentally sensitive area including: Special Areas of Conservation (SAC), SSSIs and Special Protection Areas (SPA). This is due to the resident and visiting cetacean populations and a number of visiting and resident birds of European Importance.

The sensitive areas are covered in detail in the Moray Coastal Pollution Plan.

### **2.2.11 Navigation Aids**

An occulting white light is located at the south-western corner of the North Pier. Red and green lights mark the extremities of the North and South piers respectively either side of the entrance channel. The beacon on the southern extremity of the groyne on the east side of the channel is marked by a flashing green light. Details are given in Appendix C Section 3.

The Aids to Navigation are maintained by Moray Council staff. All the aids conform with the criteria in the NLB document "Instructions on the Provision and Maintenance of Aids to Navigation".

## **2.3 Recreational Harbours**

These are at Hopeman, Findochty, Portknockie and Cullen. There is no active management of vessel movements. There is heavy demand for recreational craft berths, with waiting lists for all harbours. The current waiting list can be found on the harbour noticeboard and in the Harbours section of Moray Council website.

Port Limits are established per the Schedule to Grampian Regional Council Harbours Byelaws 1990 and the Grampian regional Council (Harbours) Order conformation Act 1987.

No pilotage service is offered at the recreational ports but the Buckie Harbourmasters will arrange for advice if requested.

**Hopeman** is used by over 100 craft including part time creel boats, yachts and launches. A sailing school is established there. The entrance is exposed to the north-west and much of the harbour dries out at low water. Depths of at least 2 metres are available at high water and the target depth in the channel when dredged is about one metre above chart datum. Swell dissipates in the outer spend basin. The inner basin contains about 50 pontoon berths and 60 wall berths, the harbour is well sheltered. Vessels arrive and leave at will when there is sufficient water. Leading lights can be seen lining up the harbour entrance. The Harbourmaster maintains contact with the regular users. Hopeman is managed from Buckie Harbour Office

**Findochty** is a busy recreational harbour managed from Buckie. The outer basin absorbs the swells. The Middle Pier protects the inner basin which includes pontoons, forming a marina. Almost 100 recreational craft are based there and more call there each year. A few creel boats are based at Findochty. Regattas sometimes occur in the summer months and are planned in advance. Findochty Water Sports Club (FWSC) is based at the harbour and operates 2 rowing boats which are launched several times a week and nearly always at the weekend, they enter and exit the harbour frequently during that time.

Most of the harbour dries out at low water. There is no active management of navigation and the generally small vessels enter and leave at will, subject to weather conditions and available water. There are numerous rocky shoals in the approach from the north and the entrance is exposed to gales and swell from the north and west quarters. Leading lights can be seen lining up the harbour entrance. The Harbourmaster maintains regular local contacts. Findochty is managed from Buckie Harbour Office.

**Portknockie** is also exposed to the north-west, although the entrance is more sheltered. 3 pontoons are installed in the inner basin. A number of yachts, launches and part time creel boats are based locally. Most of the harbour dries out at low water. Vessels enter and leave at will, subject to depths and weather. Leading lights can be seen lining up the route past the breakwater, when past the breakwater a 90° turn is made to Port for the harbour entrance. The Harbourmaster maintains regular local contacts. Portknockie is managed from Buckie Harbour Office.

The entrance to **Cullen** harbour faces west but the bay is exposed to northerly gales and swell. The outer spend basin contains little more than a beach and some quay space. The inner basin contains a pontoon for recreational craft. Almost 30 yachts, small pleasure boats and part time creel boats are based at Cullen and moor in the inner basin. Most of the northerly swell dissipates but some enters the inner basin. Most of the entrance and harbour dry out at low water. Vessels enter and leave at will according to draft and weather. Cullen Sea School is operated from a building behind the harbour and part of the activities they offer is going out in the rowing boat, using their paddle boards and kayaks. The rowing boat is launched regularly, usually at the weekend, and enters and exits the harbour frequently during that time but can be launched at any time if they want. A single sector navigation light opens up as the entrance to the harbour becomes visible. The Harbourmaster maintains regular local contacts. Cullen is managed from Buckie Harbour Office.

**Harbour Advisory Committees** are established for each of the harbours to provide the Authority with a ready means for consulting with users and the local community. The committees meet approximately 4

times a year at intervals chosen by the committee. Membership is drawn from users, various clubs associated with the harbour and community councils. Each Harbour Advisory Committee has its own constitution.

## 2.4 Principal Hazards

The principal hazards of the Moray Harbours are their exposure to northerly winds, sea and swell and the resultant difficulties in entering the harbours. The approach to some of the harbours is made more hazardous by physical features such as rocky shoals in the approach and narrow, shallow entrances.

On fine days there is considerable small craft activity at the recreational harbours. With visibility partially obscured by the piers, there are risks of collision between small craft, but the consequences are likely to be minor. Jumping into the harbours from the piers remains a popular local pastime, despite the risks. One fatality occurred at Findochty in 2009. Collision between small craft and swimmers is reasonably foreseeable and the consequences could be serious however, maintaining a sensible slow speed while transiting through the harbours will minimise the risk

Hence the principal risks are:

- Commercial or fishing vessels grounding or foundering whilst trying to enter the harbours in bad weather;
- Small craft grounding or foundering whilst trying to enter a harbour in bad weather with the potential for loss of life;
- Collisions between small craft in the approaches or within the recreational harbours;
- Persons jumping into the harbours and misjudging either the depth or their trajectory;
- Personal injury due to a small craft running down a swimmer.

These are reviewed generically in Section 3.10

### 3 RISK MANAGEMENT (taken from Moray Council SMS 4.2)

#### 1. Introduction

Risk assessment is the basis on which you decide how you will act in any given situation. Hazards and risks are present in all walks of life. At work, we now have a specific duty to define the hazards to which people are exposed and assess the risks they pose. We do this taking into account any legal requirements, which relate to the hazards in question.

#### 2. Purpose

2.1 To define how we handle our risk assessment duties under various pieces of legislation.

#### 3. Scope

3.1 All known hazards to Health and Safety created by or during our operations or those of other people, both to our own employees and to other people.

#### 4. Responsibilities

4.1 -- **Managers** - Ensure that risk assessments are carried out and that action is taken to eliminate or control significant risks. Also to review the assessments as necessary.

4.2 **Risk Assessors** - Will carry out the risk assessments to the best of their abilities.

4.3 **All Employees** - To assist in the risk assessment process and comment on its adequacy.

4.4 **Contractors** - To carry out their own assessments in consultation with Moray Council, detailing how their work may affect the employees and how we may affect them.

4.5 **Clients** - To give contractors information to enable them to comply with the above.

4.6 **Senior Health and Safety Adviser** - To devise an appropriate system for risk assessment, train people in its use, give advice and support during the process of risk assessment and monitor its effectiveness.

#### 5. Procedure

5.1 A suitable and sufficient risk assessment must be carried out on all jobs within the Council. The risk assessment will be either job based or task based dependent on the type of work being assessed. It should also be considered that before a new project is undertaken, a risk study can be carried out to look at the potential risks and actions needed to design them out.

5.2 The risk assessments are best carried out by a team consisting of a management representative, a safety representative and a person carrying out the job with input from the health and safety section as required.

- 5.3** If the job involves contractors the duty rests with all concerned to co-operate in carrying out the assessment, and to co-ordinate the activities which arise from it.
- 5.4** A risk assessment should contain the following elements :-
- a)** A breakdown of the job into its main parts. (SMS Form 8.3) and a detailed look at each task in relationship to a standard list of hazards and hazardous tasks.
  - b)** A record of the assessment (SMS Form 8.4) giving :-
    - i)** details of hazards encountered.
    - ii)** their current control, if any.
    - iii)** the magnitude of risk they pose (using a system where probability and severity are given a numeric value and then combined to give a risk rating).
    - iv)** comment on additional controls as necessary.

A simple guide has been produced for new users of the system. (SMS GN 7.22)

- 5.5** Once the general risk assessment is complete, it must be passed to all people in the area and also to the area management and safety representatives. They will be given the opportunity to comment on the assessment and whether all hazards in the area have been adequately covered. All comments must be fed back to the risk assessment team.
- 5.6** For certain activities, it is appreciated that the same risks are being faced in a multitude of different areas. In these situations the principle of generic assessment will be used to make the task of assessment more manageable. This must be done with great care to ensure that no specific area hazards are missed. Generic assessments must be tailored when being applied to different areas, to pick up these differences.
- 5.7** More detailed assessment of certain types of hazard will be required in some situations. Please refer to the specific procedures for more detail. This includes manual handling, chemicals, noise, fire and display screen equipment (DSE) use.
- 5.8** The assessment should be used as a means of prioritising the action within departments to ensure people's health and safety. A plan of action should arise from the assessment with the highest scoring items being addressed first.
- 5.9** The points raised in an assessment must be addressed in one of the following ways.

<b>ELIMINATE</b>	the hazard
<b>SUBSTITUTE</b>	for a lesser hazard
<b>CONTROL</b>	the hazard (e.g. by things such as guarding, safe systems of work, information, training or supervision and finally personal protective equipment).
<b>RETAIN</b>	agree that the hazard is not significant or is acceptable in the given situation.

- 5.10** A final assessment must be made once the measures agreed on are implemented and the residual risk assessed and defined.
- 5.11** All risk assessments must be reviewed on an agreed frequency or if circumstances in an area change. If an accident or dangerous occurrence happens in the area covered by an assessment, it must be reviewed to find out why the hazard leading to the incident was not adequately controlled and whether the assessment findings are valid. Any changes necessary must be made and further control measures implemented.

## 6. Definitions

<b>Hazard</b>	Something with the potential to cause harm.
<b>Risk</b>	The likelihood of that harm occurring taking into account probability and severity.

## 7. Tool Box Talks

A Tool Box Talk is a simple, informal risk assessment carried out by the personnel involved. It ensures that the task and its potential hazards are understood, that correct and adequate equipment is in place, that personnel understand their responsibilities and that contingency plans have been discussed and are understood.

All routine operations involving potential hazards should be preceded by a Tool Box Talk. Such routine operations may include:

- mooring/unmooring operations,
- harbour launch operations,
- pilot Boat operations,
- Aid to Navigation maintenance,
- manoeuvring large vessels in and out of the harbours
- unusual quayside operations
- before each shift of an exceptional hazardous operation which has undergone risk assessment.

The Pilot/Master interface in Section 4.4 of the Marine Operating Procedures is an example of a "Tool Box Talk". Further examples are given in Appendix D.

The particular task leader is responsible for implementing tool box talks.

At the end of each task, a debrief will be held with all those who took part in the task. During the debrief, questions such as 'What went well and what didn't go so well?' should be asked so that any lessons learned are captured and communicated to others.

## 8. Unusual/Exceptional Operations

All and any non-routine operations should be subjected to a Risk Assessment. Depending upon the potential hazards and complexity of the task it can vary from a simple tool box talk to a formal Risk Assessment Workshop. The fact that a risk assessment has been carried out and its conclusions will be recorded in appropriate detail, in the harbour logbook.

Examples of such unusual operations include:

- Vessels of unusual size or configuration
- Dredging
- Diving
- Refloating a grounded/stranded vessel
- Vessel towage
- Salvage
- Removal of derelicts.

## 9. Contractor Compliance

External contractors and agencies that utilise the port facilities are required to comply with local health and safety directives and all statutory health and safety regulations. As such, all vendors must comply with Moray Council's third party acceptance checks and submit a signed letter of conformation confirming their commitment to carry out all port operations in a safe and efficient manner, in line with local and statutory regulations.

## 10. Generic Review of Hazards

No	Hazard	Potential Causes	Risks	Risk Level	Control Measures
1	Fire & Explosion	Vessel collisions.  Handling fuel (rec. craft)  Handling gas bottles (rec. & fishing vessels)	Personal injury or death.  Harbour closed or obstructed	Moderate To Substantial	Commercial & fishing vessels use diesel.  Small quantities petrol & gas.
2	Grounding Stranding	Unexpected shoaling. Loss of power. Loss of control in onshore (Nly) gales.  Crew error	Vessel damage.  Loss of life.  Harbour blocked.  Adverse publicity.	Tolerable To Moderate	Local knowledge.  Published advice & recommended routes.  Awareness and caution.
3	Collision - Commercial harbours	Mechanical failure.  Crew error.	Vessel damage.  Pollution.	Tolerable	Low traffic levels.  Local knowledge or advice from harbour staff/pilot

4	Collision - Recreation al harbours	Poor visibility around piers.  Crew error.  Running down swimmer.	Vessel damage (minor).  Loss of life.  Adverse publicity.	Trivial To Tolerable	Speed limits.  Harbourmasters follow up with irresponsible boat operators.
5	Pollution	Fuelling vessels.  Pumping bilges.  Vessel damage.  Crew error.	Environmental damage.  Slippery ladders and potential drowning.  Injury to personnel  Adverse publicity	Moderate To Substantial	Enforce bunkering procedures. Encourage oilsorb in FV bilges. Response equipment available. Waste Oil collection point at office Staff training on pollution response Good housekeeping maintained
6	Personal injury.	Line handling.  Harbour/Pilot launch operations.  Crew/operator error.  Public access/ jumping into harbours.	Loss of life.  Drowning.  Serious injury  Adverse publicity.	Tolerable To Substantial	Tool box talks. Suitable training with staff Awareness & caution. Youth and visitor education on hazards of harbours. Enforce byelaws. PPE.

## 4 EMERGENCY RESPONSE PROCEDURES

### 4.1 Relevant Emergency Response Plans

#### Working in Partnership

The foundation of emergency planning is cooperation between partners. The Grampian Local Resilience Partnership (LRP) is the local forum for emergency planning and includes Police, Fire, Ambulance, HM Coastguard, SEPA, NHS, Moray, Aberdeen City and Aberdeenshire Councils. Grampian LRP is part of the North of Scotland Regional Resilience Partnership (NSRRP).

The LRP aims to maintain effective local liaison and co-ordination, through developing and managing a local work program. Resilience Partnerships aim to protect the people, economy and environment by building resilience and having effective arrangements in place to deal with emergencies. Resilience Partnerships work closely with the Scottish Government, other Scottish Resilience Partnerships and specialist advisors in responding proportionately to emergencies, minimizing their impact and promoting recovery as quickly as possible.

#### Emergency Planning in Moray

Co-ordination of emergency planning across the three local authorities in Grampian is delivered by a joint team: Grampian Emergency Planning Unit. An Emergency Planning Officer is based in Elgin. The Unit provides a 24hr 365 days a year, first line of Council response, for any major emergency affecting any part or all of the Grampian area.

As emergency situations arise, other Council officers are brought in to co-ordinate the Council's response and to provide expert advice and assistance. The arrangements detailing the Council's response to the effects of major emergencies whatever their cause is contained within the Emergency Planning Policy and Procedures.

<http://www.moray.gov.uk/downloads/file86131.pdf>

#### Oil Pollution Arrangements

In addition to the general arrangements contained in the Emergency Planning, Policy and Procedures document, a plan detailing specific arrangements to deal with pollution of the moray coastline, including the Buckie and Burghead Harbours has been prepared. A copy is held by the Harbourmaster.

Copies of relevant plans are maintained at individual Harbour Offices.

All spill kit equipment can be found in the harbour stores. Buckie - West of the office and Burghead - underneath the office. If the incident occurred at a recreational harbour then equipment will be used from these sites.

### 4.2 Review and Updates

These plans are reviewed for currency at regular intervals, normally between one and three years.

Grampian Emergency Planning Unit issue updates.

### **4.3 Exercise and Drills**

All harbour staff shall review the plans periodically and be familiar with their layout and content.

The Grampian Emergency Planning Unit arranges for desk-top and hands-on exercise based on the various Emergency Plans. The Harbourmaster will maintain a log of all the drills and exercises carried out.

## **5 PERFORMANCE MONITORING**

### **5.1 Periodic Review and Reporting**

- a) Incident and Near Miss Reports are reviewed periodically to identify any trends of concern and to focus on necessary safety improvements.
- b) The logbook records plus Incident and Near Miss Analysis will be reviewed and analysed at regular intervals, normally annually. Trends and proposed improvement actions will be identified. The Harbourmaster will report on these topics to the Harbour Development and Operations Manager and thence to the Chief Executive.
- c) The periodic analysis of Incidents and Near Misses, trends and proposed actions will be made available to harbour staff and users.

### **5.2 Auditing**

Periodically, at one to two year intervals, the Designated Person (see Section 1.5.4) will commission an audit of the overall Safety Management System. He/she will then report to the Duty Holder on the effectiveness and performance of the system.

## 6 HANDLING OF DANGEROUS GOODS

Under the Dangerous Goods in Harbour Areas Regulations, vessels intending to use the port that have DGs onboard either for discharge or remaining in transit must advise the Harbourmaster of details 24 hours before arrival. This will be done in writing or if agreed with the Harbourmaster, another form of communication such as email.

The Harbourmaster will decide where the vessel will be berthed after taking into consideration the cargo and how it may affect other vessels in the area. The emergency plans for the area should be reviewed and an amendment made if it is required. Depending on the potential outcome should there be an incident with the substance; local emergency services will be informed.

Gas cylinders and small quantities of flammable liquids are handled onto and off fishing and recreational vessels at all the harbours. Harbour staff must encourage vessel operators to take proper precautions when so doing. Neither empty nor full containers will be left unattended on the quays.

High flash-point oil fuel is handled at all the harbours from road tank wagons. Pollution due to spillage is the principal risk from such operations.

Importing of DG's into the harbours is rare. Occasional containers of high flash point oil products are received at Buckie.

If there are any DG's which have to be stored on the quayside, either for import or export, then the Harbourmaster will dedicate an appropriate area as a Dangerous Goods Bay after consulting the storage guidelines on the SDS. This bay will be cordoned off. If there are 2 or more types of chemicals then all the storage guidelines will be consulted and the compatibility chart below will be used to ensure that there are no incompatible chemicals being stored together.

CLASS		1	2		3	4			5		6	8	
Chemical Segregation By Chemical Group													
Explosive	1.0 Explosive		Segregate From	Segregate From	Segregate From	Segregate From	Segregate From	Segregate From	Segregate From	Segregate From	Segregate From	Segregate From	
Compressed gases	2.1 Flammable	Segregate From		Keep Apart	Segregate from or Keep Apart	Segregate From	Segregate From	Segregate From	Segregate From	ISOLATE	Keep Apart	Keep Apart	
	2.2 Non Toxic	Segregate From	Keep Apart		Keep Apart	Keep Apart	Segregation may not be necessary	Segregate From	Segregation may not be necessary	Segregation may not be necessary	Segregation may not be necessary	Keep Apart	
	2.3 Toxic	Segregate From	Segregate from or Keep Apart	Keep Apart		Segregate From	Keep Apart	Segregate From	Keep Apart	Segregation may not be necessary	Segregation may not be necessary	Keep Apart	
Flammable liquids		Segregate From	Segregate From	Keep Apart	Segregate From		Keep Apart	Segregate From	Segregate From	Segregate From	ISOLATE	Keep Apart	Keep Apart
Flammable solids	4.1 Readily combustible	Segregate From	Segregate From	Segregation may not be necessary	Keep Apart	Keep Apart		Keep Apart	Segregate From	Segregate From	Segregate From	Keep Apart	Segregation may not be necessary
	4.2 Spontaneously combustible	Segregate From	Segregate From	Segregate From	Segregate From	Segregate From	Keep Apart		Keep Apart	Segregate From	ISOLATE	Keep Apart	Keep Apart
	4.3 Dangerous when wet	Segregate From	Segregate From	Segregation may not be necessary	Keep Apart	Segregate From	Segregate From	Keep Apart		Keep Apart	Segregate From	Segregation may not be necessary	Segregation may not be necessary
Oxidising substances	5.1 Oxidising substance	Segregate From	Segregate From	Segregation may not be necessary	Segregation may not be necessary	Segregate From	Segregate From	Segregate From	Keep Apart		Segregate From	Keep Apart	Keep Apart
	5.2 Organic peroxide	Segregate From	ISOLATE	Segregate From	Segregate From	ISOLATE	Segregate From	ISOLATE	Segregate From	Segregate From		Keep Apart	Keep Apart
Toxic		Segregate From	Keep Apart	Segregation may not be necessary	Segregation may not be necessary	Keep Apart	Keep Apart	Keep Apart	Segregation may not be necessary	Keep Apart	Keep Apart		Segregation may not be necessary
Corrosive		Segregate From	Keep Apart	Keep Apart	Keep Apart	Keep Apart	Segregation may not be necessary	Keep Apart	Segregation may not be necessary	Keep Apart	Keep Apart		Segregation may not be necessary

**7 INTERNATIONAL SHIP AND PORT FACILITY SECURITY CODE (ISPS)**

Buckie handles international commercial vessels and hence is subject to ISPS. This requires a Port Facility Security Plan, duly trained Security Officers, and Security Declarations by arriving vessels on international voyages and restricted access to the quayside for such vessels, including a pass system. The Harbourmaster and Deputy Harbourmaster will normally be the designated Security Officers and are responsible for implementation of the Code according to guidance issued by Department for Transport (DfT).

## **8 PORT WASTE RECEPTION FACILITIES REGULATIONS 2003**

All Moray Harbours are subject to these regulations with an emphasis on Buckie and Burghead being commercial harbours this requires:

- the reporting, documentation and correct disposal of ship generated waste;
- a published charging regime.

The Consolidated European Reporting System for ship's waste also applies to certain vessels visiting Buckie.

Before entry into the harbour, as part of the pre-arrival documentation, all cargo vessels will have already provided the port with the waste figures. The paperwork should arrive 24 hours prior. All other vessels use the general waste bins at the recreational harbours or if at Buckie or Burghead, the recycling bins which are available. Waste oil collection is also carried out at Buckie and Burghead. Any waste will be segregated

## **9 Conservancy**

### **9.1 Shoaling**

The entrances to all the harbours – commercial and recreational silt regularly. Depths are surveyed regularly and dredged as outlined below.

### **9.2 Surveys**

Harbour beds and approaches will be surveyed at least annually for the commercial harbours two yearly for the recreational harbours. Intermediate surveys may be carried out after major storms if significant changes are suspected.

Level surveys are carried out in areas which dry out at low water. Areas not accessible on foot are surveyed by echo sounder mounted on the Buckie pilot Boat.

Echo sounder records have an accuracy of +/- 0.2 metres and the level surveys +/- 0.1 metres. Results of surveys are plotted on 1:500 charts which are available at harbour offices and the Roads Office at Elgin.

Any hazards noted are promulgated via local notices to mariners and/or via UKHO.

### **9.3 Inspections**

Harbour fittings and equipment will be inspected:

- Weekly by harbour staff;
- Annually at random by Moray Council Safety Officer;
- Annually by a Council Engineer or Civil Engineer and divers.

Weekly inspections follow separate lists for the commercial and recreational harbours. Similarly, separate report forms are submitted by the harbourmasters to the Harbours Development and

Operations Manager. Any serious deficiencies must be reported immediately through the Harbour Asset Management System WDM.

Annual safety inspections can cover any aspect of the harbours including condition of quays, fixings, equipment facilities or the operation of the harbour. Any items for improvement or remedial action are reported to the Civil Engineering Technician and recorded through the Harbour Asset Management System WDM.

Annual formal inspections cover accessible areas above MHWS. The complementary diving inspection covers authority facilities below MHWS. Defects and obstructions are reported and plotted on a 1:500 chart, using photographs if appropriate. Urgent defects are reported to the responsible harbourmaster or Harbours Development and Operations Manager.

Additionally, steel ladders are inspected bi-annually at Low Water Springs, for safety and general condition. Any necessary repairs are actioned by the Harbours Development and Operations Manager. A plan showing the positions of all ladders at each harbour is maintained.

Bi-annual inspection of lighting & electrical fittings by the Lighting Section of Roads Services includes navigation lights, pier lights and power boxes.

#### 9.4 Dredging

The Harbour Authority carries out maintenance dredging of the harbour basins and identified high spots in the approaches to maintain target depths. Frequency depends upon need, survey results and availability of Moray Council owned dredger "Selkie". The frequencies are approximate:

- Buckie Entrance annually, other areas as required
- Burghead Entrance as required when dredger is available, basin, infrequently
- Recreational Harbours As required

Any dredging operation is considered to be an unusual event and hence is subject to a prior Risk Assessment involving the dredger skipper and Harbourmaster. See Section 5.4 of this appendix.

Any capital dredging to improve the channels or increase the controlling depths would be a special project requiring:

- Justification based upon need and detailed hydrographic survey
- Approval of the Crown Estates
- Risk Assessment - particularly in respect of traffic movements during the project
- Determination of whether an Environmental Impact Assessment is required under the Harbour Works (EIA) Regulations 1999.
- Approval of capital expenditure

If spoil is to be disposed of in tidal waters consent is required from Scottish Government. If disposal is at sea a license is required from Marine Scotland.

Any dredging contractor operating within the Moray Harbours will be required to:

- Demonstrate its experience and competence for the particular project;

- Employ personnel who are properly qualified, experienced and trained for the type of project;
- Operate a risk based safety management system.

Before any dredging operation, the Harbourmaster and Dredger Master will:

- Carry out a risk assessment of the operation;
- Develop any necessary special harbour procedures for the duration of the operation, these must address the question of vessels manoeuvring in the vicinity of the dredger;
- Issue necessary warnings and notices.

## 9.5 Wrecks

Under general powers and specific powers in the byelaws, the Harbourmasters may order or arrange the removal of any wreck, abandoned vessel or other derelict obstructing the navigable channels or other public areas of the harbours. The wreck location may be marked until it is raised, removed or destroyed. The authority has general powers under the 1987 GRC Confirmation Order and harbourmasters have specific powers under the Byelaws.

Harbour staff will try to identify the owners of any such derelict and require them to arrange removal. If ownership cannot be established in a reasonable period, or if the derelict is seriously impeding traffic, the authority may arrange removal.

Harbour staff will ensure that any such operation is properly planned taking account of safety, the environment, traffic and recreational aspects. Any contractors must operate under a risk based Safety Management System. The operation will be subject to an unusual event Risk Assessment involving all concerned parties.

## 9.6 Mooring/Unmooring

Mooring and unmooring of commercial vessels at Buckie is normally carried out by the duty Watchman. Fishing vessels normally handle their own mooring lines but may request assistance.

Operators of craft at the recreational harbours are responsible for handling their own moorings and any issues with the mooring arrangements noted while carrying out harbour checks will be communicated to the boat owner for rectification.

Harbour staff employed in mooring/unmooring operations will wear appropriate Personal Protective Equipment (PPE), as per the Mooring Manual. They should set a good example to others so employed. The Harbourmasters are responsible for implementing this policy and for the safety of harbour personnel. Staff should ensure that members of the public and other personnel keep a safe distance from the mooring/unmooring operations at the commercial harbours. All harbour staff complete the Mooring Manual training.

Procedures including safety and PPE standards are contained in Appendix D, Section 1.

## 9.7 Towage

No routine towage services are available at the Moray Harbours. The commercial and fishing vessels visiting the harbours are equipped with bow thrusters or are otherwise able to manoeuvre adequately. The Buckie pilot Boat may be used to assist in berthing/unberthing a vessel.

Any tugs of more than 5 tonnes gross operating in harbour areas must be licensed by the Harbour Authority. No such tugs currently operate.

Any towage for specific purposes, to assist an unusual vessel/craft or to assist a disabled or grounded vessel will be planned with the Harbourmaster in advance. It will be subject to an unusual event Risk Assessment involving concerned personnel. Any additional control measures indicated by the risk assessment must be implemented. The contractor must satisfy the Harbourmaster that the proposed towage vessel:

- Is of sufficient power and manoeuvrability for the vessel to be assisted and the confines of the harbour
- Is adequately and competently manned
- Has all critical equipment operational
- Is operated in accordance with a risk based safety management system, either formal or specific to the operation.

If the towage vessel is unsuitable for these or other reasons, then operations will not proceed until suitable arrangements are in place.

## **9.8 Salvage**

Any salvage operations within the Moray Harbours must be carried out by a competent contractor, operating a risk based safety management system.

A formal risk assessment is required prior to commencing the operation. Any specific controls or risk reduction measures identified as being necessary must be implemented. Tool box talks are essential before each shift or phase of the operation.

Procedures for the operation must be produced by the contractor and cover:

- Methodology;
- Required equipment and personnel;
- Exclusions/limitations on other harbour activities;
- Other risk reduction and control measures required;
- Parameters for suspending and aborting the operation;
- Contingency plans.

Harbourmasters will implement necessary and appropriate exclusion zones whilst the operation is being carried out. Other users should be kept advised of progress for any salvage operations.

## **9.9 Diving (Harbour Works and Vessels)**

The Authority has a responsibility to ensure that any diving works within the Harbour Area is carried out safely, by competent divers, in accordance with HSE Guidance.

Recreational diving and swimming is regulated by the Byelaws.

Any diving works on behalf of Moray Council will be carried out by competent diving contractors, operating a risk based safety management system, in accordance with the Direct Services Safety Procedure “Diving Operations in and around Moray Council Controlled Waters/Sites/Installations”. Contractors must provide evidence of their competence and SMS at the time of tendering. Refer to the above Safety Procedure.

Any required diving on vessels within the Harbours must also be carried out by a competent diving contractor or otherwise be in compliance with HSE Guidance for Diving on Fishing Vessels. No such diving may take place without prior consultation with the Harbourmaster.

In general, for any diving operations:

- The diving system/vessel must be properly equipped and manned;
- Weather and tidal conditions must be suitable;
- Necessary warnings must be displayed and broadcast;
- Other vessels, vehicles and persons not involved in the operation must be kept at a safe distance;
- Diving must be suspended when there are increased risks from passing vessels or other activities in the harbour, or when other conditions change significantly;
- Is subject to a Diving Permit (see the Direct Services Diving Safety Procedure) and a harbour permit.

The Harbourmaster may order the cessation of diving if any of the above are not met or the operation appears otherwise unsafe.

### **9.10 Navigational Warnings**

If Moray Council (Harbour Authority) become aware of any navigational hazard that is not present on marine charts or other published navigational information, it will, having verified any reports, publish a suitable warning through the use of a Local Notice to Mariners. The Notice to Mariners must be appropriate to the hazard and distributed accordingly. Such navigational warnings may include (but are not limited to) –

- Adverse Weather Conditions
- Shipping movements
- Changes in charted depths
- Damaged or malfunctioning AtoN
- Wrecks or abandoned vessels
- New or temporary exclusion zones
- Works in harbour area
- Miscellaneous safety warnings.

If the navigational hazard is not of a temporary nature, changes to nautical charts and published information will be made if considered necessary by the UK Hydrographic Office.

Tide tables are posted in the noticeboards at all the harbours.



**(iv) Findochty**

- Unlit beacon on the north-west corner of the West Pier.
- Fixed red leading lights marking the approach channel.

**(v) Portknockie**

- Flashing green leading lights marking the approach channel.

**(vi) Cullen**

- Unlit beacon on the south-west corner of the North Pier.
- Flashing green light marking the entrance channel.

## 11 PILOTAGE ARRANGEMENTS

**11.1 Buckie** offers a pilotage service on demand, although it is not compulsory for any class of vessel. Commercial vessels unfamiliar with the port are encouraged to take a pilot on arrival and may request a pilot for sailing.

Pilots normally board at least one mile north-north-west of the entrance and always to seaward of The Mucks. Pilots land outside the harbour entrance at a point agreed with the master. Once onboard the Captain and Pilot will go through the Pilot/Master Interchange card before continuing entry/exit.

The harbour authority employs and authorises the pilots and has in place appropriate qualifications and training requirements (see below). All hold recognised certification and have appropriate seagoing experience and local knowledge.

No pilotage is available at **Burghead**. The Harbourmaster at Buckie will give advice if requested.

No pilotage service is offered at the **recreational ports** but the Buckie harbourmaster will arrange for advice if requested.

### 11.2 Training & Qualifications

Candidates for consideration as Pilot at Buckie should meet the following standards:

- Experience working on commercial vessels, particularly in the bridge
- Be medically fit with good hearing and sight, able to differentiate between colours (ENG1)
- Familiarity with approaches to the harbour, position and nature of the approach lights and local hazards
- Must be willing to complete the in-house Pilot Training Scheme
- Minimum of six training trips, with an experienced pilot on a representative selection of vessels of which
  - a) 3 trips should be inward
  - b) 3 trips should be at night
- Satisfactory examination by the Harbourmaster and/or experienced pilot.

Any Pilot who has not carried out the duty within the previous 4 months will be given a full brief by the other Pilot on anything that may be new. The briefing will revalidate the Pilots authority to pilot for Buckie Harbour

Training is in line with the National Occupational Standards (NOS) for Marine Pilotage. As part of the in-house training a competency assessment has been generated using the key points from the NOS and can be seen below. The Pilot Training log allows trainee pilots to log all lessons learned during their training and therefore ensure that those lessons are passed on to future pilots.

A Pilot Continuous Professional Development (PCPD) programme has been set up for pilots. The purpose of this is to allow the Buckie Harbour pilots the opportunity to continue developing their skills gained during the initial training. It will focus on 3 elements, professional evaluation, knowledge and

skills and emergency response. If this is not completed over the 3 years from gaining approval as a pilot then the authority to pilot vessels for Moray Council will be removed.

### 11.3 Competency Assessment

Competency Standard	Completed (date)	Assessor	Signature
Acquire the relevant factual information regarding the vessel, including defects and if the vessel has been to Buckie before.			
Consult charts, tidal and hydrographic information and weather forecasts. Know how these will affect your duties			
Clarify any other factors which may affect the passage or berthing such as other vessel movements within the harbour.			
Prepare the Port Passage Plan using the pre-arrival documentation and anything else it is felt should be obtained			
Monitor the data that helped form the plan and amend as required			
Recognise and act upon changed circumstances (i.e. weather or emergencies)			
Provide satisfactory descriptions/definitions for numerous nautical terms related to pilotage duties (i.e. Hydrodynamics) and Harbour specific terms (i.e. coastal topographical features)			
How to assess the levels of stress and fatigue and the potential impact of stress and fatigue on individual capability			
Safely embark and disembark the vessel			
Assess the standards on the vessel			
Work and communicate effectively with the bridge team			
Maintain effective communication with the port			
Ensure safe movement in harbour and approaches			
Respond to problems and emergency situations			

The Authority may restrict a new pilot to certain vessel dimensions or characteristics for a probationary period. The Authority may also restrict pilotage of certain vessels with specialised or unusual features to certain pilots with appropriate training and experience.

#### 11.4 Pilotage Exemption Certificates

As pilotage is not compulsory, there are no provisions for Pilotage Exemption Certificates (PEC's).

#### 11.5 Pilot/Master Interface

Effective communications between the pilot and the master of the vessel are essential. Each must brief the other before the transit commences.

- (i) The Master should provide the Pilot with all relevant information concerning the vessel and its equipment, relevant to the proposed operation in written or diagrammatic format. This should include draft, dimensions, confirmation that all critical equipment is operational and any limitations or peculiarities of the vessel or its manoeuvring capability. This will be noted onto the Pilot Card.
- (ii) The Pilot will advise the Master verbally of all information relevant to the operation including depths of water, tidal conditions and status of navigation aids. The master and pilot will agree decision points on the passage, abort plans and necessary equipment and personnel to be available. This is on the Passage Plan.
- (iii) The Master will report on any polluting or hazardous materials to the Pilot.
- (iv) The Pilot will report any deficiencies in the performance of the vessel or in the information exchange to the Harbour Authority. If performance of the vessel or personnel is sufficiently downgraded the Pilot shall consider aborting the passage. The Pilot and Harbourmaster shall consider whether serious deficiencies require a report to MCA. In the first instance Aberdeen Coastguard should be contacted and asked for advice on the correct person to speak to
- (v) The Pilot will complete a report for any Incident or Near Miss per the Moray Council format. The Pilot and Harbourmaster will also consider whether this should be reported to the MAIB

#### 11.6 Pilot Boat

**Buckie** operates a high speed pilot boat, with good seakeeping characteristics, with which to board pilots to seaward of The Mucks. The Boat is manned by at least two harbour staff in addition to the pilot. The harbour office is manned when the pilot Boat is deployed during office hours but not out of hours. Pilotage Operations Procedures are given in Appendix D.

The Boat is equipped with echo sounding and navigation equipment and carries out depth surveys at Buckie, Burghead and areas of the recreational harbours which do not dry out. It should be crewed by at least two staff for survey operations.

Generally, harbour Boat operations are carried out in line with the MCA Code of Practice on the Safety of Small Workboats and Pilot Boats. The Buckie Boat is surveyed periodically by approved consultants for the SWB2 Document of Compliance.

A Tool Box Talk risk assessment will be carried out before each Boat operation to identify the tasks, the particular hazards involved, each person's responsibilities, protective equipment to be used and contingency plans in the event of an incident.

### **11.7 Pilotage Operations Procedures**

- a) Duty Watchman to check lights and run pilot Boat engine prior to operation.
- b) Nominated 2 man crew, Pilot & Duty Harbourmaster muster 20 minutes before estimated arrival/sailing time.
- c) Harbourmaster confirms that sufficient depth of water for the operation, given vessel's draft and weather conditions.
- d) Harbourmaster liaises with Pilot to ensure weather conditions suitable for the operation to proceed safely.
- e) Aborting the operation whilst in progress is at the discretion of the pilot.
- f) Whether to go alongside the vessel is at the discretion of the nominated pilot Boat coxswain.

**Notes:** The Boat is operated in compliance with the MCA Small Workboats and Pilot Boats Code of Practice, under which Buckie Pilot Boat is considered a pilot boat vessel for operation within 3 miles of a safe haven

## 12 OTHER HARBOUR CRAFT

Any other small craft used for harbour services should be operated to the same safety standards as for the harbour launches.

Any small craft used for harbour and associated works, including pilot boarding/landing and harbour surveys, whether operated by the harbour personnel or by contractors must:

- Be suitable, and certified where appropriate, for the task, the working area and the environmental conditions;
- Be crewed by at least two competent persons;
- Be aware of larger vessel movements which may affect the operation;
- Have an alternate means of propulsion to the primary engine;
- Maintain watch on VHF and be in constant radio contact with a designated person onshore;
- Carry lifejackets, a torch, flares and other means of attracting attention;
- If proceeding out with the enclosed harbour, be fitted with an operating compass.

The crew must wear life vests and safety lines, properly fastened, when on exterior decks or when in an open craft. Single operators must wear a life vest and safety line at all times when in the craft.

The crew and their onshore supervisor must carry out a “tool-box talk” before commencing the operation, at the least this should cover:

- All required tools and equipment for the task available;
- Sufficient, competent crew for operation, task requirements understood;
- Weather and tidal conditions, present and expected, checked and suitable;
- Marine craft safety and communications equipment in place, usage understood by crew;
- Communications procedures and methods agreed and understood;
- Parameters for aborting the operations agreed;
- Contingency/escape plans agreed and understood in the event of problems or incident.

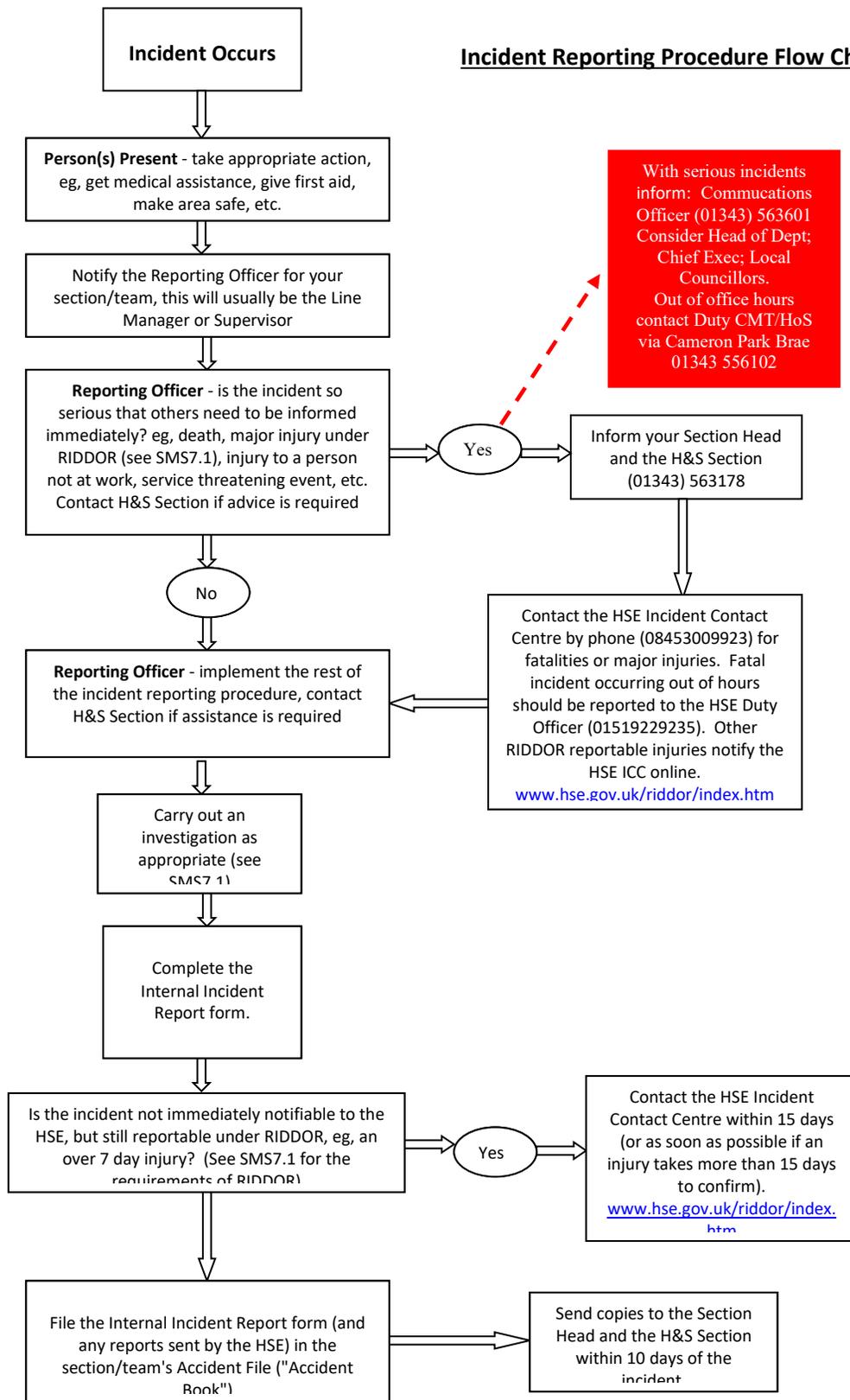
A full debrief will be held when back in the office looking at what went well and what could be done better to ensure any lessons learned are fully communicated to the team.

**13. INCIDENT & NEAR MISS REPORTING**

**Reporting and Follow-up Flowchart**

The following flowchart summarises the incident reporting and follow up system.

**Incident Reporting Procedure Flow Chart**



## 13.11 INCIDENT & NEAR MISS REPORTING

### 1. INTRODUCTION

The Moray Council seeks to prevent undesirable incidents from occurring as a result of its activities and has instituted a pro-active safety management system to ensure they are avoided where possible. That said, errors and mistakes do occur and these can result in harm to people or damage to property and equipment. This procedure covers how such incidents should be dealt with so that lessons are learned and repeat occurrences prevented.

### 2. PURPOSE

To provide a system for recording, reporting and investigating relevant incidents so that deficiencies and adverse trends in safety performance can be highlighted and addressed.

### 3. SCOPE

- 3.1. This procedure covers the following events should they occur in the course of Council activities:
- Injuries to persons
  - Occupational illnesses resulting from specific events or activities
  - Dangerous occurrences and near misses that could have resulted in harm or material damage
  - An environmental incident
- 3.2. It applies to anyone involved in, or affected by, work activities undertaken by the Council, eg, staff, clients, service users, contractors and members of the public. Violent and aggressive incidents, however, are not covered by this procedure.
- 3.3. At the all of the harbours there are other marine specific potential hazards to consider such as:
- Groundings, strandings, foundering
  - Collision or contact with other vessels or craft, navigation aids, other fixed objects, significant debris or persons in the water
  - Hard landings against quays, damage to quays and/or vessels
  - Injury to personnel, falling into water, drowning, other fatality
  - Significant equipment or propulsion failure on vessels
  - Other damage to vessels, or property, including wash damage
  - Other incidents which may result in loss or litigation.
  - Close quarters situations with other vessels/craft or persons in the water
  - Vessel equipment or propulsion failure with the potential to cause an incident
  - Personnel errors with the potential to cause an incident.

#### 4. **RESPONSIBILITIES**

- 4.1. Directors - implement procedure; monitor implementation; monitor incident data and take appropriate action.
- 4.2. Section Heads - designate staff with responsibility for reporting and investigating incidents; ensure designated persons are aware of their responsibilities; monitor procedure implementation; investigate serious incidents (as necessary); monitor incident data and take appropriate action.
- 4.3. Harbourmaster/Assistant Harbourmaster - inform staff of their responsibilities; report and record all relevant incidents; investigate incidents (as necessary); monitor incident data and take appropriate action.
- 4.4. All Harbour Employees/Visitors - report any incident they are involved in or witness to the Harbourmaster or Assistant Harbourmaster.
- 4.5. Senior Health & Safety Adviser - monitor procedure implementation; investigate serious incidents (as necessary); monitor incident data and take appropriate action.

#### 5. **PROCEDURE**

##### **Incident Occurs:**

- 5.1. The first priority for those present should be to take appropriate emergency action, eg, administer first aid, get medical assistance, make the area safe, etc. The objective should be to ensure that no further harm is incurred.
- 5.2. The incident should then be reported to the appropriate line manager so that this procedure can be activated, unless the line manager is already present and can take the necessary action. (See above for a flow chart illustration of the procedure).
- 5.3. With incidents occurring to staff outside of normal office hours, each service should have a contact manager who can deal with any incident reporting, immediate investigation requirement or other actions that cannot be delayed.

##### **Immediate Notification of Serious Incidents:**

- 5.4. The initial response of the reporting officer must be to consider if others need to be told about it immediately.
- 5.5. The Section Head and the Health & Safety Section (01343 563073) must be informed as soon as possible after a serious incident occurs, ie, a death, serious notifiable injury or any other incident that could be considered significant to the operation of a service. In addition, the Head of Service and the Communications Officer (01343 563601) should be contacted.

Depending on the severity and type of incident the Head of Service should consider notifying the Chief Executive and the Local Councillors.

- 5.6. The HSE will also need to be notified immediately under RIDDOR where a death or serious notifiable injury occurs. This must be done as soon as possible after the incident by phone (0345 300 9923, Monday to Friday 0830-1700). The MAIB should also be informed for any serious incident involving a vessel or personnel on board a vessel by calling 023 8023 2527.
- 5.7. If an incident occurs outside these hours the HSE Duty Officer should be contact by phone (0151 922 9235):
- following a work-related death;
  - following a serious incident where there have been multiple casualties;
  - following an incident which has caused major disruption such as evacuation of people, closure of roads, large numbers of people going to hospital etc.
- All other out of office hours incidents are to be reported on line ([www.hse.gov.uk/riddor/index.htm](http://www.hse.gov.uk/riddor/index.htm)) (<http://www.hse.gov.uk/riddor/report.htm#online>)
- 5.8 When out of hours incidents detailed in paragraph 5.7 have occurred, it is important that a member of the Council's SMT is notified, the duty senior officer can be contacted via Cameron Park Brae on 01343 556102.
- 5.9 The harbourmaster or his assistant who observes or is made aware of any event involving a discharge or probable discharge of oil, or the presence of oil in the sea shall without delay report the event or presence of oil to HM Maritime and Coastguard Agency (MCA).
- 5.10 In the first instance contact should be made with the MCA in Aberdeen to inform them on 01224 597900.
- 5.11 Second stage is to complete a Post Incident Report on the MCA form and submit to the Counter Pollution and Salvaging Officer for Scotland and Northern Ireland. A blank Post Incident Report Form is stored electronically in the incident file.

## **6. Internal Incident Reporting**

- 6.1. All incidents that come under the remit of this procedure must be formally reported by completing an Internal Incident Reporting form.
- 6.2 An Internal Incident Report form (SMS8.1) must be completed as soon as possible after the event so that an accurate account of what happened can be gained. Copies should then be sent to the Section Head and the Health & Safety Section within 10 days.
- 6.3. These forms can be found on the Intranet homepage under the Forms link. Forms should be completed by the relevant line-manager unless the incident involves a minor injury or near miss, in which case it may be done by the affected person.

## **7. RIDDOR and other agencies**

- 7.1 Deaths, notifiable serious injuries and injuries involving more than 7 days off work are reportable under RIDDOR where staff are involved, as are certain injuries to non-employees, some occupational diseases and particular dangerous occurrences. (See **SMS7.1** for guidance)
- 7.2 Incidents involving people not at work may also be RIDDOR reportable, if they are (1) injured as a result of something the Council has or has not done, and (2) needed to be taken to hospital as a result. (See **SMS7.1** for guidance)
- 7.3 All non-fatal / major injury RIDDOR reportable incidents must be reported to the HSE's Incident Contact Centre, on line ([www.hse.gov.uk/riddor/index.htm](http://www.hse.gov.uk/riddor/index.htm)).
- 7.4 RIDDOR incidents involving contractors must be reported by their own employer and not the Moray Council. Where a self-employed person is working under the control of the Moray Council, however, that person should be treated in the same manner as a member of staff for the purposes of this procedure.
- 7.5 Accidents, including serious injuries, should be reported to the MAIB by the quickest means possible. This is so that the MAIB can decide whether to investigate the accident without delay, and to prevent evidence of all types being lost or decaying. MAIB should be called on 023 8023 2527 in the first instance and followed up with the online Accident Report Form ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/494276/AccidentReportForm-ElectronicFormV2.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/494276/AccidentReportForm-ElectronicFormV2.pdf))
- 7.6 The MAIB (Marine Accident Investigation Branch) are an independent unit within the Department for Transport with 4 investigation teams and they investigate marine accidents involving UK vessels worldwide and all vessels in UK territorial waters. They do not apportion blame or liability but look for ways to prevent further avoidable accidents from occurring.
- 7.7 The MAIB should be notified if anyone dies as a result of an accident, suffers an injury or is lost or falls overboard. If the incident involves a vessel and causes loss of life, major injury, material damage, is abandoned, damaged by fire, has a collision, is disabled, causes serious pollution or is involved in a near miss then it should be reported. This list is not exhaustive and if further clarification is required the MAIB should be contacted.

## **8. Record Keeping**

- 8.1 Original copies of incident forms must be kept within the office from which they were sent. They should be stored within a secure Incident Reporting file, which constitutes the unit's "Accident Book".
- 8.2 The HSE will send reports of incidents that they have been notified about and these should be appended to the corresponding Internal Incident Report form.
- 8.3 Original copies of incident reports must be kept on file for at least 3 years. Note that incident reports involving children must be kept for at least 3 years after their 18<sup>th</sup> birthday.

- 8.4 Section Heads need to be able to monitor incident trends and should therefore collate details of incidents that occur within their area of responsibility. These details can be kept electronically rather than in the form of stored paper records.

## 9. Investigation

- 9.1. All incidents must be investigated. The extent of the investigation should be in direct proportion to the seriousness of the occurrence. (See **SMS7.1** for guidance)
- 9.2. The Health & Safety Section can decide to undertake an independent investigation if they believe the circumstances warrant this, as can the HSE if they receive a RIDDOR report that gives them particular concern. Staff affected should provide all necessary co-operation should this occur.
- 9.3. Investigations will be carried out by suitably trained personnel including area/equipment specialists if required. The aim of all investigations will be to find the systems failure that created the situation and to ensure that suitable remedial actions are taken to ensure that the incident does not happen again.

## 10. DEFINITIONS

- 10.1 **INCIDENT:** An unplanned, unpremeditated happening which leads to injury or loss, or could have led to injury or loss. Examples include:
- Groundings, strandings, foundering
  - Collision or contact with other vessels or craft, nav aids, other fixed objects, significant debris or persons in the water
  - Hard landings against quays, damage to quays and/or vessels
  - Injury to personnel, falling into water, drowning, other fatality
  - Significant equipment or propulsion failure on vessels
  - Other damage to vessels, or property, including wash damage
  - Other incidents which may result in loss or litigation.
- 10.2 **ACCIDENT:** An incident, which causes injury and/or damage.
- 10.3 **DANGEROUS OCCURRENCE:** A serious occurrence which does not necessarily result in a reportable injury, but which has the potential to do significant harm.
- 10.4 **NEAR MISS:** An occurrence which does not result in injury or loss, but which has the potential to do so.
- Close quarters situations with other vessels/craft or persons in the water
  - Vessel equipment or propulsion failure with the potential to cause an incident
  - Personnel errors with the potential to cause an incident
- 10.5 **OCCUPATIONAL ILLNESS:** Illness or medical condition caused by factors within the workplace.
- 10.6 **RIDDOR:** Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.



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## 14 PERMIT TO WORK

### Introduction

In order for us to create a safe working environment for all our staff and contractors at Buckie Harbour, a Permit to Work System has been developed to control certain types of hazards and risks. The contents and elements of this system reflect the principles and intent as laid out by the Health and Safety Executive.

### Scope

This permit to work system is applicable to all works being carried out at any of our harbours (Burghead, Hopeman, Buckie, Findochty, Portknockie and Cullen) and by all personnel including Moray Council staff and contractors.

### Responsibilities

**Person in Control of Work** – This is the person in charge of the work. On some occasions the person in charge will be the task supervisor but other times it will be the project leader. An individual who is named in the appropriate section of the permit, and approved by an authorised person is the designated Person in Charge, and is responsible for ensuring that work is undertaken safely and efficiently within the limits of the permit, including:

- accurate completion of the permit form
- obtaining the appropriate level of authorisation
- understanding of the work and associated Company procedures
- compliance with all written precautions
- adherence to safe working practices at all times
- informing all affected persons before the start of the work
- ensuring the work area is left in a safe, clean condition at each stop, shift change, or on completion
- clearing all tools and equipment from the work area on completion
- properly briefing those who will continue the work at a shift change with regards to the work, necessary precautions, procedures and requirements of the permit
- accurate completion of the form when the work is finished and the return of the permit to the harbour office.

**Harbourmaster** – The Harbourmaster (including the Assistant) is the authorised person who will give the approval for the work to be carried out. They will ensure that the PTW is filled in correctly and that there is a copy of the JSA, Risk Assessment or Method Statement and proof of Third Party Liability Insurance with the permit. The Harbourmaster will note down any potential conflicting operations that will be taking place within the harbour that day. When possible the Harbourmaster or his appointee will inspect the worksite prior to signing off the permit to ensure it has been left in a safe and tidy condition.

**Harbour Assistants** – In the absence of the Harbourmaster, the Harbour Assistants (sometimes referred to as Watchmen) take on the role of authorised person with the same responsibilities to ensure that

there are no conflicting operations and that the PTW and JSA etc. are in place and correct. Harbour Assistants can sign off a permit which was signed on by the Harbourmaster.

**Contractors** – All contractors will be vetted by their own company for suitability to carry out the task safely prior to arrival on site, including the appropriate level of training and competence. It is the contractor’s responsibility to ensure that they are following their own company’s rules and those of the harbour. The person in charge will brief the Harbourmaster on the task and safety considerations to ensure that all risk has been minimised.

**Harbour Users** – All harbour users are subject to this same procedure for safe work. Where work is being undertaken on a vessel alongside, it may not be appropriate to issue a PTW. Each case will be risk assessed individually.

#### When a permit is required

Prior to undertaking any work, personnel must determine if a permit is required. This is determined by reference to the section below but may also be required by the Harbourmaster even if it is not listed.

#### Work Which Requires a Permit

Work requiring a permit falls into two basic categories as defined below:

1. **HOT WORK:** Work involving open flames or other sources of ignition, or which may have a potential source of ignition.
2. **COLD WORK:** Other work listed in this section and work that presents a significant hazard, but no source of ignition

Work considered “**Hot Work**” that requires a permit includes, but is not limited to:

- work involving open flame
- grinding
- electric arc welding
- any work involving explosives
- use of powered wire brushes or work that can cause sparks
- needle gunning
- shot blasting, grit or high pressure water blasting
- work involving high voltage electrical equipment
- work on “live” electrical equipment including switching, testing, fault finding or other work exposing personnel to live cables, connections or exposing equipment to a hazardous atmosphere
- work that may cause an unintended or uncontrolled hydrocarbon release, including disconnection of pipework or equipment that contains or has contained hydrocarbon, flammable or hazardous materials

Work considered “**Cold Work**” that requires a permit includes, but is not limited to:

- handling of any substance that could be hazardous to health, including toxic chemicals, radioactive sources, asbestos, etc. This would not include normal routine operations such as painting.
- removals of handrails, where an individual could fall 6 feet or more onto the ground or into the sea
- diving operations
- work requiring entry into a confined space, tank or vessel
- any work which affects the operation of safety and emergency systems, including work on detection systems, protection systems
- work required above an area where others will continue to work normally
- heavy or unusual lifts by a crane, which are defined as anything over 50% of the total lifting capacity of the crane or defined as a complicated or complex lift
- isolation of energy sources

#### Work Which Does Not Normally Require a Permit

It is impracticable and unnecessary to have all work covered by a permit. Therefore, work not listed above would not normally require a permit unless there is a deviation from the normal procedures or the harbourmaster requests a permit to assist control of the work. A properly completed JSA, Risk Assessment or Method Statement should usually reveal the necessity for a permit.

#### Authorisation

The Harbourmaster (including the Assistant) is the only one who can authorise a permit and issue a permit number.

However if the Harbourmaster is not on shift at the time then a Harbour Assistant/Watchman can authorise the permits apart from:

- Diving
- High Voltage Isolations
- Work on life saving equipment
- Working in an Asbestos contaminated building
- Any task where there is a risk to personnel undertaking the work and others in the immediate vicinity.
- Any task where there are members of the public likely to be affected

#### Planning

This is the most important aspect in ensuring efficient control of the work and communication between all personnel involved in the work or affected by the work. Planning and preparation should be made in advance, meetings held, and all aspects of the work, including policy, safe working practices, procedures, precautions and methods identified, before a permit is obtained. Planning and preparation of work requiring a permit must ensure all hazards have been identified, eliminated or controlled, and risks minimised to as low as reasonably practicable.

#### Identification and tracking of forms

All permits will have a unique identifying number written on to the top left hand corner of the PTW form. This unique number will consist of the first 3 letters of the harbour name, the last 2 digits of the year and then a sequential number. This would mean that the first permit for a task at Buckie Harbour would be BUC/16/01. Regardless of the harbour the sequential numbers continue so the second permit issued for a task at Findochty this time would be FIN/16/02.

Permits for Burghead and Hopeman will be administered from Burghead and for Buckie, Findochty, Portknockie and Cullen they will be administered from Buckie. A permit log of what is happening and where it is taking place will be maintained from these locations.

#### Changes to the permit

Once a permit has been approved no changes can be made without the authorisation of the Harbourmaster. These changes should be discussed with the Harbourmaster prior to being written onto the form where the Harbourmaster will initial his approval onto the form.

#### Validity of the Permit

Permits are can be validated for a period of no longer than 7 days. After that time a new permit will be raised and approved. If a permit was taken out for a period shorter that 7 days and it looks like that task will run on, approval can be given to extend the permit but only up to 7 days from when it was issued.

#### Temporary stoppage or suspension of work

On occasion it is necessary to stop the work being carried out, this may be due to the weather conditions, waiting for parts or many other reasons. If the work is stopped for more than an hour, the Person in Control of the work is responsible for letting the harbour office know of the suspension of work. If the suspension is for more than one shift, the permit should be returned to the harbour office.

#### Lock, Tag and Try

**Electrical Isolations** – Electrical isolations can only be carried out by an approved electrical engineering company. Moray Council has designated Campbell and McHardy as the company to deal with electrical engineering issues at the harbours. Moray Council electrical team deal with the other electrical items such as street lights and Navigation lights. They must at all times follow their company procedures for isolations

**Mechanical Isolations** – Mechanical Isolations are not commonly carried out around the harbour but would include such things as isolating the water supply to a pier. These can be carried out by any approved person, approval will be given as part of the PTW process.

When populating the Lock, Tag and Try part of the permit, write in a clear description of the piece of equipment that is to be isolated and if possible where the isolation point is. The Harbourmaster will then approve the isolation. The isolation is to be carried out prior to the permit being authorised fully. Once the item has been locked out it is important to tag the item so that others can see the isolation point, the piece of equipment isolated should then be tried to ensure that there is no residual power going to it. Failure to do so could result in any of the following hazards:

- Electrical shock
- Chemical exposure
- Skin burns
- Lacerations or amputations
- Fires or explosions
- Chemical releases
- Eye injury
- Environmental Incidents
- Death

Any de-isolation has to go through the same process as the isolation, write down the details on the permit and get the de-isolation approved prior to de-isolating then closing the permit.

If it is only a partial de-isolation this must be noted on the PTW and initialled as authorised by the Harbourmaster.

Permit Form Completion (consider numbered bullet points or sections)

The PTW document is pretty self-explanatory. The top section is all about the people carrying out the work. The Person in Charge of the Task will note down his/her name and some contact details as he/she will be the main point of contact. The project site / location or vessel name is to be noted down then any of the other contractor supervisors whom may need to be contacted about the task. The start and finish times are the validity period so they can be no more than 7 days apart.

Next decide which type of permit you require and tick the appropriate box.

Under the job description put down as much details as you can regarding the task. There will be an associated JSA, Risk Assessment or Method Statement for the job and as a minimum the headings from each of those should be noted down.

Note down all the equipment that will be used throughout the task. 'Hand Tools' is not an adequate description- please list all the tools required.

Conflicting or simultaneous operations will be noted down by the Harbourmaster and discussed with the person in charge.

Ensuring adequate protection for members of the public is one of our main priorities in any task, therefore it is important that site controls are considered during this process and will be discussed between the Harbourmaster and Person in Charge.

Tick any of the appropriate boxes for safety equipment and PPE section. Think carefully about the requirements and ensure that any extra equipment required is noted down.

On the right hand side of the form is the authorisation section. It is important that if the task is complete, the box is ticked. The permit is neither authorised nor closed if the appropriate Harbourmaster signature is not there.

When the permit is authorised, a photocopy will be taken and given to the Person in Charge to be kept at the worksite. The original will be kept in the Harbour office.



Permit to Work Buckie Harbour

Permit Number - \_\_\_\_\_

<b>Person in Control of Task:</b> Contact Number: _____		<b>Project Site / Location and Vessel Name:</b>	<b>Contractors &amp; Contact Number(s):</b>	<b>Start Time &amp; Date:</b> Stop Time & Date: _____
<b>Permit(s) Required:</b> (the appropriate permit type)	<input type="checkbox"/> Diving <input type="checkbox"/> Confined Space <input type="checkbox"/> Working at Height <input type="checkbox"/> Painting and Preparation <input type="checkbox"/> Over-Water <input type="checkbox"/> Hot Work <input type="checkbox"/> Construction/Excavation <input type="checkbox"/> Heavy-Lift/Crane <input type="checkbox"/> Electrical Work <input type="checkbox"/> Hazardous/Dangerous Goods		<b>PTW Completed by (Print and Sign):</b> ..... .....	
<b>Job Description:</b> (attach method statement, plan(s), permissions & photos if applicable)			<b>PTW Authorised by (Print):</b> ..... <b>Harbour Master Signature</b> .....	
<b>Equipment being used:</b>			<b>Date:</b> .....	
<b>Conflicting or Simultaneous Operations:</b>			<b>Task Complete</b> Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>Site Controls Required:</b>	<input type="checkbox"/> Cones & Signage (around work area) <input type="checkbox"/> Traffic Management <input type="checkbox"/> Lock-Out Device(s) <input type="checkbox"/> Other (specify)		<b>PTW Extended, Authorised by:</b> .....	
<b>Safety Equipment and PPE Required:</b> (Tick)	<input type="checkbox"/> Hard Hat <input type="checkbox"/> Safety Boots <input type="checkbox"/> Hi-Viz Jacket <input type="checkbox"/> Overalls/Gloves <input type="checkbox"/> Eye Protection <input type="checkbox"/> Hearing Protection <input type="checkbox"/> Dust Masks/Respirator <input type="checkbox"/> Fall Protection <input type="checkbox"/> First Aid Kit <input type="checkbox"/> Fire Hose/Extinguisher(s) <input type="checkbox"/> Lifejacket/Vest <input type="checkbox"/> O2, H2S, CO & LEL Gas Detector <input type="checkbox"/> Breathing Apparatus <input type="checkbox"/> Other (specify) .....		<b>PTW Closed by:</b> .....	
<b>Lock, Tag and Try:</b>  Mechanical - <input type="checkbox"/>  Electrical - <input type="checkbox"/>	Piece of equipment to be isolated: ..... Approved By: ..... Primary lock: ..... Craft Lock: ..... Piece of equipment to be de-isolated: ..... Approved By: .....		<b>Closure Authorised by:</b> ..... <b>Harbourmaster Time and Date:</b> .....	

## 15 RECREATIONAL ACTIVITIES

All the Moray Harbours are used for recreational boating. At the four smaller harbours it is the principal activity. Buckie being principally commercial is the least active, with only passing yachts stopping in for 1 or 2 nights at a time. Burghead was becoming more of a recreational port dealing with larger yachts and launches but in recent years there has been an increase in the number of trawlers based at the harbour catching prawn/shellfish. This has meant that the number of recreational vessels has been reduced. At the other four harbours recreational boating includes use of sailing craft, launches and part time creel boats. Findochty and Portknockie have three pontoons each of varying length whereas Cullen has one pontoon and they are for small craft. There is one long pontoon at Hopeman. All harbours have some pier side berthing. Areas of the harbour estate at Burghead, Findochty, Portknockie and Hopeman are used by private individuals to maintain and repair boats.

At all the harbours there is traditional, open, public access and a variety of water related activities take place. These include line fishing, beach swimming, boating and using the piers as jumping off points – a traditional summer time activity for local children.

The three easternmost harbours are used by speed boats, jet skis and water skiers. The Byelaws place restrictions on such craft and require all users to proceed at such speed as not to endanger others. A maximum speed of 3 knots applies within all the harbours.

The exposed approaches to all the harbours make the possibility of a small vessel stranding or foundering in bad weather, a foreseeable event. There is no practical means of implementing port closures for the recreational harbours, as small craft may already be at sea.

The Byelaws contain adequate powers to control recreational activities although with limited resources locally, enforcement has to be by good example and promoting a culture of safe, considerate boating.

Within the recreational harbours, small craft and swimmers may be obscured by the piers. Hence, harbour staff must encourage caution among boat operators to avoid collisions or running down a swimmer.

Regattas, races and public events involving a number of craft within the harbours require 28 days advance notice and consultation with the Harbourmaster. In reviewing such proposals the Harbourmaster will consider:

- Potential interference with other port activities
- Any interaction with anticipated commercial traffic
- Provision of safety equipment and safety boats
- Contingency planning in case of bad weather or an incident
- Competence and safety culture of the organisers.
- Is a suitable and sufficient risk assessment in place
- Is there suitable insurance in place

Cullen Sea School operate from Cullen harbour. They run a variety of activities which includes both training and recreational use on paddleboards, kayaks and sailing dinghies. All the training is carried out by suitably qualified members of Cullen Sea School and all activities are supervised by suitably trained

volunteers. Cullen Sea School also run Wild Swimming Schools where people from around the world come and swim our coastline, this again is all supervised and ran by suitably qualified personnel. In their base, they carry out a variety of training courses for locals including traditional boat building and some RYA courses. Cullen Sea School have 2 RIBs which they use as safety boats during their activities.

## 16 HARBOUR STAFF TRAINING REQUIREMENTS

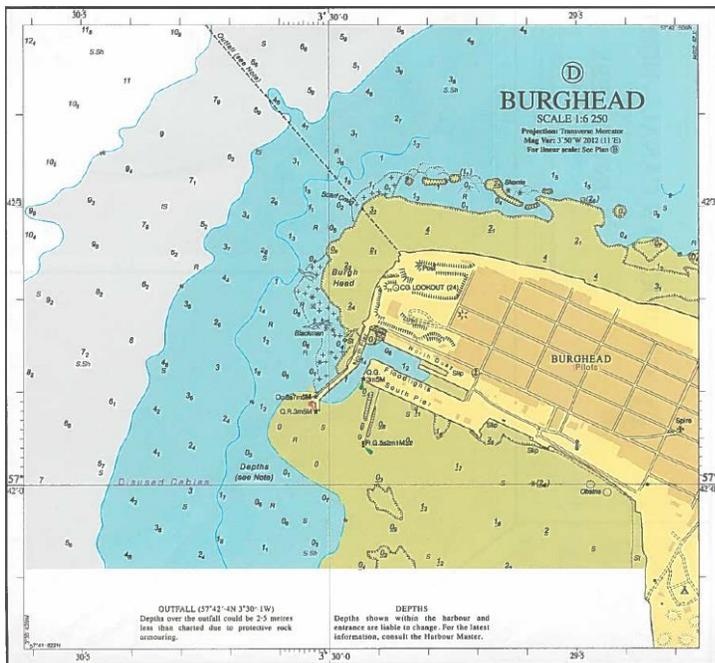
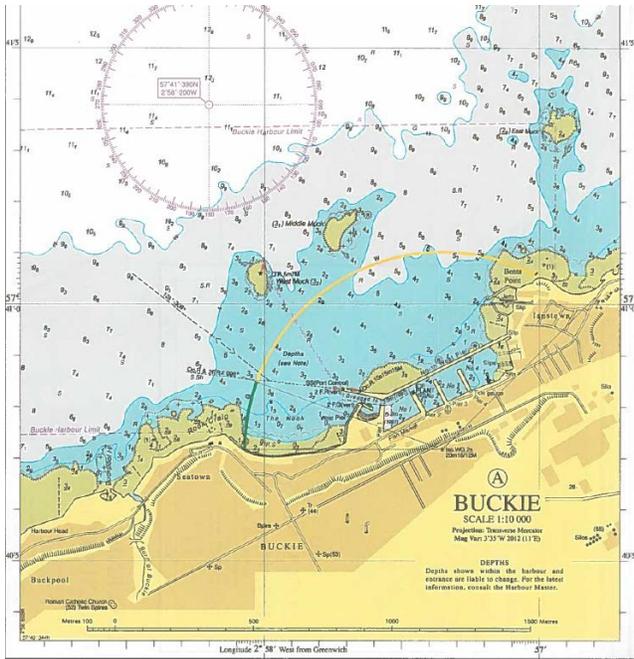
Staff	PFSO	Oil Spill Res p	First Aid (RYA)	Boat man (min)	Small Craft	VHF Radio	Risk Assess't & Safety Aware's	Working in or near Water	Manual Handling
HM - Buckie	X	X	X	X		X	X	X	X
Assistant HM – Commercial	X	X	X	X		X	X	X	X
Assistant HM – Leisure		X	X	X		X	X	X	X
Harbour Assistant - Buckie			X	X		X		X	X

British Ports Industry Training has developed Vocational Standards for Port Personnel. The harbour has developed a series of in-house training courses which staff have to complete.

**APPENDIX A. PASSAGE PLANNING**

A passage plan will be produced and presented to the master of a vessel during pilotage tasks.

Admiralty chart 1462 is for the Harbours on the North and East Coasts of Scotland and covers Buckie, Burghhead and Hopeman.



**APPENDIX B. MORAY COUNCIL PROCEDURES**

There are many subjects covered throughout the SMS including the standardised forms to be used. All the following topics can be found by looking on Moray Council Intranet site available on all council owned computers.

- 5.1 – Hazardous substance Control
- 5.2 – Personal Protective Equipment
- 5.3 – Manual Handling
- 5.5 – First Aid
- 5.6 – Driving Safely
- 5.7 – Lone Working
- 5.8 – Hand Arm Vibration
- 5.14 – Working at height
- 5.15 – Confined Spaces
- 5.18 – Display Screen Equipment
- 5.19 – Promotion of Mental Health and Wellbeing (Stress Prevention)
- 5.20 – Musculoskeletal Disorder Management
- 5.21 – Asbestos Management
- 5.22 – Blood Borne Viruses
- 7.10 – Ladders and Stepladders
- 7.15 – Noise
- 7.16 – Office Safety
- 7.20 – Dealing with work related violence
- 7.27 – Toolbox Talks Explained

This list is in no way exhaustive and all the documents are living documents. If there is an improvement that could be made to procedures then contact the Health and Safety department to discuss.

## APPENDIX C. MORAY COUNCIL HEALTH AND SAFETY POLICY

## THE MORAY COUNCIL

## Safety Management System



Section: 2.0  
 Title: **HEALTH AND SAFETY POLICY STATEMENT**  
 Date: March 2013  
 Revision: 3.0

**AWARENESS--ASSESSMENT--ACTION--ACCOUNTABILITY**

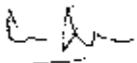
To enable the Council to achieve its stated outcomes, we will operate a sensible and proportionate health and safety system. The system will be founded on the principles of keeping people safe and healthy, improving services, and stopping losses of any kind. This policy and all attendant procedures and guidance, apply equally to all staff and service users.

**PRINCIPLES**

- The assessment and then elimination or control of risk is vital to the wellbeing of employees and service users and the overall efficiency of the Council.
- Sensible and proportionate risk management is what we require.
- Working safely is a condition of employment.
- Everyone's input is vital in preventing accidents and ill health but it is accepted that all levels of management play the major role in ensuring that control of risk is maintained.
- Adherence to the procedures and standards which support this policy are critical to its success. All employees are required to actively participate and co-operate in its operation.

**APPROACH**

- Risk assessment of all significant risks must take place and suitable controls must be defined, implemented and monitored.
- Awareness of roles and responsibilities will be given and accountability defined and managed.
- Active engagement will be used in dealing with significant health and safety issues and will be based on trust, respect, and joint problem solving.
- All accidents, dangerous occurrences, hazardous situations or work related health effects must be reported, and action taken when necessary to control risks highlighted.
- Training, knowledge and information will be provided to employees on relevant hazards, risks and controls in a form that satisfies their needs.
- The effectiveness of the policy will be regularly monitored by both proactive and reactive means, and where necessary it will be developed, reviewed and improved.

  
 Chief Executive

  
 Leader of the Administration

Date: 2nd May 2013

Date 03 05 2013

2-0-1



**APPENDIX D. HARBOURS ENVIRONMENTAL POLICY****GENERAL POLICY**

Moray Council harbours team are committed to protecting the environment and will conduct all operations in a responsible manner in compliance with the applicable environmental laws and regulations. Moray Council Harbours recognise their environmental responsibility and will work proactively at all times to minimise environmental impact and prevent pollution and the effects that its activities can have on the environment. Scottish National Heritage has designated areas of the Moray Firth as a Special Area of Conservation (SAC) due to the population of dolphins and porpoises within and some other areas are classed as a Special Protection Area (SPA) due to the number of birds with European importance.

**OBJECTIVES**

- Continual improvements of our environmental habitat
- Foster environmental awareness and responsibility in employees, contractors, suppliers and other harbour users.
- Train employees appropriately to raise awareness of environmental issues and utilise their support in improving the performance of the team.
- Manage waste to minimise the impact on landfill sites and encourage all vessels to do the same
- Consult with the local community and community groups and organisations on their programmes to ensure environmental considerations are in place
- Audit and monitor the management of environmental issues to identify opportunities for improvement
- Maintain procedures and methods which aim to reduce the risk of accidental spills, emissions and discharges
- Maintain emergency response procedures and methods for environmental protection

Moray Council Harbours team recognise that to achieve the goal of operating environmentally sound involves all employees and harbour users working together. We all have the responsibility both morally and legally to conduct activities with the protection of the environment as a priority.

**APPENDIX E. DRONE POLICY**

The operation of flying drones at the port of Buckie must only be done in compliance with the Civil Aviation Authority ([CAA website](#)) requirements and the [Dronecode](#) which sets out the regulations in brief. This code confirms that drones with cameras must not be flown within a specified distance of people, vessels or structures and cannot be flown over congested areas.

In addition, Buckie Harbour must also be contacted and informed in advance of any activity involving drone flying.

Drone activity on a commercial basis requires the operator to be licensed by the CAA, Buckie Harbour must be provided with prior confirmation and evidence that a licence is held, liability insurance is in place and a risk assessment has been carried out.

**APPENDIX F. EMERGENCY PHONE NUMBERS**

<b><u>Emergency Contact Details</u></b>	
Doctors Surgery (Ardach Health Centre)	0345 099 7200
Seafield Hospital	01542 832081
Dentist (8 to 8)	01542 833087
Dentist Emergency	0845 4565990
Police Scotland	Emergency – 999 Non-Emergency - 101
Any Emergency	999
Coastguard (Aberdeen)	01224 592334