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**REPORT TO: ECONOMIC GROWTH, HOUSING AND ENVIRONMENTAL SUSTAINABILITY COMMITTEE ON 6 OCTOBER 2020**

**SUBJECT: INFORMATION REPORT: MARINE SAFETY ANNUAL PERFORMANCE REVIEW 2019/20 & Q1 2020/21 UPDATE**

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

**1. REASON FOR REPORT**

- 1.1 To inform the Committee with regard to matters of Marine Safety and compliance with the Port Marine Safety Code (PMSC) for 2018/19.
- 1.2 This report is submitted to the Economic Growth, Housing and Environmental Sustainability Committee following a decision of Moray Council on 17 June 2020 to agree a simplified Committee structure as a result of the COVID-19 pandemic. In the case of this Committee the combining of the delegated responsibilities of Economic Development and Infrastructure, Community Services (Housing and Property) and Finance (budget, capital and revenue monitoring) (para 9 of the minute refers).

**2. BACKGROUND**

- 2.1 A report was submitted to the meeting of the Economic Development and Infrastructure Services (ED&IS) Committee on the 20 March 2018, with the subject Port Marine Safety Code (PMSC).
- 2.2 Paragraph 6 of the minute of that meeting instructs officers to report quarterly to the ED&IS Committee, as the Duty Holder, on matters of marine safety.

**3. COMMITMENT TO THE PMSC**

- 3.1 Moray Council, in its capacity as a Statutory Harbour Authority, is committed to undertaking and regulating marine operations to safeguard all its harbour areas, the users, the public and the environment.
- 3.2 The aim of the harbour team is to manage operations safely, efficiently, sustainably and as a benefit to all of the users and wider communities.
- 3.3 The team are committed to:
  - a) full compliance with all legal requirements in harbour operations while seeking to meet the changing needs of all harbour users.

b) ensuring that all personnel are well trained, engaged and committed to improving safety in all processes. Competent skilled personnel backed by an active safety culture are key to a positive safety record.

c) undertaking hazard identification and risk assessments when required and implementing improvement measures where necessary.

3.4 The team expect that all harbour users recognise the effect that they can have on the harbours operation and reputation and must work to our standards as a minimum. A Permit to Work system is in place to maintain control over hazardous work. The team will ensure that any contractors or others management systems fully support the same commitment to health, safety and environmental performance.

#### 4. **VESSEL MOVEMENTS**

4.1 During 2019/20 there were 90 cargo movements (arrival and departure) at Buckie. These movements included 47 acts of pilotage.

	Q1	Q2	Q3	Q4	Total
Cargo movements	26	18	18	28	90
Acts of Pilotage	6	10	17	14	47

4.2 At the peak of the squid season in September 2019 there were 34 fishing vessels working from Buckie, with an overall average of 16 across the year.

4.3 In the first quarter of 2020/21 there were 18 cargo movements (arrival and departure) at Buckie. This included 6 acts of pilotage, 3 in and 3 out, with all of the operations being in daylight.

4.4 Prior to the start of lockdown, guidance from organisations such as Public Health England, the Department for Transport, the British Ports Association and Port Skills and Safety was followed in the management of cargo vessel arrivals, in particular the treatment of crew where COVID-19 was suspected. All vessels were asked to complete a Medical Health Declaration which included details of the recent movements and port visits, as well as any medical issues on board. All the completed Declarations are stored in Sharepoint.

4.5 The Declaration also informed decisions relating to pilotage, such that no pilot would board any vessel where the risks to health were considered unacceptable. In the event, social distancing was easily achieved on the bridges of all the vessels concerned and our routine pilotage service was maintained throughout.

4.6 All commercial vehicle drivers attending Pier 1 for cargo operations were asked to complete a self-declaration form to confirm that they did not have COVID-19 symptoms or had been in contact with anyone exhibiting symptoms.

- 4.7 COVID-19 affected some of our customers resulting in a reduction in the normal tonnage of malt passing through the port. However, 3 export vessels loaded stone from local quarries for delivery to Guinness, a full set of distillation equipment for Ireland and rapeseed for Germany. This is the first time that rapeseed has been exported from Buckie, significantly reducing the road miles on the product coming from Tain, Invergordon, The Black Isle and Moray. Much hard work had been put into bringing this export to Buckie by the harbours team, the agent and the Stevedore. All operations went very well and it is hoped that Buckie can pick up more work of this nature in the near future.
- 4.8 Scallop boats remained tied up but slowly started to pick up contracts and eventually returned to work. The demersal vessels carried on fishing with some limits on days at sea and forced time off after a certain number of landings. The prawn fleet were mostly tied up having had access to government funding but those who had to keep working struggled to get a decent price for their catch or even to get it sold at all.
- 4.9 Several prawn boats at Buckie and Burghead decided to start selling their catch from the pier. This went very well for them and helped to keep some of them going during a hard time.
- 4.10 Vessels entering Buckie for maintenance work at Macduff Shipyards continued to arrive and included fish farm vessels, small ferries and various fishing boats.

## 5. **CONSERVANCY**

- 5.1 Maintenance dredging was carried out in all harbours except for Cullen, with over 13,000 tonnes of sediment removed. Almost 10,000 tonnes of this came from Burghead and Buckie. The only months internal dredging did not take place were in May (maintenance works) and September to November (Forth Ports external contract).
- 5.2 An upgrade to the navigation lights was carried out at both Portknockie and Cullen harbours. The lights at Portknockie were changed out on 17 April 2019 from the 2 fixed white lights with a range of 2 nautical miles powered by cable, to new solar powered units. The new lights are green, which allows them to stand out much better from the background lighting, and have the same nautical range. The fixed green light at Cullen was changed out on 7 November. This light was powered by cable and had a range of only 1 nautical mile. The new green light is solar powered and has an increased range of 2 nautical miles.
- 5.3 The dredger MV Selkie was stood down through Q1 2020/21 in relation to the COVID-19 restrictions on physical distancing.
- 5.4 Works relating to the renewal in 2021 of the dredging licenses for Buckie and Burghead have been ongoing, including sea-bed sampling.

5.5 The priority areas for dredging remain Burghead (sand bank approaching harbour entrance) and Buckie (entrance channel). Other dredging requirements include:

- Findochty: comprehensive campaign planned when old pontoon system is removed - possibly November
- Hopeman: mound of silt at the end of the pontoon system and another mound in the outer basin – will be working with Limehillock to land dredge and assist Selkie
- Cullen: removal of sand from the beach side of the basin
- Portknockie: no major issues at this time

## 6. **INCIDENT STATISTICS**

6.1 Reported injuries to personnel in 2019/20 are summarised as follows:

Date	Incident	Description	Lesson	Action
4 Dec 2019	Slip and fall	Twisted knee boarding pilot boat from quayside ladder	Ensure three points of contact	Reminder discussion
7 Jan 2020	Slip and fall	Fell onto deck of MV Selkie exiting excavator cab	Ensure three points of contact	Reminder discussion

6.2 Reported incidents are summarised as follows:

Date	Incident	Description	Lesson	Actions
19 Apr 2019	2 fishing vessels sank in Burghead harbour	Low Spring ebb tide tipped vessels on side	Vessel owners to prepare better for tidal extremes	Harbour staff to inform boat owners of concerns
20 May	Fall on pier at Burghead (Shetland Bus memorial)	Visitor lost balance and fell	Highlight hazards	New safety rail installed
24 July	Car drove off pier at Hopeman	Deliberate act by motorist	None	Police Scotland incident
15 Sept	Fishing boat took on water in Buckie harbour	Engine cooling water pump failed	None	Pumped out by RNLI
1 December	Fishing vessel sank in Buckie harbour	Cause unknown	None	Investigation carried out by insurers
5 Jan 2020	Cargo vessel	Gust and	None	Pilot ensure

	in slow contact with pier	wave action pushed vessel off line		Masters are aware of possibility
24 February	Hydraulic hose failed aboard MV Selkie	Minor loss of hydraulic fluid	None	Hose replaced on site

### 6.3 Near Misses reported are summarised as follows:

Date	Incident	Description	Lesson	Action
29 July 2019	Yacht exited Buckie harbour without permission	Cargo vessel on approach had to slow down to avoid collision	Yachtsman to contact Harbour office prior to leaving	Reported to MAIB
8 November	Fishing boat exited Buckie harbour without permission	Cargo vessel on approach had to slow down to avoid collision	VHF instruction from the Harbourmaster is final	Reported to MAIB

MAIB: the Marine Accident Investigation Branch works with the Department for Transport and investigates accidents involving UK vessels worldwide and all vessels in UK territorial waters.

### 6.4 No incidents or near misses were recorded in Q1 2020/21.

## 7. **KEY PERFORMANCE INDICATORS**

### 7.1 Pilotage

Pilotage is not compulsory at Buckie harbour, and therefore not all cargo movements require the services of a pilot. Pilotage services are offered by the Statutory Harbour Authority and the shipping agent will inform the Harbourmaster in advance if a vessel requires a Pilot. If the Master is a regular visitor to Buckie, it is unlikely that the service will be required, unless the vessel in question is new to the Master. Generally, the service is required for entry to rather than exit from the harbour, unless the vessel is loaded at Buckie, there are vessels on both Piers 1 and 2 or if the size of the vessel limits its ability to manoeuvre.

### 7.2 Aids to Navigation

As a Local Lighthouse Authority, Moray Council is required to report the availability of all its navigational lights to the Northern Lighthouse Board in March of each year. The following table gives the detail that is reported on an annual basis. This is the table submitted in March 2020

Table 1: Availability of Navigation Lights

IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
<b>Moray Council</b>								
CAT 1	1	26,304	0	0:00	0:00	0:00	100.00 %	99.80 %
CAT 2	15	394,560	4	26403:25	6600:51	92039:09	93.31 %	99.00 %
CAT 3	4	105,216	1	18350:00	18350:00	86866:00	82.56 %	97.00 %
No Category	0	0	0	0:00	0:00	0:00	0.00 %	0.00 %
Totals	20							

Key to headings:

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

The low Availability shown in Table 1 for the Cat 2 and 3 lights was principally due to the old and unreliable lights at Cullen and Portknockie. These have now been replaced with new solar units.

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

The 'Availability Objective' is calculated over a rolling 3-year period. This means that over this period a Category 1 Aid to Navigation (AtoN) needs to be functional for a minimum of 99.8% of the time.

## 8. **GENERAL COMMENTARY 2019/20**

### 8.1 External Audits

A planned reciprocal audit of the Port Facility Security Plan was carried out in Q3 at Buckie harbour by the Harbourmaster and the HSEQ (Health, Safety, Environment and Quality) Clerk to the Board of Fraserburgh Harbour Authority. No issues of concern were raised but the exercise was felt to be extremely useful.

Border Force officers carried out a planned inspection of Buckie Harbour in Q4, in connection with safe operations as a wharf facility for the import and export of goods by sea. No safety issues or actions were raised following this inspection.

### 8.2 Structures

Capital works were carried out at Portknockie, Burghead and Cullen harbours involving concrete repairs and rock armour. At Portknockie and Burghead the work involved underwater repairs carried out by a dive team.

### 8.3 Pontoons

At Findochty harbour the aging pontoon system suffered further storm damage. In Q3 boats were instructed to move off the central leg for safety reasons. In Q4 some pontoon sections were moved to the other side of the harbour for welding repairs. At the same time a severe storm caused further damage to all sections, resulting in the closure of the pontoons to all. An engineering assessment report concluded that cost of sustainable repairs would be prohibitive and recommended that the system be replaced within the financial year 2020/21.

### 8.4 Pilot Boat

In Q4 the ageing Pilot Boat had to be taken out of service due to health and safety concerns, in particular toxic fumes produced by the engines. Some work had been carried out in an attempt to address this issue without success. This decision was taken on the basis that the boat was unsafe for the crew to operate. An engineering assessment was arranged. An agreement was established with Windcat to provide a vessel and crew to take the pilot out for acts of pilotage pending conclusion of the procurement of a replacement pilot boat.

### 8.5 COVID-19

Capital works underway at Portknockie and Burghead, which had been delayed by adverse weather conditions, were postponed due to the lockdown. The engineering assessment of the old pilot boat was likewise postponed. All dredging operations were suspended until further notice. Arrangements at Buckie harbour office were quickly put in place to protect both staff and visitors alike, including locking down the reception area, social distancing, regular hand washing, sanitizing and cleaning.

## 9. SAFETY UPDATE Q1 2020/21

### Buckie

- 9.1 With the onset of the pandemic situation the team minimised work which involved face to face meetings. All team members were fully briefed on social distancing measures and provided with lots of information from every available source including Moray Council, the British Ports Association and Port Skills and Safety.
- 9.2 Risk Assessments were prepared and implemented to enable operations to continue safely while social distancing was maintained. The risk assessments covered tasks carried out at the fish market when fishing vessels were landing catch and cargo operations on Piers 1 and 2.
- 9.3 There has been preparatory work on the provision of new navigation lights at the harbour. Although the lights at Buckie are long established there are safety improvements to be made involving new technology such as solar power and sector lights. Solar powered lights are cheaper to run and maintain

and offer greater reliability. Sector lighting provides clearer and more defined marking of the safe route into the harbour than leading lights or the traditional lighthouses. The team has worked closely with the Northern Lighthouse Board throughout, who have sanctioned the proposed changes. A proposal will be sent out for consultation with key harbour users in due course.

- 9.4 A new life ring holder was installed at the head of Pier 4.

#### Burghead

- 9.5 Several housekeeping issues were addressed including the removal of the last items of abandoned fishing gear. The whole harbour was weeded by members of the team.
- 9.6 The new chill room on the pier approaches completion and should be operational for the start of the squid season in July. This facility has been provided through funding from Moray Fisheries Local Action Group by the Scottish White Fish Producers Association.

#### Hopeman

- 9.7 The team are in the process of changing out all of the rope ladders at Hopeman. These ladders are put together by hand by members of the harbours team.
- 9.8 In line with the berthing policy, work has taken place to reallocate berth locations in Hopeman to maximise the usage of the pontoons and wall spaces. All the boats in wall berths now have at least a metre both at the bow and stern, thus ensuring that all berthing movements are safer and easier. Some vessels were moved on the pontoons to allow the available space to be fully utilised.

#### Findochty

- 9.9 The pontoons remained closed to all access and berth holders were instructed to contact the harbour team for their own safety prior to checking their boats.
- 9.10 To allow harbour users to take their vessels out of the water a risk assessment was written taking into consideration the extra control measures required for COVID-19. The control measures included the establishment of a small lifting team to minimise the numbers of people working closely together.

#### Portknockie

- 9.11 Planned Capital works were delayed due to adverse weather followed by the COVID-19 lockdown.
- 9.12 Links on the south pontoon chains were replaced after a safety issue was identified with some very thin links.



- 9.13 A new life ring holder was installed on the north pier with another on order for the McDonald pier.

Cullen

- 9.14 Regular monitoring of the rock armour rock protecting the sea wall gives confidence that the protection is working well. No significant movement of the rock was observed over this period.
- 9.15 The community in Cullen have a team of volunteers who carry out a great deal of project work in the local area. As the country came out of lockdown the volunteers cleared the shingle from the pier that had washed over from the foreshore. They also cleared some of the sand which had blown up from the beach making the harbour area safer for all.

**10. FUTURE OBJECTIVES AND PLANS**

- 10.1 Objectives identified for 2019/20 and beyond include the following:

- Monitor consistent incident reporting, including potential incidents
- Implement new KPIs
- Undertake further reviews of Marine Policy, SMS and training requirements
- Maintain momentum of Pilot training and accreditation
- Continue to report near misses to indicate trends and inform safety improvements to operations.

**11. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

Sustainable harbours maintained to operate safely and efficiently contribute to the economic development of Moray.

**(b) Policy and Legal**

Non-compliance with the Code will have legal implications.

**(c) Financial implications**

Non-compliance of the Code may have financial implications.

**(d) Risk Implications**

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

**(e) Staffing Implications**

Key personnel are to be trained, qualified and experienced.

**(f) Property**

There are no property implications arising from this report.

**(g) Equalities/Socio Economic Impact**

There are no specific equalities matters, however, the Equalities Officer has been consulted and comments incorporated into this report.

**(h) Consultations**

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

**12. CONCLUSION**

**12.1 The Council is currently deemed to be compliant with the PMSC, however, there is still work to be done to stabilise our position in relation to marine safety. This will be evidenced through future reports to this Committee, and scrutinised by this Committee as Duty Holder.**

Author of Report: Duncan Brown, Development & Operations Manager,  
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Background Papers:  
Ref: