



**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
SERVICES COMMITTEE ON 8 FEBRUARY 2022**

SUBJECT: MARINE SAFETY AND OPERATIONAL UPDATES Q3 2021-2022

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

1. REASON FOR REPORT

- 1.1 To inform the Committee with regard to matters of Marine Safety and compliance with the Port Marine Safety Code (PMSC) for the third quarter of 2021/22.
- 1.2 This report is submitted to Committee in terms of Section III (F) (25) of the Council's Scheme of Administration relating to exercising the functions of the Council as Harbour Authority.

2. RECOMMENDATION

- 2.1 **Committee is asked to consider and note the safety performance, fulfilling their function as Duty Holder under the Port Marine Safety Code.**

3. BACKGROUND

- 3.1 A report was submitted to the meeting of this Committee on the 20 March 2018, with the subject Port Marine Safety Code (PMSC).
- 3.2 Paragraph 6 of the minute of that meeting instructs officers to report quarterly to this Committee, as the Duty Holder, on matters of marine safety.

4. COMMITMENT TO THE PMSC

- 4.1 Moray Council, in its capacity as a Statutory Harbour Authority, is committed to undertaking and regulating marine operations to safeguard all its harbour areas, the users, the public and the environment.
- 4.2 The aim of the harbour team is to manage operations safely, efficiently, sustainably and as a benefit to all of the users and wider communities.

4.3 The team are committed to:

- a) Full compliance with all legal requirements in harbour operations while seeking to meet the changing needs of all harbour users.
- b) Ensuring that all personnel are well trained, engaged and committed to improving safety in all processes. Competent skilled personnel backed by an active safety culture are key to a positive safety record.
- c) Undertaking hazard identification and risk assessments when required and implementing improvement measures where necessary.

4.4 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.

5. SAFETY UPDATES BY HARBOUR

Buckie

- 5.1 Several electrical issues identified and rectified making switch boxes safer and more secure.
- 5.2 North pier repairs carried out in October meaning the pier access is now open again. Since Storm Arwen, more large holes have been identified which will be filled with concrete until a full repair can be carried out.
- 5.3 Rope ladder building has continued during the last quarter and will continue further at appropriate times.
- 5.4 Coxswain and pilot training continues as appropriate situations arise. Two staff members will have pilotage training prioritised and maximise pilotage opportunities in darkness.
- 5.5 The new Ice Plant is at operational stage and all staff have been trained in its safety, operation, fault finding and basic troubleshooting.
- 5.6 Significant housekeeping has been carried out with several skips of waste taken away.
- 5.7 New communication procedure which is in use for entering and departing vessels is working well. This involves confirming the draft of the vessel and informing the vessel of the minimum depth in the entrance channel. More SMS updates will be made increasing the use of safety checklists as a result of full SMS reviewing which is intended for the middle of 2022.
- 5.8 Repairs have been carried out to the securing bolts on the pontoon.

- 5.9 Meetings have been held to discuss plans to resurface pier 1. The project was initially intended to be included in North pier works in October but investigations found the scope of work to be far greater than initially believed. Updates to the plans which now include full resurfacing of the pier to maximise cost effectiveness and minimise multiple disruptions for small repairs, will be communicated at upcoming harbour advisory committee meeting and in future reports to this committee.
- 5.10 Consultation is currently in place regarding navigation light changes. This closes on 14 January 2022. More detail can be found in section 9.2 of this report.

Burghead

- 5.11 Lighting repairs have been carried out in several locations.
- 5.12 Weed control has continued throughout the quarter.
- 5.13 Significant housekeeping project has been carried out with a noticeable decline in the amount of unattended fishing gear left on the pier.
- 5.14 Rust removal and painting has been carried out at various locations around the harbour protecting assets from damage.
- 5.15 Consultation is currently in place regarding navigation light changes. This closes on the 14 January 2022. More detail can be found in section 9.2 of this report.

Hopeman

- 5.16 Test ongoing at the moment trialling a new product which protects pontoon piles. The product is produced by Denso and is a cladding for the piles providing protection from mechanical damage as well as corrosion caused by water. It has been in place for a few months and to date appears to be working well. If the pile protection works well as it appears to be, the other pontoon piles will be given the same coatings and protection scheduled for summer 2023.

Findochty

- 5.17 Pontoon installation is now complete with only small ongoing items left to be corrected. This includes work on two pontoon fingers with superficial damage to facings and safety ladder installation. Some vessels have started using the pontoons already and vessel owners who have indicated during recent correspondence of their intention to return to the pontoons before next financial year are liaising through harbourmaster to return to the pontoon. The remainder of this financial year will utilise a temporary berthing plan to minimise forces placed on the pontoons as there will be less vessels on them. The new financial year and season will utilise a berthing plan carefully designed by the harbours team and will be communicated to all users before March. The new pontoons will be much safer for harbour users with the walkways providing more stability coupled with increased stability of the pontoon sections and fingers.

- 5.18 An ongoing project is currently underway to provide more suitable berthing arrangements for 6 Fin keel and Long keel vessels resident in Findochty. Consultation is ongoing until 17 January 2022 with regular meetings and communication with affected vessel owners. After successful consultation the plan is to install fabricated cradles in to a number of berths within the pontoon system in order to safely berth long/ fin keel vessels.

Portknockie

- 5.19 New car parking area has been established to the south west side of the harbour.
- 5.20 Work has been carried out on the pontoons securing fingers in place.
- 5.21 There has been a landslip on the south side of the rock 'Green Castle' due to heavy rains. The area is under close observation and has been safely cordoned off to prevent access. Communication with council consultancy team is ongoing and a decision has been made to safely secure the debris and area with concrete blocks. These will provide safe access for all harbour users.
- 5.22 It is understood that the land which has subsided is not owned by the council subject to official confirmation. After this confirmation is received affected landowners will be notified of the situation regarding liability of the land slip.

Cullen

- 5.23 Project at bottom of slipway securing the supports for the road above has been completed.

6 INCIDENT STATISTICS

Injuries:

- 6.1 There was 1 incident of an eye injury occurring on board MV Selkie reported on 17th December, Injured party reported foreign body had irritated eye during recent routine washing down procedures. On investigation by Doctor and Optician Injured party was prescribed medication and was sent home for recovery. Relevant safety paperwork was completed and Injured party recovered completely after 4 days of rest and medication.

Incidents:

- 6.2 There was 1 incident in Burghead on 7 October 2021 where it was found that a hydrocarbon (thick and black in appearance) had come into the harbour. A fisherman informed the harbourmaster at Burghead that he had smelled fuel/oil when approximately 2 miles offshore which leads to conclusion that this product had come from a passing ship rather than a harbour user. It was cleaned up utilising appropriate oil spill equipment and delivered to Briggs Marine for appropriate disposal. The relevant reporting was completed informing the coastguard of the incident.

Near Misses:

- 6.3 None.

7 VESSEL MOVEMENTS

- 7.1 In the third quarter of 2021/22 there have been 26 cargo movements (arrival and departure) at Buckie to date. This has included 15 acts of pilotage, 9 in and 6 out, with 1 of the operations being during the hours of darkness.
- 7.2 There have been 7 imports of Malt, 2 of salt and 2 of soya. There have also been 2 vessels who arrived light and were loaded with fabricated equipment for the oil industry.
- 7.3 The trawl fishing has remained inconsistent with lower than average squid landings. Vessels who have moved on to fishing prawns have fared well with a good quality and size of product. The creel fishing has had a good quarter but storm Arwen unfortunately caused a lot of damage to the sea bed and to creels.
- 7.4 Burghead has had a similar pattern to Buckie with regards to fishing levels. Many of the fishermen based in Burghead have reverted back to the prawn fishing earlier than usual.
- 7.5 Vessels continue arriving steadily at Buckie for maintenance work at Macduff Shipyards and includes fish farm vessels, small ferries and various fishing boats.

8. CONSERVANCY

- 8.1 Dredging has continued over November and December dependent heavily on weather conditions. Unfortunately due to prolonged adverse weather and then a mechanical issue the process has slowed significantly over winter.
- 8.2 For the calendar year the total amount of spoil removed to designated spoil grounds is 13,670 Tonnes over 53 digging days. This includes the harbours of Burghead, Buckie, Findochty and Portknockie.
- 8.3 In Buckie plans will prioritise the channel entrance. The dredging plan includes provision to continue to dredge at Buckie regularly concentrating on bringing depth of water available to 2.5 m below chart datum in the channel by the middle of the calendar year, the current channel depth is 2.1M.
- 8.4 Burghead is as always a priority any time there is a suitable weather window during manned periods. The dredging plan utilises Selkie dredging in the area at the entrance to Burghead. The goal is to firstly clear a safe navigable channel in to Burghead harbour. This will ensure no vessel will be constrained by their drafts at low water. This will also allow the Selkie to moor in Burghead and achieve a more efficient dredging routine allowing progression to tackle the wider build-up of sand outlying the harbour entrance.
- 8.5 Due to extremely specific licence stipulations and the safety of the vessel crew and environment there are times that even though Selkie is fully

operational with crew, digging is unachievable due to weather and licence constraints. At these times the vessel crew continue to work carrying out planned maintenance and any minor repairs, audits and services that are necessary.

- 8.6 The priority areas for dredging remain Burghead (sand bank approaching harbour entrance) and Buckie (entrance channel). Other dredging requirements include:
- Hopeman: There are some new ideas on how we can maximise our efforts in Hopeman which will have to be further risk assessed, these will combine use of assets and requires careful thought and planning which, will take place over the coming months. It is intended to formalise plans for a project in Hopeman in the coming financial year
 - Cullen: removal of sand from the beach side of the basin as this is the only area Selkie can access. There is a small sand bank in the south side of the harbour which Selkie would not be able to access.
 - Portknockie: No major issues or conservancy plans at this time.
- 8.7 Feasibility studies have been completed and plans for the repair of Burghead beach groyne are being undertaken. This will further improve the defence of the channel entrance from sediment deposition. The current plan is to schedule the repairs to be completed in the next financial year subject to financial approval. Various approaches to repairing the groyne with indicative costings will be finalised at the end of January which will result in the production of a final fully costed plan for approval.

9. KEY PERFORMANCE INDICATORS

Pilotage

- 9.1 Pilotage is not compulsory at Buckie harbour, and therefore not all cargo movements require the services of a pilot. The number of pilotage acts carried out in the third quarter of 2021/22 was 15, in relation to 26 vessel movements in and out of the harbour. Due to recent staffing changes the pilotage training programme is being increased to include more parties providing increased resilience

Aids to Navigation

- 9.2 As a Local Lighthouse Authority, Moray Council is required to report the availability of all its navigational lights to the Northern Lighthouse Board in March of each year. Currently the Port Closed light on the North Pier in Buckie is unavailable resulting in availability figures being decreased. This has been discussed with the Northern Lighthouse Board and they have noted it is not an urgent requirement as the light is not mandatory and there are other provisions to communicate any port closures.
- 9.3 Currently planning, consultation and communication is in progress surrounding the proposed upgrade of Navigational lights in Buckie and Burghead. The proposals would utilise renewable solar power and provide more efficient lighting which is not reliant on unsuitable power connections. As

a result the availability of lights reported to the Northern Lighthouse Board will improve significantly.

- 9.4 A source of funding has been applied to for the navigational light upgrade from the Scottish government's Marine fund Scotland within its Blue economies brief. The Navigational Lights will be upgraded before 31 March 2022 if successful.

10. GENERAL SAFETY BUSINESS

PMSC Audit

- 10.1 A full annual audit was carried out by Marex Marine within their capacity as designated person. The Audit was conducted at Buckie Harbour Office on 12 October 2021 and concluded that the Moray council harbours are compliant with the Port Marine Safety Code.
- 10.2 The Audit process noted some observations mainly clerical in nature as outlined below which are to be attended to and resolved:

Observation	Progression
Review Harbour Bye-laws with particular regard to continued relevancy	Liaison with legal service required to establish a time to review bye-laws during 2023.
Consider cyber security protocols	Addition of cyber security policy to be added to SMS during review cycle.
Risk assessment review required	Annual Risk assessment review to be carried out in February.
SMS updates, rewording suggestions	Review of SMS with aid from Quality Management Systems department planned April/May 2023.
Consideration of adding extra safety signs around harbour	In conjunction with ongoing water safety group meetings and workstream considerations for signs required to be discussed.
Increasing drills carried out with external institutions suggested	Plans to be made to include exercises with local fire brigade

Signage

- 10.3 There has been a full audit identifying new signs required around the harbours including, 4 signs to restrict general access to the pontoons as well as general harbour operations signs designating visitor berths, operational speed restrictions in the harbours warnings and keep slipway clear signs. These will be erected on delivery within the next quarter.

Green Harbours

- 10.4 There has been continuing work carried out in the background with the focus to push the harbour environments towards lowering carbon emissions and promoting overall environmentally sound practices within the harbours.

- 10.5 The works currently being planned to be reported in future meetings would lower the carbon footprint of the harbours and in turn would promote the use of green technologies in the environment.

Water Safety Group

- 10.6 The next scheduled meeting of the Water Safety Group is on 1 February 2022. The meeting will focus on new water safety initiatives being implemented by Scottish Fire and Rescue Service and will also discuss ideas for safety signs that would improve water safety if implemented throughout Moray in proximity to accessible waterways.
- 10.7 To aid Water Safety Scotland, a list of current safety signs throughout Moray Council services is being collated to provide information of sign provision across the whole of Scotland.
- 10.8 The plan ultimately will be to ensure there is a coherent, adequate and consistent level of relevant signs across Moray and Scotland with the aim to further lower the number of incidents within accessible waterways.

11 OPERATIONAL UPDATES

Marine Funding Opportunities

- 11.1 There are currently a number of funding opportunities being explored. To date there is an application for £16,694.25 of funding accepted in principle awaiting official confirmation. This is for funding via the Marine Fund Scotland programme organised by the Scottish Government. This will be used to complete an upgrade of Navigational lights in Buckie and Burghead harbours if it is confirmed and constitutes 75% of the cost of the project.
- 11.2 If confirmed and after the completion of the Navigational light project this financial year if reopened as has been suggested, further funding will be sought from the Marine Fund Scotland programme for the financial year 2022/23 for relevant projects with a focus on delivering a reduction in carbon emissions and projects that benefit the local economy and supply chain.
- 11.3 The UK government has also announced through its UK Seafood Fund, 2 schemes of funding for infrastructure and training.
- 11.4 Early engagement within these schemes has been achieved and online seminars are being attended to gain all relevant information prior to the application process being opened in March.
- 11.5 During the meetings, information has also been sought explaining The UK Government Science and Innovation scheme which is scheduled to open a new round of funding in February.
- 11.6 Applications for carefully designed projects will be made to schemes in which objectives and requirements are met. Information on progression on proposed applications will be made in future committee reports.

Customs Control

- 11.7 As a result of withdrawal from the European Union new customs control mechanisms are in place within the UK.
- 11.8 Relevant engagement with Border Force, National Frontiers Approval Unit and HMRC has led to gaining new Wharf approval and approval to operate Buckie harbour as a temporary storage facility.
- 11.9 Arrivals and departures to and from international ports will now be carefully controlled via customs control software and HMRC databases ensuring full compliance with the new UK protocols.

Ice Plant

- 11.10 Prices for ice have been decided and communicated at Harbour Advisory committee meetings. The price is currently set at £60/Tonne and £2.50/ fish box (approx. 30kg). This is in line with other local suppliers of ice. The supply of ice and its operational parameters including price are open to adjustments and improvements in the future if deemed necessary by feedback from users.

12 FUTURE OBJECTIVES AND PLANS

12.1 Objectives identified for remainder of 2022 and beyond include the following:

- Detailed review of the Safety Management System (SMS) will be reviewed and a revised SMS will be presented to a future meeting of this committee which will include emergency response and preparedness review, full risk assessment and health and safety reviewing and updating.
- Further development of SMS support checklists to aid compliance with Safety management system
- Monitor consistent incident reporting, including potential incidents.
- Implement new KPIs.
- Undertake further reviews of Marine Policy and Harbour Bye-laws.
- Review training requirements
- Increase momentum of Pilot training and accreditation.

13. 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

No staffing implications arise from this report.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

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

(h) Climate Change and Biodiversity Impacts

The following positive climate change impact has been identified:

Reduction in operational carbon emissions as a result of utilising solar powered navigational lighting with less reliance on inefficient cabling and electrical connections.

(i) Consultations

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

14. CONCLUSION

14.1 The Council is currently deemed to be compliant with the PMSC, however, work to maintain a safe environment remains an ongoing matter in a dynamic environment. Diligent staffing and constant monitoring and risk assessing will be utilised to maintain compliance as demands evolve.

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Background Papers:

Ref: SPMAN-524642768-648