

Harbour Board

Port Administration Building, Sella Ness

Thursday 10 January 2008 at 10.00am

Present:

A T J Cooper	I J Hawkins
R S Henderson	J H Henry
N McCracken	R C Nickerson
F A Robertson	C Smith
J Tait	

Apologies:

A T Doull	E L Fullerton
A Polson	

In Attendance (Officers):

J T Dickson, General Manager, Ports & Harbours Operations
B Edwards, Operations Manager, Ports
J Grant, Service Manager – Waste Services, Infrastructure
P Gray, Superintendent Engineer, Marine
A Inkster, Port Engineer
R Moore, Operations Manager, Marine
S Summers, Administration Manager
H Tait, Service Manager – Management Accounts
L Geddes, Committee Officer

Chairperson:

Mr A T J Cooper, Chairperson of the Board, presided.

Circular:

The circular calling the meeting was held as read.

Declarations of Interest:

None

The Chairperson welcomed the newly appointed independent Board members to the meeting.

Minutes:

Except as undernoted, the minutes of meetings held on 8 November 2007 and 4 December 2007, were confirmed.

28/07 – Port Project Monitoring Report

It was noted that there was a typographical error in the penultimate paragraph of this item, and that it should read “The General Manager advised that this year’s budget would be *spent* ...”

(Mr N McCracken attended the meeting)

In response to a query, the General Manager advised that the Sella Ness Pier item had been removed from this report as the developers had confirmed they had reviewed the business case and would not be proceeding to build a fish factory.

29/07 – Port Operations Report

Mrs I J Hawkins pointed out that she was not a Director of the Viking Energy Project, and that it should instead read “Mr A T J Cooper”.

Mr R S Henderson advised that the reference to “Collafirth Pier” should instead read “Cullivoe Pier”.

(Mr F A Robertson attended the meeting)

Members’ Attendance at External Meetings – Update

There was nothing to report.

01/08 **Revised Permit to Work Arrangements, Sullom Voe Terminal**

The Board noted a report by the Port Engineer (Appendix 1).

The Port Engineer summarised the main terms of the report, advising that once the consultation had concluded between BP and Ports and Harbours, it was hoped to proceed with the new arrangements in the next 4-5 weeks.

Mr R C Nickerson said that he had some concerns regarding liability issues in relation to the changes to the Permit to Work system, and he questioned if legal advice had been sought regarding liability issues should something go wrong with the Council’s system that affected the Sullom Voe Terminal (SVT). He accordingly moved that consideration of the report be deferred until legal advice had been sought.

The Port Engineer advised that the Council already had responsibility for the work it carried out at SVT, and was responsible for the maintenance of the equipment on the jetties. Whilst the Council carried out the work itself, it had to go through BP to gain access. BP had concerns about this arrangement as it currently took responsibility for the work the Council carried out on its own equipment by issuing the work permits. He went on to say that the proposals in the report should not increase the Council’s liability in any way. Whilst legal advice had not been specifically sought, Legal Services had seen the report as part of the agenda management process and did not have any comments.

Mr N McCracken confirmed that the current situation was ambiguous as it resulted in BP having to give the Council permission to work on its own equipment, and this left the Terminal open from a legal perspective.

The Chairperson suggested that in order not to hold up the work taking place in the meantime, legal and insurance advice could be sought and presented to the special meeting of the Board on 31 January.

The Board agreed.

02/08 **Port Security**

The Board noted a report by the Operations Manager - Ports (Appendix 2).

The Operations Manager, Ports, summarised the main terms of the report, advising that there was now a requirement to have additional security measures in place for the Construction Jetty at Sullom Voe and Scalloway Harbour. The only additional

physical security measure required was the installation of a wire fence at Scalloway Harbour allowing the access to the commercial quay to be controlled if required. In response to a query, he confirmed that the tugs did not have to comply with the new measures as they were classed as domestic vessels, but inside port limits the harbour rules would apply to them.

The Board otherwise noted the report.

03/08

Ports Project Monitoring Report

The Board noted a report by the General Manager (Appendix 3).

Scalloway Dredging

The General Manager advised that Westminster Dredging had confirmed that the costs for dredging would be in the region of £4million, which was double the cost that had been anticipated. He understood that the dredging market worldwide was extremely busy at the moment, and that dredging contractors could pick and choose the jobs they wanted. He was of the opinion that £4million could not be justified as value for money for this project.

The Chairperson concurred, but said that he felt there was still a need to get the consents in place so that the work could go out to tender as there may be a more favourable price from a smaller contractor.

The Board agreed.

Dock Symbister

The Port Engineer advised that he had been unable to contact Historic Scotland so far despite several attempts. However Arch Henderson was ready to proceed with the design work once confirmation had been received from Historic Scotland. As the job required work to be carried out in the summer time, he was concerned that it would not be ready to be carried out this summer.

The Board agreed that Mr Tavish Scott, MSP, should be contacted to see if he could speak to Historic Scotland on the Board's behalf.

Tug Replacement Programme

The General Manager advised that both the timetable and price for this programme remained the same.

Uyeasound

The Port Engineer advised that a few economies had been made during the early contractor involvement phase, however the price of steel had risen. The works were programmed to commence in April.

The Board agreed that more detailed information, particularly in relation to the price of the works, should be included in the report to the next meeting.

Navigational Aids

The General Manager advised that the changes to navigation lights at Scalloway had been requested for pilotage reasons, and that the Northern Lighthouse Board had approved the changes. The Port Engineer added that the radio equipment had been ordered and would be installed when it arrived.

Walls Pier

The General Manager advised that the Capital Programme had yet to be finalised. The Board noted that land acquisition would only be considered when the project was at the works licence stage.

Warehouse, Scalloway (SLAP Proposal)

The General Manager advised that a few concerns had been raised by the planning department, but he was hopeful that these would be resolved. He went on to say that it was intended that the units would not be used for storage but should instead be used for activities that would result in income to the Harbour, and that this had been emphasised to SLAP who were funding the project.

The Board agreed that it was important that the brief for the design of the buildings should be kept as wide as possible to enable them to be opened up for other uses should the rationalisation of the aquaculture industry continue.

04/08

Port Operations Report

The Board noted a report by the General Manager (Appendix 4).

The General Manager summarised the main terms of the report, advising that there would be a report to the next meeting on operations and staffing. With regard to the weather radar, he advised that a written submission had now been sent to the Scottish Parliament Flooding and Flood Management Inquiry, and letters in support of basing a weather radar in Shetland would also be submitted.

05/08

Sullom Voe Strategic Plan

The Board noted a report by the Service Manager – Waste Services, (Appendix 5).

The Service Manager summarised the main terms of the report, outlining the background to the project to develop a Strategic Plan for Sullom Voe.

In response to a query, he confirmed that tender documents had been returned and that they were just within budget. A review of the tenders returned would take place the following week. He went on to say that he hoped work could commence within a few weeks of the appointment being made, and that the timescale for concluding the job was mid-May.

On the motion of Mr A T J Cooper, seconded by Mr R C Nickerson, the Board resolved, in terms of the relevant legislation, to exclude the public during consideration of the following item of business.

(Members of the press left the meeting)

06/08 **Scalloway Harbour – Manning Reorganisation**

The Board considered a report by the Operations Manager - Ports.

The Operations Manager, Ports, summarised the main terms of the report, outlining the background to the proposals and the proposed new manning structure.

During the discussion that followed, the Operations Manager, Ports, and the General Manager, addressed concerns raised at the proposals by some Members. Other Members highlighted the advantages of the proposed new structure.

Mr R C Nickerson moved that the recommendations in the report be approved, and Mr A T J Cooper seconded with the proviso that the new arrangements should be reviewed in a year. Mr R C Nickerson agreed to include this in his motion.

Mrs I J Hawkins moved, as an amendment, that there should either be a full-time Pier Master in place at Scalloway or the Operations Manager, Ports, should spend 100% of his time based at Scalloway rather than 50%.

Mr J H Henry seconded.

After summing up, voting took place by show of hands and the result was as follows:

Amendment (Mrs I J Hawkins)	2
Motion (Mr R C Nickerson)	7

The meeting concluded at 11.20am.

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A Cooper
CHAIRPERSON