

# MINUTE

**‘A&B’**

**Harbour Board**  
**Council Chamber, Town Hall, Lerwick**  
**Thursday 20 January 2011 at 9.30am**

**Present:**

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

**Apologies:**

L Boswell	E L Fullerton
A Polson	C Smith

**In Attendance (Officers):**

G Greenhill, Executive Director - Infrastructure  
R Moore, Head of Ports & Harbours Operations/Harbour Master  
B Sclater, Acting Harbour Master  
B Hockham, Operations Manager - Ports  
A Inkster, Engineering Manager – Ports  
R Sinclair, Head of Capital Programming  
J Williamson, Design Manager  
B Robb, Management Accountant  
S Summer, Administration Manager  
L Gair, Committee Officer

**Chairperson:**

Mr A T J Cooper, Chairperson, presided.

**Circular:**

The circular calling the meeting was held as read.

**Declarations of Interest:**

None.

The Chairperson referred to concerns raised by Mr Smith regarding declarations of interests and his role as an external Member of the Board and asked the Head of Ports and Harbours Operations to clarify the position for Mr Smith.

**Minutes:**

The minutes of the Harbour Board meetings held on 17 November and 24 November 2010, having been circulated, were confirmed.

**Min Ref 50/10**

**Ship to Ship** – “new Proposed Legislation on Ship to Ship Transfers”. Mr R C Nickerson advised that Mr Penning MP, Shipping Minister would be visiting Shetland to discuss the Emergency Towing Vessels and the Coastguard Station and asked for an assurance from the Head of Ports and Harbours Operations that a briefing note would be prepared for the Convener so that he could also raise this matter with Mr Penning. The Head of Ports and Harbours Operations agreed to do so.

Mr J H Henry advised that a meeting was being held in London regarding the coastguard station this week and KIMO would be involved. He said that he would report to Members as soon as possible after the meeting.

Staff – “marketing post”. In response to a query from Mr R C Nickerson, the Executive Director – Infrastructure advised that this post would be considered as part of a wider review of the Infrastructure Services Department, which would include the Ports and Harbours Operations management function. He explained that he hoped to report on this review to the Harbour Board, Infrastructure and the Council within the first quarter of the year.

Status Update Report - Oil – In response to a query from Mrs I J Hawkins, the Head of Ports and Harbours Operations advised that there had been some discussions with both BP, at Sullom Voe, and Marine Managers for Schiehallion and Foinaven. He advised that there would be a routine annual shutdown and Schiehallion were looking to replace its floating production storage and offloading (FPSO) unit, but although that had been reported in the press he had no confirmation of that. The Head of Ports and Harbours Operations advised that he would advise Members when confirmation was received.

Mr R C Nickerson said that information was not being received from Schiehallion regarding their future plans and this did not allow officers to make projections for budgetary purposes. He said that some pressure should be applied, either by the Board or Sullom Voe Association to ensure information is received.

The Head of Ports and Harbours Operations suggested that Schiehallion officials could be invited to attend the Harbour Board in order that these issues could be presented to them. The Board agreed.

#### Min Ref 48/10

Projects Requiring Consideration – Mrs I J Hawkins referred to her previous question regarding the phrases “outwith desirable prioritisation” and “within desirable prioritisation” and asked that the phrases be explained at the next meeting of the Board.

#### Min Ref 52/10

##### Pollution Responsibilities

Mrs I J Hawkins asked that the Environmental Liaison Officer be asked to provide a presentation to the Board within two cycles.

#### **Member’s Attendance at External Meetings**

A T J Cooper	Various meeting regarding the Emergency Towing vessel and the Coastguard Station.
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#### 01/11 **Ports Project Monitoring Report**

The Board noted a report by the Harbour Master/Head of Ports and Harbours Operations, attached as Appendix 1.

The following updates were provided:

##### Dock Symbister (RCM 2309)

The Engineering Manager – Ports advised that he would meet with Conservation Architects, Groves Raines at the dock in Symbister on 27 and 28 January 2011 and a report would be provided to the next meeting of the Board.

The Engineering Manager – Ports attended a public meeting in Whalsay, which had been well attended, and the feeling from the public was that the dock is a vital part of the community and they wished to see it restored.

The Engineering Manager – Ports advised that he had approached the Shetland Amenity Trust and was due to meet with Mr J Moncrieff on 21 January 2011 and the outcome of that meeting would be included within the next report to the Board.

Mr J Tait questioned the need to restore the dock in light of the possible change to the ferry terminal and harbour area. The Chairperson said that there was a pressing need to address the deteriorating dock. He said that no decision had been made regarding the Whalsay link the Harbour Board had an obligation under law to ensure that the dock is made safe. The Chairperson said that the Board could not afford to do nothing. He said that following a meeting with Groves Rains and the Shetland Amenity Trust, the Engineering Manager – Ports would bring a separate report on the condition of the harbour and any implication as well as options for the Board to consider. The Chairperson said that he had understood that the Shetland Amenity Trust had not wished to be involved, but he said that they were in the best position to acquire external funding for this project.

#### Tug Replacement Programme – RCM 2313

The Head of Ports and Harbours Operations advised that both Tugs were due to leave Valencia this weekend and the voyage would take two weeks depending on the weather. Staff are currently undertaking a familiarisation process and they would be overseeing the departure of the Tugs.

In response to a query from Mr R C Nickerson, the Head of Ports and Harbours advised that the naming ceremony was proposed to take place in March to allow for preparations and invitations to be sent out to visitors. A date would be set next week with invitations being sent out in the next two weeks.

#### Walls Pier – RCM 2316

The Head of Capital Programming advised that the tenders were received before Christmas and were checked through with the lowest price being approved. He advised that the letter of award had been sent out on 19 January 2011.

#### Navigational Aids – PCM 2104

The Engineering Manager – Ports advised that access to Lamba was restricted and a helicopter may be required to allow the upgrade to take place.

#### Scalloway Dredging – RCM 2208

Mr R C Nickerson queried whether the NAFC filtration system would be in place in time for the dredging to start in April. The Head of Capital Programming advised that this was a condition of the contract and until the filtration system is in place, the programme of works would be kept further away from the college.

#### Projects Requiring Consideration

The Chairperson said that these projects are Council aspirations and do not feature in the Council prioritised capital programme. The Head of Capital Programming advised that Officers were looking to move towards a 10 year capital programme and that would give some of the projects a time line but it was too early to discuss that.

Mrs I J Hawkins again referred to the phrases “outwith desirable prioritisation” and “within desirable prioritisation” and asked that this be changed to normal language.

02/11 **Ports Operations Report**

The Board noted a report by the Head of Ports and Harbours Operations, attached as Appendix 2.

The Head of Ports and Harbours Operations introduced the main terms of the report.

Mr R C Nickerson advised that Shell had lost a fender off a platform and production ceased. He asked if that would affect ship movements into Sullom Voe. The Head of Ports and Harbours Operations explained that this occurred on the Bravo platform which is the hub for the Brent System. He said that if it was closed for one or two days there would be no problem but if it were shut down for an extended period there would be a problem with exports for the Port. The Head of Ports and Harbours Operations said that the investigations were still taking place to determine what damage had been done.

Mr Nickerson queried how long the platform would have to be shut down before it had an impact on the Port. The Head of Ports and Harbours Operations said that he would report back to Mr Nickerson on this question. In response to a further query from the Chairperson, the Head of Ports and Harbours Operations said that he would also provide information on the Bravo platform’s daily production.

03/11 **Exercise Coast Watch Evaluation Report**

The Board noted a report by the Harbour Master/Head of Ports and Harbours Operations, attached as Appendix 3.

The Head of Ports and Harbours Operations provided a detailed summary of the tabletop exercise, which was carried out on 16 September 2010. He highlighted the main issues that arose and the lessons to be learned.

Mrs I J Hawkins referred to paragraph 4.7 and the clean up of pollution and the statement that “...it should be noted that it is not a statutory duty of a local authority”. She said that she had been led to believe that it was a duty of the Council and asked if things had changed. The Head of Ports and Harbours Operations explained that work had been done to investigate who was responsible for the clean up. He said that there is an agreement in place with the Government that the local authority would respond to clean up areas outside a harbour area, however no legal requirement existed in the statute books. He said that he believed that other local authorities were looking at this and were questioning if they are the appropriate body to deal with this.

Mr R C Nickerson said that he and Dr J W G Wills had pushed for this exercise to take place and they had both attended the exercise as observers. He said that it had been very interesting to see those involved and he noted that a handful of them had also been involved at the time of the Braer and the Klondyker incidents. Mr Nickerson explained that he and Dr Wills had not been happy with the scenario and said that the two main issues for them had been that there was some confusion over what weather scenario would be used. He said that they believed if the weather on the day of the event had been used, the tanker would have broken up. He said that the final scenario had the vessel being taken off the rocks and rescued. Mr Nickerson added that this could not happen if the emergency towing vessel had not been employed and the use of the Emergency Towing Vessel needs to be highlighted to Ministers.

Mr Nickerson referred to paragraph 6.5 and the detailed report to be produced by the Emergency Planning and Resilience Service. He asked that this report be presented to the Harbour Board before it goes to the Council.

The Chairperson said that since the Braer, 14 years ago, there had not been another incident. He said that looking back at that time, a lot of Council staff had now left and more exercises should be held so that staff can be trained with attention being given to achieving good response times.

04/11 **Environmental Monitoring**

The Board noted a report by the Harbour Master/Head of Ports and Harbours Operations, attached as Appendix 4.

The Head of Ports and Harbours Operations introduced the main terms of the report.

Mrs I J Hawkins referred to Appendix 1, Paragraph 2.4iv) and the distance and depth that the discharge of ballast water should take place in. She asked if any monitoring is undertaken or records kept. The Head of Ports and Harbours Operations advised that all ships have a record book on board, which is monitored on a random basis by Ports and Harbours Operations, BP or the MCA. He said that this was not a matter of routine but that could be changed if required. The Head of Ports and Harbours Operations added that there were no reported incidents from Sullom Voe of invasive species and surveys have been done which show slight fluctuations in local species. He said that these fluctuations were attributed to seasonal or natural variations.

Mr J Tait said that there was real concern regarding shellfish and the invasions by Zebra mussels. He explained that these could come in through ballast water and would not be detected unless someone was specifically looking for them. He said that they would not be found on the shoreline and a programme was needed, with assistance from the North Atlantic Fisheries College, to look at this on a spot check basis to see what is in the ballast water.

In response to further queries, the Head of Ports and Harbours Operations explained in detail when ballast water is pumped, the stability issues of pumping at sea in open waters and when pumping would take place within harbour limits. He explained that all ballast water has to be treated by a means approved either chemically or with ultraviolet lights or in a way that no more harm to the eco system.

Following further discussions the Board unanimously agreed that more should be done to protect the natural species and aquaculture industry in all ports around Shetland. It was agreed that Lerwick Port Authority (LPA) should be contacted with regard the their practices and the Board should work together with LPA and SOTEAG to discuss the level of monitoring and sampling that should be undertaken. The Chairperson said that he would ask for this to be added to the Sullom Voe Association agenda in March so that this can be discussed with SOTEAG.

Mr Nickerson also asked that the Ministers be asked to clarify the International Convention for the Control and Management of Ships Water and Sediments, as soon as possible. The Board agreed.

05/11 **Revenue Monitoring 2010/11 – Period 9**  
**Ports and Harbours Operations**

The Board noted a report by the Head of Finance, attached as Appendix 5.

The Management Accountant introduced the report and summarised the budget as at the end of Period 9.

In response to a query from Mr J Tait, regarding the budgetary income from Schiehallion, the Management Accountant advised that the budget is profiled for less income during the closedown, however Schiehallion was closed for longer but it was not in her gift to predict what income would be received for the remainder of the year.

Mr R C Nickerson said that the estimated income figure of £4m was unrealistic and moved that the Board ask the Head of Finance to reduce that figure for next year's budget. Mrs I J Hawkins seconded.

The Chairperson said that this was a discussion that should take place at the special meeting of the Harbour Board on 9 February 2011 when budgets would be fixed for 2011/12.

Mr Nickerson clarified that he did not have a figure in mind and said that it should be discussed at the special meeting. He said that he stood by his motion that the £4m estimate was unrealistic and asked that this be relayed to the Head of Finance and the Special Harbour Board.

In response to a query from Mr R S Henderson regarding the sale of the tugs, the Head of Ports and Harbours Operations advised that there are now 4 tugs and the intention is to sell 2. The Stanekacker had now been sold and once the crews are trained on the two new tugs the other tug will be sold.

Mr J Tait added that the proposal for next year should be based on the throughput and consideration given to what has been delivered against what was proposed.

#### 06/11 **New Business**

The Board considered a report by the Head of Ports and Harbours Operations, attached as Appendix 6.

The Head of Ports and Harbours Operations introduced the main terms of the report.

Mrs I J Hawkins referred to paragraph 4.5 and Mr R C Nickerson's earlier comments regarding the need for a marketing post and said that this was important for the future marketing of the port. Mrs Hawkins also referred to paragraph 4.6 and sought reassurance that contact was being made with the renewables industry representatives to ensure that their requirements were being met.

The Board discussed, at length, all aspects of the Council's participation in the All Energy event and Mrs I J Hawkins moved that the Board approve the recommendations contained in the report, seconded by Mr A T J Cooper.

The Board also discussed the need to secure as much of the Total business through the Port as possible and Mr F A Robertson advised the Board that it had been a condition of the Planning Permission granted on 24 February 2010 that all materials come in through Sullom Voe and that should mean considerable income for the Port.

Mr R C Nickerson queried whether the Council would be participating in the Fishing Exhibition in Glasgow, this year. The Head of Ports and Harbours Operations advised the Board that there was also a new exhibition taking place in Aberdeen. It was explained that Glasgow was more focussed on the white fishing fleet whilst Aberdeen

would be related to the pelagic fishing. Following some consideration, the Board unanimously agreed that, this year, the Council should be represented at the new Aberdeen based event instead of the Glasgow event and a report would be presented to the Board following the event.

The meeting closed at 11.15am.

A T J Cooper  
Chairperson