

MINUTE

A & B

**Special Shetland Island Council
Council Chamber, Town Hall, Lerwick
Tuesday 8 March 2011 at 12 noon**

Present:

A J Cluness J Budge
A T J Cooper A T Doull
B L Fullerton I J Hawkins
J H Henry W H Manson
C H J Miller R C Nickerson
F A Robertson J G Simpson
A S Wishart

Apologies:

L Angus A G L Duncan
F B Grains R S Henderson
A J Hughson C L Smith

In Attendance:

G Greenhill, Executive Director – Infrastructure Services
R Moore, Harbour Master
W Shannon, Assistant Chief Executive
L Adamson, Committee Officer

Chairperson

Mr A J Cluness, Convener of the Council, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

Mr R Nickerson declared an interest in his role as a Consultant for KIMO due to KIMO's involvement through the Environmental Liaison Officer, however as it was not a financial matter he would take part in the debate.

30/11 **MCA Coastguard Consultation**

The Council considered a report by the Harbour Master and Environmental Liaison Officer (Appendix 1).

The Convener thanked the staff that had been involved in preparing the response to the MCAs consultation, and advised that the Minister for Shipping had been extremely impressed by the level of information and facts provided at their recent meeting. He said that in addition to the response from the Council, there is also

firm opposition from the Lerwick Coastguard and the Shetland community. He added that work also has to continue to address the Government's decision not to renew the contract for Emergency Towing Vessels (ETV).

In introducing the report, the Harbour Master thanked the Head of Economic Development, the Environmental Liaison Officer, and the Emergency Planning and Resilience Manager, in addition to other officers and groups, for their contributions to the response. Members were advised that the response would include two further Annexes when finalised, and that the closing date for responses was 24 March.

The Harbour Master reported that the decision has been made whereby the current contract for ETV will not be renewed, and therefore from the end of September when the current contract comes to an end, there will be no provision. He explained that the current contract cannot be extended under EU guidelines, and Government intervention for a derogation would be required to put a system in place until a final solution can be reached.

Mr J Simpson thanked the Harbour Master for the significant amount of work undertaken in preparing the comprehensive response. Mr Simpson outlined the importance of the Coastguard service to seafarers, and in referring to the MCAs proposal that the Station would only be open in daylight hours he reported that the majority of incidents at sea occur during the night, and during very severe weather. Mr Simpson moved that the Council approve the recommendations in the report. Mr Simpson added that the response would be accompanied by a further submission from the Council.

Mrs B Fullerton advised that she supported the recommendation in the report, however in referring to Annex 3, she proposed that stronger representation should be made on the national dependence on oil reserves, and in Page 7 of the report, she suggested that additional statistics should be provided on the length of time Shetland can experience bad weather and storms. In referring to Question 3 on Page 5 of the response, Mrs Fullerton commented on her concern that the reference to local accents and dialects could be seen as specific to the local area, rather than encompassing international requirements.

Mr R Nickerson congratulated all the staff that had been involved in pulling together the very comprehensive response. Mr Nickerson commented that the format of the questions in the consultation document were very direct in order to receive defined responses, and he stated that the Council's response needs to be enhanced in terms of loss of life. In referring to Annex 2, Mr Nickerson noted that there was no provision for ETV north of Caithness, or around Orkney and Shetland.

Mr Nickerson proposed that Mr Simpson add to his motion an additional Recommendation 7.3, "That the Convener invite the Transport Select Committee to Shetland to hear evidence; the Council ask for an opportunity to give oral evidence to the Committee, and to ask Officers to investigate the cost of a judicial review on the ministerial decision on ETVs".

During the discussion, Mr A Cooper said that in order to give confidence to the community as regards safety west of Shetland, the response should include further emphasis on the Atlantic Frontier west of Shetland.

Mr Simpson confirmed that his motion included Mr Nickerson's earlier suggestion for a Recommendation 7.3. In response to a question from the Harbour Master, it was confirmed that the motion included Recommendation 7.2, for the Harbour Master to respond to the Transport Select Committee in conjunction with inviting the Committee to Shetland.

Mrs C Miller seconded.

The Assistant Chief Executive advised that an invitation had already been made to the Chair of the Transport Select Committee to come to Shetland, however if that was not possible, as an alternative the Convener would make representation in London.

In referring to the map at Annex 2, Mr W Manson said that although the circles illustrate where the vessels are based around the UK, he indicated that there was no guarantee of availability. In response to a comment from Mr Manson regarding the Government's decision not to renew the contract for the ETV and with no proposals for alternative provision, the Harbour Master indicated that the industry and stakeholders were to come with further solutions to the decision that has effectively been taken.

The meeting concluded at 12.30pm

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A J Cluness
Convener