

# MINUTE

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**Harbour Board**  
**Council Chamber, Town Hall, Lerwick**  
**Tuesday 8 March 2011 at 2pm**

**Present:**

A T J Cooper	A T Doull
E L Fullerton	I J Hawkins
J H Henry	R C Nickerson
F A Robertson	

**Apologies:**

L Boswell	A Polson
R S Henderson	

**In Attendance (Officers):**

R Moore, Head of Ports & Harbours Operations/Harbour Master  
B Hockham, Operations Manager - Ports  
A Inkster, Engineering Manager – Ports  
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.

**Minutes:**

The minutes of the Harbour Board meetings held on i) 20 January 2011 and ii) 9 February 2011 were confirmed.

**Member's Attendance at External Meetings**

None.

09/11 **Ports Project Monitoring Report**

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

The Chairperson advised that under this item there was some discussion that would be taken in private and this would be taken at the end of the meeting. Members agreed.

The following updates were provided:

#### Dock Symbister – RCM 2309

The Engineering Manager – Ports advised that he had not yet had sight of the completed report prepared by Groves Raines Architects, but this would be reported in detail to the next meeting of the Harbour Board. The Chairperson advised Members that he had met with the Manager of the Shetland Amenity Trust and had been encouraged by the discussions held. In order to provide a full report to the next Harbour Board, he asked that the report from Groves Raines be shared with Shetland Amenity Trust so that their position, regarding this project, could also be advised to Members.

Members agreed that it was important to continue with discussion in order that when the Whalsay Harbour situation becomes clear, decisions can be made on the Dock.

#### Tug Replacement Programme RCM 2313

The Head of Ports and Harbours Operations advised Members that a Voith training Captain had been to Shetland and provided training to captains and mates. He informed Members that most of the contract payments had now been made and the remainder of the budget would be carried forward into the first quarter of the financial year.

#### Walls – RCM 2316

Members were advised that due to the favourable tender coming in below the estimated price, there would be a saving to the Council of approximately £575,000. In response to queries, it was explained to Members that the estimate was based on the Uyeasound Pier Project, however the tenders received were very competitive.

#### Scalloway Dredging – RCM 2208

In response to a query, the Head of Ports and Harbours Operations advised that work in relation to the NAFC filtration system had started. The dredging contractor had been to Shetland to meet with officials before the dredging work started and it was expected that there would be no impact on the College, from the dredging within the harbour area.

#### 10/11 **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.

In response to a query, the Head of Ports and Harbours Operations explained how income related to salvage operations is allocated and explained that the Port income would be paid into the Harbour Account.

The Chairperson referred to paragraphs 6.1.3 and 6.1.4 and expressed his concern that these incidents should continue to happen with the equipment available, safety measures and risk assessments in place. The Head of Ports and Harbours Operations explained what records and measures are put into place to ensure that the vessels involved continue to be monitored. He said that these incidents are recorded on an international vetting scheme and the vessel operators work hard to have any incidents cleared from the vetting scheme, as quickly as possible. The Head of Ports and Harbours Operations said that vessels could be refused entry to a Port if the Port is not satisfied with their record.

The Head of Ports and Harbours Operations also explained that the role of the Pilot, when he is onboard a vessel, is only as an agent and confirmed that he is not in overall command. He added, however, that the release of the towing gear would be at the Pilot's recommendation.

#### 11/11 **Status Update Report**

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

##### Ship-to-Ship

The Head of Ports and Harbours Operations said that he hoped that there would be one or two more ship-to-ship transfers from the Russian tankers before the end of the winter season in the North of Russia.

With regard to the Council's application to the Secretary of State to maintain Ship-to-Ship operations under the statutory instruments, the Head of Ports and Harbours Operations said that, in addition to what the Port has in place, he was unsure what would be required by way of an Environmental Statement. Until that is known he would not know what cost would be attribute to this piece of work.

##### Exercise Sula

The Head of Ports and Harbours Operations advised that this tabletop exercise would be coordinated from Aberdeen and would not involve the Lerwick Coastguard or the Emergency Towing Vessel (ETV). With regard to media liaison, the Head of Ports and Harbours Operations said that in the event of a real incident, he had stressed the need to have media liaison located in Shetland as there was likely to be an influx of news reporters and journalists who would want to be close to such an incident. Members agreed.

Members were concerned that the local coastguard and emergency towing vessel would not be involved in the exercise and believed that the MCA should be planning for the worst case scenario. Members however felt that this was an opportunity to see how the exercise would unfold and Officers would be able to state at what point the local coastguard and ETV needs to be involved.

The Head of Ports and Harbours Operations advised that he would pass on these points to the Emergency Planning and Resilience Manager.

##### Oil

The Head of Ports and Harbours Operations advised that BP in Aberdeen had provisionally accepted the Harbour Board's invitation and hope to attend the next Board meeting at the end of April.

Mr R C Nickerson referred to paragraph 6.6 and the Greenpeace High Court case. He said that there would be a strong case for a judicial review of the decision made by the Shipping Minister to remove the Emergency Towing Vessel.

##### Business

The Head of Ports and Harbours Operations provided an update on the Sullom Voe port activities as a result of Total's operations. He said that the Engineering Manager - Ports was working hard on coordinating the many agencies involved. The Head of Ports and Harbours Operations advised that many artefacts had been found on the industrial site and Total was working closely with archaeologists on this. It is expected

that some of the artefacts will be displayed in the Total terminal building with others being passed to the museum.

In referring to the Scalloway Harbour, the Head of Ports and Harbours Operations advised that officers were working to secure aquaculture business in relation to the treatment of produce.

#### Coastguard

The Head of Ports and Harbours Operations provided a summary of the report presented to the Special Council meeting held this morning. He explained that the report and appendices were available to view on the Council's website. The Head of Ports and Harbours Operations said that not all ports were behind the responses from Shetland, Orkney and the Western Isles, however the British Ports Association would present a balanced response highlighting concerns regarding the Coastguard Station and the Emergency Towing Vessel.

The Head of Ports and Harbours Operations reminded Members that the decision to discontinue the Emergency Towing Vessel, at the end of September, had already been made and that there was no scope to extend its service for a further period without Government intervention.

#### Burravoe Pier

The Chairperson advised that he had been approached by a Burravoe Pier Trustee and was advised that the issue of the Council taking over the pier had not been resolved. The Chairperson asked that a report be presented to the next meeting of the Board. Members agreed.

#### 12/11 **Revenue Monitoring 2010/11 – Period 10** **Ports and Harbours Operations**

The Board noted a report by the Head of Finance, attached as Appendix 4.

The Management Accountant introduced the report and summarised the budget as at the end of Period 10.

Mr R C Nickerson referred to the £1.5m overspend and said that this figure reinforced his belief that £4m was an unrealistic target. Members agreed.

The Chairperson said it was important to look at budgets more carefully for next year.

**Mr A T J Cooper moved, seconded by Mr R C Nickerson, that the Board resolve in terms of subsection 4 of the Section 50A of the Local Government (Scotland) Act 1973 to exclude the public from this meeting during consideration of paragraph 4.2 of agenda item 1 on the grounds that it is likely that, if the public were present, there would be disclosure of exempt information as defined in paragraph 8 and 9 of Part 1 of Schedule 7A to the said Act.**

#### 13/11 **Ports Project Monitoring Report** **Tug Replacement Programme RCM 2313**

Members noted an update, provided by the Head of Ports and Harbours Operations, on contractual issues relating to this capital project.

The meeting closed at 3.40pm.

A T J Cooper  
Chairperson