

# MINUTE

# A&B

**Harbour Board**  
**Council Chamber, Town Hall, Lerwick**  
**Thursday 1 September 2011 at 10m**

**Present:**

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

**Apologies:**

E L Fullerton	A Polson
C Smith	

**In Attendance:**

G Greenhill, Executive Director – Infrastructure  
R Moore, Head of Ports & Harbours Operations/Harbour Master  
J R Riise, Head of Legal & Administration  
J Williamson, Design Manager  
A Inkster, Engineering Manager – Ports  
P Gray, Marine Superintendent  
B Sclater, Acting Harbour Master A Inkster,  
S Summers, Administration Manager  
L Gair, Committee Officer

**Chair**

Mr R S Henderson, Chair, presided.

**Circular**

The circular calling the meeting was held as read.

**Declarations of Interest**

None.

23/11 **Minutes**

The minutes of the Harbour Board meeting held on 23 June 2011 were confirmed on the motion of Mrs Hawkins, seconded by Mr Cooper.

24/11 **Ports Projects**

The Board noted a report by the Harbour Master (P&H-23-11-F) that updated the Board on issues pertaining to the projects relating to the Ports and Harbours Operations and the Planning, Performance Management Framework.

Walls – RCM 2316)

The Head of Ports and Harbours Operations advised that Officers were closely monitoring this project following concerns raised by Members, and to ensure that the project is completed on budget and on schedule.

The Design Manager advised on the progress to date and informed Members that a site meeting would be held this week whereby a revised programme would be discussed. He explained the contractor had indicated an early completion by December 2011, however the contract was scheduled to end in February and he commented that this was a more realistic timetable. The Board agreed that a revised gantt chart and photos would be circulated at the next meeting of the Board.

#### Scalloway Dredging (RCM 2208)

The Head of Ports and Harbours Operations confirmed to Members that the initial depth contracted for was 8.5m and with the permission of the Board, Officers were working to achieve a deeper channel. It was explained to Members that the original tender price was less than the budget set aside for the project and this provided an opportunity to increase the depth, as long as it could be done within budget.

#### Fetlar Breakwater (GYC 7214)

Members were advised that the planning application required for the breakwater extension, had now been submitted and the consents required had been applied for.

#### Plant, Vehicles and Equipment (PCM 2101)

In response to a question, the Engineering Manager – Ports explained that due to the resources available in house at the time, it had proven to be more cost effective to seek suitably qualified contractors to carry out the work.

#### **Decision:**

The Board **NOTED** the contents of the report and areas of progress on all Ports projects.

#### 25/11 **Development and Marketing of Council's Ports and Harbours**

The Board considered a report by the Harbour Master (P&H-20-11-F) that presented proposals for the development and marketing of the Council's ports and harbours facilities.

Members gave due consideration to the four options presented but recognised the need for a clear strategy. Mr Cooper said that both recommendations 2.1.2 and 2.1.4 required further consideration and moved that the Board approve the presentation of a further report on these options. Mr Tait seconded.

Mrs Hawkins moved as an amendment that the Board approve recommendation 2.1.1 to create a post and employ someone to take this project forward. Mr Doull seconded.

With the support of his seconder, Mr Cooper agreed that the further report would be brought to the Board in one cycle, as suggested by Mr Nickerson.

Following summing up, voting took place with a show of hands and the results were as follows:

Amendment (Mrs Hawkins)	2
Motion (Mr Cooper)	7

#### **Decision:**

The Board **RESOLVED** that a further report be presented, to the next meeting of the Board, to provide more details in order to consider further the recommendations in paragraph 2.1.2 and 2.1.4, before making a final decision.

#### 26/11 **Safety Management System**

The Board noted a report by the Harbour Master (P&H-21-11-F) that updated Members on issues pertaining to Safety Management Systems for which the Board bears a responsibility and reported on the success of the major 5 year annual audit by the MCA, which resulted in the Document of Compliance being re-issued.

The Chair said that he was delighted with the report and following recent negative press, it was important to get the message across, to the public, that Sullom Voe is a safe port. He added that Sullom Voe had been good for Shetland as a whole as well as to the public of Shetland.

The Board noted its appreciation that minor non conformances, previously reported on the tug services, had now been completed. The Head of Ports and Harbours advised that the letter to the MCA, referred to at the previous meeting, would be prepared for the Chair's signature.

In response to a query, the Head of Ports and Harbours Operations advised that minor changes to the safety management system, such as a title or a word change, are carried out in-house. He explained that more important changes were presented to the technical working groups and onwards to the Board as part of its duty, with major changes being presented to external auditors and onto the Board. The Head of Ports and Harbours Operations further explained that health and safety issues relating to the operation of the port are also referred to the Board.

The Head of Ports and Harbours Operations advised that although there is no league table relating to the audit process and standards met, he was aware that work was ongoing at an international level to take into account the safety management systems. He was unaware when that would be available. He explained that many ports handle container shipments and therefore it is difficult to compare standards of Sullom Voe to these ports, but the port was being measured against oil throughput in ports across the UK.

The Ports and Harbours Operations also advised that a safety performance board was being planned as a visual reminder showing the number of days without incident in the port.

#### **Decision:**

The Board **NOTED** the contents of the report and the outcome of the 5 year annual audit by the MCA which resulted in the re-issue of the Document of Compliance. Members also noted with appreciation that the minor non conformances, previously reported on the tug services, had now been completed.

#### 27/11 **Vessel Traffic Services**

The Board considered a report by the Harbour Master (P&H-22-11-F) that described to Members the operation and function of the Vessel Traffic Service (VTS) and the closure of that facility on the evening of 9 August 2011. The report highlighted measures already put in place to avoid a repeat of this situation and sought approval for additional measures required.

The Head of Ports and Harbours Operations presented the report and the risk assessment attached as an appendix to the report.

In response to queries from Members, the Head of Ports and Harbours Operations explained the set of circumstances that led to the closure of the VTS. He informed Members of the pay implications for existing VTSO's should more staff be employed and explained that when additional training of existing staff was complete, they would be able to retain their certification by covering periods of leave, without affecting existing staff pay arrangements. The Head of Ports and Harbours Operations also confirmed that Pilots were willing to provide cover however there were a number of issues to consider such as the Pilots obtaining VTS accreditation, integration into the shift system, how to retain accreditation and remuneration under single status.

Mr Boswell said that the closure of the VTS was an abnormal situation. He drew attention to paragraph 3.2.2 that referred to the reduction of the VTS hours and said that he was in no way able to support any reduction of hours.

Mr Tait requested that Pilots address the Board to explain how they may provide cover for the VTS. Some discussion ensued as to whether this was entirely appropriate and after seeking advice from the Head of Legal and Administration, it was clear that the Pilots were in attendance as members of the public and were not present to provide technical advice in an official capacity. The Chair advised that Members would meet with the Pilots in private after the formal business of the Harbour Board had concluded.

Members commented that there was a danger of getting into the detail and there was a need for the Board to maintain its role and allow managers to manage the service. Mr Cooper said that the closure of VTS had been a one-off situation but it was important to reassure the community that the Board was doing everything to ensure a safe port. Mr Cooper said that a further report was required on paragraph 2.1.1 and moved that the Board approve recommendations 2.1.2 and 2.1.3 until there was more clarity from a further report. Mr Doull seconded.

Mr Nickerson expressed the view that to exclude paragraph 2.1.1 would restrict the Harbour Master in the day to day running of the port and in order to ensure flexibility Mr Nickerson moved as an amendment that the Board approve recommendations 2.1.1, 2.1.2 and 2.1.3 in the interim whilst the Head of Ports and Harbours Operations investigate and instigate any reasonable further options to provide appropriate cover and to include in the report the implications of training additional staff and the possibility of Pilots having VTS accreditation to provide cover for the Port.

With the support of his seconder, Mr Cooper withdrew his motion.

Members unanimously agreed that a further report would be presented to the next meeting of the Board.

### **Decision:**

The Board RESOLVED to approve the recommendations contained in the report, for one cycle, in order that the Head of Ports and Harbours Operations can investigate and instigate any reasonable further options to provide appropriate cover and to include in the report the implications of training additional staff and the possibility of Pilots having VTS accreditation to provide cover for the Port.

The meeting concluded at 11.35am.

Chair