

MINUTE

B - Public

Harbour Board

Council Chamber, Town Hall, Lerwick

Thursday 28 November 2013 at 10am

Present:

M Burgess	A Cooper
B Fox	R Henderson
A Manson	M Stout
A Westlake	

Apologies:

F Robertson

In Attendance:

M Sandison, Interim Director - Infrastructure Services
C Reeves, Harbourmaster
B Davidson, Interim General Manager – Ports and Harbours
C Anderson, Senior Communications Officer
L Gair, Committee Officer

Also Present:

V Wishart

Chair

Ms A Manson, Chair, presided.

Circular

The circular calling the meeting was held as read.

The Chair ruled that due to special circumstances, namely due to the timescales involved, the following item of business would be considered at this meeting as a matter of urgency in terms of paragraph 3.2.2 of the Council's Standing Orders for Meetings as item 6 on the agenda:

Report on Solan and Bonxie Modification Costs.

Declarations of Interest

None

42/13 Minutes

The Board approved the minutes of the meeting held on 26 September 2013 on the motion of Mr Henderson, seconded by Mr Stout.

43/13 Pilotage Accounts for Harbour Board: 2013-14 – Quarter 2 (April – September 2013)

The Board noted a report by the Executive Manager – Finance (F-061-F) which enabled the monitoring of the financial performance of the pilotage services.

The Harbourmaster introduced the report and advised that the method of charging would be altered in next year's budgets to address the deficit position.

In response to a question as to whether further efficiencies could be considered in order to break even, the Harbourmaster said that the Port is currently being run in the most efficient way possible with a standing cost for the pilots and the pilot boats and crew. He advised that there are times when the Port is not fully utilised but pilots are available upon request.

Decision:

The Board **RESOLVED** to review, and noted, the Pilotage Accounts from 1 April to 30 September 2013.

44/13 **6-Month Performance Overview – Infrastructure Services Directorate Plan (Ports and Harbours)**

The Board noted a report by the Director of Infrastructure Services (ISD-15-13-F), which summarised the activity and performance of the Infrastructure Services Department as it pertains to the functional responsibilities of the Harbour Board for the second quarter of 2013/14 against the objectives and actions in the Infrastructure Services Directorate Plan.

The Director of Infrastructure Services introduced the report and provided an update on key areas including: the long term business plan for Scalloway and Sullom Voe; the actions that have improved with 11 actions now green, and that the 8 at amber is due to timescales and work not progressing as quickly as anticipated. The Director of Infrastructure Services advised that the 1 red action related to the system of work for the launch services and explained that CoSLA were currently looking at the Single Status Job Evaluation Scheme for Councils and Cllr Robinson is pursuing the inclusion of marine activities in that review. She advised that CoSLA would complete their review by June 2014 at which time the resolution of the existing issues for launch crew will be considered at that time. The Tug crews, not currently under single status, would also be considered at that time. The Director of Infrastructure Services continued to introduce the key performance indicators and highlighted improvements in certain areas.

In response to a question relating to overtime, the Director of Infrastructure Services explained that the figures presented on page 25 of the agenda presents non contracted overtime. She explained that the standard working week is 37 hours however some staff are contracted to work 42 hours therefore if an individual works 44 hours the extra 2 hours is included in the non contracted overtime figure. In addition she explained that the number of FTE staff is based on an individual contracted to work 37 hours, however for someone contracted to work 42 hours a calculation is carried out and they are shown as one whole plus the fraction i.e. 1.2 FTE.

A Member queried who was carrying out the work on the medium and long term business plan for Scalloway and Sullom Voe and why this work was not being carried out in house. The Board was advised that following a tender process Ironside Farrar had been awarded the contract. The consultants are experienced civil engineers with a background in working with a number of harbours in the UK. Members were informed that this expertise does not exist in house and in a joint funded contract between the Council and HIE Shetland the contracts were progressing.

Members welcomed partnership working with the private sector partners and the NHS, and were informed that opportunities were being taken to use building services staff to do more work at Sellaness and by using staff more flexibly in house there was less need to use contractors.

In regard to the Risk Register and the loss of IT facilities, the Director of Infrastructure Services said that this was a major risk for the port but substantial resilience had been built into the system so had been ranked as a medium risk. Priority has been given to the Port in terms of IT support and how information is backed up. The Harbourmaster added that in the last two months fibre optics have been connected to Sellaness which has increase the resilience further.

A Member asked whether the staffing efficiencies implemented in the port had impacted on the workforce. The Director of Infrastructure Services advised that there had been a substantial reduction in staff and explained that there were sufficient numbers to cover holiday periods, but if sickness was added that would cause problems. She advised that the service did not have capacity and resilience to address unforeseen events in the harbour but that would be worked around using contractors. She explained that work was being done to look at costs and service delivery to establish what that means for the port.

In response to comments regarding the implementation of single status to shore based staff, the Director of Infrastructure Services explained that the move to single status terms and conditions had not helped with retaining skilled staff with individuals moving to other industries at this time.

At the request of a Member, the Director of Infrastructure Services agreed to circulate to Members the key that explains the codes used on the Risk Register.

Decision:

The Harbour Board **RESOLVED** to note the contents to the report.

45/13 **Capital and Revenue Project Progress Report**

The Board considered a report by the Team Leader – Port Engineering (PH-29-13-F), which concerned issues pertaining to the projects relating to Ports and Harbours Operations.

The Harbourmaster introduced the report.

In referring to paragraph 3.1.1, a Member asked why the contractor had been allowed to delay the completion of the project which was initially scheduled for completion in June 2013. The Member stated that this was an unacceptable position and asked whether penalty clauses existed and whether penalties should be pursued. The Director of Infrastructure Services explained that there had been delays but the project would not incur extra costs. Another Member provided background information on the project and explained the difficult circumstances that this contractor faced having taken over the project from another contractor. The Board acknowledged that the latter stages of the project were weather dependent but that the work was being done to a very high standard and the effect of the delay was minimised by the community receiving a quality pier and facilities.

In responding to a comment regarding the small ports condition survey, the Director of Infrastructure Services advised that staff were looking at all assets and the long term asset plan would include small piers and identify long term costs associated with these assets.

A Member questioned why the Gluss light could not be sourced locally and the Harbourmaster explained that the light was unusual and there is only one supplier of suitable LED lights which is based in New Zealand. He explained that a UK agent is being used but the lights would be sourced from New Zealand.

Decision:

The Harbour Board **RESOLVED** to note the contents of the report.

46/13 **Harbourmaster's Report**

The Board considered a report by the Harbourmaster (PH-31-13-F), which informed of the professional concerns and current status as reported by the Harbourmaster.

The Harbourmaster introduced the report and highlighted the comments made within the Designated Person's report relating to training of VTS operators. He advised that the VTS operators require 3 yearly updates and only a few colleges provide this training. The Harbourmaster explained that the courses are run only when there are enough attendees, with three recent courses having been cancelled at short notice. He advised that two VTS operators would be attending training next week and that would reduce resilience in the port whilst it is run with VTS back-up staff namely the port safety officer and pilots. The Harbourmaster advised that during part of the training period the VTS service would be reduced to an information only service. The Harbourmaster confirmed that moving to an information only service would not compromise safety.

In response to a question, the Harbourmaster explained that in theory the VTS training could be carried out locally, but it would be at great costs for the limited number of people who require the training relatively infrequently. He said that the supply and demand would not make this a viable option locally.

A Member noted that the Designated Person's Report stated that he could not give the Board assurances about the effectiveness of the current Marine Safety Management System in ensuring compliance with the Port Marine Safety Code. The Harbourmaster said that Officers were aware of this but an explanation had been given for the comment and it was not as a result of a significant safety issue.

Decision:

The Harbour Board **RESOLVED** to consider the content of the report in its role as Duty Holder, and noted that the necessary management and operational mechanisms are in place to fulfill that function.

In order to avoid the disclosure of exempt information, Ms Manson moved, Mr Henderson seconded, and the Board RESOLVED to exclude the public in terms of the relevant legislation during consideration of the following item of business.

47/13 **Commercial Report**

The Board considered a report by the Harbourmaster, which informed of recent commercial activity in the port.

The Harbourmaster summarised the main terms of the report and responded to Members questions on a number of business opportunities.

Decision:

The Harbour Board **RESOLVED** to note the potential business opportunities detailed in the report.

48/13 **Report on Solan and Bonxie Modification Costs**

The Board considered a report by the Interim General Manager – Ports and Harbours that had been requested at the Board meeting on 20 November 2013, which informed on the costs of the modifications to the vessels Solan and Bonxie.

The Interim General Manager – Ports and Harbours introduced the report and confirmed that the costs of the modifications carried out within budget.

Mr Fox moved that the Board approve the recommendations contained in the report, seconded by Mr Stout.

Decision:

The Harbour Board **RESOLVED** to note the contents of the report and recommend to the Council retrospective approval to use the stabilisation budget for the tugs for the additional modification works as set out in the report.

The meeting concluded at 11.35 a.m.

Chair