

MINUTE

B - Public

Harbour Board

Council Chamber, Town Hall, Lerwick

Tuesday 27 May 2014 at 2.00 pm

Present:

M Burgess	A Cooper
B Fox	R Henderson
A Manson	F Robertson
M Stout	

Apologies:

A Westlake

In Attendance:

M Sandison, Director of Infrastructure Services
P Bryant, Executive Manager – Harbourmaster and Port Operations
C Reeves, Harbourmaster
A Inkster, Team Leader – Port Engineering
C Black, Procurement Manager
B Robb, Senior Management Accountant
K Collins, Assistant Accountant
P Wishart, Solicitor
L Gair, Committee Officer

Also:

T Auld, ABP MER (Marine Environmental Research)
C Hislop, Audit Scotland

Chair

Ms A Manson, Chair of the Board, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

Minutes

The Board approved the minutes of the meeting held on 6 March 2014 on the motion of Mr Henderson seconded by Mr Robertson.

13/14 Management Accounts for Harbour Board: 2013/14 – Draft Outturn at Quarter 4

The Board considered a report by the Executive Manager – Finance (F-021-F), which enabled the review of the financial performance of services within its remit.

The Management Accountant introduced the report. Mr Henderson moved that the Board approve the recommendations contained in the report, seconded by Mr Cooper.

Decision:

The Board **RESOLVED** to:

- Note the Management Accounts showing the draft outturn position; and
- Note the proposed budget carry forwards which will be included in the overall Draft Outturn Report to be presented for approval to the Policy and Resources Committee on 28 May 2014.

14/14 **Pilotage Accounts for Harbour Board: 2013-14 – Quarter 4 (April 2013 – March 2014)**

The Board considered a report by the Executive Manager – Finance (F-026-F), which enabled the monitoring of the financial performance of the pilotage services.

The Management Accountant introduced the report and in responding to a query she referred to paragraph 4.7.3 and advised that the pilotage charges have been amended so as to show a break even situation in the budgets for next financial year.

Decision:

The Board **RESOLVED** to note the Pilotage Accounts, from 1 April 2013 – 31 March 2014.

15/14 **Twelve Month Performance Overview – Ports & Harbours, Infrastructure Services Department**

The Board considered a report by the Director of Infrastructure Services (ISD-11-14-F), which summarised the activity and performance of the Infrastructure Services Department where it relates to the functional responsibilities of the Harbour Board for the final 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 a brief comment on each of the performance indicators. In respect of the Service Action Plan, the Director of Infrastructure Services advised that the Business Plans for both Scalloway and Sullom Voe would be presented to the same meeting in October which would keep the cost down rather than bringing the same company to Shetland twice. Members expressed their concern that the first report should have already been presented and was still not available.

Mr Cooper moved that the Board approve the recommendations contained in the report, seconded by Ms Manson.

Decision:

The Board **RESOLVED** to discuss the contents of the report, making comments on progress against priorities in the Directorate and Service Plan, and on the planning process for future years.

16/14 **Capital and Revenue Project Progress Report**

The Board considered a report by the Team Leader – Port Engineering (PH-15-14-F), which provided an update on the progress of capital and revenue projects for Ports & Harbours Operations.

The Team Leader – Port Engineering introduced the progress report.

Walls Pier

The Team Leader – Port Engineering made specific reference to the arrangements in place for the Walls Pier Opening Ceremony. Mr Robertson expressed thanks to the staff involved in this project over the 12 years of its creation.

Baltasound Small Craft Landing Facility

The Team Leader – Port Engineering provided an update on the re-siting of the landing facility and reported that there had been opposition in terms of the commercial activity that takes place in that area of the pier. Members said that consideration should be given to transferring ownership of the facility for the Community to use, noting the potential costs of transporting the structure to Sellaness and in order to remove the requirement to incur costs on repairs to the structure.

Navigational Aids

Members questioned the difficulties in finding a solution for Gluss. The Team Leader – Port Engineering explained that Gluss is the same as the other navigational aids but on a larger scale and it was important to ensure that the range and intensity is right. He said that one problem was that technology is getting cheaper and better all the time. He confirmed that this was the type of work that should be done during the summer months.

Decision:

The Board **RESOLVED** to:

- Note the contents of the report and areas of progress made;
- Discuss and highlight any areas of concern; and
- Noted the arrangements made for the Walls Pier Opening.

17/14

Harbourmaster's Report

The Board considered a report by the Harbourmaster (PH-11-14-F), which informed the Port Marine Safety Code (PMSC) Duty Holder of the professional concerns and current status as reported by the Harbourmaster.

The Harbourmaster introduced the report and in responding to Members questions, he explained that the SC Laura was not permitted to call at Sullom Voe as the terminal had banned the vessel for non compliance with contractual requirements.

Capt. Auld gave a verbal presentation of his Designated Person's report and took questions from Member.

A Member asked, where a pier is not manned, is there a method for ensuring the pier is managed within the terms of the safety code. The Harbourmaster advised that some piers are monitored by part time pier masters and regular visits are made by the port safety officer and the harbourmaster. Capt. Auld explained that the Safety Marine System includes small ports and he looks for evidence that its requirements are being met, but how that is done is up to the Harbourmaster. The Harbourmaster confirmed that there are 4 vacant pier assistant posts vacant that have been advertised and applications have been received for all of them.

A Member commented that the Designated Person had concluded his report again by stating he was unable to give the Harbour Board an assurance about the effectiveness of the Marine Safety Management System in ensuring compliance with the Port Marine Safety Code. The Harbourmaster said that he could however confirm that the port continued to operate in a safe manner.

In responding to a question regarding the problems with reporting defects, the Harbourmaster explained that some remote workers do not have access to the port's computer system and a satisfactory method of access has not yet been found. He added that the problem was quite complex and was in connection with the software compatibility with computers outwith the Council's secure network, however ICT were engaged in this matter.

A Member referred to "Monitoring Measures" numbered paragraph 1 of Mr Auld's report and questioned whether training is being done to ensure that the experience is available, should someone retire. The Harbourmaster confirmed that under the existing Safety Management System that this was an area that would be looked into further.

Mr Cooper moved that the Board approve the recommendations contained in the report, Ms Manson seconded.

Decision:

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

18/14 **Capital Spending – Solan/Bonxie**

The Board considered a report by the Harbourmaster (PH-13-14-F), which briefed and informed the Port Marine Safety Code (PMSC) Duty Holder of the progress on returning Bonxie and Solan to service and to consider funding.

The Harbourmaster introduced the report. In responding to questions, the Harbourmaster said that he did not know why the vectoring had not been removed from the Bonxie as this was to be done when the fins were fitted.

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

Decision:

The Board **RECOMMENDED** that the Council resolve that £16,000 from capital budget approved in the 2013/14 budget year is carried forward into the 2014/15 year to cover the committed expenditure currently identified to bring the tugs to a fully operational state.

19/14 **Tug Charter**

The Board considered a report by the Harbourmaster (PH-14-14-F), which presented the action taken to hire a tug.

Mr Robertson moved that the Board approve the recommendations contained in the report, seconded by Mr Cooper.

Decision:

The Board **RESOLVED** to note the action taken to charter a tug for refit cover and that this had been progressed in accordance with the standing orders and procurement regulations.

20/14 **Harbour Board Business Programme 2014/15**

The Board considered a report by the Team Leader – Administration (GL-07-14-F), which informed of the planned business to be presented to Committee/Boards over the remaining quarters of the current financial year to 31 March 2015, allowing for discussion with Officers regarding any changes or additions required to that Programme.

The Director of Infrastructure Services advised that the Scalloway Business Plan would now be presented to the meeting on 10 October. This would allow the consultants to attend only once to present both plans which would minimise travel and accommodation expenses.

In response to a question the Director of Infrastructure Services advised that there appeared to be no change to the work anticipated for Scalloway but the intention would be to sustain the existing business and make the port more attractive to new customers.

It was noted that the Shore Power report would be presented to the next meeting of the Board but may also be required a decision of the Policy and Resources Committee.

The Chair moved that the Board approve the recommendations contained in the report taking account of the changes required to the Business Programme. Mr Henderson seconded.

Decision:

The Board **RESOLVED** to approve the changes to the Business Programme as highlighted by the Director of Infrastructure Services.

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

21/14 **Commercial Report**

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

The Harbourmaster introduced the report.

Decision:

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

22/14 **Compliance with Standing Orders – Ports and Harbours**

The Board considered a report by the Director of Infrastructure Services.

The Director of Infrastructure Services introduced the report, and responded to questions from Members.

(During the discussion, Ms Hislop, Audit Scotland attended the meeting)

Decision:

The Board **RESOLVED** to note that:

- there had been an exception under Contract Standing Orders for work carried out for Ports & Harbours; and
- there were actions in progress to ensure current and future compliance with Contract Standing Orders.

The meeting concluded at 3.05pm

Chair