

MINUTE

A&B - Public

Harbour Board

Council Chamber, Town Hall, Lerwick

Tuesday 17 November 2015 at 2.00 pm

Present:

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

Apologies:

None

In Attendance:

M Sandison, Director of Infrastructure Services
J Smith, Acting Executive Manager – Ports and Harbours
B Dalziel, Harbourmaster
S Summers, Administration Manager
P Wishart, Solicitor
B Kerr, Communications Officer
L Gair, Committee Officer

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 confirmed the minutes of the meetings held on i) 18 August 2015 on the motion of Mr Robertson seconded by Mr Henderson and ii) 7 October 2015 on the motion of Mr Henderson seconded by Mr Stout.

26/15 Harbourmaster's Report

The Board considered a report by the Interim Harbourmaster (PH-16-15-F), which briefed and informed the Port Marine Safety Code (PMSC) Duty Holder of the professional concerns and current status.

The Director of Infrastructure Services introduced the report.

During Members questions reference was made to the Designated Person's report and the comment under "Reviewing Existing Powers" to "the Shetland Islands Council (Small Harbours and Piers) Byelaws 1987... being "under review"". The Director of Infrastructure Services advised that this comment would be explored in more detail with the Designated Person and updated on the website accordingly.

A Member noted that Collafirth Pier had been included as a small port but this was technically not correct as it was within the Sullom Voe Harbour area. Members were

advised that this pier had been included in respect of the required Operational and Safety inspections being carried out on all small ports.

A Member also highlighted safety concerns at the Collafirth pier, raised by the Shetland Fishermen's Association, which had not been included in the Designated Person's report from the Safety Sub-Committee Meeting. The Harbourmaster explained that this was an unmanned pier but concern had been raised that there was not a safe berth for landings to take place. He said that following a visit Officers were unable to identify anything they could do as the issue was occurring due to the way users were leaving their equipment on the Pier. The Harbourmaster advised that a pier user group had been suggested but following some discussion it was acknowledged that for a User's Group to work depended upon the cooperation of all users. Walls Pier User's Group was given as an example of a successful group. The Harbourmaster said that the fishermen have to police themselves and their fishing gear and it was not the Council's responsibility to clear up behind them. He noted that the Council received little income from landings but from the reports received it would appear that this is a busy pier but that landings were not being declared. A Member noted that the safety situation was compounded with the Toft Pier being out of commission.

A Member recalled that there had been a community driven scheme to put a pontoon in place at Collafirth Pier, but external circumstances meant that could not happen and suggested that the provision of a pontoon would sort the congestion issues. A pontoon would also encourage development to happen. The Harbourmaster confirmed that a pontoon was discussed during the visit but the only one available, originally used in Baltasound, could not fit. It was suggested that the Flag Fund may be receptive to a bid as this would benefit many users in the community. The Director of Infrastructure Services advised that Officers were looking at infrastructure and how the Council engages differently with the industry and pier users on matters such as harbour dues. She said that these issues could be taken forward within the complete works on small pier conditions survey and taken forward as an activity in the Service Plan.

In referring to page 3 of the Designated Person's Report a Member noted that future incidents will make clear distinction between "human error" and "fatigue" and asked if the Port staff were working in line with the working time directive. The Harbourmaster explained the shift systems in place and confirmed that staff carry out their work within the working time directive.

A Member referred to page 2 and the small ports that had not yet been visited and asked if that would form part of the transport survey that was currently ongoing. The Harbourmaster advised that small ports are visited on a monthly basis using Scalloway staff. He said that a standard pro-forma inspection document is used and any issues are passed on. In terms of the Fair Isle pier he advised however that the message did not get through therefore, on the ground reporting needs to be tightened up. The Team Leader – Port Engineering is working on an overall maintenance programme to keep what assets we have maintained. In the case of Collafirth and Sullom Voe Members were advised that staff were looking at these ports together as well as working on 2016/17 priorities and engaging with stakeholders on the harbour dues. Members of the Harbour Board will also be consulted to ensure that all priorities for the Service are identified. The Director of Infrastructure Services commented that following the financial seminars there is significant money being allocated to terminal improvements. She added that consultants were working on a plan inter island docking at terminals and this work

would be a requirement of any replacement ferry programme, as amendments would be needed to terminals to accommodate any new vessels.

In responding to a question, the Harbourmaster advised that some piers have better storage facilities than others. Where storage is provided users have to pay but as there is no pier masters there is no one to pass on information to us on that. He said that the Team Leader – Port Engineering has a small team and it is not possible to get to all of the piers but if there are reports of untidiness Officers do our best to clear that up.

The Director of Infrastructure Services responded to a comment and explained that by engaging the ex-harbourmaster, on a temporary basis, during periods of annual leave, it provides more resilience to the port and each time the appointment is made she confirmed that the competence of the individual is assessed.

Decision:

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

27/15 **Ports and Harbours Performance Report – 2nd Quarter 2015/16 – July to September**

The Board considered a report by the Acting Executive Manager – Ports and Harbours (PH-17-15-F), which summarised the activity and performance of the Ports & Harbours Service for the reporting period above.

The Acting Executive Manager – Ports and Harbours introduced the report and took Members through the highlights and issues indicated in section 3. The Director of Infrastructure Service referred in particular to paragraph 3.7 and advised that there had been fruitful discussion with BP since the announcement on Quad 204. She advised that there was now a better understanding of the future of Sullom Voe and BP's commitment to the terminal for its life to 2050. The Director of Infrastructure Services further advised that BP are investing in Sullom Voe and are working through a refurbishment programme as well as working on current relationships within the terminal and implementing new changes to the partnership agreement at the terminal. BP is also looking to adjust the allocation of charging of the terminal costs to extend the life of the North Sea operation. She said that there had been a positive response from BP senior management following a meeting she had with the Convener and their Chief Executive in London. The Director of Infrastructure Services advised that there would be a Member's Seminar in January with BP representatives present where they would describe how they see their relationship with the Sullom Voe Terminal and Shetland going forward. She said that there was a clear indication that they see the harbour as important in the process going forward and that they will meet with the Council regularly. Shetland is important for BP's future and they intend to be here for a long time.

The Director of Infrastructure Services went on to advise that the financial reports would be presented to the next Harbour Board meeting and that it would indicate a projected loss due to tanker reductions. She said that the Council cannot support the harbour operation from the general fund so there would be a loss from the harbour account. This loss will be recovered next year with the readjustment of the harbour dues.

In response to a question regarding the Manila training, the Acting Executive Manager – Ports and Harbours advised that some of the training would be provided locally however some would be provided in Orkney with others provided in Glasgow for intensive training and more provided further south.

A Member questioned if the replacement radar would be in situ by mid-2016. Members were advised that the tenders are almost ready and having taken advice from the suppliers no additional ground work is needed. The radar will be smaller and more capable and it should be sited in the same place, however advice would be taken throughout the process.

The Acting Executive Manager – Ports and Harbours also confirmed to a Member that the Electrical and Maintenance contracts would be put through departmental performance structure and were expected to be in place by the end of March 2015.

In regard to the Scalloway Fish Market doors, the Acting Executive Manager – Ports and Harbours explained that some have been replaced at the land side so at the request of a Member he agreed to see if it was possible to acquire one or more tunnels within the price of the contract. He anticipated having the figures soon.

A Member questioned the status in regard to the need for more internal auditors and the Acting Executive Manager – Ports and Harbours explained that Masters, pilots and Skippers had been responsible, but an additional number of staff had now been trained.

In response to a question regarding the Tugs, Solan and Bonxie, the Director of Infrastructure Services advised that positive discussions were taking place regarding the tugs. She said that the Tugs were in the process of planned dry docking and had been visited by interested parties, therefore matters were moving forward positively.

Decision:

The Board discussed the contents of the report, making relevant comments on progress against priorities to inform further activity within the remainder of this year, and the planning process for next and future years.

28/15 **Harbour Board Business Programme 2015/16**

The Board considered and approved a report by the Team Leader – Administration (GL-46-15-F), which informed of the planned business to be presented to the Board for the financial year to 31 March 2016 and sought discussion with Officers regarding any changes or additions required to that Programme.

Decision:

The Board considered its planned business for the financial year to 31 March 2016 and **RESOLVED** to approve any changes or additions to the Business Programme.

The meeting concluded at 2.50pm.

Chair

