

Shetland Islands Council



Executive Manager: Jan-Robert Riise
Director of Corporate Services: Christine Ferguson

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Date: 24 April 2019

Dear Sir/Madam

You are invited to the following meeting:

Harbour Board
Council Chamber, Town Hall, Lerwick
Wednesday 1 May 2019 at 2pm

Apologies for absence should be notified to Leisel Malcolmson, at the above number.

Yours faithfully

Executive Manager – Governance and Law

Chair: A Manson
Vice Chair: D Simpson

AGENDA

- (a) Hold circular calling the meeting as read.
- (b) Apologies for absence, if any.
- (c) Declarations of Interest - Members are asked to consider whether they have an interest to declare in relation to any item on the agenda for this meeting. Any Member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.

- (d) Confirm minutes of the meetings held on i) 26 February 2019 and ii) 4 March 2019 (enclosed).
1. 2018/19 Pilotage Accounts – Outturn at Quarter 4
F-032
 2. Capital Maintenance and Replacement Programme
PH-03
 3. Harbourmasters Report
PH-04
 4. Ports & Harbours Business Programme
PH-05



MINUTE

A & B - PUBLIC

**Special Harbour Board
Council Chamber, Town Hall, Lerwick
Tuesday 26 February 2019 at 9.30 am**

Present:

M Burgess A Cooper
S Coutts S Leask
R Thomson

Apologies:

A Duncan A Manson
D Simpson

In Attendance:

J Smith, Director of Infrastructure Services
C Ferguson, Director of Corporate Services
J Manson, Executive Manager – Finance
B Robb, Management Accountant
C Anderson, Senior Communications Officer
A Cogle, Team Leader - Administration

Chair

In the absence of the Chair and Vice-Chair, Mr A Cooper was appointed interim Chair for this meeting, on the motion of Mr S Coutts, seconded by Mr S Leask.

Circular

The circular calling the meeting was held as read.

The Chair ruled that, in accordance with Section 43(2) of the Local Government in Scotland Act 2003, the attendance of Councillor Mark Burgess by remote telephone link during the Board proceedings, was permitted.

Declarations of Interest

None

03/19 2019/20 Budget & Charging Proposals – Harbour Board

The Board considered a report by the Executive Manager - Finance (F-02-19-F) outlining the budget and charging proposals for 2019/20.

The Executive Manager - Finance introduced the main terms of the report and appendices. The Director of Infrastructure referred to harbour charges, and projections for the coming year, saying that as issues regarding Sullom Voe Terminal are clarified, there may be a return to discussions about future year charging as part of that project. The Director of Infrastructure then referred to service redesign around Scalloway Harbour and small ports, with the objective being to achieve a cost neutral and break even position through increased

income from the fisheries and aquaculture sector. He said there would be a number of small piers to dispose of this coming year, and there would be ongoing discussions regarding the treatment of internal charges. However, the Director pointed out that these issues would not impact the budgets a lot for this coming year, but would aid consideration of projected savings going forward.

During questions, Mr S Leask referred to discussions regarding fair funding for ferries, and asked if the outcome of that would have any impact on the budget for ferry terminals, which were earmarked for significant spending. The Director of Infrastructure said that there was already a substantial spend on ferries aligned with the terminals. He went on to say that much would depend on the alternative operational model agreed on by the Scottish Government, and more analysis would then be required into the legal arrangements, whether this would be on a repair and lease arrangement, or a transfer of ownership.

Mr M Burgess commended the Director and others as to way in which the budget reports had been presented this year. He said the report was explicit in that harbour users have been consulted, but asked if the Director could confirm if the aquaculture and fishing industries had been consulted or given the opportunity to comment on the charges. The Director of Infrastructure said it was his understanding that representatives of all harbour users had attended the Panel A and Panel B meetings, and the feedback had been that there was no great debate or dissent as to the revised charges other than Enquest SVT expressing their disappointment that tanker dues had not been reduced.

Mr Burgess then referred to the introduction of a new charge for Security Staff at ISPS restricted areas. The Director of Infrastructure said that this was necessary in order to maintain a security presence on shore, and currently this was carried out by Council staff, but the intention was to train others in the community to fulfil this role.

With reference to income streams, Mr Burgess referred to the plans for achieving a cost neutral position for Scalloway, and to the increased promotion of the ports in order to generate further traffic. The Director confirmed that these were the current plans, and whilst they were essentially fundamental activities for the port, they would require displacement of staff to see them through. In this regard, the Director said that the recruitment of a Project Officer was intended to work in this area and focus on the outcomes required.

Mr Cooper then referred to paragraph 6.5 and said the Council was obliged to set and maintain these charges. In response to a query regarding an increase in operational costs, the Management Accountant said that cleaning staff, instead of being recharged, now required to be part of the Harbour Account.

Referring to the towage charges for cancellations, the Chair said he thought the description was unclear, and asked that the Director of Infrastructure provide Members with clarification as to the demarcation of the Sullom Voe Harbour Area, in relation to the proposed charges for cancellation or aborted berthings.

Mr A Cooper went on to say that, in the year ahead, Sullom Voe harbour would be going through quite a change, and the impact of the Terminal on the community will be different, as well as on the Council's Medium Term Financial Plan. He said that a long term view would be required, to set the charging and harbour account up for the longer term, and whilst this would not be the easiest

year, it would be the best way of ensuring that customers are aware of what is coming, as well as considering the Medium and Long Term Financial Plans.

The Board approved the recommendations in the report, on the motion of Mr A Cooper, seconded by Mr S Leask.

Decision:

The Harbour Board RECOMMENDED to Policy and Resources Committee and Council that it approves the budget proposals for 2019/20 included in this report and set out in detail in the Budget Activity Summary (Appendix 1) and Schedule of Charges (Appendix 2) to be included in the Overall SIC Budget Book.

The meeting concluded at 9.54 a.m.

Chair



MINUTE

A & B - PUBLIC

**Harbour Board
Council Chamber, Town Hall, Lerwick
Monday 4 March 2019 at 3.30 pm**

Present:

A Cooper S Leask
A Manson D Simpson
R Thomson

Apologies:

M Burgess S Coutts
A Duncan

In Attendance:

J Smith, Director of Infrastructure Services
A Inkster, Team Leader – Port Engineering
R Gordon, Depute Harbour Master
B Robb, Management Accountant
P Wishart, Solicitor
B Kerr, Communications Officer
L Malcolmson, Committee Officer

Chair

Ms A Manson, Chair of the Board, presided.

Circular

The circular calling the meeting was held as read.

The Chair ruled, in accordance with Section 43(2) of the Local Government in Scotland Act 2003, the attendance of Councillor Simpson during the proceedings be permitted by telephone link.

Declarations of Interest

None

Minutes

The minutes of the meeting held on 5 February 2019 were approved on the motion of Mr Leask, seconded by Mr Cooper.

4/19

Ports & Harbours Performance Report 2018/19 - Quarter 3

The Board considered a report by the Team Leader – Port Engineering (PH-02-19-F) summarising the activity and performance of the Ports & Harbours service for Quarter 3 - 2018/19.

The Director of Infrastructure Services introduced the main terms of the report and commented on the variances and budget slippage detailed in the

appendices. He also provided a brief update on the Scalloway Fish Market, Radar at the Sullom Voe Terminal, Cathodic Protection Projects, Jetty Maintenance and the Toft Pier.

During questions in regard to the Toft Pier the Director of Infrastructure Services explained how the external funding had been calculated for the project and advised that that figure would reduce depending on the maximum value of the project. It was noted that the external funding was not tied to the tender value. The Director of Infrastructure Services was asked if the tug jetty cathodic protection work would require the tugs to be berthed at Toft Pier. The Director of Infrastructure Services said that the use of the Toft Pier as a layby facility was ancillary to the business case for the Toft Pier project however the pier could be used if required in the future. He said that Collafirth Pier and the Construction Jetty were also options however it would be good to have the Toft Pier as another fit for purpose structure to use.

During further discussion on the piers available, the pros and cons of what each facility had to offer in terms of laydown area was noted. Members were advised that dialogue continued with EnQuest, who pay for the construction jetty repairs in terms of long term business opportunities including decommissioning, liner or trawler, and what onshore facilities may be needed to attract more business.

The Director of Infrastructure Services advised that work continued to attract additional business to Scalloway Harbour and in speaking to customers it was important to develop a package to create a commercially competitive service. It was noted that shore power has complications but if shore power can attract paying customers it needed to be understood. He added that this would be taken forward by the new Project Officer once in post.

In response to a final question, the Team Leader – Port Engineering advised that the budget for the waiting room and toilet at Symbister Harbour was on hold until the outcome of a review and presentation of further reports. He said therefore that this would show as an underspend within the budget code.

Decision:

The Board NOTED the contents of the report, the achievements of the service, and progress against the priorities set out in the Ports & Harbours Service Plan.

5/19

Pilotage Accounts - 2018/19 Projected Outturn at Quarter 3

The Board considered a report by the Executive Manager – Finance (F-022-F) presenting the projected outturn position for 2018/19 as at the end of the third quarter.

The Management Accountant introduced the main terms of the report. There being no questions, the Board noted the report.

Decision:

The Board RESOLVED to review the Pilotage Accounts showing the projected outturn position at Quarter 3.

6/19

Harbourmaster's Report

The Board considered a report by the Harbour Master – Ports & Harbours (PH-01-19-F), that informed the Port Marine Safety Code (PMSC) Duty Holder of the professional concerns and the current status as reported by the Harbourmaster.

The Director of Infrastructure Services introduced the report and advised that the Depute Harbour Master was present to answer questions as required.

During consideration of the report, the Board noted with disappointment that the Zantos VTS system had not provided the capability expected. The Board were advised that improvements had been made but if a suitable solution could not be achieved a further report would be presented for consideration. He assured Members that while the current system provided a safe operation it should have provided more functionality.

Reference was made to the issues with the mooring boat control cables and the Team Leader – Port Engineering explained that the boats are 40 years old but are kept well maintained and inspected regularly and there had been no problems for years. He said that the events were unrelated and had taken place in a short space of time. In response to a question the Team Leader – Port Engineering provided more detail in regards to the injury sustained by a member of the crew.

Decision:

The Board NOTED the content of the report.

7/19

Harbour Board Business Programme 2019/20

The Board considered a report by the Director of Infrastructure Services (ISD-05-19-F) that provided an opportunity to consider the proposed Ports & Harbours business programme for 2019/20.

The Director of Infrastructure Services introduced the report and following some discussion the Board agreed that the Tug Jetty Survey Update and the Sullom Voe Marine Spatial Plan Update would be presented to the meeting on 2 July 2019.

Decision:

The Board:

- APPROVED the business planned for Harbour Board in the financial year 2019/20, as amended.

The meeting concluded at 4.20pm.

Chair



Meeting(s):	Harbour Board	1 May 2019
Report Title:	2018/19 Pilotage Accounts – Outturn at Quarter 4	
Reference Number:	F-032-F	
Author / Job Title:	Jamie Manson, Executive Manager - Finance	

1.0 Decisions / Action required:

- 1.1 The Harbour Board RESOLVE to review the Pilotage Accounts showing the outturn position at Quarter 4.

2.0 High Level Summary:

- 2.1 The purpose of this report is to enable the Harbour Board to monitor the financial performance of the pilotage services provided by the Council.
- 2.2 There is a requirement to prepare accounts relating to pilotage under Section 14 of the Pilotage Act 1987. The details of what must be included in these accounts are set out in regulations (The Statutory Harbour Undertakings (Pilotage Accounts) (Regulations) 1988, SI 1988/2216).
- 2.3 The accounts must show the details of revenue from pilotage charges and the use of pilotage exemption certificates; and total expenditure incurred in providing the service of a pilot, providing, maintaining and operating any pilot boats and administrative or other associated costs.

3.0 Corporate Priorities and Joint Working:

- 3.1 It is a corporate priority to ensure that the Council has excellent financial management arrangements.

4.0 Key Issues:

- 4.1 This report presents the outturn position for 2018/19 as at the end of the fourth quarter.
- 4.2 The outturn position is a reduction in net surplus of £12k (1.2%) against net income budget of £1.026m which results in a net surplus of £1.014m. This is due to minor variances.
- 4.3 The detailed 2018/19 Pilotage Accounts Outturn Position at Quarter 4 is attached as Appendix 1 to this report.

5.0 Exempt and/or confidential information:	
5.1	None
6.0 Implications :	
6.1 Service Users, Patients and Communities:	None
6.2 Human Resources and Organisational Development:	None
6.3 Equality, Diversity and Human Rights:	None
6.4 Legal:	The Council has statutory obligations to keep separate accounts in respect of the harbour undertaking and also separate pilotage accounts. Section 3(1) of the ZCC Act states that the harbour undertaking means "the harbour undertaking for the time being of the Council authorised by this Act". This means that the harbour undertaking must be considered only in terms of what the Council is authorised or duty bound to do under the ZCC Act. Pilotage is part of the harbour undertaking and income and expenditure is accounted for accordingly.
6.5 Finance:	The outturn position is a surplus of £1.014m which is a decrease in net surplus of £12k against annual budget. This is due to minor variances.
6.6 Assets and Property:	None
6.7 ICT and new technologies:	None
6.8 Environmental:	None
6.9 Risk Management:	Failure to keep Pilotage Accounts would place the Council in breach of its legal duties.
6.10 Policy and Delegated Authority:	Section 2.1.2(3) of the Council's Scheme of Administration and Delegations states that the Board may exercise and perform all powers and duties of the Council in relation to any function, matter, service or undertaking delegated to it by the Council; more specifically referred to in paragraph 2.7.

6.11 Previously considered by:	n/a	n/a

Contact Details:

Brenda Robb, Management Accountant, 744690, brenda.robbs@shetland.gov.uk,
24 April 2019

Appendices:

Appendix 1 – 2018/19 Pilotage Accounts Outturn at Quarter 4

Background Documents:

None

Shetland Islands Council
2018/19 Pilotage Accounts
Outturn at Quarter 4

F-032 - Appendix 1

2018/19 Pilotage Accounts	Sullom Voe			Scalloway			Overall		
	Annual Budget at Quarter 4	Outturn at Quarter 4	Budget v Outturn Variance at Quarter 4 (Adv)/Pos	Annual Budget at Quarter 4	Outturn at Quarter 4	Budget v Outturn Variance at Quarter 4 (Adv)/Pos	Annual Budget at Quarter 4	Outturn at Quarter 4	Budget v Outturn Variance at Quarter 4 (Adv)/Pos
	£	£	£	£	£	£	£	£	£
Boarding & Landing	-693,600	-652,883	(40,717)	-10,000	-10,484	484	-703,600	-663,367	(40,233)
Pilotage Services provided as authorised by section 10(1) of the Pilotage Act 1987	-1,672,800	-1,712,602	39,802	-25,000	-15,927	(9,073)	-1,697,800	-1,728,529	30,729
Use of PEC issued as authorised by section 10(3) of the Pilotage Act 1987	0	0	0	0	0	0	0	0	0
Total Income	-2,366,400	-2,365,485	(915)	-35,000	-26,412	(8,589)	-2,401,400	-2,391,896	(9,504)
Boarding & Landing	362,120	380,226	(18,106)	4,740	5,284	(544)	366,860	385,510	(18,650)
Pilotage	808,910	830,707	(21,797)	17,301	15,538	1,763	826,211	846,245	(20,034)
Sub-Total Employee Costs	1,171,030	1,210,932	(39,903)	22,041	20,822	1,219	1,193,071	1,231,755	(38,684)
Boarding & Landing	10,355	9,815	540	1,485	569	916	11,840	10,384	1,456
Pilotage	3,109	4,164	(1,055)	41	55	(14)	3,150	4,219	(1,069)
Sub-Total Supplies & Services	13,464	13,980	(515)	1,526	624	902	14,990	14,603	387
Boarding & Landing	47,865	45,155	2,710	7,098	4,535	2,564	54,964	49,690	5,274
Pilotage	1,677	3,499	(1,822)	22	46	(24)	1,699	3,545	(1,846)
Sub-Total Transport & Mobile Plant	49,542	48,654	888	7,120	4,581	2,540	56,663	53,235	3,428
Boarding & Landing	20,473	12,293	8,179	1,782	1,899	(117)	22,255	14,192	8,062
Pilotage	148	-10	158	2	0	2	150	-10	160
Sub-Total Property & Fixed Plant	20,621	12,283	8,337	1,784	1,899	(115)	22,405	14,182	8,222
Boarding & Landing	12,318	9,605	2,713	13,064	13,034	30	25,382	22,639	2,743
Pilotage	56,826	40,347	16,479	5,748	545	5,204	62,574	40,892	21,682
Sub-Total Admin and Other Costs	69,143	49,952	19,192	18,813	13,579	5,233	87,956	63,531	24,425
Meeting Liabilities under Part III of the Act	0	0	0	0	0	0	0	0	0
Total Expenditure	1,323,800	1,335,801	(12,001)	51,284	41,505	9,779	1,375,084	1,377,306	(2,222)
NET TOTAL	-1,042,600	-1,029,684	(12,916)	16,284	15,094	1,191	-1,026,316	-1,014,590	(11,726)



Meeting(s):	Harbour Board	01 May 2019
Report Title:	Capital Maintenance and Replacement Programme	
Reference Number:	PH-03-19F	
Author / Job Title:	Andrew Inkster, Executive Manager – Marine and Airport Infrastructure	

1.0	Decisions / Action required:
1.1	That the Harbour Board APPROVE the projects in the Ports and Harbours Operations' Capital Maintenance and Replacement Programme for 2019/20.
2.0	High Level Summary:
2.1	This report sets out for approval the projects that fall within this functional Board's remit which form part of the Infrastructure Services Directorate's Capital Maintenance and Replacement Programme. These maintenance and replacement programmes are developed annually based on condition surveys of the service assets and are funded by an approved budget within the Council's 5 year Asset Investment Plan.
2.2	The detail of individual projects is agreed each financial year by the Harbour Board.
3.0	Corporate Priorities and Joint Working:
3.1	Our Plan 2016-2020 states "we will have prioritised spending on building and maintaining assets and be clear on the whole life costs of those activities to make sure funding is being targeted in the best way to help achieve the outcomes set out in the Corporate Plan".
4.0	Key Issues:
4.1	On 29 June 2016 the Council approved a revised "gateway process" for managing the Asset Investment Plan (AIP) (Min. Ref. 48/16) which incorporated the five cases Business Case model. The guidance document on the Gateway Process for the Management of Capital Projects states that "where projects fall within a programme of Capital Maintenance, an annual budget may be included in the Council's Asset Investment Plan, covering several of these relatively low value projects. A Business Justification Case is required to establish such a programme, and the annual budget required, but the individual projects within such a programme are not listed and reported on as part of the Asset Investment Plan. The promoting service must however review the content of such programmes and submit these to the relevant service committee for approval annually."

4.2	The document at Appendix 1 sets out the individual projects forming the maintenance and replacement programmes in the AIP for Ports & Harbours Operations for the financial year 2019/20. These programmes were previously established in line with the guidance in paragraph 4.1 above, and have now been reviewed for 2019/20.
5.0	Exempt and/or confidential information:
5.1	None
6.0	Implications :
6.1 Service Users, Patients and Communities:	There is a clear expectation from the Community and our stakeholders that the Council will plan to maintain and replace its infrastructure assets to ensure the delivery of frontline services and maintain transport connectivity.
6.2 Human Resources and Organisational Development:	None
6.3 Equality, Diversity and Human Rights:	None
6.4 Legal:	The regular maintenance of assets and replacement of end of life assets ensures compliance with legal duties and compliance with relevant regulatory and inspection regimes.
6.5 Finance:	The total budget for the Ports & Harbours Operations capital maintenance programmes in 2019/20 is £1.143m. These were approved as part of the 5 Year Asset Investment Plan 2019-24 (Min Ref: 09/19) subject to the presentation of this Annual Programme update report and will be funded from the fees and charges to Harbour users in the Harbour Account.
6.6 Assets and Property:	The routine maintenance and replacement projects within this programme are part of the Council's strategy to manage its existing assets in a functional condition and replace them at the end of their useful life.
6.7 ICT and new technologies:	None
6.8 Environmental:	Ports and Harbours Operations are responsible for ensuring that its infrastructure and assets are managed in a way to prevent pollution and reduce carbon emissions. Routine maintenance programmes are a significant control measure to prevent accidental spills and pollution incidents.
6.9	Failing to adequately resource the maintenance of the

Risk Management:	infrastructure that underpins the delivery of frontline services and transport connectivity creates a risk of service disruption and associated reputational damage. The regular maintenance of assets and replacement of end of life assets ensure compliance with legal duties. Routine regular maintenance prevents the deterioration of assets and keeps them functional saving more significant replacement costs.	
6.10 Policy and Delegated Authority:	<p>Harbour Board</p> <p>Strategic oversight and direction in all aspects of the operation of the Council's harbour undertaking in accordance with overall Council policy and the requirements of the Port Marine Safety Code.</p> <p>Act as Duty Holder required by the Port Marine Safety Code and ensure that the necessary management and operational mechanisms are in place to fulfil that function.</p> <p>Consider all development proposals and changes of service level within the harbour undertaking; including dues and charges, and make appropriate recommendations to the Council</p>	
6.11 Previously considered by:	N/A	

Contact Details:

Andrew Inkster, Executive Manager – Marine and Airport Infrastructure

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Appendices:

Ports and Harbours Operations Capital Maintenance and Replacement Programme 2019/20

Background Documents: None.

15 April 2019.

END

Appendix One

Ports and Harbours Operations Capital Maintenance and Replacement Programme 2019/20

PCM 2101 Ports & Harbours Plant and Equipment		
Service	Description	19/20 Cost
Sella Ness Workshop	1 Mobile Elevating Working Platform	£40,000
	1 Forklift	£30,000
Programme Total Estimate		£70,000

PCM 2102 Ports & Harbours Vehicle Replacement Programme		
Service	Description	19/20 Cost
Sella Ness Workshop	1 Nr Light Goods Van	£13,000
	1 Nr 3.5t Pickup	£20,000
Scalloway Harbour	1 Nr 3.5t Pickup	£20,000
Programme Total Estimate		£53,000

PCM 2104 Ports & Harbours Navigation Aids		
Location	Description	19/20 Cost
Sullom Voe and Skerries Harbours	Upgrade Bardister and Skerries leading lights	£70,000
Programme Total Estimate		£70,000

PCM 2150 Terminal Life Extension works		
Location	Description	19/20 Cost
All Ferry Terminals	Refurbish/replace linkspans, hydraulics and control gear	£700,000
Programme Total Estimate		£700,000

PCM 2163 Piers Cathodic Protection		
Location	Description	19/20 Cost
Collafirth Pier	Install cathodic protection anodes to steel sheet piling.	£250,000
Programme Total Estimate		£250,000



Meeting(s):	Harbour Board	1st May 2019
Report Title:	Harbourmasters Report	
Reference Number:	PH-04-19F	
Author / Job Title:	Greg Maitland – Harbour Master	

1.0 Decisions / Action required:

- 1.1 That the Harbour Board resolve to consider the content of this report in its role as duty holder, and note that the necessary management and operational mechanisms are in place to fulfil that function.

2.0 High Level Summary:

- 2.1 Captain Trevor Auld, appointed as the designated person (HB Min. ref 29/12), provides independent assurance to the Duty Holder that the Marine Safety Management System (SMS) for which the Duty Holder is responsible, is working effectively. Captain Auld's report is attached as Appendix 1.
- 2.2 Nine incidents have been reported, all at Sullom Voe;
- 2.2.1 On 12th February 2019 an incident was reported when a telehandler overturned while involved in testing of hoses and fenders used in STS operations at the Sullom Voe Construction Jetty. While not a marine incident, during the course of the investigation it became apparent that oil contaminated water from the testing process had been allowed to drain directly onto the quay surface. Fendercare have been asked to explain why this had been allowed and why measures to contain the water had not been put in place.
- 2.2.2 On 16th March 2019, during routine maintenance, there was a minor hydraulic leak from a control box on Jetty 3 at Sullom Voe, Approximately one litre of hydraulic fluid escaped causing a sheen in the harbour in the Jetty 3 area. This was monitored and allowed to dissipate naturally. MCA & SEPA advised.
- 2.2.3 On 22nd March 2019 a Tanker at SVT provided Pilot Boarding Arrangements which did not comply with regulations. In conjunction with SVT this vessel will not be permitted to call again at SVT until she can demonstrate compliance.
- 2.2.4 On 26nd March 2019 a Tanker at SVT provided Pilot Boarding Arrangements which did not comply with regulations. In conjunction with SVT this vessel will not be permitted to call again at SVT until she can demonstrate compliance.
- 2.2.5 On 28th March 2019 a Tanker departing Jetty 2 snagged a spring on a fender chain. A modification to the securing arrangement had been put in place to prevent this, but this will require further adjustment.

2.2.6	On 30 th March 2019 a Tanker bound for Sullom Voe entered the Area to be avoided close to Foula. VTS contacted the Coastguard to advise, but the vessel continued into the area until VTS were able to contact the vessel directly once she came into VHF range, when she was instructed to clear the area. The vessel claimed a lack of knowledge being a first time caller and had relied heavily on electronic charts rather than all available sources of information when planning her passage. Officers from Ports & Harbours will arrange to meet with the Coastguard to understand why the vessel was not picked up by their monitoring.
2.2.7	On 1 st April 2019 a Tanker departing Jetty 2 snagged a spring on a fender chain. A modification to the securing arrangement had been put in place to prevent this, but this will require further adjustment.
2.2.8	On 12 th April 2019 a Tanker at SVT provided Pilot Boarding Arrangements which did not comply with regulations. In conjunction with SVT this vessel will not be permitted to call again at SVT until she can demonstrate compliance.
2.2.9	On 15 th April 2019 an oil sheen was reported at the Sella Ness jetty. On investigation the source was found to be from a fishing vessel that had a minor leak and had pumped bilges. The diesel sheen was monitored and allowed to dissipate naturally and the vessel was lifted from the harbour to effect repairs. MCA & SEPA advised.
2.3	Following the increase in non-compliant Pilot Boarding Arrangement incidents, this issue was raised again at the UKHMA (United Kingdom Harbour Masters Association) Spring Seminar on 2 nd April 2019. This was also discussed with the Chair of the UKMPA (United Kingdom Marine Pilots Association). While we continue to take a zero tolerance approach to non-complaint arrangements we also recognise a need to educate vessels on how to comply with these regulations and have been put in touch with Kevin Vallance, a deep sea Pilot and author of several books on the subject. He has provided us with some excellent photos, diagrams and advice on how to proceed with this. First Draft of Guidance is attached as Appendix 2.
2.4	Captain Greg Maitland is appointed as the Designated Person Ashore (DPA) for the towage fleet, to provide assurance that this Safety Management System (SMS) is working effectively. His report is attached as Appendix 3.
3.0 Corporate Priorities and Joint Working:	
3.1	Effective Planning and Performance Management are key aspects of Best Value and features of "Our Plan", the Council's Corporate Plan 2016-2020. <ul style="list-style-type: none"> • Our performance as an organisation will be managed effectively, with high standards being applied to the performance of staff and services. Poor performance will be dealt with, and good service performance will be highlighted and shared.
4.0 Key Issues:	
4.1	The working group for reviewing the Scalloway and Small Ports Directions. Further input from Legal Services will be required to progress this.

4.2	<p>The Yell Sound Master Plan process is continuing following a number of community consultation events. From these 30% do not wish to see any form of development in the area, with 70% willing to see some development – this is very much split between aquaculture and fishing industries, with securement of long term jobs being a primary factor. It should be noted that to date Ports and Harbours input to the consultation has been to advise where any development would or would not interfere with safe navigation of SVT bound tanker traffic. Further consideration of any proposed development would require further consideration for issues such as increased marine traffic in the area. A summary presentation of the consultation findings has been included as Appendix 4.</p>	
5.0	Exempt and/or confidential information:	
	None	
6.0	Implications :	
6.1 Service Users, Patients and Communities:	That the Council continues to provide a competent service to port users in line with the Service Plan.	
6.2 Human Resources and Organisational Development:	<p>Scalloway staff and shift arrangements have now been finalised with a new supervisor and shift system put in place which are now working well. This will be closely monitored to ensure it meets the need of the port. A recruitment exercise for Relief Small Ports Officers to cover holiday & sickness absence is underway.</p> <p>Recruitment for a second Port Safety Officer to ensure resilience to meet current demands has been completed. This post should be taken up mid May 2019.</p>	
6.3 Equality, Diversity and Human Rights:	None	
6.4 Legal:	The Port Marine Safety Code states that organisations must develop, implement and maintain an effective Marine Management System (MSMS). The MSMS is intended to manage hazards and risks along with any preparations for emergencies and must be operated effectively and revised periodically.	
6.5 Finance:	<p>The financial implications of the issues in the report are:</p> <ul style="list-style-type: none"> Any costs in relation to the actions in described in section 2 of this report have been funded from within operational budgets; The VTS backup system is an additional cost of £266k which was approved under emergency powers by the Director of Infrastructure, with a full report on this issues to be presented in due course; Any costs in relation to the Scalloway and Small Ports directions will be funded from within existing operational 	

	budgets; and <ul style="list-style-type: none"> • The costs of the Yell Sound Master Plan are funded from the existing specific project budget. 	
6.6 Assets and Property:	None	
6.7 ICT and new technologies:	None	
6.8 Environmental:	None	
6.9 Risk Management:	Failure to comply with the requirements of the Port Marine Safety Code could lead to regulatory action. Since the publication of the new Port Marine Safety Code and the Guide to the Port Marine Safety Code, the Safety Management System (SMS) for Ports and Harbours is being reviewed and updated. The status of assessments may be taken into account by regulatory authorities when investigating any marine accident or incident. Depending on the nature and severity of the matters in question, failure to address overdue risk assessments exposes the Council to risk of unfavourable outcomes from any such investigations.	
6.10 Policy and Delegated Authority:	The scheme of Administration and Delegations states that the role of the Harbour Board is: <ul style="list-style-type: none"> • Strategic oversight and direction in all aspects of the operation of the Council's harbour undertaking in accordance with overall Council policy and the requirements of the Port Marine Safety Code. • Act as Duty Holder required by the Port Marine Safety Code and ensure that the necessary management and operational mechanisms are in place to fulfil that function. • To consider all development proposals and changes of service level within the harbour undertaking, including dues and charges, and make appropriate recommendations to the Council. 	
6.11 Previously considered by:		

Contact Details:

Greg Maitland, Harbour Master, 01595 744209, greg.maitland@shetland.gov.uk

Appendices:

Appendix 1 – DP report to Harbour Board

Appendix 2 – Pilot Boarding Arrangements - Guidance

Appendix 3 – Towage DPA report to the Harbour Board

Appendix 4 – Sullom Voe Master Plan Presentation

Background Documents:

NONE

END

Designated Person Report: 1 May 2019

This Designated Person (DP) report is provided as an independent view on Shetland Islands Council's (SIC) performance against the requirements and standards under the latest edition of the Port Marine Safety Code (PMSC). The report is submitted to the SIC Harbour Board, and copied to the Harbour Master for information.

Introduction

Since my report to the Harbour Board meeting of 4 March 2019, I have maintained a regular dialogue on marine matters with SIC's Harbour Master through telephone calls and an exchange of emails. I have also monitored both SIC's website <http://www.shetland.gov.uk> and SIC's port specific website <http://www.shetland.gov.uk/ports> for items relating to the reported actions, involvement and decisions taken by the Harbour Board and SIC's appointed officers.

Prior to writing this report I had a conference call with SIC's Harbour Master and Deputy Harbour Master, in which we discussed the monitoring measures and effectiveness of the current Marine Safety Management Systems.

MCA Health Check Trends

The latest 'Port Marine Safety Code - health check trends 2018' report has been published by the Maritime and Coastguard Agency (MCA)¹. The report summarises the findings from seven visits made by the MCA during 2018 to three private ports, two municipal ports, one Trust Port and one Duchy Port. Perennial issues of concern were noted in the following areas of focus:

- Duty Holder training;
- Designated Person appointment;
- Risk assessment missing or incomplete;
- Marine Safety Management System (MSMS); and
- Duties, powers and consultation.

Other concerns highlighted information dissemination, conservancy, Pilotage and Marine Services. The MCA encourage industry to take account of the enhancements mentioned in their report and consider if any might be applicable to their organisation.

Monitoring Measures

The following report sections describe each monitoring measure in turn.

Technical Working Group: The minutes of the Technical Working Group (TWG) held on 16 January 2019 were reviewed in the previous DP report. The next TWG meeting is to be held on 11 April 2019. In accordance with a recent amendment to the Sullom Voe MSMS, item nine on the agenda for this meeting (and all future TWG meetings) is a review of outstanding incidents reports in the MarNIS database.

¹ <https://www.gov.uk/government/publications/port-marine-safety-code-health-check-trends-2018>

Examination and Technical Group: There have been no meetings of the Examination Panel since 18 September 2018. Training of the new pilot trainee continues to be closely monitored through informal monthly meetings between the Harbour Master and authorised pilots.

Safety Sub-Committee: Ports: The minutes of the Safety Sub-Committee (Ports) held on 14 February 2019 were reviewed in the previous DP report. The next meeting of the Safety Sub-Committee is scheduled for 27 June 2019.

Small Ports: Regular safety visits to the small ports and harbours have been completed in accordance with the requirements of the Small Ports Marine Safety Management System, but the table recording the visits, entitled 'Operational and Safety Visits to Small Ports & Harbours and Scalloway 2019', as posted on SIC's ports specific website www.shetland.gov.uk/ports, has not been updated since January 2019.

The delay in updating the website is due to the extended period of absence through ill health of one member of the marine management team. It is recommended that other members of the marine management team should receive appropriate training and access rights to ensure the currency of information on the ports specific website. The operational and safety visits programme for small ports and harbours remains under review.

With reference to monitoring the condition of remote piers, the Duty Holder may find it interesting that the MCA's Port Marine Safety Code Health Check Trends 2018 report made the following observation:

"During a port tour, it was observed that the old Pier was in a poor state of repair. This can pose risk to smaller & other crafts navigating near the pier. It was explained that the pier is currently out of commission and well outside of the main channel with markers in place. Visiting [MCA] team suggested that an assessment should be carried out to identify any further appropriate mitigations that could help to safeguard port marine safety around the structure."

Towage: The Towage operations DPA's report to the Harbour Board meeting in March 2019 was posted on the website www.shetland.gov.uk in a timely manner. Formal meetings between management representatives, Tug masters and Tug engineers continue to take place on a regular basis.

Incidents and Accidents: The following incident reports were recorded in the MarNIS database (Appendix A) in the period 18 February 2019 to 9 April 2019 inclusive.

Date	Vessel / Location	Incident
16 March 2019	Jetty 3/Sullom Voe	Hydraulic control box developed oil leak.
22 March 2019	Alexia/Sullom Voe	Pilot ladder incorrectly rigged.
26 March 2019	Sarpen/Sullom Voe	Pilot ladder incorrectly rigged.
28 March 2019	Seasentor/Sullom Voe	Mooring ropes snagged on jetty.
30 March 2019	Chrysalis/Sullom Voe	Vessel entered 'area to be avoided'
1 April 2019	Chrysalis/Sullom Voe	Mooring ropes snagged on jetty.

All incidents have been reported to the MCA but not to the MAIB.

The minutes of the most recent 'Port Marine Safety Code Steering Group' meeting record that ports are looking at pilot ladder defects, in conjunction with MCA Marine Offices across the UK. During 2018, the highest number of recorded defects were record, with 4 to 9 actual reports from pilots and pilot crews, ranging in defect. The British Ports Association (BPA) have been working on some PR with the pilot ladder (and defective heaving line issues) with articles in various shipping publications. The BPA has also been discussing issues with colleagues at the MCA, UK Chamber of Shipping, the International Association of Ports and Harbours and various other international bodies as well as briefly with the UK Permanent Representative to the IMO. The focus is to look at ways to raise awareness of issues of non-compliance. It was noted that this appears to be an international issue and a challenge of communicating the rules.

Internal Audits: A number of internal audits have been completed since June 2018. However, copies of the audits were not available for review at the time of compiling this report. To be compliant with paragraph 3.8.3 of SIC's MSMS (V2. 2015) the internal audit programme should be completed before June 2019.

External Audit: A further review of the observations identified in the ABPmer audit of 2018 remains outstanding.

Consultation: Harbour users and other stakeholders have yet to be consulted on the draft Sullom Voe General and Pilotage Directions. An internal review of the General Directions and Pilotage Direction for the Scalloway Harbour Area and the Small Ports is ongoing. The Harbour Master has maintained active involvement with stakeholder groups on a range of national and local issues.

Harbour Board Meetings: The decision note for the Harbour Board meeting of 4 March 2019 has not been posted on the website www.shetland.gov.uk

Training: Updating the training matrix to include essential and desirable training aligned, where applicable, with relevant national occupational standards remains an outstanding action. Until such time as this process is complete it has been agreed that the use of training as a key performance indicator should continue to be suspended. Essential training of marine personnel is ongoing. The three existing training matrices, VTS and Marine Officers, Scalloway Small Ports Officers and Launch Crews, continue to be updated as staff change, training courses are completed and qualifications are obtained or revalidated.

Marine Circulars and Notices to Mariners: No marine circulars have been issued since 30 August 2018. Preference has been given by the Harbour Master to keeping all members of the marine department informed through a programme of regular informal meetings.

The most current in force Notice to Mariners posted on SIC's ports specific website <http://www.shetland.gov.uk/ports> is Notice 01/2019 – Sullom Voe VTS – Reduced level of service.

Marine Safety Management Systems: Copies of SIC's updated Marine Safety Management Systems for Sullom Voe, Scalloway and the Small Ports have yet to be published on SIC's ports specific website <http://www.shetland.gov.uk/ports>

The Engineering element of SIC's Marine Safety Management System's procedures and work instructions remain under formal review.

Assessing Measures

Key Performance Indicators (KPI):

1. **Open Incident KPI Reports (from the MarNIS database) for Sullom Voe, Scalloway and the Small Ports: Open Incident status for the year ending 9 April 2019**

Location	Open NS Reports	Open PE Reports	Open EP Reports	Open CM Reports	Open PS Reports
Sullom Voe	11	1	3	0	0
Scalloway	1	0	2	0	1
Small Ports	1	0	0	0	0
Total Shetland	13	1	5	0	1
'Open' Reports which have yet to be closed formally by the TWG. NS Nautical Safety PE Port Efficiency EP Environmental Protection CM Crisis Management PS Personnel and Public Safety					

2. **Closure of marine incident reports (from the MarNIS database) for Sullom Voe, Scalloway and the Small Ports: Mean weeks to close status for the year ending 9 April 2019**

Location	Mean Weeks to Close NS Reports	Mean Weeks to Close PE Reports	Mean Weeks to Close EP Reports	Mean Weeks to Close CM Reports	Mean Weeks to Close PS Reports
Sullom Voe	6	38	2	0	0
Scalloway	0	0	0	0	0
Small Ports	0	0	0	0	0
Total Shetland	6	38	2	0	0
'Close' Reports which have been closed formally by the TWG. NS Nautical Safety PE Port Efficiency EP Environmental Protection CM Crisis Management PS Personnel and Public Safety					

3. **Risk assessments KPIs (from the MarNIS database) for Sullom Voe, Scalloway and the Small Ports for the period ending 9 April 2019**

Location	Nautical Safety Assessments	Port Efficiency Assessments	Environmental Protection Assessments	Crisis Management Assessments	Mean Assessment Score
Sullom Voe	20	5	7	0	3.70
Scalloway	16	6	5	0	3.78
Small Ports	16	3	4	0	3.84
Total	52	14	16	0	3.77
* A mean assessment score between 3 and 5.99 means that the risks are as low as reasonably practicable (ALARP).					

4. Overdue risk assessments KPIs (from the MarNIS database) for SIC Ports (including Sullom Voe, Scalloway and the Small Ports) for the period ending 9 April 2019

Overdue Risk Assessment KPIs	Total Shetland*
Overdue Nautical Safety Assessments	0
Overdue Port Efficiency Assessments	0
Overdue Environmental Protection Assessments	0
Overdue Crisis Management Assessments	0
* Target KPI for overdue risk assessments is 0	

5. Number of port marine employees with in-date qualifications required for their job role, expressed as a percentage of the total number of employees undertaking port marine activities and requiring job specific qualifications

Employee Group	Group Number	Number Holding Essential In Date Qualifications	KPI (%)
Managers			
Marine Pilots			
Vessel Traffic Service Officers (including relief VTSO)			
Small Ports Officers (including relief SPOs)			
Launch Crews			
Total Overall			

Note: the KPI for training is currently suspended.

6. Availability of Aids to Navigation (in three classification bands) expressed as a percentage of total availability over the three-year period 10 April 2016 to 10 April 2019

IALA Category	No of Aids	No of Failures	Availability (%)	Target Availability (%)
Category 1*	51	4	99.84	99.80
Category 2**	68	9	99.68	99.00
Category 3***	14	1	99.60	97.00
Total	133	14		
* Category 1. An aid to navigation that is considered by the NLB to be of primary navigation significance. It includes the lighted aids to navigation and racons that are considered essential for marking landfalls and primary routes.				
** Category 2. An aid to navigation that is considered by the NLB to be of navigational significance. It includes lighted aids to navigation and racons that mark secondary routes and those used to supplement the marking of primary routes.				
*** Category 3. An aid to navigation that is considered by the NLB to be of less navigational significance than Cat 1 and 2.				
Note: - The availability of all aids to navigation exceeds the target set by the Northern Lighthouse Board (NLB).				

Effectiveness of the Marine Safety Management Systems

In compiling this report, it is of concern that progression of issues such as updating the ports specific website, reviewing the observations of the external audit, completing the internal audit programme and finalising the training review has been delayed by ongoing demands upon existing marine department resources. The Port Marine Safety Code (November 2016) states that *'members of the harbour board and/or the duty holder are responsible for ensuring that adequate resources are provided to its officers to enable them to operate the policies, procedures and systems effectively.'* It is therefore recommended that the Harbour Board should seek assurances that marine department resources are being used as effectively as possible, and that personnel have the necessary training, plus required IT access rights, to undertake their duties.

The monitoring and assessing measures described in this report provide assurance that the Marine Safety Management Systems for Sullom Voe, Scalloway and the Small Ports of West Burra (Hamna Voe); West Burrafirth; Housa Voe, Papa Stour; Mid Yell, Yell; Cullivoe, Baltasound; Unst; Uyeasound, Unst; Hamars Ness, Fetlar; Symbister, Whalsay Out Skerries (two separate areas: West Voe and South North-East Mouth); and North Haven (Fair Isle) are working effectively and in compliance with the current edition of the Port Marine Safety Code.

Captain Trevor Auld
Designated Person (PMSC)

Appendix A. MarNIS Output Report



**Selected Ports Actual and Potential Incident Report
Summary**
18 February 2019 to 09 April 2019

Nautical Safety - Accidents / Incidents

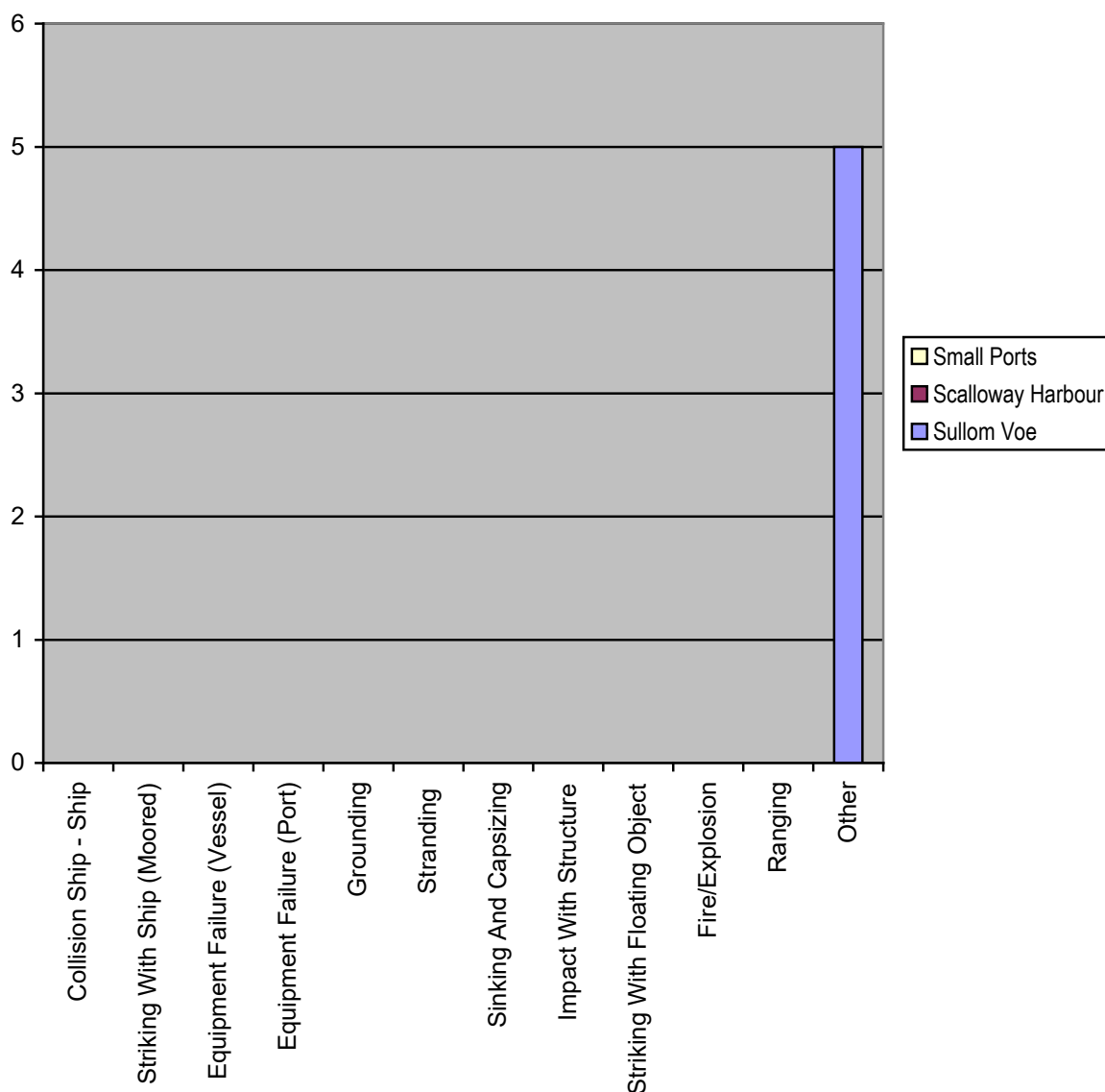
	Collision Ship - Ship	Striking With Ship (Moored)	Equipment Failure (Vessel)	Equipment Failure (Port)	Grounding	Stranding	Sinking And Capsizing	Impact With Structure	Striking With Floating Object	Fire/Explosion	Ranging	Other
Sullom Voe	0	0	0	0	0	0	0	0	0	0	0	5
Scalloway Harbour	0	0	0	0	0	0	0	0	0	0	0	0
Small Ports	0	0	0	0	0	0	0	0	0	0	0	0

Reported on 09/04/2019





Selected Ports Actual and Potential Incident Report Summary 18 February 2019 to 09 April 2019



Reported on 09/04/2019





Selected Ports Actual and Potential Incident Report Summary

18 February 2019 to 09 April 2019

Accident / Incident Details

Date	ID Code	Incident / Potential	Externally Reported	Accident Category	Name and Detail
22/03/2019	SUV0063INV	P	N	Pilot Boarding Arrangements	Alexia Pilot Ladder Arrangement Vessel did not have securing arrangements as per IMO Res 1045. Side ropes secured with shackles with no pad eyes. Primary Cause - Ship design/poor ship design Secondary Cause(s) - 1. Pilot ladder incorrectly rigged/unsuitable access Consequences (rated 0 to 4) for - People(-)/ Marine incident / MAIB Report not applicable
26/03/2019	SUV0064IVD	P	N	Pilot Boarding Arrangements	Sarpen Pilot Ladder Arrangement Inadequate Pilot ladder arrangements Primary Cause - Pilot ladder incorrectly rigged/unsuitable access Secondary Cause(s) - 1. Competence Consequences (rated 0 to 4) for - People(0)/Property(0)/Planet(0)/Port(0) Marine incident / MAIB Report not applicable
28/03/2019	SUV0067INV	I	N	Mooring Operation	Seasentor Rope Snagging Ropes snagging on anti snagging modifications. Consequences (rated 0 to 4) for - People(-)/Property(-)/ Marine incident / MAIB Report not applicable
30/03/2019	SUV0065CLO	I	R	Area to be Avoided	Chrysalis entered ATBA chrysalis entered area to be avoided. Primary Cause - Adverse weather conditions Consequences (rated 0 to 4) for - People(0)/Property(0)/Planet(0)/Port(0) Marine incident / MAIB Report not applicable
01/04/2019	SUV0068INV	I	N	Mooring Operation	Chrysalis Rope Snagging On letting go mooring lines, they have become snagged on anti snagging measures. Primary Cause - Mooring wire handling, snags & broken strands Consequences (rated 0 to 4) for - People(0)/Property(0)/ Marine incident / MAIB Report not applicable

Number of Accidents listed = 5
For the period 18 February 2019 to 09 April 2019.

Reported on 09/04/2019





**Selected Ports Actual and Potential Incident Report
Summary**
18 February 2019 to 09 April 2019

Environmental Protection - Accidents / Incidents

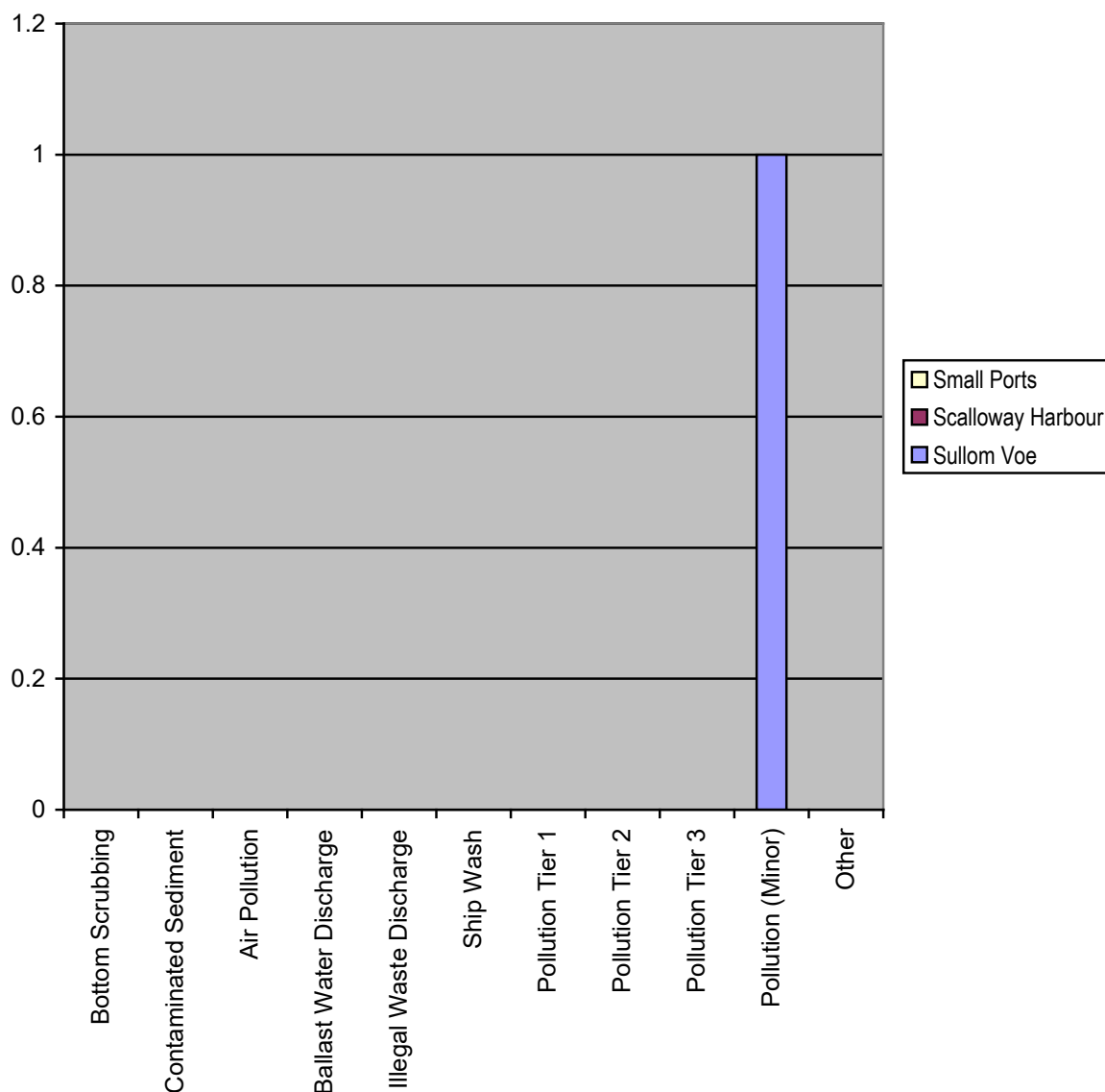
	Bottom Scrubbing	Contaminated Sediment	Air Pollution	Ballast Water Discharge	Illegal Waste Discharge	Ship Wash	Pollution Tier 1	Pollution Tier 2	Pollution Tier 3	Pollution (Minor)	Other
Sullom Voe	0	0	0	0	0	0	0	0	0	1	0
Scalloway Harbour	0	0	0	0	0	0	0	0	0	0	0
Small Ports	0	0	0	0	0	0	0	0	0	0	0

Reported on 09/04/2019





Selected Ports Actual and Potential Incident Report Summary 18 February 2019 to 09 April 2019



Reported on 09/04/2019





Selected Ports Actual and Potential Incident Report Summary

18 February 2019 to 09 April 2019

Accident / Incident Details

Date	ID Code	Incident / Potential	Externally Reported	Accident Category	Name and Detail
16/03/2019	SUV0066CLO	I	R	Pollution (Minor)	<p>Jetty 3</p> <p>Hydraulic control box on Jetty 3 developed leak</p> <p>Primary Cause - Mechanical Failure</p> <p>Consequences (rated 0 to 4) for - People(0)/Property(0)/Planet(1)/Port(0)</p> <p>MAIB Report not applicable</p>

Number of Accidents listed = 1

For the period 18 February 2019 to 09 April 2019.

Reported on 09/04/2019



Pilot Ladder issues at Sullom Voe

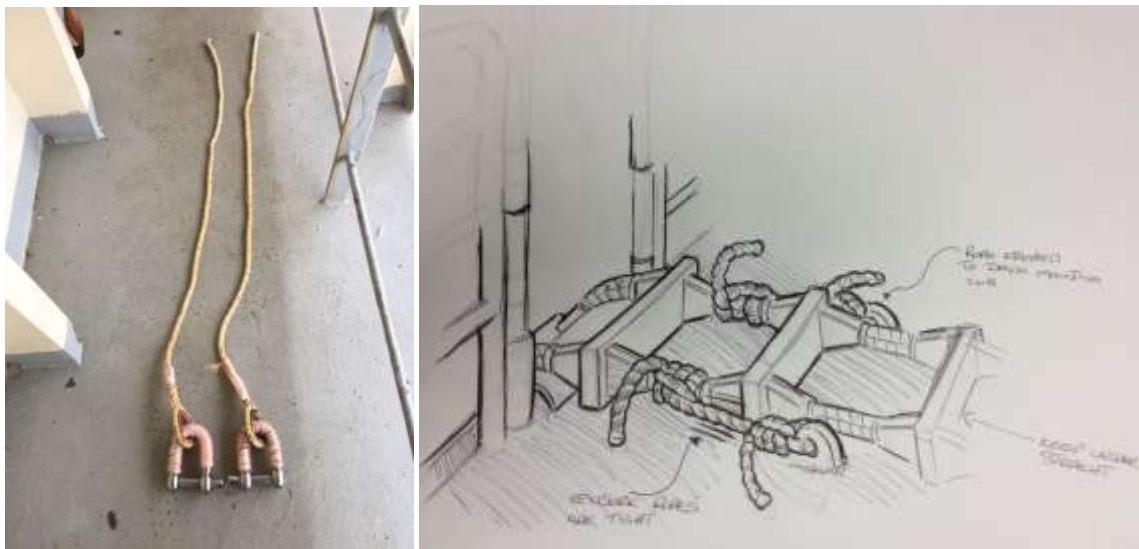
The issues detailed below are from recent experience with Pilot Boarding Arrangements which do not meet regulations and have resulted in vessels being marked as “unacceptable” for future calls to Sullom Voe.

Shetland Islands Council Ports & Harbours are extremely grateful for the input of the UKMPG and in particular the photos and guidance offered by Kevin Vallance, Deep Sea Pilot & author of the Pilot Ladder Manual.

From IMO Resolution A.1045(27)

2.1 Position and construction

2.1.1 The securing strong points, shackles and securing ropes should be at least as strong as the side ropes specified in section 2.2 below.



Securing ropes for shackling to strong points (can be removed and not left exposed to weather). The preferred method of securing is by using a rolling hitch tied with certified strops over the side ropes.



Acceptable



Unacceptable – Pilot Ladder is secured to railings, not a strong point. Secondary securing is by means of shackles over side ropes - If the shackles are secured just below a ladder step, this is similar to the use of step hooks, the forces exerted onto the step are not those to which it was designed or tested for. To recap, each individual step is designed to take the weight of one pilot and is tested to 8 kN force. Side ropes are tested to 24 kN force, it is acknowledged that the side ropes are designed to take the weight of the pilot and the ladder. It must be appreciated that this is a static test and does not take into account the dynamic forces which can be exerted on the ladder being dragged in the water or by contact with the pilot boat. When shackles are hard up underneath a step the arrangement is only as strong as the whipping or clamping system used.

From IMO Resolution A.1045(27)

3 ACCOMMODATION LADDERS USED IN CONJUNCTION WITH PILOT LADDERS

3.3 The lower platform of the accommodation ladder should be in a horizontal position and secured to the ship's side when in use. The lower platform should be a minimum of 5 m above sea level.



If lower platform is less than 5 m above sea level then this becomes a hazard for the Pilot Vessel, the Pilot and crew waiting to embark the vessel – this hazard increases with sea and swell height.

From IMO Resolution A.1045(27)

5 ACCESS TO DECK

Means should be provided to ensure **safe, convenient and unobstructed** passage for any person embarking on, or disembarking from, the ship between the head of the pilot ladder, or of any accommodation ladder, and the ship's deck.



Unacceptable- Image above shows steps and platform obstructed by Pilot Ladder, securing rope is spliced (left exposed to weather) to platform supports (sharp angles and not a deck strong point).

From IMO Resolution A.1045(27)

7 INSTALLATION OF PILOT LADDER WINCH REELS

7.4 Securing of the pilot ladder

Where the pilot ladder is stowed on a pilot ladder winch reel which is located either within the ship's side opening or on the upper deck:

- .1 the pilot ladder winch reel should not be relied upon to support the pilot ladder when the pilot ladder is in use;
- .2 the pilot ladder should be secured to a strong point, independent of the pilot ladder winch reel; and
- .3 the pilot ladder should be secured at deck level inside the ship side opening or, when located on the ship's upper deck, at a distance of not less than 915 mm measured horizontally from the ship's side inwards.

7.5 Mechanical securing of pilot ladder winch reel

7.5.1 All pilot ladder winch reels should have means of preventing the winch reel from being accidentally operated as a result of mechanical failure or human error.

7.5.2 Pilot ladder winch reels may be manually operated or, alternatively, powered by

either electrical, hydraulic or pneumatic means.

7.5.3 Manually operated pilot ladder winch reels should be provided with a brake or other suitable arrangements to control the lowering of the pilot ladder and to lock the winch reel in position once the pilot ladder is lowered into position.

7.5.4 Electrical, hydraulic or pneumatically driven pilot ladder winch reels should be fitted with safety devices which are capable of cutting off the power supply to the winch reel and thus locking the winch reel in position.

7.5.5 Powered winch reels should have clearly marked control levers or handles which may be locked in a neutral position.

7.5.6 A mechanical device or locking pin should also be utilized to lock powered winch reels.

Shetland Islands Council
Towage Operations Designated Persons' Report
SIC Harbour Board April 2019



Under the ISM (International Safety Management) Code the responsibilities and the minimum authority of the Designated Person Ashore (DPA) is: To ensure the safe operation of each ship and to provide a link between the Company and those on board, every Company, as appropriate, should designate a person or persons ashore having direct access to the highest level of management. The responsibility and authority of the designated person or persons should include monitoring the safety and pollution prevention aspects of the operation of each ship and ensuring that adequate resources and shore-based support are applied, as required. Ref: ISM Code.

Accidents/Incidents/Hazardous Occurrences

None to report.

Training

Efforts are being made to continuously improve in Oil Spill Response techniques. Recent shared training events with partners 'Enquest' have involved exercising in 'dispersant deployment' from Tugs.

External Audits

Next external Audit will be a Document of Compliance renewal of the Towage ISM System due in July.

Internal Audits

Next internal Audit due on Dunter and Shalder week commencing 22 April.

Legislation Changes

No significant changes.

ISM Review

The Towage Safety Management System is currently under review as preparations continue for the visitation of MCA Surveyors to Sella Ness in July.

Contact to DPA

No Contact has been made to the DPA during this period.

Sullom Voe and Yell Sound Master Plan Engagement Events

Overview presentation for Shetland Islands Council

By Sarah Brown, C2W Consulting

25.03.2019

Report Structure

[Summary of Findings](#)

[Context](#)

[Background](#)

[Aim](#)

[Process](#)

[Support from Shetland Island Council](#)

[Statements from sectoral interests](#)

[Demographics of Participants](#)

[Workshop and Drop-In Sessions Results](#)

[Baseline Exercise](#)

[Vision Exercise](#)

[Mapping Exercise](#)

[Compelling Arguments Exercise](#)

[Findings](#)

[Emerging Themes](#)

[Comments on the process](#)

[Conclusions](#)

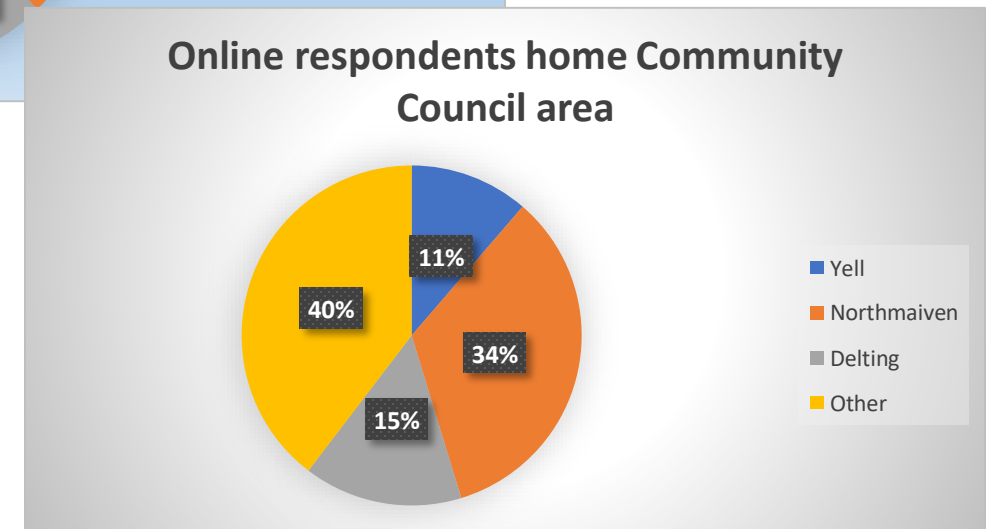
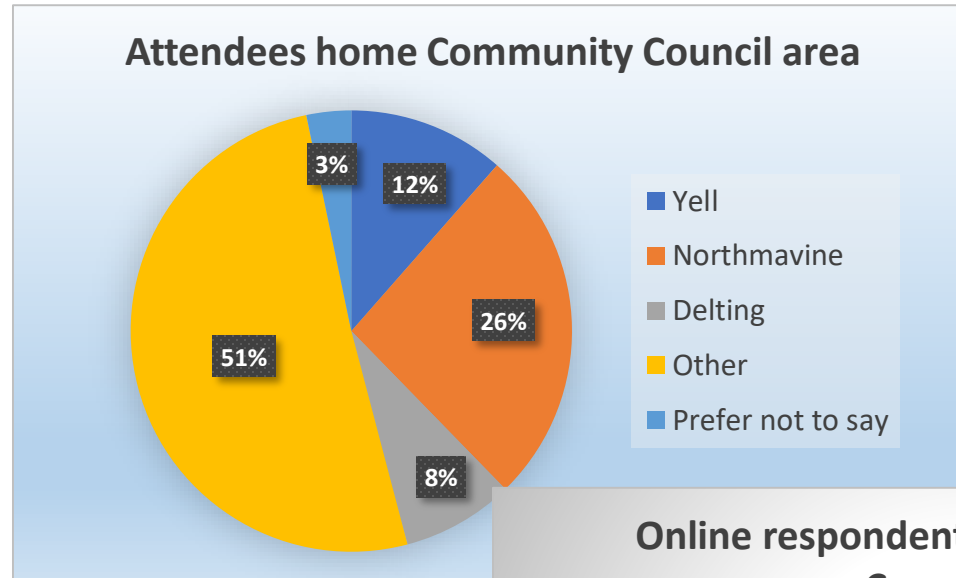
[Annex A - Events Report](#)

[Annex B – Newsletter example](#)

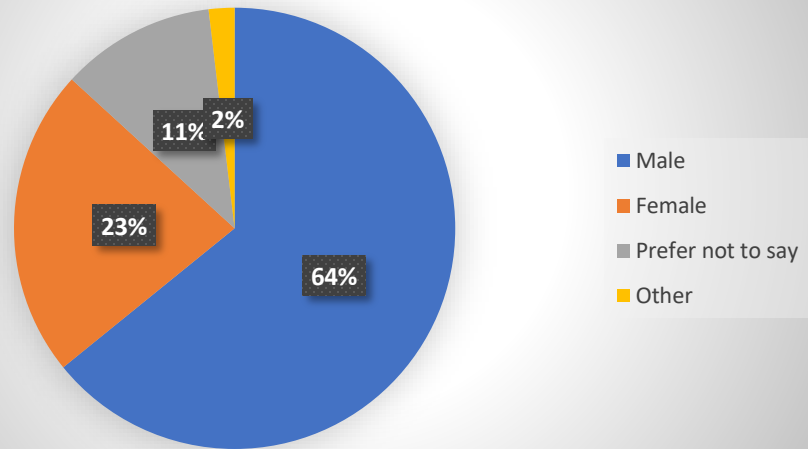
[Annex C – Press release example](#)

[Annex D – Website](#)

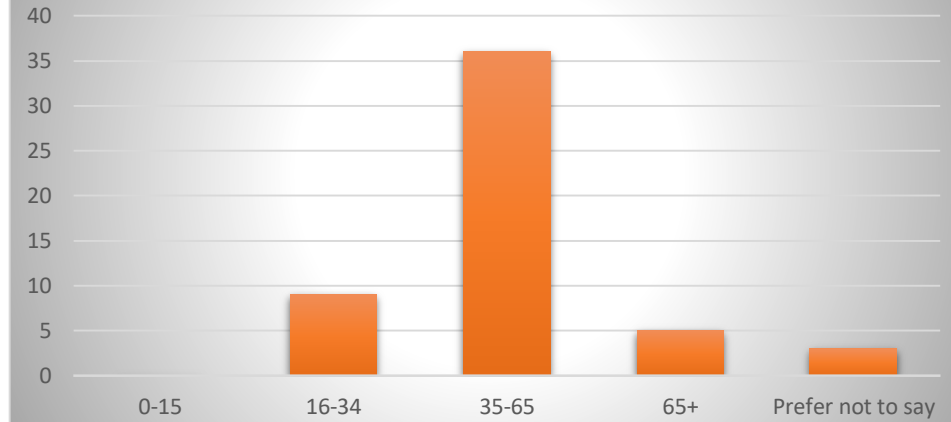
[Annex E – Statement of Public Participation](#)



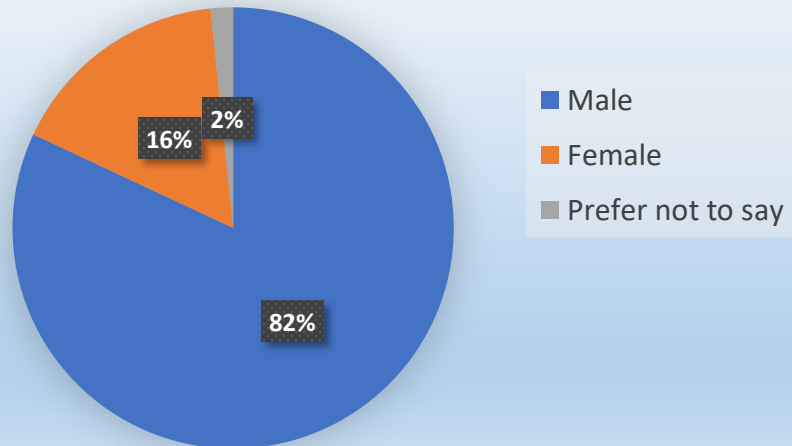
Gender of online respondents



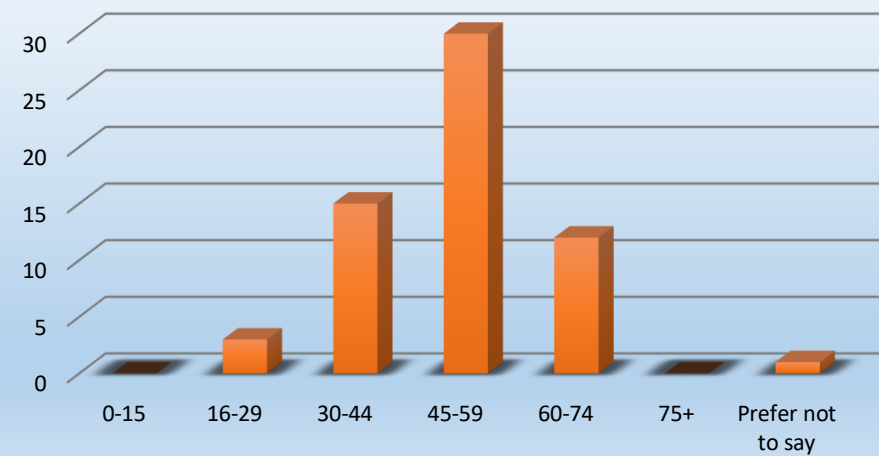
Age of online survey respondents



Gender of attendees

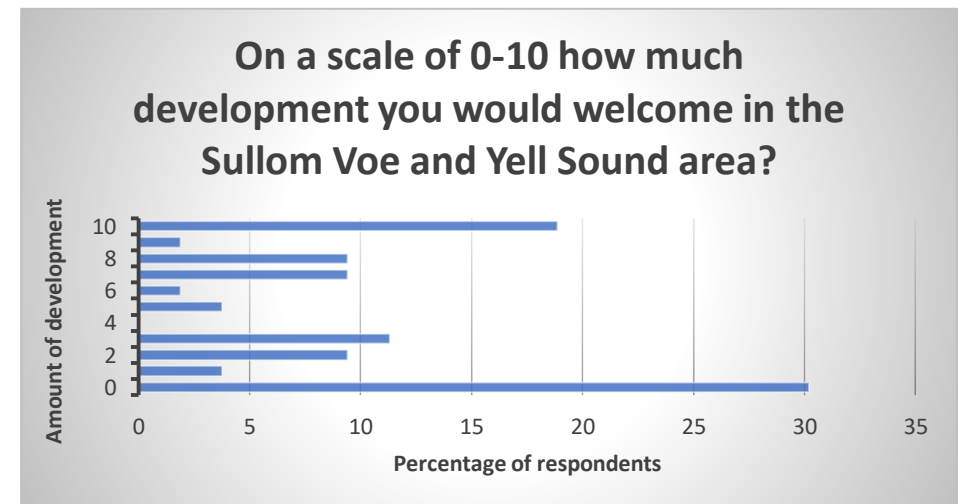
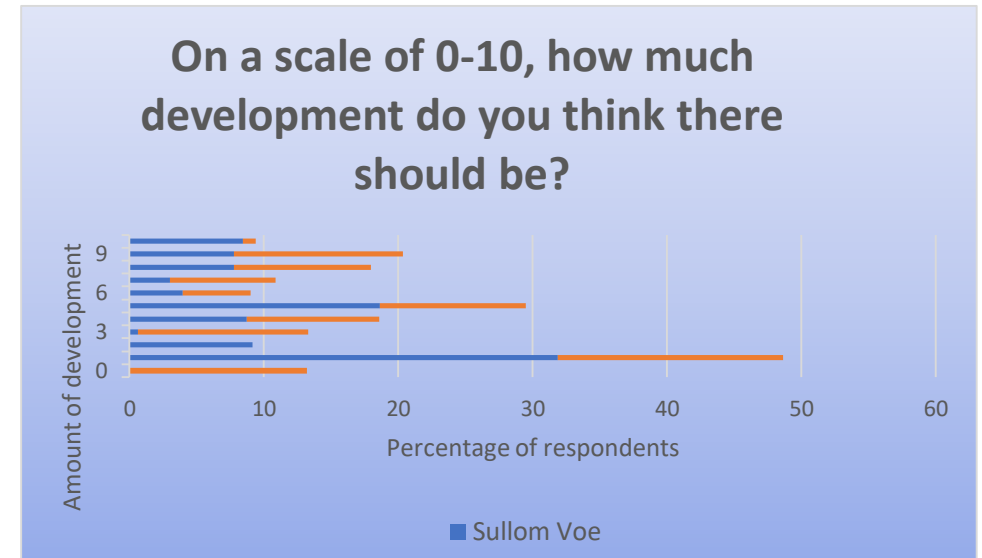


Age of attendees



Findings

- More than 100 responses - 63 event participants, 53 online. Equates to approx. 10% of working population in the area.
- Approximately 30% of respondents are not supportive of any further development, however the remaining 70% are, mostly, willing to discuss possible development.
- It is clear that there are significant constraints as to where, and what type of development would be welcome.
- 29% of respondents listed 'environment' as their top compelling argument, 20% listed fulltime jobs as top priority for decision makers.



Findings continued

- A new list of opportunities and constraints, not previously been mapped, including a map of constraints due to port operations.
- Any further development would, most likely, require additional infrastructure as current piers and slipways are at or near capacity especially Colla Firth.
- Many respondents were concerned about the potential to displace jobs by allowing development.
- Special aspects of the Sullom Voe Harbour Area (less developed feel, wilderness, wildlife, scenery etc.) should not be squandered, but the area should not be held back in comparison to the rest of Shetland.
- The desire to see a fixed link between Yell and the mainland was often repeated.
- Many participants noted that the lack of broadband was a significantly limiting factor for residents in the area and especially on Yell.

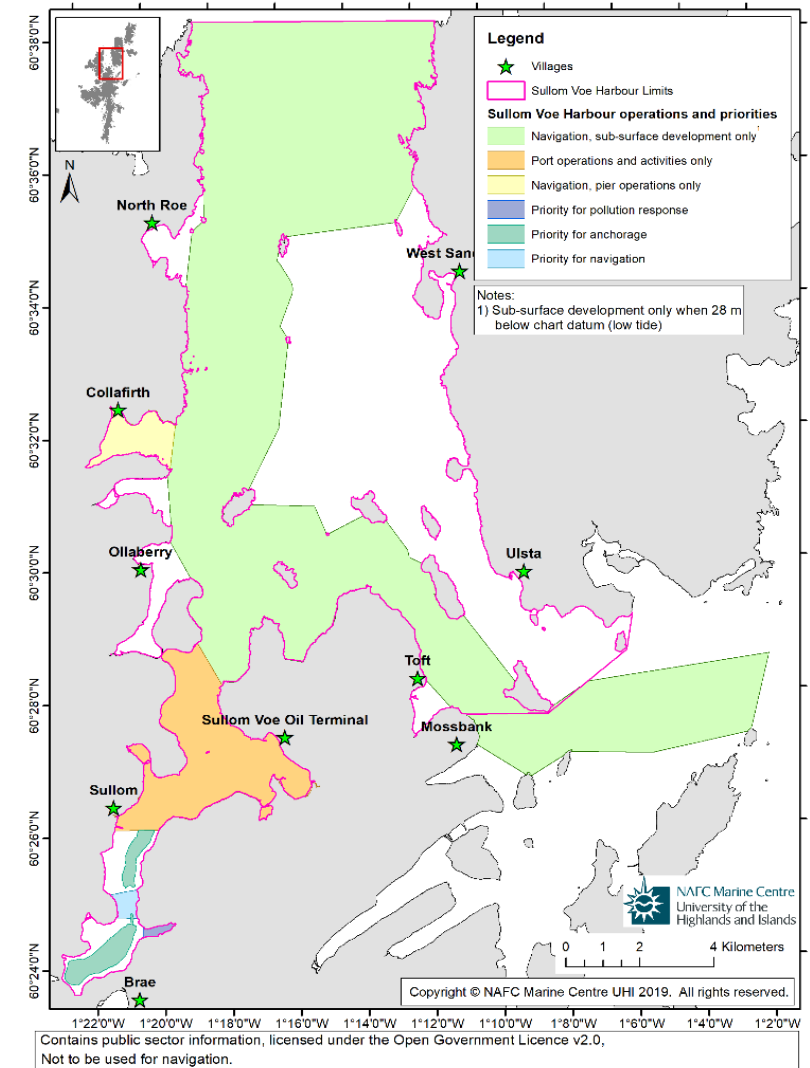
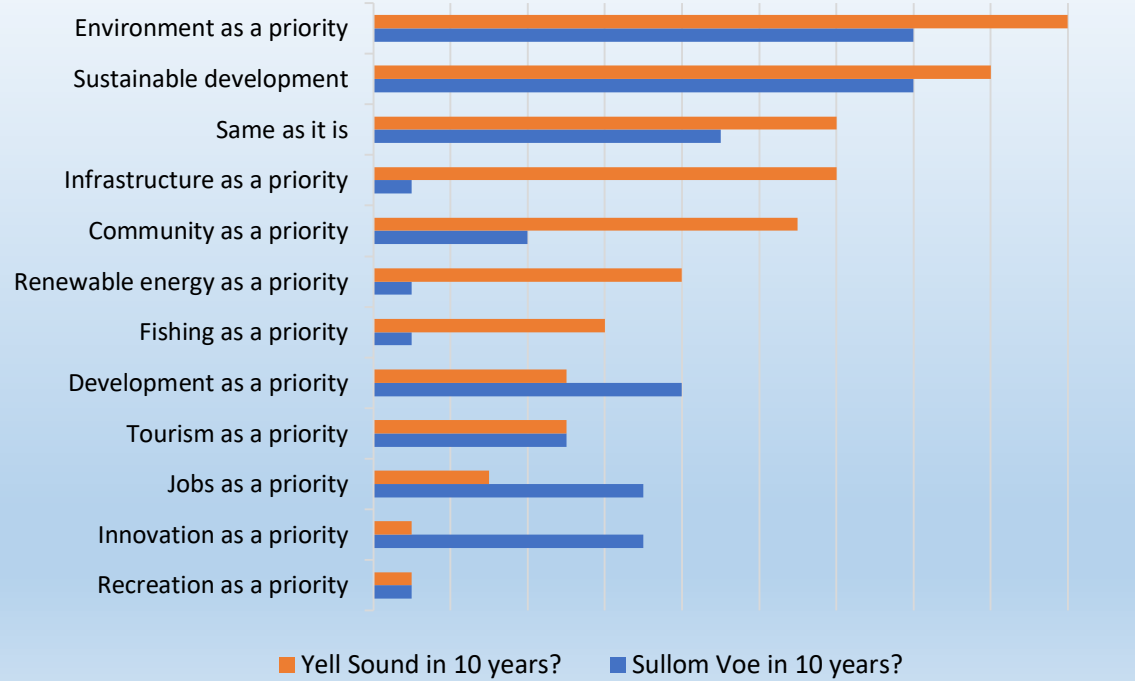
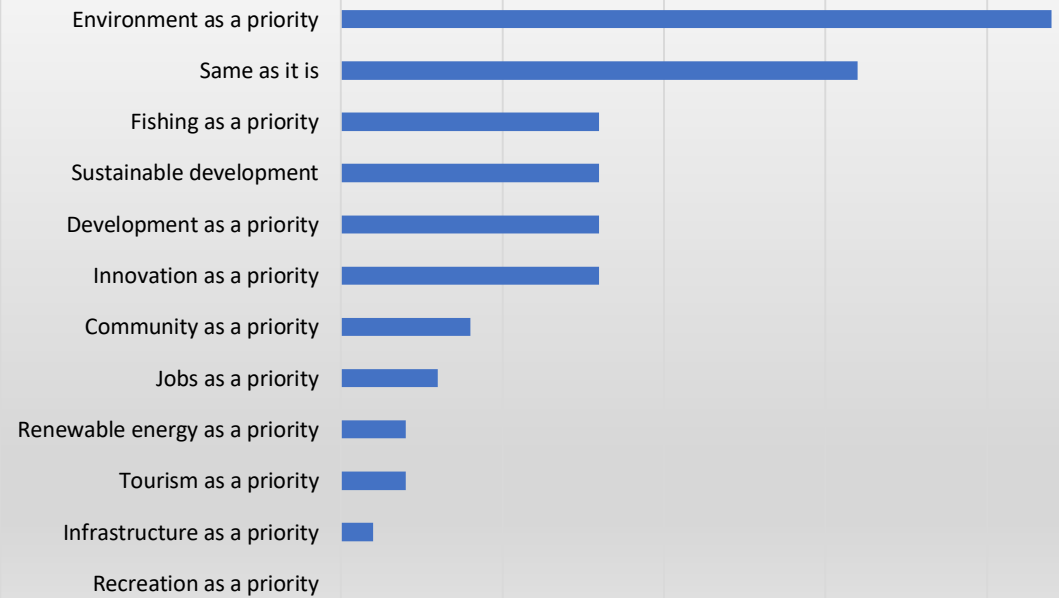


Figure 2 Port operations map developed with the Sullom Voe Harbour Master and Pilots

Vision Exercise - All face to face sessions



Vision Exercise - Online survey results



Achievement of Aims

1) Identify community priorities which should influence future development decisions.

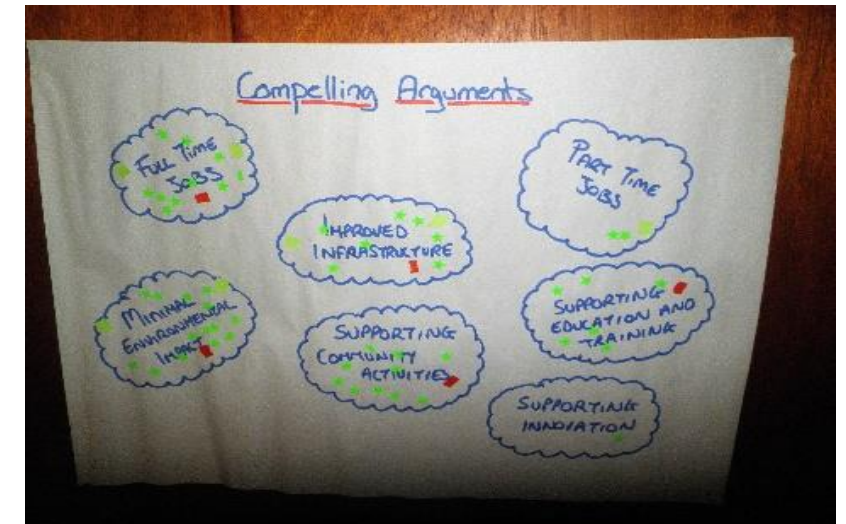
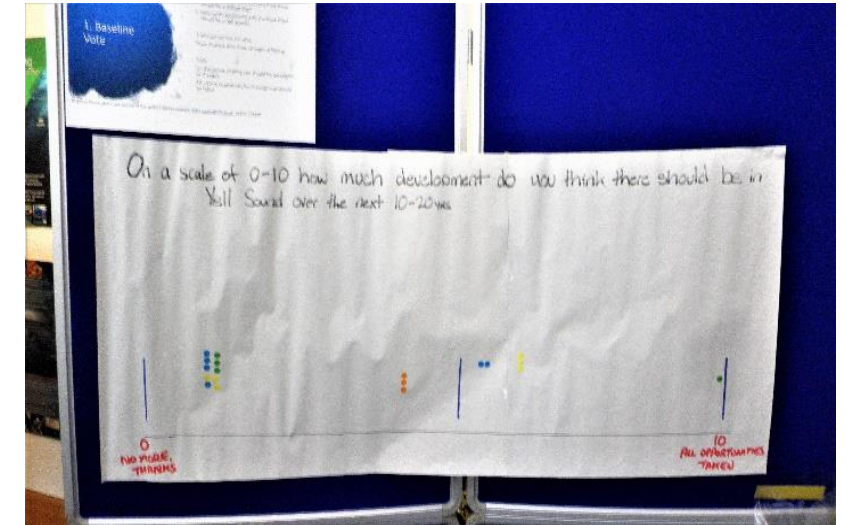
- Environment (29%), along with fulltime jobs (20%) as top priority for decision makers.
- Sustainable development also emerged as a theme.

2) Ensure that the community and relevant stakeholders have a meaningful opportunity to input into the master plan.

- More than 100 responses were gathered. These broadly reflected the most impacted industries (commercial fishing and aquaculture) by both age and sex.
- The majority of respondents (53%) were from the 3 Community Council areas adjacent to the Sullom Voe Harbour Area.

3) Gather fresh information about opportunities and constraints.

- Fresh insight into opportunities and constraints. The main constraint was that imposed by safe navigation of the harbour which had had not been explicitly mapped before.



Achievement of Aims Continued

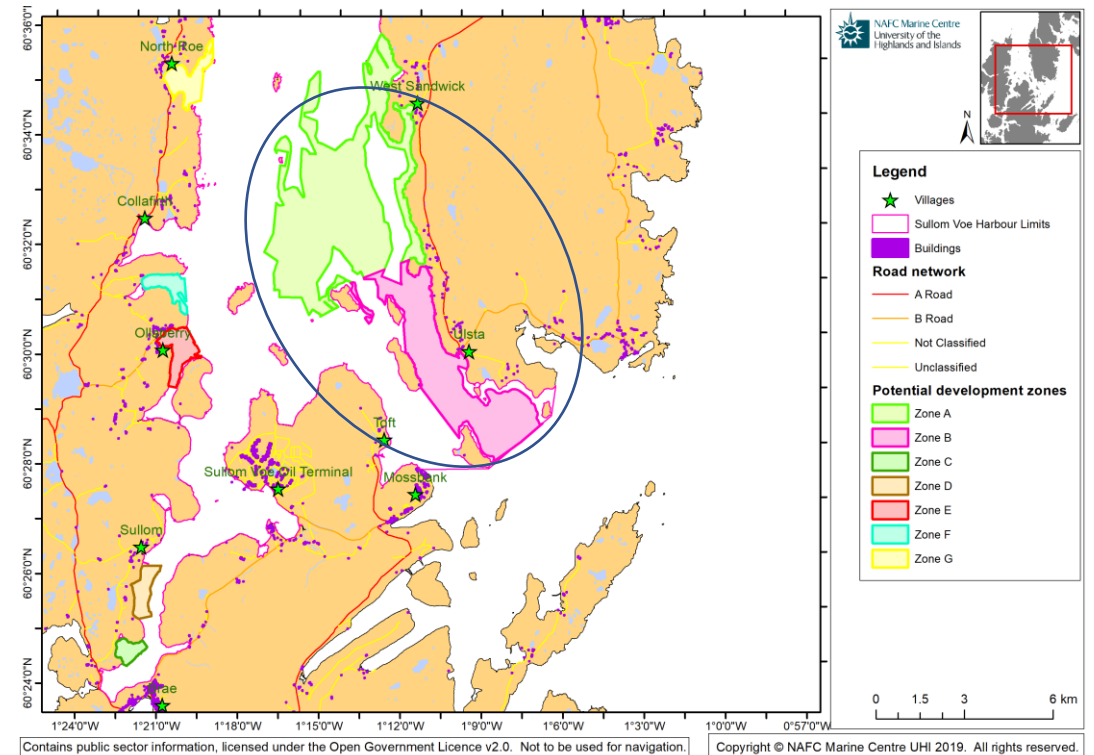
- 4) Test the existing policy landscape and assess if it is fit for purpose.
 - There is likely to be significant scope within existing policies within the Shetland Islands Marine Spatial Plan and the Local Development Plan to cope with any emerging demands.
- 5) Assess the level of interest for future development of the area.
 - The engagement process has demonstrated that there is appetite for further development but with some concerns and reservations being expressed.
 - The community has shown that 30% are not supportive of further development, however the remaining 70% are, mostly, willing to discuss possible development.
 - It is clear that there are significant constraints as to where, and what type of development would be welcome.
 - Whilst there is interest in development from sectors such as fin and shellfish farming, the community have clearly demonstrated that they have significant concerns about the potential impacts of such development.



- Suggestions about the use of the information included:
 - Using it to ‘tell the story’ of SVHA as a working port with established high natural value.
 - Using it to attract researchers and research institutions who can make the most of the unique qualities of SVHA and the surrounding waters from a scientific perspective.
 - Using it to connect with natural history, youth and school age audiences around the world.

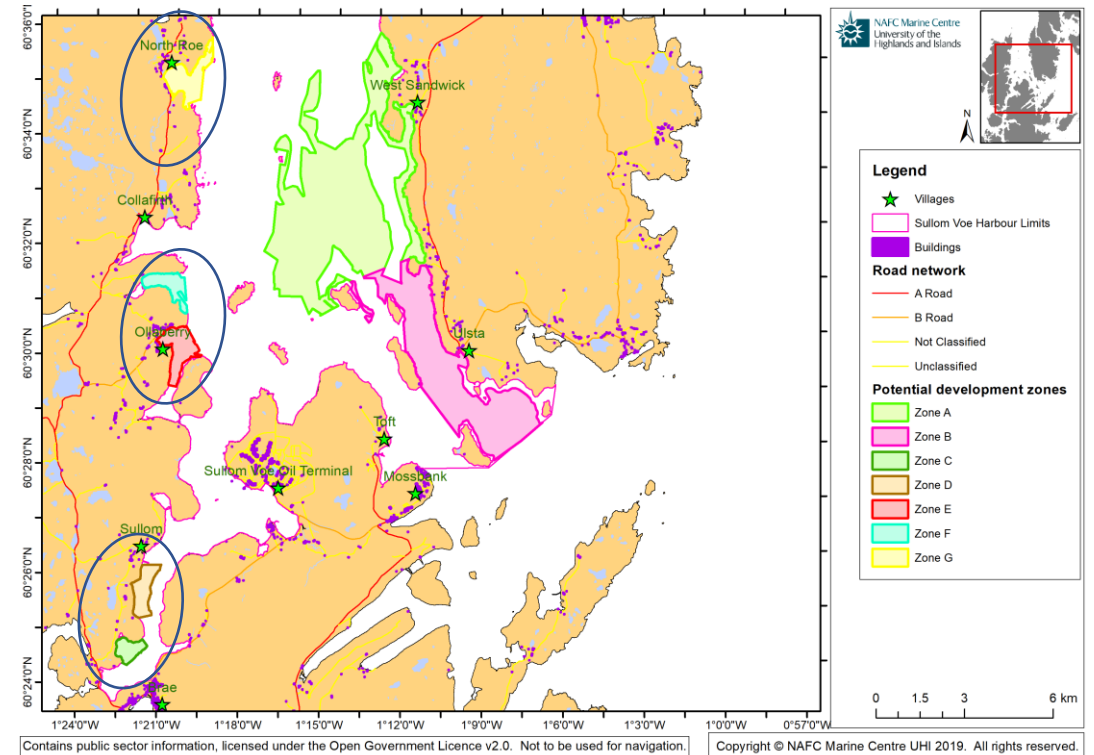
Technical Requirements - renewable energy

- Interest expressed in PDZ's A and B
- Tidal energy devices work best where there is clean, laminar, bidirectional flow
- Water clearance of approx. 15m required. Devices can stand approx. 20m off the seabed.
- Wave height will be a limiting factor
- Piers and slipways with reasonable access and 5m+ width and around 2m minimum depth
- Around 50m² of hard standing close by the launch points is needed.
- Hard standing pad should be suitable for heavy lifting at around 5-10 tonnes per square meter
- Siting of sites should take cables and pipelines into account as devices may require multiple attachments to shore
- Design life of devices is generally 25years
- Attachment to the seabed varies. Devices held in place by gravity would be compatible with other uses of the seabed including, for example, drilling for a fixed link tunnel
- Grid connection and access to financial support are significant limiting factors
- Conflicts with devices is limited, creel fishing can usually work around a device which also acts as an artificial reef. In most instances the ground affected would not be suitable for mobile gear.
- NB:Ofgem recommendation for grid connection for Shetland issued 19/03/2019



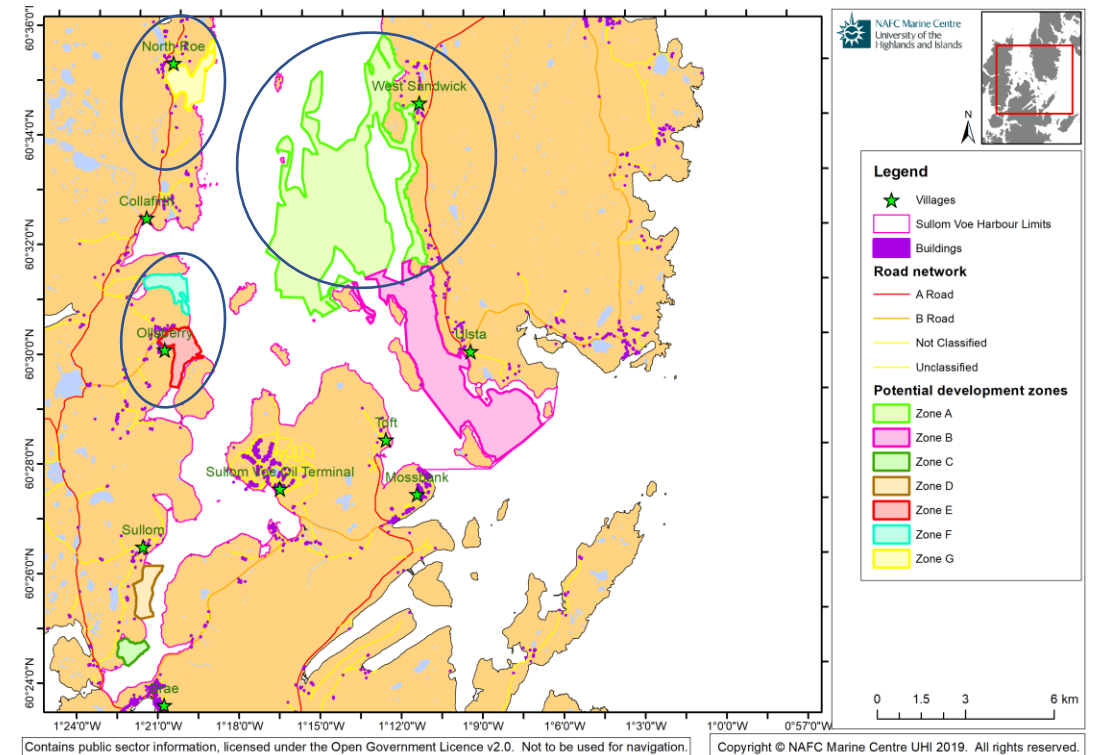
Technical Requirements – shellfish

- Interest expressed in PDZ's C, D, E, F and G
- Sites are similar visually to standard mussel growing e.g. 6 x 440m buoyed lines
- Growing lines extend approx. 15m below the surface. Spat collection lines extend approx. 6m below the surface
- Lines are typically 22/330 or 440m long and can be arranged to best suit the site geography and biology
- Numbers of anchors depend on the arrangement of the lines.
- Gaps of 20m are required between the lines
- Anchors (min 2 per line) are laid out at 3 x depth
- Spat lines remain in place for a period of 12 months when the lines are removed, and new ones placed.
- Site activity is mainly restricted to when the lines are being changed – usually May.
- 1000 tonnes of spat would equate to 4000 tonnes of mussels and within 3 years could give 8 fulltime jobs of circa £35,000pa per job.
- SSMG are only interested in sites for spat collection and do not want sites for growing on in SVHA. A separate company would be established which would be open to all mussel farmers on Shetland. This would potentially prevent a free for all, or multiple competing applications, should the area be opened for development.
- 4-6 sites across the western side of SVHA would be ideal. 11 have been identified.
- One site could be used as a test site.
- Unlike fish farms, all mussel farms in Shetland are locally owned.



Technical Requirements – fin fish

- Interest expressed in PDZ's A, E, F and G with request to reconsider Collafirth
- Mean current speeds of 5-15cm/sec is ideal
- A site of 10-12 cages would be likely to be financially viable
- Cages are generally around 90-100m in diameter, but new developments are likely to be 120m or even 160m
- 10 cages, requiring approx. 30 anchors, would equate to approx. 120x500m on the surface
- Anchors are laid at 3x depth
- A finfish farm requires water depth of 20-30m+
- A 10-cage site would equate to 4-5 jobs in the range of £30,000 per annum per job
- Finfish sites require daily access and a guaranteed berth and shore access would be needed nearby e.g. at Collafirth
- A 10-cage site will require £4-5m investment and so an absolute minimum lease would be 10 years but 20-25years would be preferable
- Upgrades would be required to existing infrastructure in PDZ's A and G
- Ferry capacity is an ongoing discussion with SIC to ensure ease of transport across SHVA but is currently manageable
- Main area of conflict with the Port Authority map is Collafirth where a site in the SE edge of the mouth of the Voe is desired
- Marine Scotland/SEPA may have concerns about development on the grounds of connecting disease management areas

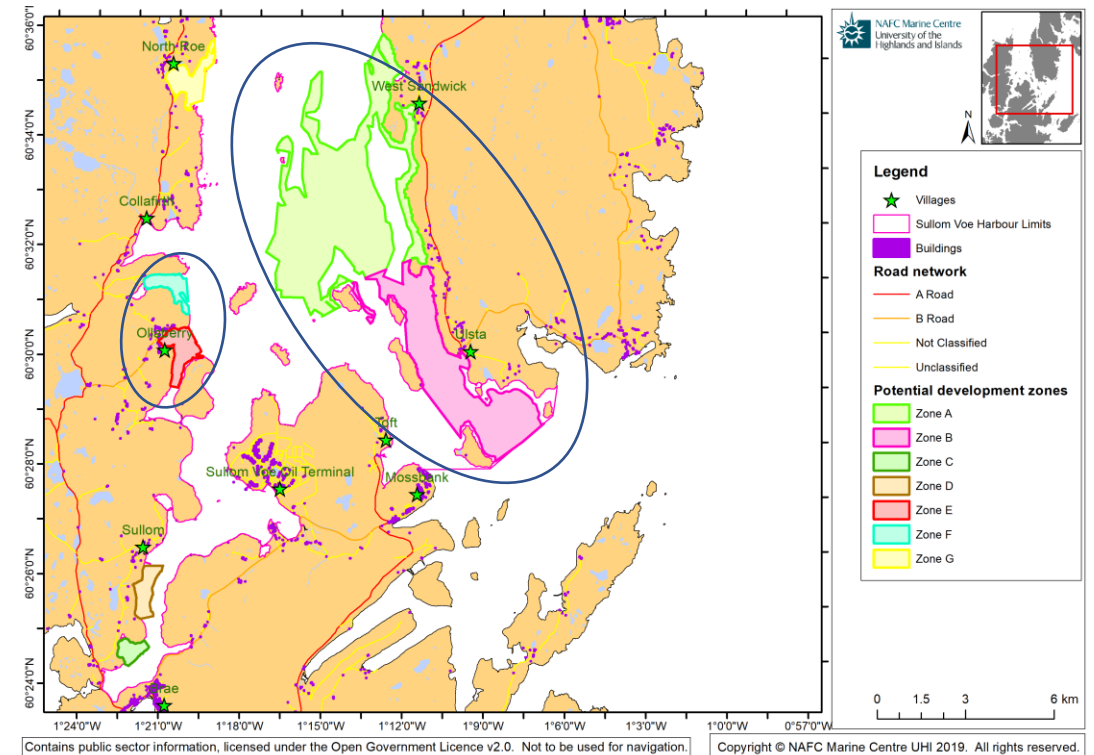


Technical Requirements – seaweed farming

- Interest expressed in PDZ's A, B, F and E.
- 8 sites of approx. 700 x 500m with 20 anchors each
- Seaweed (kelp sp) would be grown for biomass for energy with secondary crops for pharmaceuticals etc.
- 200 tonnes harvest estimated per site
- Requires 20-30m water depth, good water flow
- Surface infrastructure would look similar to a mussel farm with buoys supporting the growing medium
- Investment would begin with a trial site (£50-£60,000) up to £1m when full scale.
- Developer also suggested that they would need all sites secured for them or the project would not be viable.
- Jobs would extend to 2 full time for the first phase and then build as the project developed
- Harvesting is in May/June

In discussion with SRSL at SAMS further insights were gained

- Seaweed for fuel is a poor return and has not yet been shown to be financially viable
- A primary, high value product would be needed to support the lower value fuel crop.
- Fuel crop would need to be converted into a slurry and stored for use outside of the harvesting season
- Largest site in Scotland is currently 1 hectare run by SAMS and SRSL
- Oil would be a potentially low risk contaminant to seaweed which does not easily take up hydrocarbons and aromatics
- A seaweed co-operative might work with the community working with the developer.





Shetland Islands Council

Agenda
Item

4

Meeting(s):	Harbour Board	01 May 2019
Report Title:	Ports & Harbours Business Programme	
Reference Number:	PH-05-19F	
Author / Job Title:	Andrew Inkster, Executive Manager – Marine and Airport Infrastructure	

1.0	Decisions / Action required:
1.1	That the Harbour Board are asked to consider this report, comment on its contents within their remit, and NOTE the proposed reporting actions of the Ports & Harbours service in partnership with other Council services over the coming period.
2.0	High Level Summary:
2.1	This report provides the Harbour Board with an opportunity to consider the proposed Ports & Harbours work programme.
3.0	Corporate Priorities and Joint Working:
3.1	'Our Plan 2016 to 2020' states; "We will be an organisation that encourages creativity, expects co-operation between services and supports the development of new ways of working.
3.2	This report recognises the importance of cross Council co-operation in much of the work that Ports & Harbours is involved in and therefore looks to discuss that work with, and be informed by, key committees.
4.0	Key Issues:
4.1	There are a range of performance management, compliance and policy and project development matters which will require Harbour Board consideration over the coming months. Target reporting dates for these are laid out in Appendix A.
5.0	Exempt and/or confidential information:
5.1	None
6.0	Implications:
6.1 Service Users, Patients and Communities:	No implications arising directly from this report.

6.2 Human Resources and Organisational Development:	No implications arising directly from this report.
6.3 Equality, Diversity and Human Rights:	No implications arising directly from this report.
6.4 Legal:	Governance and Law provide advice and assistance on the full range of Council services, duties and functions including those included in this report.
6.5 Finance:	<p>The Council has a very costly and very valuable estate of marine infrastructure and services. These are expensive to provide and expensive to maintain.</p> <p>To demonstrate that investment in non-statutory services like harbours and piers is best value; then the benefits of that investment need to be identified and quantified, both for the Council and for the overall economy and community.</p> <p>Ports & Harbours infrastructure and services are a significant cost centre and a very important income stream to the Council and community. Maximising impact and income when containing cost are both central to best value.</p> <p>There are no decisions with specific financial implications requested in this report. However generating a significant financial surplus and compliance with overall Council financial policies are key elements in all Ports & Harbours business planning and work programing.</p>
6.6 Assets and Property:	No implications arising directly from this report.
6.7 ICT and new technologies:	No implications arising directly from this report.
6.8 Environmental:	No implications arising directly from this report, however protection of the Shetland marine environment is one of the key priorities in all work planning.
6.9 Risk Management:	Work in the marine environment is intrinsically risky, both in health and safety and environmental protection terms. All activity must therefore be closely examined to ensure that it delivers the highest safeguards and standards.
6.10 Policy and Delegated Authority:	<p>Harbour Board</p> <p>Strategic oversight and direction in all aspects of the operation of the Council's harbour undertaking in accordance with overall Council policy and the requirements of the Port Marine Safety Code.</p>

	<p>Act as Duty Holder as required by the Port Marine Safety Code and ensure that the necessary management and operational mechanisms are in place to fulfil that function.</p> <p>Consider all development proposals and changes of service level within the harbour undertaking; including dues and charges, and make appropriate recommendations to the Council.</p>	
6.11 Previously considered by:	None	

Contact Details:

Andrew Inkster, Executive Manager – Marine and Airport Infrastructure.

andrew.inkster@shetland.gov.uk

Appendices:

Appendix A – Ports & Harbours Business Programme

Background Documents:

None

END



Harbour Board - Meeting Dates and Business Programme 2019/20 as at Wednesday 1 March

Date / Type of Meeting	Agenda Item	Referred/Delegated
01 May 2019 2pm Ordinary	Harbour Master Report	R
	Capital Maintenance and Replacement Programme	R
	Ports & Harbours Business Programme	R
		R
28 August 2019 2pm Ordinary	Mooring Boats – Strategic Outline Case Port of Sullom Voe Review (Service Redesign Programme)	R
	Harbour Master Report	R
	Ports Project & Performance Update	R
13 November 2019 2pm Ordinary	Harbour Master Report	R
	Ports Project and Performance Update	R
03 February 2020 2pm Special – Budget Setting	Infrastructure Services Budget Proposals	R
04 March 2020 2pm Ordinary	Harbour Master Report	R
	Ports Project and Performance Update	R