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Date 6 November 2019

Dear Sir/Madam

You are invited to the following meeting:

Harbour Board
Council Chamber, Town Hall, Lerwick
Wednesday 13 November 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 28 August 2019 (enclosed).

1. 2019/20 Capital and Revenue Projects Report
PH-12

2. Harbourmasters Report
PH-10

3. Ports & Harbours Business Programme
PH-11

The following item contains *EXEMPT* information

4. Contract Matter
PH-13



MINUTE

A & B - PUBLIC

Harbour Board
Council Chamber, Town Hall, Lerwick
Wednesday 28 August 2019 at 2.00 pm

Present:

M Burgess	A Cooper
S Coutts	A Duncan
A Hawick	S Leask
A Manson	

Apologies:

D Simpson

In Attendance:

J Smith, Director of Infrastructure Services
A Inkster, Executive Manager – Marine and Airport Infrastructure
R Gordon, Depute Harbour Master
B Robb, Management Accountant
P Wishart, Solicitor
L Malcolmson, 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 minutes of the meeting held on 1 May 2019 were approved on the motion of Ms Manson, seconded by Mr Cooper.

12/19 **Infrastructure Directorate Performance Reporting – Harbour Board Performance Report Quarter 4 to 31 March 2019 and Quarter 1 to 30 June 2019**

The Board considered a report by the Director of Infrastructure Services (PH-08-F) that summarised the activity and performance of the Infrastructure Directorate for Quarter 4 to 31 March 2019 and Quarter 1 to 30 June 2019.

The Director of Infrastructure Services introduced the report and was asked what the changes were in terms of risks referred to in paragraph 4.6, second bullet point. The Director of Infrastructure Services advised that the Council and Enquest place safety operation at the top of their priorities and the Sullom Voe Association receive reports from Total and Enquest including detailed

safety performance reports. He said that there had been a challenge around Sullom Voe Terminal bringing the operation down to storage and export facility and this required a lot of work in terms of changing procedures, risk assessments and valuations for the loading of tankers. The Director of Infrastructure Services went on to say that the emergency response was subject to ongoing work where safety is emphasised as a priority. He reassured Members that Officers would raise any concerns with Enquest or Total immediately as required.

Reference was made to Appendix 5, paragraph 5 bullet 4 and in responding to a question the Director of Infrastructure Services said that the matter of VTS Radar Replacement was ongoing and a full update would be provided in due course. In regard to the slippage on the wind turbine project it was noted that the slippage may be as a result of the specific model being out of commission but he would email Members to confirm.

During further discussion Members discussed the landing crane at Scalloway and the best position for it. It was suggested that as the new facility progresses it may be that the position is changed when the market opens. The Executive Manager – Marine and Airport Infrastructure said that not everyone has access to it and there is some training still to be done. It was further suggested that a landing crane was required at Symbister and Collafirth Piers. It was noted that there would also be a crane positioned at Toft Pier, but as there is no obligation on the Council to decide how individuals lift their boxes, it is a useful facility to provide and is part of a general need to keep upgrading the facilities. The height of the Collafirth Pier structure was acknowledged as having potential safety issues and although there were no accidents yet, the Council relies on the Shetland Fishermen's Association and the Shetland Shellfish Management Organisation to question what is needed.

Reference was made to Appendix 1 DP208, the business case for Scalloway West Pier, and clarity was sought on how the marketing plan would be fed into the Council's new website redevelopment. The Director of Infrastructure Services advised that Officers would continue to make linkages to ensure that information is accessible and up-to-date but importantly there were discussions with the Lerwick Port Authority and Shetland Seafood Auctions for the two new fish markets to come on stream at a similar time. He said that there was a new focus on white fish landings at Scalloway and Cullivoe so it would be important make promote that more . It was noted that the Executive Manager – Marine and Airport Infrastructure would provide more detail at a future meeting of the Board.

An error in the title of the Risk Register was highlighted and is to be updated for the next report.

Decision:

The Board NOTED the;

- achievements of the Directorate during 2018/19,
- plans and progress in 2019/20 and
- proposals for 20120/21

Capital Maintenance and Replacement Programme

The Board considered a report by the Executive Manager – Marine and Airport Infrastructure (PH-06-19-F) that provided an update on the significant engineering projects for Ports and Harbours Operations during the financial year 2019/20.

The Executive Manager – Marine and Airport Infrastructure introduced the report and advised that the Scalloway Fish Market is on budget and ahead of schedule. The Toft Pier is delayed but the marine licences process is out of Officer's control and a delay that could not reasonably have been foreseen. He said that the contractors were on site and more serious work would start in the next couple of weeks. The Executive Manager – Marine and Airport Infrastructure explained that the temporary pontoon had been removed and the affected parties had been advised. The Board were informed that the dredging at the Foula harbour was complete and the original design depth had been achieved. He commented on the effort made to open old dumping grounds and to gain the environmental approvals required.

The Executive Manager – Marine and Airport Infrastructure responded to questions and confirmed that the delay to Toft Pier would not affect the grant funding as he had received confirmation today from the Scottish Government that this was not a problem.

In regard to the high standards achieved by other facilities such as Peterhead, in terms of food standards regulations, it was suggested that this was a route that the Scalloway facility needed to explore to achieve premium prices. The Executive Manager – Marine and Airport Infrastructure advised that contact had not yet been made with the British Retail Consortium or the Responsible Fishing Ports Scheme as the intention was to align management arrangements with the Shetland Seafood Auctions. This would be progressed in early September when the Harbour Master returned from leave.

During further discussion on the need to ensure high standards in producing good quality products and operating procedures, the Director of Infrastructure Services reassured the Board that this state of the art facility would be maximised to its full potential. He said that there was still a lot of work to be done together with other parties to ensure that is achieved, but he said that the Council brings the port marine safety code, risk assessments and good standards of audit for the facility to build on. In terms of food hygiene in the commercial market it was necessary to depend on others to guide in this area.

The Director of Infrastructure Services added that there was still significant value in the temporary market facility so it was important not to miss any opportunities before it is dismantled. It was also confirmed that Officers had done a lot of work to ensure that the grading machine would work as well as it could, in the new facility.

In terms of staffing, Officers were asked to be mindful that to provide a high standard facility that may require changes in staffing. The Director of Infrastructure Services that staff were involved from week to week and Officers had followed agreed consultation policies. He added that it was important to keep everyone involved.

In response to a query regarding the obsolete piers the Director of Infrastructure Services advised that an update would be provided in the next performance report.

Decision:

The Board NOTED the content of the report and areas of progress made.

14/19

Harbourmaster's Report

The Board considered a report by the Harbour Master – Ports & Harbours (PH-09-19-F), that informed the Port Marine Safety Code (PMSA) Duty Holder of the professional concerns and the current status as reported by the Harbourmaster.

The Depute Harbour Master – Ports & Harbours introduced the main terms of the report. In referring to the pilot ladder guidance the Depute Harbour Master – Ports & Harbours advised that there had been no issues since its publication. He advised that there had been seven thousand views of the guidance on LinkedIn and the Harbour Master would present the guidelines to the British Port Association in London next month. Depute Harbour Master – Ports & Harbours also commented on the Scalloway berthing issues; the Scalloway shift arrangements; and advised on the improvements to the Safety Management arrangements.

In responding to questions the Director of Infrastructure Services advised that the fire on the ferry MV Daggru was still under investigation by the MAIB and there was no indication of a timescale for this being made public.

Following further discussions, it was noted that the introduction of Pilot Boarding Guidance now had an increased profile in the UK and Sullom Voe was able to demonstrate the top quality service available in Sullom Voe. It was acknowledged that the issues highlighted in the guidance was a long standing matter from as early as the 1980s, but disappointment was expressed that although thirty years had passed same issues were again having to be addressed by Officers.

Decision:

The Board NOTED the content of the report.

11/19

Ports & Harbours Business Programme

The Board considered a report by the Executive Manager – Marine and Airport Infrastructure (PH-07-19-F) that provided an opportunity to consider the proposed Ports & Harbours business programme.

The Director of Infrastructure Services advised that the Scalloway Market matters would be added to the business programme in November or December.

Decision:

The Board NOTED the content of the report.

The meeting concluded at 3.05pm.

Chair



Meeting(s):	Harbour Board	13 November 2019
Report Title:	2019/20 Capital and Revenue Projects Report	
Reference Number:	PH-12-19F	
Author / Job Title:	Andrew Inkster Executive Manager – Marine and Airport Infrastructure	

1.0 Decisions / Action required:

- 1.1 That the Harbour Board discuss and highlight any areas of concern and note the content of the report and areas of progress made.

2.0 High Level Summary:

- 2.1 This report updates the Board on the significant engineering projects for Port Operations during the financial year 2019/20.

3.0 Corporate Priorities and Joint Working:

- 3.1 Prioritised spending on maintaining our existing assets is a key part of the Corporate Plan and Medium Term Financial Plan.
- 3.2 By ensuring that our facilities are safe, well managed and fit for purpose, we can ensure that service users experience excellent standards of customer care.

4.0 Key Issues:

- 4.1 In addition to its routine annual maintenance plans and regimes, Ports and Harbours have an interest in the following significant projects for the 2019/20 financial year.
- Scalloway Fish Market
- 4.2 This contract has been awarded to CHAP Construction.
- 4.3 The works are progressing very well on site, and substantial completion of the facility is currently planned to occur in December 2019.
- 4.4 It is likely that final testing and commissioning of internal services such as the chill system will occur in January 2020, with the building fully operational shortly afterwards.
- 4.5 The temporary chilled facility continues to provide a suitable landing facility whilst the new market is constructed. Users remain very pleased with these temporary landing arrangements.

Tug Jetty Cathodic Protection Renewal

- 4.6 Due to the unusual design of this Jetty in comparison to most other SIC small Ports, a detailed examination of the structure and review of available future options for its life extension is now complete.
- 4.7 It is now considered that the Tug Jetties life cannot be extended significantly, and thought should be given to options for its replacement in coming years. A feasibility study looking at various options has now commenced.
- 4.8 The finger pier attached to this jetty is of a more standard construction, and it is anticipated that cathodic protection can be applied to this part of the structure to prolong its serviceable life. Work is in progress to identify the type and scope of such works.

Navigation Aids

- 4.9 Ports and Harbours are responsible for the provision and maintenance of 133 individual aids to navigation across the whole of Shetland. These aids comprise mainly of fixed shore based leading lights, port entry lights, beacons, floating buoys and channel markers.
- 4.10 An annual programme of navigation aid upgrades is in place, and in recent years, the installation of L.E.D technology has resulted in significant increases in reliability and reduced maintenance.
- 4.11 Works to date this year have concentrated on replacing navigation and spur boom buoy moorings in Sullom Voe Harbour, and upgrades to navigation lights in Skerries are also programmed to take place before year end.

Plant and Equipment

- 4.12 This budget has been used to replace the Mobile Elevating Work Platform based at the Sella Ness workshop.

SVT Jetty Maintenance Project

- 4.13 The 2019 Jetty Maintenance routine work scope is now complete. And this years works were carried out on programme and within agreed budget.
- 4.14 Concrete repair works have also taken place on two mooring dolphins, and these works were also completed on time and within budget.
- 4.15 Preparation works for next year's work scope are now taking place. This scope of works is particularly challenging, and includes concrete repairs to all four berthing dolphins and two mooring dolphins on Jetty Two. Once concrete repairs to the berthing dolphins are complete, the original fenders will be re-installed, removing the restriction on maximum ship size of 120,000 tonnes DWT that currently exists.

Toft Pier

- 4.16 This contract has been awarded to Teignmouth Marine Services Ltd.

- 4.17 Unforeseen and uncontrollable delays were experienced in gaining the necessary marine licences to allow the works to proceed in early summer, and this resulted in a delay in starting works onsite of approximately seven weeks.
- 4.18 The Contractor commenced site works in August, and whilst some weather related delays have been experienced, progress against the revised programme has been made.
- 4.19 The project is currently programmed to be substantially complete by early Summer 2020.

Cathodic Protection

- 4.20 Cathodic Protection has been installed on West Burrafirth Pier this financial year.

Foula Harbour / Ferry Terminal

- 4.21 Following a successful dredging exercise, Foula Harbour and Ferry Terminal water depth has been returned to its original design depth.

Linkspan Life Extension Project

- 4.22 This project will see the ten existing smaller linkspans (Type A) and three larger linkspans (Type B) which are currently in service refurbished in line with recommendations from the projects consultant civil and structural engineers Mott MacDonald.
- 4.23 The works will also see the replacement of hydraulic control equipment under a contract already awarded to John Henderson UK Ltd.
- 4.24 The tender for linkspan refurbishment has been awarded to Malakoff Ltd. This package of work will see the removal and replacement of individual linkspans taking place over a four day period, with any necessary repairs to the bearing structures taking place at the same time.
- 4.25 It is anticipated that works will take place over a three year phased period at the various Ferry Terminals during 2020-2022.
- 4.26 Some disruption to scheduled ferry services is inevitable, and thorough communication with local communities and other stakeholders will take place well in advance of any such disruption occurring.

Small Port Major Fender Repairs

- 4.27 In addition to ad-hoc fender repairs during this financial year, large scale fender repair and replacement projects are planned to occur in:
- Mid Yell - Due to the construction of the pier, the works are not as straightforward as first envisaged. Design work and consultation with the community is ongoing at this time.
 - Skerries – This project has been tendered and awarded to Ocean Kinetics. Works have commenced and the contractor is making good progress on site.

<u>Major works for future years</u>	
4.28	Work has commenced on options appraisal to replace the Mooring Vessels at Sullom Voe which are nearing forty years of age. As part of the appraisal, various forms of “green” propulsion technology will be considered and a strategic outline/business justification case will be brought to a future meeting of the Board.
4.29	The Ferries Booking Office at Ulsta requires replacement, and work is now underway to commence these works next financial year.
4.30	The construction Jetty at Sullom Voe is of the same construction as the Tug Jetty, and exhibits the same deterioration due to corrosion. Both structures are nearing end of life, and feasibility studies and options appraisal have commenced, to examine options for the replacement of one or both of these structures in future years.
5.0 Exempt and/or confidential information:	
5.1	None
6.0 Implications :	
6.1 Service Users, Patients and Communities:	Effective maintenance and repair strategies for all Ports assets will ensure that its facilities are fit for purpose and free from health and safety or environmental issues. Service users are encouraged to report defects whenever possible.
6.2 Human Resources and Organisational Development:	The majority of projects detailed within this report will be completed by external contractors. Health, Safety and Environmental considerations are all reviewed when such appointments are made.
6.3 Equality, Diversity and Human Rights:	The service uses Equalities Impact assessment to ensure its services are supporting those most in need and not making inequalities worse;
6.4 Legal:	Legal Services input is sought for all projects requiring formal Tendering procedures.
6.5 Finance:	The annual budget for the significant projects detailed in this report totals £11.9m for 2019/20.
6.6 Assets and Property:	Input is sought where projects require this specific advice.
6.7 ICT and new technologies:	No corporate ICT issues at this time, however the new Vessel Traffic Services Port Information system utilises a complex mix of radar, AIS, radio and other communications technology.
6.8 Environmental:	Where applicable, environmental impact studies will be carried out as part of the planning process for major works. Contractors carrying out works on behalf of Ports and Harbours are expected to ensure the highest standards of environmental protection.

6.9 Risk Management:	Routine maintenance and repair of assets will ensure that assets are safe for service users, meet current legislation and are free from environmental hazards. These measures contribute to Ports risk management strategies.	
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:	<i>None</i>	

Contact Details:

Andrew Inkster
Executive Manager – Marine and Airport Infrastructure

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Appendices:

None.

Background Documents:

None.

END



Meeting(s):	Harbour Board	13 November 2019
Report Title:	Harbourmasters Report	
Reference Number:	PH-10-19F	
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 is 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 he Duty Holder is responsible, is working effectively. Captain Auld's report is attached as Appendix 1.
- 2.2 5 incidents have been reported, 4 at Sullom Voe, 1 at Scalloway;
- 2.2.1 Between 29th August 2019 and 9th October 2019, 2 tankers at SVT provided Pilot Boarding Arrangements which did not comply with regulations. In conjunction with SVT these vessels will not be permitted to call again at SVT until they can demonstrate compliance.
- 2.2.2 On 10th September 2019, an Oil Support Vessel at Scalloway provided Pilot Boarding Arrangements which did not comply with regulations. The vessels owners have been active in resolving these issues in order to continue calling at the port.
- 2.2.3 On 11th October 2019, a minor pollution incident occurred with a tanker berthed at SVT. The mooring ropes had been contaminated with diesel oil from an unknown source which caused a slight sheen in the harbour.
- 2.2.4 On 16th October 2019, a tanker when letting go ropes sailing from SVT caught its forward spring rope in the fender chains. There have been two previous incidents of a similar nature and an engineering solution has been found to address the issue, which is currently being fitted to all fender chains.
- 2.3 Kevin Main 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 2.

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.
- 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 VTS system replacement – a report on this project will be presented separately to this meeting of the Board.
- 4.2 A working group is reviewing the Scalloway and Small Ports Directions. Further input from Legal Services will be required to progress this. A further amendment of the Sullom Voe Directions has been identified and will be addressed at the same time.
- 4.3 With the new Scalloway Fishmarket nearing completion it has been identified that there is a shortage of staff available to clean the new larger market within the tight time constraints, along with the welfare facilities. Staff are currently working on a job description for evaluation of this new role.
- 4.4 The International Maritime Organisations (IMO) Sulphur 2020 Regulation is due to come into effect on 1st January 2020. This places stricter limits on ships exhaust gas emissions. One solution to meet these regulations is to fit vessels with exhaust gas scrubbers which “wash” the exhaust gas with seawater. There are two types of scrubber being fitted, closed loop and open loop scrubbers. Closed loop scrubbers wash the gas and retain the wash water onboard in a tank to be pumped ashore to reception facilities. Open loop scrubbers pump the wash water directly overboard. Sulphur dissolves in water and so this is also being pumped overboard. A direct question from a ships Agent on whether Sullom Voe would allow vessels with open loop scrubbers in the port was asked. Until we have a conclusive national response to the issue, the port, in line with a number of other major UK ports has responded with the following answer;
- “Our formal response to this enquiry is that SIC Ports & Harbours will not allow the use of Open Loop Scrubbers in our harbour areas as per bylaw 38, Sullom Voe (bylaw 37 for Small Ports);
- Dumping in harbour waters prohibited**
38. No person shall deposit or throw into the waters of the harbour any rubbish or other material whatsoever or place it in such a position that it can fall, blow or drift into the harbour.
- We will of course continue to monitor this issue and any national response to it.”

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:	A vacancy exists for a Pier Assistant at West Burrafirth following the resignation of the individual holding this post.
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 Safety Management System (SMS). The SMS is intended to manage hazards and risks along with any preparations for emergencies and must be operated effectively and revised periodically.
6.5 Finance:	None
6.6 Assets and Property:	None
6.7 ICT and new technologies:	None
6.8 Environmental:	None
6.9 Risk Management:	<p>Failure to comply with the requirements of the Port Marine Safety Code could lead to regulatory action.</p> <p>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.</p>
6.10 Policy and Delegated Authority:	<p>The scheme of Administration and Delegations states that the role of the Harbour Board is:</p> <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.

	<ul style="list-style-type: none"> • 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 – Towage DPA report to the Harbour Board

Background Documents:

NONE

END

Designated Person Report: 13 November 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 (PMS). 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 28 August 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, Deputy Harbour Master and Port Safety Officer in which we discussed the monitoring measures and effectiveness of the current Marine Safety Management Systems.

Monitoring Measures

The following report sections describe each monitoring measure in turn.

Technical Working Group: A Technical Working Group (TWG) meeting was held on 10 October 2019. The minutes record discussions on a range of marine related subjects including:

- recent incidents in SIC's ports and harbours;
- pilot boarding arrangements;
- pilot training and authorisation;
- National Occupational Standards for Harbour Masters;
- Marine Accident Investigation Branch (MAIB) Safety Digest (Volume 2, 2019) lessons learned;
- rocket and balloon launches;
- potential use of byelaw 38 to prohibit vessels from using open loop scrubbers to discharge funnel emission gasses mixed with water into Sullom Voe; also
- a number of open incident reports in the MarNIS database were discussed and closed but the decision processes were not recorded in the minutes.

Examination Panel: The last meeting of the Examination Panel was held on 6 July 2019 and reviewed in the previous DP report.

Port Safety Sub-Committee: Meetings of the Port Safety Sub-Committee were held on 4 July 2019 and 26 September 2019. Both meetings were attended by a representative group of port stakeholders. The minutes record discussions on a range of general safety issues including a review of recent marine incidents, and the importance of recording all marine incidents, including towage incidents, in the MarNIS database. A future meeting of the Marine Safety Forum (MSF) is to be arranged. Reference to the MSF, its purpose, its list of invitees and its intended meeting schedule is to be included in the appropriate Marine Safety Management Systems.

Small Ports: A record of 'Operational and Safety Visits to Small Ports & Harbours and Scalloway 2019', was posted on SIC's ports specific website www.shetland.gov.uk/ports, and showed that visits to all ports and harbours except Out Skerries (last visit March 2018) and Fair Isle (last visit March 2019) took place in the period July to September 2019. The operational and safety visits programme and the monitoring programme for SIC's small ports and harbours remains under review. Consideration is to be given to the inclusion of SIC's Ferry Terminals & Piers in a future visit programme.

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

Incidents and Accidents: The following incident reports were recorded in the MarNIS database (Appendix A) in the period 2 August 2019 to 17 October 2019 inclusive.

Date	Vessel / Location	Incident
12 August 2019	Matterhorn Spirit/Sullom Voe	Combination pilot boarding ladder issues
29 August 2019	Eagle Kinabalu/Sullom Voe	Combination pilot boarding ladder issues
10 September 2019	Voe Innovator/Scalloway	Pilot boarding ladder deficiencies.
9 October 2019	British Resource/Sullom Voe	Pilot boarding ladder deficiencies.
11 October 2019	Front Castor/Sullom Voe	Oil sheens sighted during mooring.

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

It is noted that SIC's Harbour Master has recently joined the International Harbour Masters' Association with the aim of bringing SIC's observations and recommendations on the subject of pilot boarding ladders to an international forum.

Internal audits: A new internal MSMS audit schedule (3-year prioritised and 1-year complete system) has been prepared. A small number of internal audits have been completed since June 2018 (copies unsighted).

External Audits: Two external reviews of Sullom Voe VTS's procedures and one external review of Sullom Voe's operational procedures have been carried out in the period August to October 2019 (copies unsighted).

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 still ongoing. The Harbour Master has maintained active involvement with stakeholder groups on a range of national and local issues, including attendance at meetings with the MCA and British Ports Association.

Emergency Plans and Exercises: A review of SIC's Emergency Plan is ongoing. The Sullom Voe oil spill plan was last exercised on 8 August 2019.

Harbour Board Meetings: The decision note for the Harbour Board meeting of 28 August 2019 was posted on the website www.shetland.gov.uk in a timely manner.

Training: The new training matrices continue to be updated as personnel change, training courses are completed and qualifications are obtained or revalidated.

In the period August to October 2019 a number of ENG1 and ML5 medical certificates and a number of VTS Annual Assessments have expired. As these are categorised as 'essential' training requirements there is a consequent reduction in the training KPI. Measures are in hand to address the situation.

Marine Circulars and Notices to Mariners: The Harbour Master has continued to keep all members of the marine department informed on operational and marine safety issues through a programme of regular informal meetings.

Marine circulars issued since 28 August 2019:

- 03/2019 – Pilot 2nd Class Authorisation

Notice to Mariners issued since 28 August 2019: 02/2019

- 07/2019 – Survey Work - Sullom Voe and Yell Sound by Remote Controlled Surface Vessel.
- 05/2019 – Toft Pier Works – Suspension of Berthing.

In addition, in September 2019, the Harbour Master issued a Northern Lighthouse Board (NLB) consultation paper on the proposal to replace the light on Bulia Skerry.

In force Notices to Mariners and the NLB consultation paper are posted on SIC's ports specific website <http://www.shetland.gov.uk/ports>.

Marine Safety Management Systems: Work has continued on revising and updating the MSMS manuals, procedures and work instructions (Copies unsighted). A copy of the ISO9001 quality manual has been removed from SIC's ports specific website <http://www.shetland.gov.uk/ports>. It is recommended that the organisational diagram (Figure 3 in all MSMSs) showing reporting lines between SIC's officers, Harbour Master, Duty Holder and Designated Person should be a stand-alone document which is regularly updated and, ideally, posted on SIC's ports specific website. The Engineering element of SIC's Marine Safety Management System's procedures and work instructions (V2 2015) remains under formal review.

Risk Assessments: Navigational Risk Assessments (NRAs) for all ports are now complete. Consideration is to be given to the addition of a separate NRA to cover ship-to-ship operations at Sullom Voe.

Assessing Measure

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 17 October 2019.**

Location	Open NS Reports	Open PE Reports	Open EP Reports	Open CM Reports	Open PS Reports
Sullom Voe	24	0	4	0	1
Scalloway	5	0	1	0	1
Small Ports	0	0	0	0	0
Total Shetland	29 (+8)	0 (0)	5 (+3)	0 (0)	2 (+2)
'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 Figures in brackets denote changes from the last DP report.					

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 17 October 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	5	0	5	0	0
Scalloway	0	0	0	0	0
Small Ports	0	0	0	0	0
Total Shetland	5 (+1)	0 (0)	5 (0)	0 (0)	0 (0)
Figures in brackets denote changes from the last DP report. Closure of marine incidents reports should be recorded in the TWG minutes.					

3. Highest Overall Navigational Risk assessment score KPI for Sullom Voe, Scalloway and the Small Ports for the period ending 17 October 2019

Location	Movement	Highest Overall NRA Score*	Highest Overall NRA Score Hazard	NRA Review Date
Sullom Voe	On Passage (Tankers)	4.875	Collision	01.08.20
	On Passage (other vessels)	3.250	All Hazards	23.07.19
	Alongside	3.250	All Hazards	23.07.20
Scalloway	On Passage	9.060	Grounding	31.07.20
	Alongside	9.130	Contact	31.07.20
Small Ports	On Passage	9.130	Contact	31.07.20
	At Anchor	7.000	Fire/Explosion	31.07.20
	Alongside	9.125	Contact	31.07.20
*Overall NRA scores of 12 and above are considered "high-risk". That means that the risk is unacceptable. The action should not commence until positive action has been taken to reduce the consequence and/or the likelihood. *Overall NRA scores in the 6 - 11 band are termed "consider". These lower risk factors are considered acceptable, but still need careful monitoring to ensure that everything has been done to reduce the consequences and likelihood. *Overall NRA scores of 5 and below are considered "low-risk", but should still be monitored to ensure that controls remain effective.				

5. Number of personnel with in-date 'essential' certification and training expressed as a percentage of the total number requiring in-date 'essential' certification and training on 17 October 2019.

Interest Group	Group Number	Number with in-date essential certification and training.	KPI (%)
Duty Holders (PMSC only)	9	9	100
Managers	6	5	83
Marine Pilots	6	3	50
VTS Officers (including relief VTSO)	9	3	33
Small Ports Officers	4	3	75
Launch Crews	15	10	67
Total Overall	49	33	67
The low KPI is almost entirely due to expired medical certificates and VTS annual assessments.			

6. Availability of Aids to Navigation (in three classification bands) expressed as a percentage of total availability over the three-year period 23 October 2016 to 23 October 2019.

IALA Category	No of Aids	No of Failures	Availability (%)	Target Availability (%)
Category 1*	51	4	99.84	99.80
Category 2**	68	8	99.70	99.00
Category 3***	14	1	99.69	97.00
<p>* 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.</p> <p>** 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.</p> <p>*** Category 3. An aid to navigation that is considered by the NLB to be of less navigational significance than Cat 1 and 2.</p>				

Note: The availability of all aids to navigation exceeds the target set by the Northern Lighthouse Board (NLB).

Recent Publications relevant to Duty Holders.

British Port Association (BPA) published several circulars in 2019 giving guidance to ports. BPA Circular number 308 (BPA, 2019) highlighted changes to the Harbour Master National Occupational Standards (NOS) and Port Skills and Safety consultations on the updated standard.

MAIB released Safety Digest Volume 2, 'Lessons learnt for marine accident reports' (MAIB, 2019). The Safety Digest includes short accounts of marine accidents describing what happened and lessons to be learned.

Effectiveness of the Marine Safety Management Systems

Progress continues on revising and updating the current MSMS' manuals, procedures and working practices. An internal audit programme has been agreed and audits are to commence shortly. The new format navigation risk assessments are complete (although consideration has yet to be given to Ship to Ship operations in Sullom Voe) and all risks have been calculated to be As Low As Reasonably Practicable (ALARP). The revised training and certification matrices have identified a number of expired medical certificates and VTS annual assessment reviews but these are matters which can be addressed locally and relatively quickly. Outstanding issues include recording the formal closure of marine incident reports in the Technical Working Committee meetings and conclusion of the consultation process on Sullom Voe pilotage directions. It is noted that the majority of incident reports have again concerned the condition, rigging and deployment of pilot boarding ladders. Whilst all the such reports have been brought to the attention of the MCA for national resolution, commendably an international response is also being pursued through membership of the International Harbour Masters' Association.

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**
09 August 2019 to 17 October 2019

Nautical Safety - Accidents / Incidents

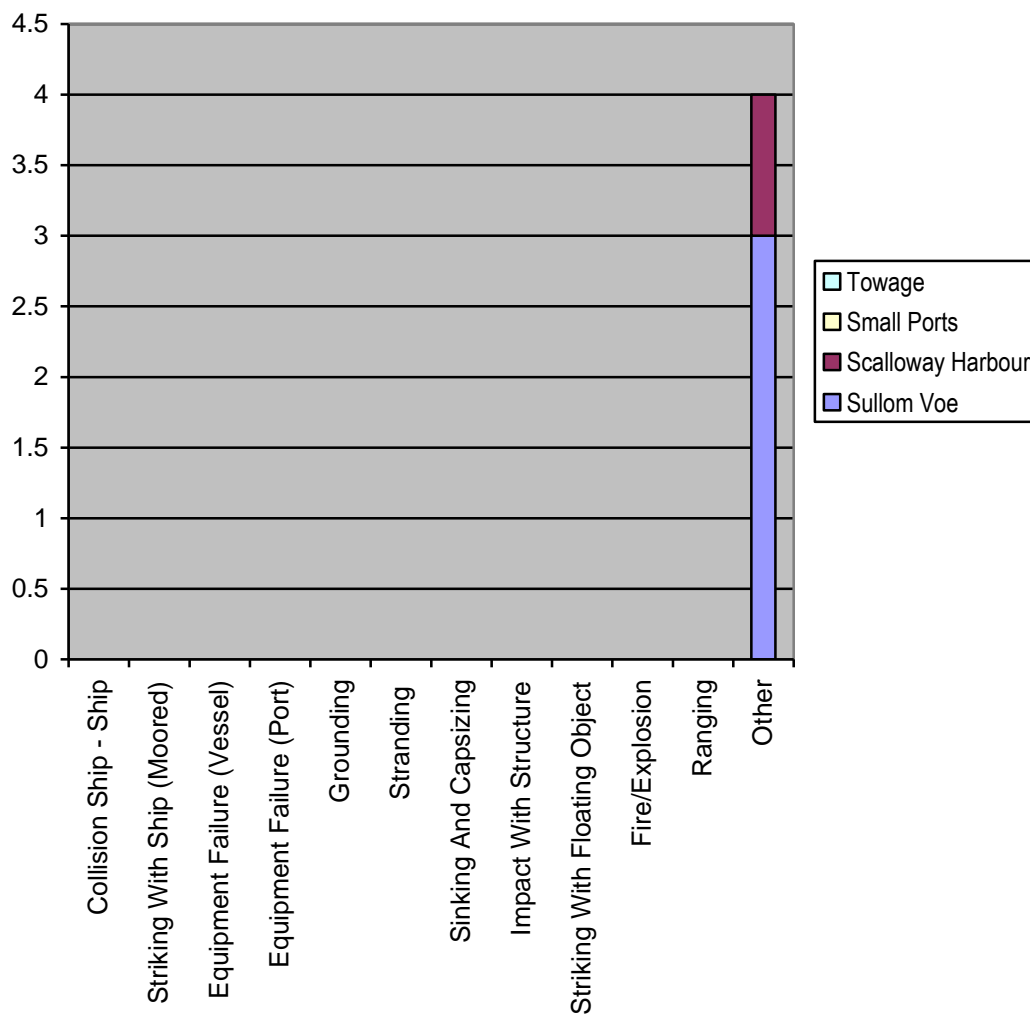
	Collision Ship - Ship	Striking With Ship (Moored)	Equipment Failure (Vessel)	Equipment Failure (Port)	Grounding	Stranding	Sinking And Capsizing	Impact With Structure	Striking With Floating Object	Fire/Explosion	Ranging	Other
Sullom Voe	0	0	0	0	0	0	0	0	0	0	0	3
Scalloway Harbour	0	0	0	0	0	0	0	0	0	0	0	1
Small Ports	0	0	0	0	0	0	0	0	0	0	0	0
Towage	0	0	0	0	0	0	0	0	0	0	0	0

Reported on 18/10/2019





Selected Ports Actual and Potential Incident Report Summary 09 August 2019 to 17 October 2019



Reported on 18/10/2019





Selected Ports Actual and Potential Incident Report Summary

09 August 2019 to 17 October 2019

Accident / Incident Details

Date	ID Code	Incident / Potential	Externally Reported	Accident Category	Name and Detail
12/08/2019	SUV0086CLO	P	N	Pilot Boarding Arrangements	<p>Matterhorn Spirit - Combination Ladder Issues</p> <p>Accommodation ladder was initially rigged too low (3 to 4m) above the water.</p> <p>Primary Cause - Pilot ladder incorrectly rigged/unsuitable access</p> <p>Consequences (rated 0 to 4) for - People(0)/Property(0)/Planet(0)/Port(0) Marine incident / MAIB Report not applicable</p>
29/08/2019	SUV0087CLO	I	N	Pilot Boarding Arrangements	<p>Eagle Kinabalu - Combination Ladder issues</p> <p>Combination ladder, only one side rope of the ladder was ito the ship's side also pilot ladder reel was unsecured (as required by IMO Resolution A.1045(27) para 7.5.1). This ship's pilot ladder reel assembly has a simple deadbolt arrangement which locks the reel to the chassis which had simply not been engaged.</p> <p>The secondary lashing on the pilot ladder (as required by IMO Resolution A.1045(27) para 7.4.1 and 7.4.2) was done to an acceptable standard</p> <p>Primary Cause - Pilot ladder incorrectly rigged/unsuitable access</p> <p>Consequences (rated 0 to 4) for - People(0)/Property(0)/Planet(0)/Port(0) Marine incident / MAIB Report not applicable</p>
10/09/2019	SLW0024INV	I	N	Pilot Boarding Arrangements	<p>Vos Innovator - Pilot boarding Deficiency's</p> <p>Various issues noted with pilot boarding arrangements upon boarding.</p> <p>Issues noted previously (18/06/19) and Report Raised # SLW0019</p> <p>Consequences (rated 0 to 4) for - People(-)/ Marine incident / MAIB Report not applicable</p>
09/10/2019	SUV0088CLO	I	N	Pilot Boarding Arrangements	<p>British Resource - Pilot ladder deficiencies</p> <p>No provision for a secondary lashing between the Pilot Ladder reel and the ship's side (as required by IMO Resolution A.1045(27) para 7.4.1, 7.4.2 and 7.4.3).</p> <p>Primary Cause - Pilot ladder incorrectly rigged/unsuitable access</p> <p>Secondary Cause(s) - 1.Communication failure - personnel</p> <p>Consequences (rated 0 to 4) for - People(0)/Property(0)/Planet(0)/Port(0) Marine incident / MAIB Report not applicable</p>

Number of Accidents listed = 4

For the period 09 August 2019 to 17 October 2019.

Reported on 18/10/2019





**Selected Ports Actual and Potential Incident Report
Summary**
09 August 2019 to 17 October 2019

Environmental Protection - Accidents / Incidents

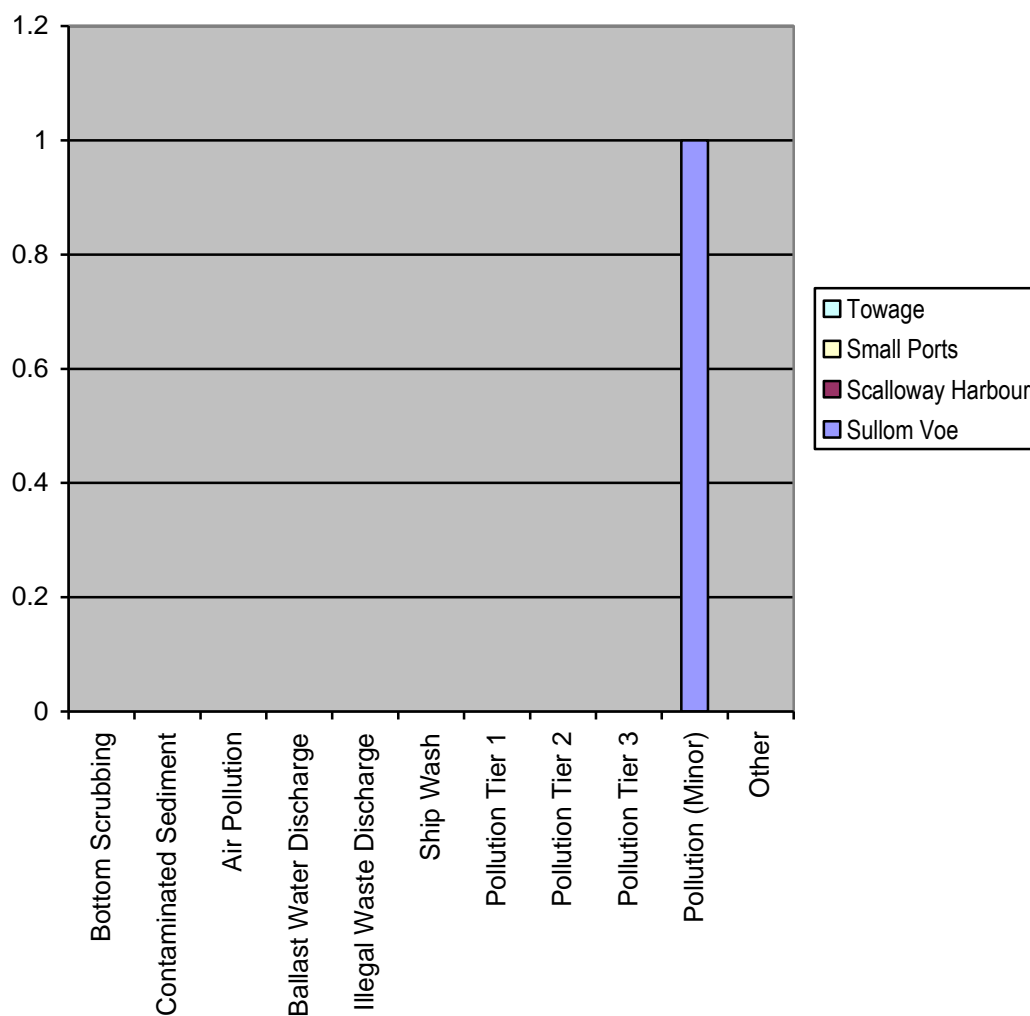
	Bottom Scrubbing	Contaminated Sediment	Air Pollution	Ballast Water Discharge	Illegal Waste Discharge	Ship Wash	Pollution Tier 1	Pollution Tier 2	Pollution Tier 3	Pollution (Minor)	Other
Sullom Voe	0	0	0	0	0	0	0	0	0	1	0
Scalloway Harbour	0	0	0	0	0	0	0	0	0	0	0
Small Ports	0	0	0	0	0	0	0	0	0	0	0
Towage	0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

Reported on 18/10/2019





Selected Ports Actual and Potential Incident Report Summary 09 August 2019 to 17 October 2019



Reported on 18/10/2019





Selected Ports Actual and Potential Incident Report Summary

09 August 2019 to 17 October 2019

Accident / Incident Details

Date	ID Code	Incident / Potential	Externally Reported	Accident Category	Name and Detail
11/10/2019	SUV0089CLO	I	N	Pollution (Minor)	<p>Front Castor - Sheens whilst mooring</p> <p>During the tie-up of the Front Castor it was noted that Rainbow sheens and a diesel like smell was coming off the Stern-line rope tails (4 lines), none of the other mooring lines had this problem.</p> <p>Primary Cause - Unknown</p> <p>Consequences (rated 0 to 4) for - People(0)/Property(0)/Planet(0)/Port(0) Marine incident / MAIB Report not applicable</p>

Number of Accidents listed = 1

For the period 09 August 2019 to 17 October 2019.

Reported on 18/10/2019



Shetland Islands Council
Towage Operations Designated Persons' Report

SIC Harbour Board 28 October 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 reported

Training

On Wed 27th and 28th August, SIC Towage underwent Emergency Management Training for Tug Masters, Management and associated personnel. In attendance was an experienced Salvage Expert together with representation from HMCG Shetland and Scottish Fire and Rescue Service. The Objective was to test the ability of SIC Harbour resources whilst responding to a fire on board a Crude Oil Tanker. In doing so, we practised emergency management and exercised to a scenario of a Shuttle Tanker on Fire alongside SVT. Integration of multi agencies is an important aspect of responding to emergencies within the Shetland Isles and I'm happy to report all participants worked well together by shared input to manage the simulated marine emergency.

External Audits

On 9th of September, SIC Towage Operations underwent annual inspection from an Enquest Marine Superintendent. No defects were found or reported.

Internal Audits

Towage 2019 Audit program is now complete.

Legislation Changes

Consultation on Legislation effecting Medical Stores on board small domestic vessels.



Meeting(s):	Harbour Board	13 November 2019
Report Title:	Ports & Harbours Business Programme	
Reference Number:	PH-11-19F	
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	No implications arising directly from this report.

Communities:		
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:	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 programming.	
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 01 November.

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	Infrastructure Performance Report – Harbour Board	R
	Harbour Master Report	R
	Harbour Board Business Programme	R
	Ports Project & Performance Update	R
13 November 2019 2pm Ordinary	Harbour Master Report	R
	Ports Project & Performance Update	R
	Harbour Board Business Programme	R
	Contract Matter Exempt Report	R
19 February 2020 2pm Special – Budget Setting	Infrastructure Services Budget Proposals	R
04 March 2020 2pm Ordinary	Ports Project and Performance Update	R
	Harbour Master Report	R
	Harbour Board Business Programme	R
	Mooring Boats – Strategic Outline/Business Justification Case	R
	Scalloway and Small Ports Review (Service Redesign Programme)	R