

## Minute

### Harbour Authority Sub-committee

Tuesday, 22 May 2018, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



### Present

Councillors Graham L Sinclair, Andrew Drever, David Dawson, Gwenda M Shearer, Owen Tierney and Kevin F Woodbridge.

### Clerk

- Angela Kingston, Committees Officer.

### In Attendance

- Gavin Barr, Executive Director of Development and Infrastructure.
- Brian Archibald, Harbour Master.
- Karen Bevilacqua, Solicitor.

### Apology

- Councillor Magnus O Thomson.

### Declarations of Interest

- No declarations of interest were intimated.

### Chair

- Councillor Graham L Sinclair.

## 1. Disclosure of Exempt Information

The Sub-committee noted the proposal that the public be excluded from the meeting for Item 3, as the business to be discussed involved the potential disclosure of exempt information of the class described in the relevant paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

## 2. Port Marine Safety Code

### Annual Compliance Audit

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Harbour Master, the Sub-committee:

Noted:

**2.1.** That the Designated Person, David Foster, Marico Marine, undertook an audit of compliance with the Port Marine Safety Code, as part of his annual visit during the period 5 to 7 March 2018.

**2.2.** That, as part of the Port Marine Safety Code compliance audit, an assessment was made of progress with recommendations arising from previous audits in 2016 and 2017.

**2.3.** The Port Marine Safety Code compliance audit report, produced by the Designated Person, attached as Appendix 1 to the report by the Executive Director of Development and Infrastructure, which had raised two new actions, together with those arising from previous audits, which had been implemented and acted on.

**2.4.** The Action Plan, attached as Appendix 3 to the report by the Executive Director of Development and Infrastructure, associated with the Port Marine Safety Code compliance audit, which had been updated to reflect progress made as at April 2018.

The Sub-committee resolved to **recommend to the Council:**

**2.5.** That, having reviewed the 2018 Port Marine Safety Code compliance audit and associated Action Plan, referred to at paragraphs 2.3 and 2.4 above, assurance was obtained that action had been taken or agreed where necessary.

### **3. Competent Harbour Authority**

#### **Pilotage**

On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, the Sub-committee resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

After consideration of a report by the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Harbour Master, the Sub-committee:

Noted:

**3.1.** The business considered by the Examining Body of the Competent Harbour Authority at meetings held on 14 February, 3 May, 1 June, 5 July and 21 August 2017 and 23 February 2018, attached as Appendices 1 to 6 respectively to the report by the Executive Director of Development and Infrastructure.

**3.2.** That evidence gathered in relation to the incident involving the breakdown of the tanker Izumo Princess, summarised in section 4.2.2 of the report by the Executive Director of Development and Infrastructure, and attached as Annexes A to H of Appendix 6, would be passed to the Marine Accident Investigation Branch.

**3.3.** That the level of skill and judgement shown by the Marine Services' team on duty, and in particular the pilot, Captain Peter Bentley, and the launch crew, in respect of the incident referred to at paragraph 3.2 above, be formally recognised.

**3.4.** That the number of Acts of Pilotage decreased slightly from 651 in 2016 to 639 in 2017, generating an increase in income in 2017 due, mainly, to the greater complexity and increased tonnage of the Pilotage Acts.

**3.5.** The overview of 2017 Pilotage activity, as detailed in section 5 of the report by the Executive Director of Development and Infrastructure, noting that the number of Ship to Ship Acts of Pilotage for the first four months of 2018 were almost at the level of Ship to Ship acts for the whole of 2017.

**3.6.** That pilotage activity had increased since early 2018, with many of the pilotage acts being complex, time consuming and often over a number of days and, in order to meet that demand and to reduce overtime, consideration should be given to increasing the number of Class 1 pilots.

**3.7.** That the report by the Executive Director of Development and Infrastructure would be passed to the Designated Person as part of his Port Marine Safety Code assurance requirement.

The Sub-committee resolved to **recommend to the Council:**

**3.8.** That the Executive Director of Development and Infrastructure should submit a report, to a meeting of the Sub-committee no later than March 2019, regarding the proposal to increase the number of Class 1 pilots.

**The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.**

#### **4. Conclusion of Meeting**

At 11:20 the Chair declared the meeting concluded.

Signed: Graham L Sinclair