1. Overview

1.1. Marico Marine Limited, being the Designated Person for the Harbour Authority, conducted the annual Port Marine Safety Code audit between 22 and 24 October 2024. One of the recommendations within the audit report was to create and adopt a Hydrographic Policy for the Harbour Authority.

1.2. A proposed Hydrographic Policy has been drafted and is attached as Appendix 1 to his report.

2. Recommendations

2.1. It is recommended that members of the Sub-committee:

  i. Adopt the Hydrographic Policy for the Orkney Harbour Authority, attached as Appendix 1 to this report.

For Further Information please contact:
David Sawkins, Deputy Harbour Master: Strategy and Support, extension 3602, email
david.sawkins@orkney.gov.uk

Implications of Report

1. **Financial:** No direct financial implications arising from the report recommendations, however, any potential costs resulting from the approval of the Hydrographic Policy will require to be funded from within existing service revenue budgets.

2. **Legal**: The Council as the Statutory Harbour Authority, has certain legal duties with regard to port safety and environmental protection, some of which are referred to in the Port Marine Safety Code (the Code). The Code does not in itself create any legal duties but a failure to adhere to the good practices set out in it may be indicative of a body (which includes statutory harbour authorities) covered by the Code being in

breach of the legal duties relating to port safety. The Code introduces national standards for every aspect of marine safety and establishes a measure by which bodies can be accountable for discharging their legal powers and duties to operate a harbour authority or facility safely and effectively. Ensuring compliance with the Port Marine Safety Code will assist the Council in discharging its duties as a Statutory Harbour Authority.

3. **Corporate Governance:** In terms of the Scheme of Administration, the establishment and review of policies and schemes to exercise the Council's functions as the harbour authority, including pilotage and towage functions, is a referred function of the Harbour Authority Sub-committee.

4. **Human Resources**: None as a result or related to the recommendation contained within this report.

5. **Equalities:** No impact.

6. **Island Communities Impact**: An Island Community Impact Assessment has been undertaken and is attached as Appendix 2 to this report.

7. **Links to Council Plan**: The recommendation contained within this report supports and contributes to improved outcomes for communities as outlined in the following Council Plan strategic priorities;

☐ Growing our economy.

☐ Strengthening our Communities.

☒ Developing our Infrastructure.

☐ Transforming our Council.

8. **Links to Local Outcomes Improvement Plan:** The recommendation contained within this report supports and contributes to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan;

☐ Cost of living.

☒ Sustainable Development.

☐ Local Equality.

9. **Environmental and Climate Risk:** The provision of hydrographic information – as a direct result of a Hydrographic Policy will reduce the risk to vessels grounding etc in harbour areas. This in turn mitigates the risk of pollution incidents.

10. **Risk:** Not applicable.

11. **Procurement:** None as a result or related to the recommendation contained within this report.

12. **Health and Safety:** None as a result or related to the recommendation contained within this report.

13. **Property and Assets:** None as a result or related to the recommendation contained within this report.

14. **Information Technology:** None as a result or related to the recommendation contained within this report.

15.   Cost of Living: Not applicable.

List of Background Papers:

None.

Appendices:

Appendix 1: Hydrographic Policy.
Appendix 2: Island Communities Impact Assessment.

Appendix 1:

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Hydrographic Policy for Orkney Harbours

The safety of navigation is dependent upon the provision of relevant, up to date hydrographic information, delivered in a form most appropriate to each sector of the wide spectrum of harbour and port users. To this end Orkney Harbours will:

- Undertake such hydrographic surveys as are necessary, and as a minimum as per the hydrographic program maintained by the Service Manager (Engineering), (the program being reviewed on an annual basis), in order to assist with the safe and efficient navigation within harbour areas;

- Carry out a managed program of hydrographic surveys of the seabed in all Orkney Harbour Areas as defined in the Orkney County Council Act 1974 and amendments;

- Set and maintain programmes, standards and specifications for Orkney Harbours hydrographic services;

- Provide harbour and port users with up-to-date, timely and accurate hydrographic information, and where appropriate on a commercial basis;

- Provide timely and accurate tidal data;

- Maintain hydrographic and tidal information;

- Maintain a close liaison with, and provide relevant data to, the United Kingdom Hydrographic Office;

18 March 2025

Nothing in this Policy will subvert existing Harbour Byelaws, Special or General Directions, regulations or terms and conditions.

Appendix 2:

Island Communities Impact Assessment

Orkney Harbours Hydrographic Policy

Preliminary Considerations	Response
Please provide a brief description or summary of the policy, strategy or service under review for the purposes of this assessment.	To provide an overarching Hydrographic Policy for all Harbour Areas as per Orkney County Council Act 1974 and amendments.
Step 1 – Develop a clear understanding of your objectives	Response
What are the objectives of the policy, strategy or service?	To provide guidance on Hydrographic standards and information. To provide the framework for hydrographic surveys.
Do you need to consult?	No.
How are islands identified for the purpose of the policy, strategy or service?	All Harbour Areas as per the Orkney County Council Act 1974 and amendments.
What are the intended impacts/outcomes and how do these potentially differ in the islands?	Nil.
Is the policy, strategy or service new?	Yes
Step 2 – Gather your data and identify your stakeholders	Response
What data is available about the current situation in the islands?	Available from Orkney Islands Council, Marine Services.
Do you need to consult?	No.
How does any existing data differ between islands?	None.
Are there any existing design features or mitigations in place?	Not required.
Step 3 – Consultation	Response
Who do you need to consult with?	No one.

How will you carry out your consultation and in what timescales?	Not required.
What questions will you ask when considering how to address island realities?	Not applicable.
What information has already been gathered through consultations and what concerns have been raised previously by island communities?	Not applicable.
Is your consultation robust and meaningful and sufficient to comply with the Section 7 duty?	Not applicable.
Step 4 – Assessment	Response
Does your assessment identify any unique impacts on island communities?	None identified.
Does your assessment identify any potential barriers or wider impacts?	None identified.
How will you address these?	Not required.

You must now determine whether in your opinion your policy, strategy or service is likely to have an effect on an island community, which is significantly different from its effect on other communities (including other island communities).

If your answer is **No** to the above question, a full ICIA will NOT be required and **you can process to Step 6**.

If the answer is **Yes**, an ICIA must be prepared and y**ou should proceed to Step 5**.

To form your opinion, the following questions should be considered:

- Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)?
- Are these different effects likely?
- Are these effects significantly different?

- Could the effect amount to a disadvantage for an island community compared to the Scottish mainland or between island groups?

Step 5 – Preparing your ICIA	Response
In Step 5, you should describe the likely significantly different effect of the policy, strategy or service:	
Assess the extent to which you consider that the policy, strategy or service can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it.	
Consider alternative delivery mechanisms and whether further consultation is required.	
Describe how these alternative delivery mechanisms will improve or mitigate outcomes for island communities.	
Identify resources required to improve or mitigate outcomes for island communities.	
Stage 6 – Making adjustments to your work	Response
Should delivery mechanisms/mitigations vary in different communities?	No.
Do you need to consult with island communities in respect of mechanisms or mitigations?	No.
Have island circumstances been factored into the evaluation process?	Not applicable, standard throughout whole area.
Have any island-specific indicators/targets been identified that require monitoring?	Not required.
How will outcomes be measured on the islands?	Not required.
How has the policy, strategy or service affected island communities?	None.

How will lessons learned in this ICIA inform future policy making and service delivery?	Review policies as necessary.
Step 7 – Publishing your ICIA	Response
Have you presented your ICIA in an Easy Read format?	Yes.
Does it need to be presented in Gaelic or any other language?	No.
Where will you publish your ICIA and will relevant stakeholders be able to easily access it?	No.
Who will sign off your final ICIA and why?	Corporate Director of Enterprise and Sustainable Regeneration.

ICIA completed by:	David Sawkins.
Position:	Deputy Harbour Master: Strategy & Support.
Signature:	David Sawkins Deputy Harbour Master: Strategy & Support
Date complete:	20 February 2025.

ICIA approved by:	Gareth Waterson
Position:	Corporate Director for Enterprise and Sustainable regeneration
Signature:	

Date complete:	24 February 2025