

**APPENDIX II to the minute of meeting of
the Communities Committee of
16 August 2016 (Article 3(c) refers)**

MINUTE of MEETING of the **ARBROATH HARBOUR JOINT CONSULTATIVE COMMITTEE**, held in Room D, Bruce House, Arbroath, on Friday 22 April 2016 at 3.00 pm.

Present: Council Representatives

Councillors MARTYN GEDDES and ALEX KING.

Harbour Users' Representatives

ALEX SMITH (Fare-Paying Passenger Boat Owners); PAUL SIMPSON (Boat Builders/Repairers); RON CHURCHILL (RNLI); BRYAN BECKETT (Arbroath and Montrose Static Gear Association); and PETER ANELLI (Arbroath Sailing and Boating Club).

In Attendance: WALTER SCOTT (Angus Council, Interim Service Manager (Roads)); BRUCE FLEMING (Angus Council, Harbour Manager); RORY TOSH (Angus Council, Senior Accountant); and ANDREW WILSON (Angus Council, Legal and Democratic Services, Committee Officer).

In the absence of Councillor SPINK, Councillor KING took the Chair.

1. APOLOGIES / SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Bob Spink, David Fairweather and Ewan Smith; and Clark Ross (Leisure Craft Owners).

2. DECLARATION OF INTEREST (ELECTED MEMBERS ONLY)

No declarations of interest were made.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 4 December 2015 was submitted and approved as a correct record.

4. ARBROATH HARBOUR SPRING REPORT

With reference to Article 4 of the minute of previous meeting, there was submitted Report No 165/16 by the Head of Technical and Property Services, providing details of operations at the Harbour since the meeting of the Committee on 4 December 2015, outlining plans for future programmes of works, and discussing contemporary matters of relevance to Harbour activities.

The Committee agreed to note, and also approved, as appropriate, the contents of the Report as follows:-

(a) Administrative Matters

(i) Financial Update

With reference to Article 4(a)(i) of the minute of previous meeting of this Committee, the estimated outturn position as at 31 March 2016 showed an underspend of £135,000, primarily due to the delay in receiving the approvals for dredging operations in 2015/2016. This underspend would be subject to a carry forward request into 2016/2017 during the 2015/2016 year end process to fund the 2016/2017 dredging works, in addition to other infrastructure work. The carry forward request would be included in the agenda for the meeting of the Policy and Resources Committee on 26 April 2016.

(ii) Oil Spill Contingency Planning and Response

With reference to Article 4(a)(ii) of the minute of previous meeting of this Committee, there had been one Tier 1 diesel spill in the Harbour following the sinking of the pleasure boat *Sea Breeze* in the Inner Harbour in the early morning of 13 February 2016. Harbour staff had deployed absorbent booms and pads around the spill which they then cleared up using oil spill equipment at the Harbour without the need for calling in the Council's Oil Spill Contractor. The Harbour Manager had reported the incident to the Council's Insurers as the first step, and would report any claim which the Council might make in due course.

The *Sea Breeze* had been lifted from the Harbour and was now located in MacKay Boat Builders Yard, having changed hands. The reason for the sinking remained unclear.

The Harbour staff continued to maintain adequate qualifications and were fully competent in oil spill contingency planning and response, with all Harbour staff's certification being up to date.

(iii) Scottish Ports Meeting

With reference to Article 4(a)(iii) of the minute of previous meeting of this Committee, the next Scottish Ports meeting was due to take place on 23 June 2016 at Peterhead. As usual, the Harbour Manager would assess the relevance of the agenda in relation to the operation of Arbroath Harbour before deciding whether to attend the meeting.

(iv) Pontoon Berths

With reference to Article 4(a)(iv) of the minute of previous meeting of this Committee, the annual exercise had now taken place whereby the Harbour Manager contacted individuals on the waiting list. This had resulted in the waiting list being reduced by five names and the current total of 40. All boats stored in MacKay Boat Builders over the winter period had now been returned to the water. Those boats which had taken up a winter berth on the pontoons had now vacated them.

The annual berths had not been renewed for 2016/2017 and were now vacant, to be filled from the current waiting list.

(v) Compounded Berths

With reference to Article 4(a)(v) of the minute of previous meeting of this Committee, two further compounded berths had been granted to be occupied by the *Queensberry*, a scallop dredger, and the *Asterion*, a creel boat, to fish from and land at Arbroath Harbour.

(b) Engineering Matters**(i) Inner Harbour Gates**

With reference to Article 4(b)(i) of the minute of previous meeting of this Committee, there had been no operational problems with the Harbour gates since last reported to the Committee. The opening and closing times of the gates had moved to the summer schedule on 1 April 2016, to revert back to winter hours on 1 October 2016. Details were posted outside the Harbour Office and on the security gate leading on to the pontoons generally one month in advance. Opening times for the dock gates from April to September 2016 were posted on the Arbroath Harbour page of the Council's website.

(ii) Maintenance Dredging Operations

With reference to Article 4(b)(ii) of the minute of previous meeting of this Committee, Marine Scotland was yet to approve a new three year licence to dispose of dredged material at sea. The licence application had required submission of a Best Practicable Environmental Option (BPEO) report and included a chemical analysis of the silt within the harbour. This analysis had found a high content of metals which had given Marine Scotland some cause for concern and a further request had been made for more chemical analysis and particle size analysis to be carried out on more samples of silt. Despite the additional work having been done, the Council still awaited confirmation that the additional steps taken would be sufficient to allow Marine Scotland to grant a licence to dispose of dredged material sea.

The Harbour Manager noted that the worst of the process was now over and he understood that other harbours were having similar experiences to Arbroath. This might be an issue to raise at the Scottish Ports meetings and it might be worthwhile carrying out a survey half way through the terms of the next licence.

Shearwater Dredging Limited had been awarded the contact to remove 12,000m³ of silt from the inner and outer harbours and navigational channel, this work would commence as soon as the licence was in place and consent granted by the Crown Estate Commissioners. The newly built dredger *Silkie*, operated by Moray Council, was currently undergoing sea trials. Initially it would focus on the harbours within the Moray Council area and the Harbour Manager had been invited to inspect it at its official inauguration. It would be available for next year's tendering exercise which would lead to competitive pricing with the availability of both *Silkie* and *Shearwater*. It was hoped that by March 2017, 24,000m³ of silt would have been removed.

(c) Future Programme of Works

With reference to Article 4(c) of the minute of previous meeting of this Committee, the Committee noted the updated list of projects as part of the continuing 2013/2018 Programme, including the residual underspend to the Roads Revenue Account resulting from delays to the annual dredging exercise.

(i) Harbour Staff Welfare Facilities

With reference to Article 4(d)(iii) of the minute of previous meeting of this Committee, a new self contained welfare unit was now situated at the Harbour for use by Harbour staff. This was compliant with the Workplace Health (Safety and Welfare) Regulations 1992 and had been funded from the supplementary capital allocation. The development of the new welfare facilities had resulted in more space for the workshop facilities for Harbour staff.

(ii) Concrete Works in Mackay's Boatyard

Work to resurface the south access area into the boatyard had been completed with the construction of a concrete road. This project had been funded from the 2015/2016 Repairs and Renewal budget.

(iii) Crew Room Facilities

With reference to Article 4(d)(ii) of the minute of meeting of this Committee of 4 December 2015, the Property Business Unit had developed options for carrying out alterations to the existing crew room facilities, accommodating two additional toilets and two additional showers within the existing footprint of the crew room, as detailed in Appendix 2 to the Report. Peter Anelli, who originally referred this item to the Committee, welcomed this development with option 2 (Drawing SK4) being the preferred solution. Costs were currently being developed by the Property Business Unit and the Committee would be kept advised as matters progressed.

(d) Other Items**(i) NESFLAG**

With reference to Article 4(d)(i) of the minute of previous meeting of this Committee, while the Harbour Manager had been unable to attend the last meeting of the North East Scotland Fisheries Local Action Group (NESFLAG), on 11 February 2016, an application for European funding to contribute towards infrastructure improvements of the commercial aspect of the Harbour remained likely. The bid was being co-ordinated by the Economic Development Funding team within the Council. The proposed improvements included the installation of CCTV and Wi-Fi; an ice making facility which would be of benefit giving a quick return on the investment of the running costs required to be factored in; a refrigeration unit; and a pontoon walkway around the quayside of the Outer Harbour. The Committee would be kept advised as to progress with the bid. It was likely that there would be £140,000 available between Arbroath and Montrose. Bryan Beckett noted that the fishing fleet generally was increasing in size again through diversification into prawns and clams. An ice making facility could only increase the number of boats landing and working out of Arbroath.

(ii) RNLI Business

With reference to Article 4(d)(i) of the minute of meeting of this Committee of 4 September 2015, the anticipated launch and recovery trials had been carried out by the RNLI between 22 and 25 February 2016 at the existing public slipway locations incorporating the use of a *Shannon* class lifeboat, carriage and tractor. The trials had been considered a success and a report on the trial, was under consideration by the design and engineering team at the RNLI HQ in Poole, Dorset.

5. OTHER BUSINESS**(i) Slipway**

Alex Smith noted that the tides were bringing in debris on to the slipway, which obstructed its operation. The Harbour Master noted that much of the debris originated from the Harbour users as well as coming in on the tide. He was happy however for Alex to raise with him any occasion when he felt the slipway required attention. Members noted that all users of the Harbour had the responsibility to look after their own materials and equipment. Paul Simpson had highlighted the issue to boat owners.

(ii) Clark Ross

The Clerk advised that Clark Ross, representing Leisure Craft Owners, had advised that he intended to resign from the Committee with immediate effect. This would result in an election to determine a replacement. It was hoped that this would be completed before the next meeting.

Members joined Councillor King in paying tribute to Mr Ross' contribution to the affairs of the Harbour over many years.

6. DATE OF NEXT MEETING AND CALENDAR OF DATES

The Committee noted that the next meeting would take place on Friday 2 September 2016 at 3.00pm; the subsequent meeting on Friday 2 December 2016; both meetings at 3.00pm in Room D, Bruce House, Arbroath.