

ANGUS COUNCIL

ARBROATH HARBOUR JOINT CONSULTATIVE COMMITTEE

MINUTE of MEETING of the **ARBROATH HARBOUR JOINT CONSULTATIVE COMMITTEE**, held in Room G1, Bruce House, Arbroath on Friday 15 September 2023, at 3.00 pm.

Present:

Council

Representatives: Councillors DAVID FAIRWEATHER, LOUISE NICOL and MARTIN SHEPHERD

Harbour Users'

Representatives: PAUL SIMPSON (Boat Builders/Repairers)
PETER ANELLI (Arbroath Sailing and Boating Club)
BOB TEVIOTDALE (Arbroath and Montrose Static Gear Association).

Officers in

Attendance: GRAEME DAILLY (Director of Infrastructure and Environment)
BRUCE FLEMING, (Angus Council Harbour Master);
FIONA ANDERSON (Angus Council, Democratic Services, Committee Officer); and
ROSELYN BROWN (Angus Council, Democratic Services, Committee Assistant).

Councillor Fairweather, in the Chair.

1. APOLOGIES / SUBSTITUTES

Apologies for absence were submitted on behalf of Councillors Serena Cowdy and Brenda Durno, Pete Willis (RNLI), Constables Greig and Watt (Police Scotland) and Rory Tosh (Angus Council)

2. DECLARATIONS OF INTEREST (ELECTED MEMBERS ONLY)

No declarations of interest were made.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 21 April 2023 was submitted and approved as a correct record.

4. MATTERS ARISING

(a) Constitution of Arbroath Harbour JCC – Item 4(a) of minute of 21 April 2023

With reference to Article 4(a) of the minute of meeting of this Committee of 21 April 2023, the Convener reminded all present that this was an advisory and consultative Committee which helped oversee the routine management and operational considerations for the Harbour and the aim of this Committee was to obtain the views of the harbour users on issues that may be remitted to it from time to time by the Communities Committee (3.1 of the constitution).

Unlike the statutory standing Committees of the Council which are held in line with the local Government (Scotland) Act 1973 and must be open to members of the public and press, this consultative Committee reported direct to the Communities Committee. Therefore, the meetings were not open to the public and press and the agenda and papers were not required to be published on the Councils web site. However, the Convener advised that should a member of the public request to attend then they should contact the Committee Officer in the first instance who would advise if the request was competent. He hoped this information would help clear up any misunderstandings.

5. ARBROATH HARBOUR - AUTUMN REPORT

With reference to Article 5 of the minute of meeting of this Committee of 21 April 2023, there was submitted Report No 258/23 by the Director of Infrastructure and Environment, outlining details of operations at the Harbour since the previous meeting, and considering contemporary matters of relevance to Harbour activities.

The Committee agreed to note, and approve as appropriate, the contents of the Report, particularly highlighting the following points:

(1) Administrative Matters

(a) Financial Update

With reference to item 5(1)(a) of the minute of meeting of this Committee of 21 April 2023, Appendix 1 to the Report showed the 2023/24 Arbroath Harbour budget plus expenditure/income to date (as at 31 July 2023) and the estimated year end outturn position as at 31 March 2024. It was reported that currently there was no significant budget variance to report.

The Committee noted the position.

(b) Oil Spill Contingency Planning and Response

With reference to item 5(1)(b) of the minute of the meeting of this Committee of 21 April 2023, it was noted that there had been no significant oil spills in the Harbour in the intervening period.

The Harbour Master and Senior Harbour Assistant continued to hold MCA Level 4/5 Oil Spill Response Manager's Certificates with all three Harbour Assistants now qualified to MCA Level 2 – Sorbents & Equipment.

The Council continued to retain the services of Briggs Environmental Services Ltd. to deal with the higher-level pollution incidents not only at the harbour but throughout the whole of the Council should they occur, and the Council remained a member of Briggs National Oil Pollution Control Club (NOPCC).

The 5-year Oil Spill Contingency Plan (OSCP) for Arbroath Harbour developed in 2022 was currently still in use and was updated when necessary. The plan had a shelf life of 5 years and would be due for renewal in May 2027.

The Committee noted the position.

(c) Scottish Ports Meeting

With reference to item 5(1)(c) of the minute of the meeting of this Committee of 21 April 2023, it was noted that the last meeting of the Scottish Port Meeting was on 20 June 2023 and was held at Greenock Ocean Terminal. Topics discussed were Port Services Regulations in Scotland, Gateways for Growth 2023, Transport Scotland Update, SOWEC Strategic Investment Model and Environmental Information (Scotland) Regulations. The Harbour Master did not attend the meeting on this occasion.

It was noted that there had not been a date set for the next Scottish Ports Meeting but if available, the Harbour Master was planning on attending whether in person or via MS Teams.

(d) Compounded Berths

With reference to item 5(1)(d) of the minute of meeting of this Committee of 21 April 2023, it was noted that there had been no further compounded berths granted.

The number of compounded berths taken up in the Harbour remained at 41, made up of commercial fishing boats (30), pleasure boats (10) and fare paying passenger boats (1).

(e) Pontoon Berths

With reference to item 5(1)(e) of the minute of meeting of this Committee of 21 April 2023, it was noted that the pontoon berths continued to remain at maximum occupancy. There continued to be 53 annual berths occupied and 6 berths which were available for visiting yachts.

The Committee noted that currently there were 24 names on the waiting list for a berth and the Harbour Master was not taking any more names as there was enough to cater for any vacancies that may come around on the pontoons.

(f) Visiting Boat Numbers

It was noted that the number of visiting pleasure boats to the harbour for the period 1 April 2023 to 31 August 2023 was 173 which represented a 17% decrease from the previous year. It was likely that this decrease in visitors could be attributed to the poor weather conditions in July and August.

The members noted that of the pleasure boats that did visit the harbour, the average length of stay was 2.48 nights which was consistent with previous years proving that Arbroath was continuing to be a go to location.

(g) Staffing

With reference to item 5(1)(f) of the minute of the meeting of this Committee of 21 April 2023, it was noted that staffing at the harbour moved to winter hours on 2 October 2023. The harbour would be staffed from 7am to 6pm Monday to Friday and 7am to 4:30pm Saturday and Sunday. These arrangements would continue through to 31 March 2024 before reverting to the summer hours on 1 April 2024.

(2) *Engineering Matters*

(a) Inner Harbour Gates

With reference to item 5(2)(a) of the minute of meeting of this Committee of 21 April 2023, there had been no operational problems with the dock gates during the intervening period.

The opening and closing times of the dock gates moved to the winter schedule on 2 October 2023. Opening and closing times would continue to be routinely posted outside the Harbour Office and on the security gate leading on to the pontoons, generally one month in advance. The opening times for the dock gates up to and including March 2024 had now been posted on the Arbroath Harbour page of the Council's website.

(b) Maintenance Dredging Operations

With reference to item 5(2)(b) of the minute of meeting of this Committee of 21 April 2023, it was noted that it was proposed that an annual dredge of the harbour would be carried out in April 2024.

As in previous years, it was proposed to dredge 8,000cu.m of silt from the harbour with a large majority of this coming from the inner harbour which had not been dredged since 2021.

It was noted that the costs to annually dredge 8,000 m³ of silt from the harbour was £150,000 per annum and with only an annual allocated budget of £46,000 for dredging the harbour there was now a considerable shortfall.

Peter Anneli addressed the Committee and advised that during September 2023, there had been the lowest tide for some time with it being 1.5m to 3.0m in parts therefore, the boats required to be more careful when coming into the harbour.

The Director of Infrastructure and Environment addressed the Committee and advised that the Council required to consider that the budget be set at c£150,000 to allow the continuation of an annual dredge to maintain safe operation and navigational passage for all commercial and pleasure boats using the harbour. He advised that he would be proposing taking forward a budget of c£150,000 instead of £46,000 subject to identification of the budget.

The members expressed some concerns and noted the position.

(c) Infrastructure Repairs (including breakwaters)

With reference to item 5(2)(c) of the minute of meeting of this Committee of 21 April 2023, it was noted that Southbay Civil Engineering Ltd. had been awarded the contract on 17 July 2023 to carry out infrastructure repair works at the harbour including the breakwaters for a cost of £289,301.

The works included stone & concrete repairs to the breakwaters, repointing of the quayside walls in the outer harbour & slipway, several ladder replacements, concrete & render repairs to the Fishmarket walkway and replacement of the timber decking viewing platform in the NW corner of the marina. It was noted that the works had started on site on 21 August 2023, and it is proposed that they would take 7 weeks to complete.

The Committee noted the position.

(4) Other Matters

(a) Vehicular Barriers

With reference to item 5(4)(a) of the minute of the meeting of this Committee of 21 April 2023, it was noted that monitoring of the current parking situation at both locations at Fishmarket Quay and Market Gate continued.

Between the current RNLI building and the Fishmarket signing and positioning of cones has been sufficient to prohibit public vehicles from entering onto the quay. This would continue to be monitored and any progress would be reported back to this Committee.

The demand for the barrier at Market Gate would also be subject to ongoing monitoring given the withdrawal of funding contribution from residents and any progress would be reported back to this Committee.

(b) Port Marine Safety Code (PMSC)

With reference to item 5(4)(b) of the minute of meeting of this Committee of 21 April 2023, Angus Council continued to use the services of APBMer as Designated Person for Arbroath Harbour under the Port Marine Safety Code (PMSC).

The Harbour Master continued to work on regularly reviewing and improving the current Marine Safety Management System (MSMS). The system was subject to an annual audit by the Designated Person (ABPMer), with the results reported back to the Duty Holder Councils Communities Committee as Duty Holder. It was noted that the next PMSC annual audit was scheduled to take place in October 2023.

(c) Maritime and Coastguard Agency - PMSC "Health Check"

It was reported that the Maritime and Coastguard Agency (MCA) normally sought to undertake eight PMSC "health checks" annually, aiming to visit a range of different types of facilities across all parts of the UK.

The purpose of the Port Marine Safety Code (PMSC) "health check" was to measure compliance against the Code and the associated Guide to Good Practice as well as providing a level of assurance that safety processes were in line with industry best practice. It was intended to identify where things were working well but also areas

where improvements could be made to strengthen compliance. It was noted that it was not a formal inspection or enforcement action.

The Committee noted that on 31 August 2023 representatives from the MCA visited Arbroath Harbour to carry out the "health check" spending the day with the Harbour Master. They also met the Director of Infrastructure & Environment as well as Councillor Cowdy who represented the Duty Holder. A summary of the findings of the visit would be presented to the next meeting of this committee.

(d) RNLI

It was reported that following a coastal review by the RNLI an announcement was made on 28 April 2023 that they had concluded that a B class inshore Atlantic 85 lifeboat should replace the current Mersey class all-weather lifeboat.

On 15 June 2023 an Atlantic 85 lifeboat had been brought to Arbroath Harbour and had been berthed in the inner harbour being used for training exercises for the current lifeboat crew in Arbroath.

Given the changes that are required to the current RNLI infrastructure at the harbour to accommodate an Atlantic 85 lifeboat there was currently no set timescale for when the replacement boat would be fully operational in Arbroath.

The Committee noted the position.

(5) Police Report

With reference to item 5(5) of the minute of meeting of this Committee of 21 April 2023, it was noted that Police Scotland had provided a full report to the Director of Infrastructure and Environment detailing recent crimes/issues in and around the harbour, including crime reports. The following emerging issues were shared from the report:

Calls made:

9/4/23 - Concern/suicidal individual - individual well known to Police whom a lot of partnership work as gone into helping. Traced safe and well.

9/4/23 - Concern for adults climbing on breakwater – Harbour Master attended and moved them on.

18/4/23 - Noise concern raised (banging noise) – Patrols carried out – no signs of vandalism/damage/suspicious activity. Noise not heard by other persons in vicinity on Police arrival.

6/8/23 – Small pleasure boat capsized. 1 individual recovered, checked by Paramedics, no hospital treatment required.

27/8/23 – Concerns for individual threatening suicide. Individual well known to Police with whom a lot of partnership work has gone into helping.

Crime Reports:

27/6/23 – Theft of bicycle. Bicycle recovered and individual arrested.

30/7/23 – Wasting Police time. Individual removed and arrested.

Emerging issues:

Police Scotland continue to carry out regular patrols in the area of the harbour on foot, bike and car and community officers have regular contact with the Harbour Master.

The main type of call received by Police in recent months has been concern for person time calls and suicidal persons and there had been a lot of joint work carried out with supporting agencies, especially for one male, to help with these issues.

The Committee agreed to note the terms of the Police Report.

6. DATE OF NEXT MEETING

The Committee noted that the next Meeting would take place at Bruce House, Arbroath on **Friday 15 December 2023 at 3.00 pm.**