

## The Highland Council

Minutes of Meeting of the **Harbours Management Board** held in Committee Room 3, Council Headquarters, Glenurquhart Road, Inverness on Wednesday 7 September 2016 at 11am.

### Present:-

Mr H Fraser	Mr K Macleod
Mr R Greene	Mr H Morrison (by teleconference)
Mr A Henderson (by video conference)	Mr B Murphy (by video conference)
Mrs L Macdonald	Mr G Phillips
Mr G Mackenzie	Dr A Sinclair

### In attendance:-

Mr W Gilfillan, Director of Community Services  
 Ms C Campbell, Head of Performance and Resources  
 Mr T Usher, Harbours Manager, Community Services  
 Mr M Mitchell, Finance Manager (Community Services), Finance Service  
 Mr C Howell, Head of Infrastructure, Development and Infrastructure (Item 4)  
 Mr A MacIver, Principal Engineer, Project Design Unit (Item 4)  
 Mr S Fraser, Head of Corporate Governance, Corporate Development Service (Item 5)  
 Ms F MacBain, Committee Administrator, Corporate Development Service

### Mr G Phillips in the Chair

### Business

#### 1. Apologies for Absence

There were no apologies for absence.

#### 2. Declarations of Interest

There were no declarations of interest.

#### 3. Minutes

There had been circulated, and were **NOTED**, Minutes of Meeting of the Harbours Management Board held on 8 June 2016.

#### 4. Uig New Ferry Redevelopment

There had been circulated Report No HMB 14/16 dated 29 August 2016 by the Director of Community Services updating Members of the project to redevelop the facilities at Uig Harbour to accommodate the new larger ferry for the Uig, Tarbet, Lochmaddy triangle, which was scheduled to enter service in 2017/18.

A presentation was provided on the options for the harbour modifications required to facilitate the new vessel and expected increase in passengers and vehicles. Issues covered included funding and budgets, programme phasing, use of the 'Scape'

procurement processes and other points such as the need to take into account improvements at all three harbours and undertake appropriate public engagement.

During discussion, the following points were made:-

- the £23m projected cost included a high optimism bias of 66% because the scale of the works required was not known at this stage. Considerable further work was required before firm construction costs could be predicted but a budget required to be established before the process could continue. The use of the Scape procurement process allowed for accelerated delivery of the project, which required to be coordinated with the launch of the new ferry;
- information was sought on the age of Uig pier, which was thought to have been constructed in the mid-1960s, with the outer dolphins being added in approximately 2000;
- consideration was given to whether the linkspan would require replacement or refurbishment;
- it would be helpful for Hitrans to be involved in the discussions;
- it was comforting there would be regular checkpoints in the process at which the financial predictions would be tightened. The high optimism bias was welcomed at this stage, although the word 'contingency' was preferred;
- more detail on the timescales would be welcomed, particularly in light of the need to coordinate with other harbour improvements and the final measurements of the new vessel. In this regard, input from CMal was vital;
- information was sought, and received, on the approximate timescales for infrastructure inspections, including diving surveys, the results from which would allow the project to progress to the next phase;
- consideration should be given to the use of dredged material being used for car parking or other infill;
- consideration should be given to the provision of adequate toilet facilities, with road safety being taken into account;
- the most important aspect of the project was coordination of works at all three harbours; and
- the location of the fire station should be taken into consideration.

In relation to the inclusion of dredging in the Scape contract, the Harbours Manager suggested that this should be retained in-house and he gave a presentation highlighting some of the issues, as follows:-

Uig harbour had last been dredged in 2015, with special dispensation having been granted to dump the spoil along the coast line. However, to accommodate the new vessel, a 1m deeper dredge would be required in approximately 2018, with regular maintenance dredges thereafter. A suitable new spoil ground had been identified but planning permission had recently been granted for a fish farm in the vicinity which would require a 1km dumping exclusion zone. The only reasonably priced solution would involve the establishment of a spoil ground in an area with a predominantly mud seabed, which was contrary to Marine Scotland's requirement for spoil grounds to have a sand and/or gravel seabed. It was hoped that dispensation would be granted from this requirement, noting the significant costs involved in the application process for the opening of a new spoil ground.

During discussion, Members suggested that the matter be discussed firstly with Transport Scotland with a view to the Council Leader requesting a meeting with the Scottish Government to draw their attention to the importance and urgency of the matter.

The Board **NOTED** the position and **AGREED** to contact Transport Scotland and the Scottish Government as discussed.

## **5. Seaprobe Atlantis Pontoon at Kyle Harbour**

There had been circulated Report No HMB 15/16 dated 29 August 2016 by the Director of Community Services providing Members with an update on the request from the owners of "Seaprobe Atlantis" who currently operated three tour boats from Kyleakin harbour to install a private pontoon at a specific location within Kyle harbour. The report advised that not all of the necessary consents had been obtained due to objections from various parties and presented a letter of appeal from the applicant to the Highland Council as "Duty Holder" for consideration.

The Chair summarised the concerns of Members of the Board in relation to both the identification of and consequences of acting as Duty Holder. The Head of Corporate Governance advised that this, along with wider issues in Kyle Harbour, were to be considered by Counsel. He suggested that the matter be deferred until Counsel had given an opinion. He also pointed out that the approach taken to the identification of both the 'Duty Holder' and 'Designated Person' for the purposes of the Port Marine Safety Code by five Local Authorities varied considerably.

During discussion, Members were in favour of deferring the matter to the next meeting of the Board, pending Counsel's opinion, and asked that a full chronological list of objections and incidents relating to Kyle Harbour be considered at that time.

The Board **DEFERRED** the matter to the next meeting as discussed.

## **6. Strategic Business Plan**

There had been circulated Report No HMB 16/16 dated 29 August 2016 by the Director of Community Services updating Members on the progress of commissioning a Strategic Business Plan (SBP) and presenting Members with the first phase report.

The Harbours Manager highlighted various issues in the draft SBP and explained that a full presentation would be provided at the next meeting. Members' comments on the draft were sought by the end of October 2016, with a reminder to be issued about this at an appropriate time.

During discussion, Members referred to the importance of clearly defined and timetabled actions. The Chair offered to bring the matter to the attention of the Council's Re-design Board at their meeting on 8 September 2016. A glossary would be helpful if there were unusual terms in the SBP.

The Board **NOTED**:-

- i. the latest position of the creation of a Strategic Business Plan;
- ii. the contents of the second phase; and
- iii. that comments on the draft SBP should be submitted to the Harbours Manager before the end of October 2016.

## **7. Proposed Maintenance, Repair and Improvement Works for 2016/17**

There had been circulated Report No HMB 17/16 dated 29 August 2016 by the Director of Community Services detailing proposed maintenance, repair and

improvement works at various Highland Council harbours for the financial years 2016/17.

The Harbours Manager gave a brief overview on a number of projects including:-

- Kinlochbervie Fuel Tanks;
- Lochinver Ice Plant, for which a successful bid had been placed with the European Maritime and Fisheries Fund (EMFF) to provide a 75% contribution toward the £400k cost;
- Kinlochbervie Fish Market chilling, for which an EMFF bid had been submitted for 90% of the £1.3m required, with a response expected in 4-6 months; and
- Muck slipway, with two problems being highlighted: the required underwater investigation of concrete blocks, and the need for repairs to the surface at the top of the slipway, the cost of which might be shared with Marine Harvest who operated a nearby facility.

During discussion, Members raised the following points:-

- some of the Ward numbers and other minor details in the report were wrong and this was due to a formatting error in the report;
- the replacement of ladders in Nairn Harbour was being costed and would be undertaken as part of the wider review of harbour ladders across Highland following an accident in which a rung had come loose. A regime of weekly or quarterly inspections was in place, depending on the size of the harbour;
- an environmental report was being compiled in relation to the dredging of Nairn harbour with the hope that Marine Scotland would permit the spoil to be dumped outside the harbour, ideally this year;
- there were ongoing issues in relation to the refurbishment of Fort William Town Pier which would benefit from being part of a wider discussion in due course, with an update to be provided to the Board in December 2016; and
- assurance was sought and received that projects in Keodale East and West, and in Golspie Harbour, were progressing.

The Board **NOTED** the position of the works currently underway and those proposed and **AGREED** that an update on the situation with Fort William Town Pier be provided to the Board in December 2016.

## 8. Elgol Harbour Boat Operations

There had been circulated Report No HMB 18/16 dated 29 August 2016 by the Director of Community Services advising Members of a request from Misty Isles Boat Trips for three additional time slots for their new tour boat vessel "Abi Joy" and providing an interim timetable, published pending approval by the Board.

During discussion, clarification was sought, and received, that the original timetable had already been agreed for the whole season but that the review had been prompted by the introduction of a further vessel.

The Board **APPROVED:-**

- i. the Interim timetable for the remainder of the 2016 season; and
- ii. the position that timeslots might be temporarily or permanently withdrawn in the event non-sanctioned overstay at the jetty.

## 9. Financial Performance 1 April 2016 to 31 July 2016

There had been circulated Report No HMB 19/16 dated 29 August 2016 by the Director of Community Services setting out the financial performance of Highland Council Harbours for the period 1 April 2016 to 31 July 2016.

Due to formatting errors in the report which had resulted in incorrect figures, the Director asked that the corrected version be issued to Members and kept on record.

The Board **APPROVED** the financial position to 31 July 2016 and **AGREED** to re-issue a corrected version of the report to the Board.

## 10. Debt Management

There had been tabled Report No HMB 20/16 dated 6 September 2016 by the Director of Finance providing details of the outstanding debt for piers and harbours as at 31 August 2016.

The Board **NOTED** the current debt position.

The meeting ended at 12.55 p.m.