

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 26 April 2024, at 3.00pm.

Present:**Council**

Representatives: Councillors SERENA COWDY and MARTIN SHEPHERD

Harbour Users'**Representatives:**

PETER ANELLI (Arbroath Sailing and Boating Club)
PAUL SIMPSON (Boat Builders/Repairers)
ALEX SMITH (Representing Fare Paying Passenger Boat Owners)

Officers in**Attendance:**

GRAEME DAILLY (Director of Infrastructure and Environment)
BRUCE FLEMING, (Angus Council Harbour Master)
RORY TOSH (Senior Accountant, Angus Council)
FIONA ANDERSON (Angus Council, Democratic Services, Committee Officer)

Councillor Serena Cowdy, Interim Convener, in the Chair.

1. INTERIM CONVENER

The Director of Infrastructure and Environment, Graeme Dailly asked for nominations for an interim Convener following the resignation of former Councillor David Fairweather.

The Committee agreed to appoint Councillor Serena Cowdy as interim Convener.

2. APOLOGIES/SUBSTITUTES

Apologies for absence were submitted on behalf of Councillors Brenda Durno, Louise Nicol and Derek Wann and Ron Churchill, Lifeboat Operation Manager (RNLI).

3. DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY (ELECTED MEMBERS ONLY)

The Committee agreed to note that there were no declarations of interest or statements of transparency made.

4. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 11 December 2023 was submitted and approved as a correct record.

5. MATTERS ARISING

There were no matters arising from the previous minute.

Prior to the commencement of the following item, Bruce Fleming, Harbour Master paid tribute to Professor Bernard King who had sadly passed away at the weekend following a long illness. Professor King had been a leisure boat owner in Arbroath Harbour and was a member of the Arbroath Harbour Joint Consultative Committee since 2016 representing the leisure craft users.

Bruce advised that whenever Bernard was at the harbour attending to his boat, he would often come into his office to ask how he was getting on and was always very polite in his approach and mannerisms. Bernard always showed his appreciation for the work that was being carried out at the harbour and was always up for a chat.

On behalf of the Committee, he offered his sincerest condolences to his friends and family.

6. ARBROATH HARBOUR – SPRING REPORT

With reference to Article 5 of the minute of meeting of this Committee of 11 December 2023, there was submitted Report No 145/24 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 11 December 2023, Appendix 1 to the Report showed there was an estimated small shortfall of £7k for 2023/24. There was an overspend on electricity costs, a shortfall of target income, both of which had been fully offset by an underspend on the in-year dredging budget.

(b) **Oil Spill Contingency Planning and Response**

With reference to item 5(1)(c) of the minute of meeting of this Committee of 11 December 2023, it was noted that there had not been any oil spills in the harbour.

The Harbour Master and Senior Harbour Assistant continued to hold MCA Level 4/5 Oil Spill Response Manager's Certificates with two Harbour Assistants qualified to MCA Level 2 – Sorbents & Equipment. The third Harbour Assistant would attend an MCA Level 2 – Sorbents & Equipment course as soon as one becomes available.

Angus 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.

The current 5-year Oil Spill Contingency Plan (OSCP) for Arbroath Harbour continued to be a live document and various exercises were carried out by the harbour staff throughout the year to ensure that the proper amount of oil spill equipment was held at the harbour, staff were familiar with the use of the equipment and that all contact details in the Plan were current and up to date.

Details of these exercises and any clean-up operations carried out were recorded and forwarded to the MCA as annual returns to comply with the requirements of the OSCP & Port Marine Safety Code. The Harbour Master submitted the required documentation to the MCA in January 2024.

The Committee noted the position.

(c) **Scottish Ports Meeting**

With reference to item 5(1)(d) of the minute of the meeting of this Committee of 11 December 2023, it was noted that the last Scottish Port Meeting was on 18 April 2024 in Bishopton which the Harbour Master attended via Microsoft Teams. Topics discussed at the meeting included Transport Scotland Policies update, Scottish Enterprise Bodies & their collaboration with ports, British Ports Association updates and the Dredge and Disposal Licence process.

It was noted that the next meeting of the Scottish Ports was likely to be some time in the summer months and if work commitments allowed the Harbour Master would attend.

(d) **Compounded Berths**

With reference to item 5(1)(e) of the minute of meeting of this Committee of 11 December 2023, it was noted that there had been 1 compounded berth granted to a new commercial fishing boat *Sunny Jim*.

The number of compounded berths taken up in the Harbour was 36, made up of commercial fishing boats (27), fare paying passenger boats (1) and pleasure boats (8).

The remaining 4 boats berthed in the harbour did not have a compounded berth and were currently paying a weekly berthing rate.

(e) Pontoon Berths

With reference to item 5(1)(f) of the minute of meeting of this Committee of 11 December 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 at the moment.

(f) Staffing

With reference to item 5(1)(g) of the minute of the meeting of this Committee of 11 December 2023 it was noted that staffing at the harbour moved onto summer hours from 1 April 2024. The harbour would be staffed from 7am to 8pm seven days a week. These arrangements would continue through to 29 September 2024 before reverting to the winter hours on 30 September 2024.

It was noted that one of the Harbour Assistants retired on 31 December 2023 and a new Harbour Assistant had since taken up the position as of 19 February 2024 thus maintaining the required staffing levels at the harbour.

(2) Engineering Matters

(a) Inner Harbour Gates

With reference to item 5(2)(a) of the minute of the meeting of this Committee of 11 December 2023, it was reported that there had been one operational issue with the dock gates during the intervening period.

The Report indicated that on 18 December 2023 the seal on the west gate came away causing the gates to leak more water than usual when closed. Up to 1m of water was being lost from the inner harbour when the gates were closed.

Temporary works had been carried out by Mackay Boatbuilders to fill in the visible gap between the gates and to stem the leaking until the Harbour Master procured a more permanent solution.

On 25 January 2024 the commercial diving contractor DCN UK Ltd. were appointed to carry out the permanent repair works, and a dive team attended the harbour on 31 January 2024 to carry out an initial inspection and measurement dive.

After assessing what was required from the inspection dive a 3m long greenheart timber wedge was then fitted onto the east gate and a new rubber seal installed on the west gate. Both these elements were installed by the dive teams during diving operations over four days from 7 – 10 February 2024.

It was noted that the repair had not provided a perfect seal and the gates still leaked. However, they do close, the locking pin still works and on average the amount of leakage was approx. between 100mm & 300mm of water in the inner harbour over a tidal cycle. This was not any worse than what the rate of leakage was before the seal came away.

The opening and closing times of the dock gates had also moved to the summer schedule from 1 April 2024. Opening and closing times continued 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 September 2024 had been calculated and had now been posted on the Arbroath Harbour page of the Council's website.

Discussion took place and the Director of Infrastructure and Environment advised the members that he hoped to put forward a budget bid in February/March 2025 for replacement harbour dock gates between the inner & outer harbours and the replacement of 2no. slipway cradles over a 3 year period as they were both coming to the end of their life. The Harbour Master was currently working on outline costs.

The Committee noted the position.

(b) Maintenance Dredging Operations

With reference to item 5(2)(b) of the minute of this Committee of 11 December 2023, it was noted that the dredging of the harbour had been carried out between 15 March and 7 April 2024.

Wyre Marine Services dredged 7,920 m³ of silt from the outer harbour and navigation channel to a depth of approximately 1.0m below chart datum. Some areas of the inner harbour were also dredged as well however, due to the number of boats berthed in the inner harbour it was not possible to cover all areas as there was no space for any of the larger boats to be moved to.

It was noted that the cost to annually dredge 8,000 m³ of silt from the harbour now cost c£150,000 per annum. With an annual allocated budget of £46,000 for dredging the harbour there was now a considerable shortfall. Looking to the future the Council required to consider that the budget be set at c£150,000 to continue with an annual dredge to maintain safe operation and navigational passage for all commercial and pleasure boats using the harbour.

Discussion took place and the Committee noted that the Director of Infrastructure and Environment's request for a one-off revenue bid of £104,000 had been successful at the budget setting meeting on 29 February 2024 which would help with the costs of the current dredging contract. It was hoped that in the future a more permanent solution could be found to allow the harbour to be dredged on an annual basis.

The Committee noted the position.

(c) Breakwater Repairs

With reference to item 5(2)(b) of the minute of meeting of this Committee of 11 December 2023, it was noted that the west and south breakwaters suffered some damage from the storms in December 2023, January and February 2024.

Dundee Plant Co. Ltd. were appointed to carry out the emergency repair work and on 14 February 2024 mobilised on site to carry out the repair works to both the west and south breakwaters.

Due to the nature of the damage, it was concluded that the best way to carry out the repair was to fill the areas where the stones had been dislodged with concrete and stainless-steel dowels. To try and reset the large dislodged stones would not provide as good a repair.

Further damage to the retaining wall at the Signal Tower Museum occurred while Dundee Plant Co. Ltd. were on site and they were able to carry out repair work to this wall before it became worse. In the case of the repair work on this wall the existing dislodged stones were able to be re used and concreted into their original locations.

The Committee noted the position.

(3) Other Matters

(a) Duty Holder Visit

With reference to item 5(4)(b) of the minute of this Committee of 11 December 2023, Angus Council continued to use the services of APBMer as Designated Person for Arbroath Harbour under the Port Marine Safety Code (PMSC).

As part of the auditing process carried out by ABP Mer it was identified that the elected members of the Communities Committee (The Duty Holder for Arbroath Harbour) should attend a visit to the harbour. At the meeting of the Communities Committee on 16 January 2024 the Committee agreed to members of the Communities Committee undertaking a visit to Arbroath Harbour on a date suitable for all in Spring 2024 to ensure compliance with the Port Marine Safety Code.

It was noted that on 11 April 2024 the members of the Communities Committee attended the harbour and were shown round the harbour by the Harbour Master and Director of Infrastructure and Environment.

(b) Fishmarket Roof

It was reported that the fishmarket roof was programmed to be replaced in 2024/2025 and after recently being out to tender the work had been awarded to Mike Watt Construction Ltd. for a cost of £99,850.

It was noted that works were due to begin on site on 29 April 2024 and were expected to last 9 weeks. The fishmarket would remain partially in use over the course of the works with the replacement of the roof being carried out in four phases to try and minimise disruption.

(c) RNLI

The Report advised that on 17 March 2024 the Mersey class RNLB Inchcape departed Arbroath Harbour and the all-weather lifeboat had now been replaced with a new Atlantic 85 RIB.

The new Atlantic 85 lifeboat was now in service and was currently berthed in the outer harbour until launch and recovery trials had been completed using the existing slipway and new winch and carriage. The new Atlantic 85 would be re located in and would be launched and recovered from the existing lifeboat station along with the D class inshore lifeboat RNLB Robert Fergusson.

The Committee noted the position.

(d) Northern Lighthouse Board (NLB)

It was reported that in April of each year the Northern Lighthouse Board (NLB) required from harbours and ports a rolling 3-year report of all failures of any Aids to Navigation (AtoNs). Over the last 3 years, the AtoNs at Arbroath Harbour were within the defect allowances set out by NLB. The 3-year rolling report from 1 April 2021 to 1 April 2024 for Arbroath Harbour was shown in Appendix 2 to the Report.

The Committee noted the position.

(4) Police Report

With reference to item 5(4) of the minute of meeting of this Committee of 11 December 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:

04/01/24 – Suicidal male with cuts to wrist. Male traced and ambulance attended to treat wounds, mental health procedure carried out.

20/01/24 – Concern for female, traced and mental health procedure carried out.

19/02/24 – Concern for male, suicidal intentions, traced and mental health procedure carried out.

15/03/24 – Call for a female who was feeling suicidal. Female traced and mental health procedure carried out.

Crime Reports:

There were no crime reports.

Emerging issues:

Police Scotland continue to carry out regular patrols in the area of the harbour on foot, bike and car.

The main type of calls received by Police Scotland in recent months had been concern for person type 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.

7. FURTHER ITEMS

(a) Long Term Maintenance Plan – Alex Smith

Following much discussion at items 6(2)(a) and 6(2)(b) above the Committee heard further from the Director of Infrastructure and Environment and Rory Tosh, Senior Accountant, Angus Council on the possibility of a 3 year budget bid in February/March 2025 for the replacement of the harbour dock gates between the inner & outer harbours and the replacement of 2no. slipway cradles used for slipping boats from the harbour into the boatyard. All members agreed that the harbour was an asset to Angus and that more permanent fixes would provide a better solution however, given the current financial strain on the Council's budgets the Director of Infrastructure and Environment would attempt to explore all options including external funding to help with the maintenance of the harbour.

(b) Black Shed Area

The Harbour Master advised the Committee that the Black Shed Area was sinking due to its age and this would be repaired on a temporary bases. It was agreed that this area be kept under review.

8. DATES OF FUTURE MEETINGS

The Committee noted the dates of future meetings as shown below:

Friday 13 September 2024

Friday 13 December 2024

All meetings to take place in Bruce House, Arbroath at 3pm.