



# **Port Marine Safety Management System**

In Compliance with

**THE PORT MARINE SAFETY CODE**

An abstract graphic at the bottom of the page consisting of several overlapping, semi-transparent geometric shapes in shades of light blue and grey, creating a layered, crystalline effect.

September 2020

## RECORD OF AMENDMENTS

DATE	AMENDMENT	INITIAL
25.10.16	<p>2.3- Designated Person role removed from Harbour Master duties.</p> <p>2.7- Designated Person role added to HSEO duties.</p> <p>9.4- All references to 'Dangerous Substance in Harbour Areas Regulations' replaced with 'Dangerous Goods in Harbour Areas 2016'.</p> <p>10.2- Internal and External audit responsibilities allocated to the Harbour Master and Designated Person respectively.</p> <p>Annex A, B – Maps updated to indicate current port limits and berth numbers.</p> <p>Annex C – Updated report form to replace Accident / Incident report form</p>	R. Baird.
12.12.16	2.6 – All Port Controllers shall hold a valid in date medical.	R. Baird.
09.01.17	6.1.5 – Break of Service – Operators away from VTS duties for more than 12 months are no longer qualified for VTS duties and must retrain as per MGN 434 Amendment 1 sections 16-1 and 16-2.	R. Baird.
10.11.17	Annex F added to include Commercial and Leisure Marina Rules.	R. Baird.
22.11.17	<p>(6.4.1) (6.4.2) (6.4.3) – Boatmaster licence replaced with Peterhead Port Authority Coxswain Certificate.</p> <p>6.4.1 -The Coxswain will have the final decision whilst in service.</p> <p>9.3 – Oil Spill Plan valid for 5 years. Peterhead Port Authority plan expires in September 2022</p>	R. Baird.
12.11.18	<p>Introduction – Harbour description amended to include new quayside depths and lengths after development project. New Greenhill Fish market description included and Reference to Merchants Quay Fish market removed.</p> <p>7.9 Ecoports – Environmental accreditation dates amended to include new recertification date.</p> <p>Annex G added to include Alexandra Parade Closure Procedure</p>	R. Baird.

03.12.18	<p><b>Introduction –</b></p> <ul style="list-style-type: none"> <li>• Port Henry Marina berths amended to 44.</li> <li>• Tanker Jetty bridge weight restriction added.</li> <li>• Bay Marina vessel length reduced from 20m to 15m</li> </ul> <p><b>4.1- Port Landings Committee and Peterhead Port Services meetings added to consultation list.</b></p>	R. Baird.
2019	No Amendments	R. Baird.
01.09.20	<p><b>Section 6 – All reference to ‘Peterhead Port Services’ has been replaced with ‘Peterhead Port Authority’.</b></p> <p><b>Annex G – Procedures for Closing Alexandra Parade – contacts updated</b></p>	R. Baird.

## **CONTENTS**

### **RECORD OF AMENDMENTS**

### **INTRODUCTION**

- 1. POLICY**
- 2. ROLES & RESPONSIBILITIES**
  - 2.1 The Board**
  - 2.2 The Chief Executive**
  - 2.3 Harbour Master & Director of Port Operations**
  - 2.4 Senior Assistant Harbour Master**
  - 2.5 Pilots**
    - 2.5.1 The Role of the Pilot*
    - 2.5.2 The Employment of Pilots*
  - 2.6 Port Controllers**
  - 2.7 Port Health, Safety & Environmental Officer**
  - 2.8 Port Authority Marine Personnel**
  - 2.9 Boatmasters**
  - 2.10 Berthing Masters/Linesmen**
  - 2.11 Harbour Master's Assistant (Marina Manager)**
  - 2.12 Marina Manager's Assistant (Part-time)**
  - 2.13 Non-PPA Linesmen**
  - 2.14 Collective Responsibilities**
  - 2.15 Open Port Duty**
- 3. LEGISLATION & STATUTORY OBLIGATIONS**
  - 3.1 The Peterhead Port Authority Harbour Order**
  - 3.2 Byelaws**
  - 3.3 Directions (General/Specific)**
  - 3.4 Statutory Regulations**
- 4. CONSULTATION & COMMUNICATION**
  - 4.1 Consultation**
  - 4.2 Communication**
- 5. GENERAL ARRANGEMENTS –**
  - 5.1 Port Marine Safety Management System**
  - 5.2 Risk Assessments**
  - 5.3 Method Statements**
  - 5.4 Confirmation of Compliance Letters**
  - 5.5 Fire**
  - 5.6 First Aid**
  - 5.7 Workplace Inspections**
  - 5.8 Work Equipment**
  - 5.9 Control of Hazardous Substances**
  - 5.10 Personal Protective Equipment**
  - 5.11 Manual Handling Operations**
  - 5.12 Accident/Incident Reporting & Investigation**
  - 5.13 Enforcement**
  - 5.14 Training**

## **6. MARINE SPECIFIC ARRANGEMENTS**

### **6.1 Management of Navigation**

- 6.1.1 General Regulation of Traffic*
- 6.1.2 Port Control*
- 6.1.3 Duty Port Controller*
- 6.1.4 Duty Port Controller Qualifications*
- 6.1.5 Duty Port Controller Training*
- 6.1.6 Navigation Aids*
- 6.1.7 Promulgation of Navigation Aid Defects*

### **6.2 Recreational Navigation**

- 6.2.1 General Navigation of Small Craft*
- 6.2.2 Small Craft Directions*
- 6.2.3 Organised Events*
- 6.2.4 Speed Limits*
- 6.2.5 Communication*
- 6.2.6 Peterhead Sailing Club*
- 6.2.7 Lido Bathing Beach*
- 6.2.8 Water Skiing, Aquaplaning, Board Sailing etc.*

### **6.3 Pilotage Service**

- 6.3.1 Pilotage Directions*
- 6.3.2 Pilot Qualifications & Authorisation*
- 6.3.3 Pilotage Training*
- 6.3.4 Pilotage Cover*
- 6.3.5 Pilotage Passage & Manoeuvring Plan*
- 6.3.6 Boarding & Landing Procedure*
- 6.3.7 Restricted Visibility*
- 6.3.8 Communications*
- 6.3.9 Personal Protective Equipment*
- 6.3.10 Hazmat Reporting*
- 6.3.11 Vessel Deficiencies*
- 6.3.12 Pilotage Exemption Certificates (PEC)*
- 6.3.13 Qualification (PEC)*
- 6.3.14 Application Process (PEC)*
- 6.3.15 Granting of PECs*
- 6.3.16 Suspension or Revoking of PEC*

### **6.4 Marine Services**

- 6.4.1 The Pilot Boat*
- 6.4.2 The 'Flying Scud'*
- 6.4.3 The 'Ugie Runner'*
- 6.4.4 The 'Dell Quay Dory'*
- 6.4.5 Barge Working Platform*
- 6.4.6 Marine Risk Assessment & Feedback Loop*
- 6.4.7 Vessel Safety Equipment*

## **6.5 Conservancy**

### ***6.5.1 Responsibility of Conservancy***

### ***6.5.2 Hydrography***

#### ***6.5.2.1 Description of Seabed***

#### ***6.5.2.2 Frequency & Type of Hydrographic Survey***

#### ***6.5.2.3 Tide Gauge***

#### ***6.5.2.4 Promulgation of Survey Information***

### ***6.5.3 Dredging Operations***

#### ***6.5.3.1 Maintenance***

#### ***6.5.3.2 Capital Dredging***

#### ***6.5.3.3 Dredging License***

#### ***6.5.3.4 Promulgation of Dredging Operations***

#### ***6.5.3.5 Dredger Safety Compliance***

### ***6.5.4 Wrecks***

### ***6.5.5 Weather***

#### ***6.5.5.1 Prevailing Weather***

#### ***6.5.5.2 Weather Forecasts***

### ***6.5.6 Development***

#### ***6.5.6.1 Risk Assessment***

#### ***6.5.6.2 Works below High-Water Mark***

### ***6.5.7 Salvage***

#### ***6.5.7.1 Legal Advice***

#### ***6.5.7.2 Notice to Mariners***

#### ***6.5.7.3 Contingency Planning***

#### ***6.5.7.4 Salvage Plan***

## **6.6 Towage**

## **6.7 Diving Operations**

### ***6.7.1 Commercial Diving***

### ***6.7.2 Recreational Diving***

### ***6.7.3 Permission for Diving Operations***

## **6.8 Waste Management**

### ***6.8.1 Legislation***

### ***6.8.2 Waste Management Plan***

### ***6.8.3 Special Waste***

### ***6.8.4 Plan Review***

## **7. ENVIRONMENTAL MANAGEMENT**

### **7.1 Port Environmental Policy**

### **7.2 Environmental Objectives**

### **7.3 Relevant Environmental Regulations**

### **7.4 Environmental Arrangements**

### **7.5 Prevention of Oil Pollution**

### **7.6 Toxic Gas, Liquid, Hazardous Chemicals & Radioactive**

### **7.7 Ships' Waste**

### **7.8 Harbour Development Works**

### **7.9 Espo/Ecoports**

## **8. LOCAL RULES & DIRECTIONS**

- 8.1 Safety Rules**
- 8.2 Working Environment**
- 8.3 Walkways**
- 8.4 Tool & Equipment Maintenance**
- 8.5 Personal Protective Equipment**
- 8.6 Manual Handling**
- 8.7 Pilotage Direction**
- 8.8 Pilotage Passage & Manoeuvring Plan**
- 8.9 Small Craft Direction**

## **9. EMERGENCY PREPARATION & RESPONSE**

- 9.1 Emergency Risk Register**
- 9.2 Port Emergency Plan**
  - 9.2.1 Preparation of Plans*
  - 9.2.2 Command & Control*
  - 9.2.3 Training & Exercise*
  - 9.2.4 Circulation & Updating*
  - 9.2.5 Activating the Plan*
- 9.3 Oil Spill Contingency Plan**
  - 9.3.1 Aims & Objectives*
  - 9.3.2 Training Policy*
  - 9.3.3 Exercise Policy*
  - 9.3.4 Circulation & Updating*
  - 9.3.5 Interface with Other Contingency/Emergency Plans*
  - 9.3.6 Activating the Plan*
- 9.4 Dangerous Substance Arrangements**
  - 9.4.1 Application*
  - 9.4.2 Storage of Dangerous Substances*
  - 9.4.3 Notice of Entry*
  - 9.4.4 Dangerous Substances from Inland*
  - 9.4.5 Dangerous Substances from Sea*
  - 9.4.6 Notification for all Dangerous Substances*
  - 9.4.7 Handling & Packaging*
  - 9.4.8 Reporting Requirements*
  - 9.4.9 Appointment of Inspectors*
  - 9.4.10 Explosives*
  - 9.4.11 Licensed Berths*
  - 9.4.12 Security of Explosives*
  - 9.4.13 Record of Explosives & Auditing*

## **10. MONITORING, AUDIT & REVIEW –**

- 10.1 Monitoring Performance**
- 10.2 Audits**
- 10.3 Document Review & Control Procedure**

## **ANNEX**

- (a) Port Map (Approaches & Limits)**
- (b) Port Maps (Berth Numbers)**
- (c) Reporting Form**
- (d) Marine Risk Assessment Feedback Report**
- (e) Permit for Diving Operations**
- (f) Leisure & Commercial Marina Rules.**
- (g) Alexandra Parade Closure Procedure**



# INTRODUCTION

## *The Port*

The Port of Peterhead is the most easterly deep-water harbour on the Scottish mainland and lies close to the oil and gas fields of the Northern and Central North Sea. The harbour consists of Peterhead Bay, a natural inlet protected from the sea by two breakwaters, and the inner harbour that consists of a series of harbours and basins that provide facilities for the North Sea fishing industry.

Peterhead is one of Europe's largest fishing ports. The inner harbour provides modern facilities to handle all aspects of the industry. Facilities include the Port Henry Marina providing 44 berthing spaces for small commercial fishing vessels, a temperature-controlled fish market, a slipway that can accommodate four fishing vessels, a commercial marina, a ship-lift that can handle two vessels, a drydock and a maintenance workshop. Additional external facilities to the Peterhead Port Authority include two ice factories, net repair facilities, fish box provision, freshwater and fuel. Comprehensive engineering, repair and maintenance facilities including fish processing factories located at Keith Inch, Sir Albert Quay and the Smith Embankment. Sir Albert Quay also handles bulk shipments of agricultural products, frozen fish and a broad range of other commodities.

Norsea Group UK Ltd. operate an oil industry service and logistics base from Smith Quay / Merchants Quay at the mouth to the inner harbour with 32000m<sup>2</sup> of storage area to the West side of Smith Quay

Within Peterhead Bay ASCO (UK) Ltd operate two oil service bases that provide facilities for the North Sea oil and gas industry. The North Base consists of 2400 m<sup>2</sup> of land space hosting storage and warehousing. The North Base Jetty is a 1-berth open pile jetty and the North Breakwater provides a further two berths that are protected by a wave-wall on the offshore side. The South Base consists of the South Breakwater (3 berths), the ASCO Quay (five berths) and the Princess Royal Jetty (two berths).

The Tanker Jetty is located close to the South Breakwater and was built to import fuel to the nearby Peterhead Power Station. The Jetty is designed to accommodate tankers up to 50,000 dwt but is also used for offshore industry vessels and cruise liners.

Peterhead Leisure Marina is situated in the south-west of the bay and provides pontoon berthing for 150 leisure craft. The Marina is protected by two rubble mound breakwaters.

## *Harbour Plans*

Plans showing the layout of the harbour and the Peterhead Port Limits are shown in annex sections **A** and **B**

## **Bay Facilities**

### ***Anchorage***

There is no anchorage permitted in Peterhead Bay. Anchorage shall only be permitted in cases of emergency when authorised by the duty Harbour Master.

### ***Tanker Jetty***

The Tanker Jetty is designed to accommodate vessels of up to 50,000 tonnes deadweight with a draught of 10.5 meters and a length of 250 meters. It is also used for the servicing of North Sea supply vessels, diving support vessels, survey vessels, cruise vessels and vessels loading grain and other similar bulk cargoes. The Tanker Jetty bridge has a weight restriction of 44 tons.

### ***Princess Royal Jetty***

Princess Royal Jetty consists of a 170-metre long open pile jetty with depths of up to 6 meters and contains two berths supported by warehousing and storage space. One berth situated on the east side of the jetty is operated by ASCO to complement its facilities at the South Base. The west side incorporates a berth that is operated by the Port Authority and is available for the handling of bulk and general cargoes.

### ***ASCO***

ASCO **operates** two purpose-built North Sea Oil service bases: -

***The North Base*** has 2400 m<sup>2</sup> of industrial land space including storage and warehousing

***The North Base Jetty*** consists of a one berth open pile jetty with available depths of 6 meters and over.

***The North Breakwater*** provides two additional berths with depths of up to 14 meters. The breakwater incorporates a purpose-built rig mooring system designed to accommodate drilling rigs and platforms.

***The South Base*** consists of a 480-meter quay, depths of up to 6.8 meters and contains five berths supported by warehousing and storage space.

***The South Breakwater*** provides three un-serviced berths with depths of up to 7.8 meters.

### ***Peterhead Leisure Marina***

The marina provides sheltered pontoon berthing for 150 locally based and visiting leisure craft of up to 15 meters in length. Fresh water and electricity are available at most berths. Shower and toilet facilities are provided in the purpose-built amenity building. Fuel oil and gas is available by arrangement with the marina manager.

## **Harbour Facilities**

The following areas make up what is collectively known as the Peterhead Harbours.

### ***Smith Quay / Merchants Quay***

The Smith quay and berthing dolphin are protected by a breakwater providing 160 meters of berthing capability. The quay has a minimum depth of 10 meters with no tidal restrictions. Adjacent to the quay is a work area of 16, 000 square meters. Public access is restricted with secure perimeter fencing enclosing the area. The quay is currently controlled by Norsesea Group UK Ltd. who operate an oil service and logistics base. In addition, Norsesea Group UK Ltd also operate Merchants Quay (18000 m<sup>2</sup>) and the Smith Embankment reclamation (30000m<sup>2</sup>)

### ***Sir Albert Quay***

Sir Albert Quay is 290 meters long and 30 meters wide with a minimum depth of 7.9 meters. General cargo is handled on this quay. Fuel oil is imported by coastal tankers to storage tanks located within the ASCO North Base and at Ship Street. Fishing vessels also consign fish to the market from this quay. A licensed berth for handling up to 50 kg of explosives is available.

### ***East Quay***

East Quay is situated at the east end of Sir Albert Quay and is 86 meters long. Processing factories, freezing facilities and cold stores are situated on the quay. Most pelagic landings take place in this area.

### ***Merchants Quay***

Merchants Quay is on the north side of the Albert Basin. The quay comprises of 166 meters of quay and has a minimum depth of 7.7 meters.

### ***West Quay Jetty***

East side of this jetty is 60 meters and the West side is 85 meters

### ***South Harbour***

South Harbour comprises of 350 meters working quay with a minimum depth of 3.2 meters. An ice factory situated on east side of harbour and the control tower and harbour office are located on West Pier at the entrance to South Harbour.

### ***North Harbour - Alexandra Basin***

North Harbour is entered from South Harbour through a junction canal opening of 16.52 meters which is spanned by a lifting bridge and has 720 meters of quay. Located along the North and East side of the quay is the new chilled and temperature-controlled Greenhill Fish market which was opened July 2018. A dry-dock for vessels up to 58 meters overall length and 10.6 meters beam, a shiplift and covered repair berth, capable of taking vessels up to 47 meters in length and up to 2000 tonnes are available in the Alexandra Basin.

### ***Port Henry Harbour***

Port Henry Harbour is entered via North Harbour. The harbour comprises of 740 meters of quay space and a Slipway capable of handling four vessels up to 30 meters length and 7.2 meters beam and 300 tonnes. An ice factory is also situated in this basin and several engineering workshops are also in this area of the harbour. A new 38 berth commercial marina hosts the inshore fleet requirements and is located adjacent to the Slipway facility.



## **1. MARINE SAFETY POLICY**

It is the policy of the Authority to comply with the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 and subsequent legislation and to provide and maintain a healthy and safe working environment in which all marine operations are undertaken. The Authority's marine health and safety objectives are to minimize the number of marine incidents and ultimately to maintain an accident free marine environment.

All marine employees will be provided with such equipment, information, training and supervision as is necessary to implement the policy and achieve the stated objectives.

The Authority recognises and accepts its duties to protect the health and safety of its marine personnel, vessel crews, passengers, leisure craft users, the public and all other persons who have access to the harbour and who may be affected by marine operations.

While the Authority will do all that is within its powers to ensure the health and safety of their marine personnel, it is recognised that health and safety at work is the responsibility of each and every individual associated with marine operations. It is the duty of each employee to take reasonable care of their own and other people's welfare and to report any situation which may pose a threat to the well being of anyone.

The Authority will provide every marine employee with the training necessary to carry out their tasks safely. However, if an employee is unsure how to perform a certain task or feels it would be dangerous to perform a specific job then it is the employee's duty to report this to the Harbour Master or Pilotage Superintendent. An effective marine health and safety system requires continuous communication between marine staff at all levels. It is therefore every employee's responsibility to report immediately any situation which could jeopardise the wellbeing of themselves or any other person.

All accidents and injuries sustained by a person at work, however small, must be reported to Marine management and recorded in the organisations accident book. Accident records are crucial to the effective monitoring and revision of the policy and must therefore be accurate and comprehensively maintained.

The Authority's marine health and safety policy will be continually monitored and updated and will be reviewed at least every twelve months.

**Signed**

**Date 15.09.20**

**S. G. BREBNER  
CHIEF EXECUTIVE**

## **2. ROLES AND RESPONSIBILITIES**

### **2.1 The Board**

Peterhead Port Authority was formed on 1<sup>st</sup> January 2006 from the merger of Peterhead Bay Authority and Peterhead Harbour Trustees. Peterhead Bay Harbour and Peterhead Harbours are collectively known as the Port of Peterhead. Peterhead Port Authority administers the Port as a Trust Port under the Peterhead Port Authority Harbour (Constitution) Revision Order 2005. The Board of Peterhead Port Authority consists of ten members appointed by the Authority and the Chief Executive who is ex officio.

The Board of Peterhead Port Authority is both individually and collectively deemed as the ‘Duty holder’. The role of the Duty holder shall include: -

- maintaining strategic oversight and direction of all aspects of the harbour operation, including marine safety;
- the responsibility for the development of policies, plans, systems and procedures for safe navigation;
- ensuring that assessments and reviews are undertaken as required, to maintain and improve marine safety;
- ensuring that the harbour authority seeks and adopts appropriate powers for the effective enforcement of their regulations, and for setting dues at a level which adequately funds the discharge of all their duties;

The Board has the powers to appoint a Harbour Master with the powers to grant pilot authorisation and may properly entrust the operation of the Harbour to such professional people but the duty holder cannot assign or delegate its accountability for compliance with the Port marine safety code.

### **2.2 Chief Executive**

The main function of the Chief Executive is to implement the decisions of the board of management in the most cost-effective way. Under the terms of the Authority’s Statutory Order (from which it derives its powers), the Chief Executive is a member of the Board and as such is involved in the deliberations of that body including the setting of strategic objectives and the making of strategic policies.

As the Secretary to the Board of the Authority he is responsible for ensuring that the Board is kept up-to-date on all significant matters relating to the harbour undertaking. To accomplish this task, he compiles agendas and calls the meetings of the Board, engages in discussion at Board Meetings, produces a written record of the meeting, executes all deeds and implements all decisions arising there from, liaising with relevant external advisers where appropriate and delegating sections of the workload to the staff under his charge.

As well as setting in train the implementation of the Board’s strategic policies and objectives, he will be required to monitor progress in the achievement of these in both physical and financial terms. In this regard he is required to produce business plans where appropriate and ensure that the budget is compatible with short and long-term objectives.

## **2.3 Harbour Master & Director of Port Operations**

The Harbour Master is primarily accountable to the Port Authority Board of Directors for marine operations that can have an impact on the Health and Safety status of the Port.

Harbour Master means the person appointed as such pursuant to paragraph 51 of the Harbours, Docks and Piers Clauses Act 1847 and includes his authorised deputies, assistants and members of his staff and any other person authorised by the Authority to act in that capacity.

The Harbour Master is appointed under Section 51 of the Harbours, Docks and Piers Clauses Act 1847 as are his authorised deputies, assistants and members of his staff and any other person authorised by the Authority to act in that capacity. His general power under the Act is enumerated in Section 52 as follows: -

- (i) For regulating the time and the manner in which any vessel shall enter, go out of, or lie in or at the Harbour, Dock or Pier, and within the prescribed limits, if any, and its position, mooring or unmooring, placing and removing, while therein,
- (ii) For regulating the position in which any vessel shall take in or discharge its cargo or any part thereof, or shall take in or land its passengers, or shall take in or deliver ballast within or on the harbour, dock or pier,
- (iii) For regulating the manner in which any vessel entering the harbour or dock or coming to the pier shall be dismantled, as well for the safety of such vessel as for preventing injury to other vessels and to the harbour, dock or pier and the moorings thereof,
- (iv) For removing unserviceable vessels, and other obstructions from the harbour, dock or pier and keeping the same clear,
- (v) For regulating the quantity of ballast or deadweight in the hold which each vessel in or at the harbour, dock or pier shall have during the delivery of her cargo, or after having discharged the same.

To exercise those powers effectively and properly, the Harbour Master must be completely familiar with the harbour and its approaches including the depths of water available, the effect of tide and current, the capability of the pilots, the navigational aids, the type and maneuverability of the vessels involved and the expected weather pattern.

The Harbour Master will ensure that the depths of the harbour are regularly surveyed and promulgate the results of such surveys accordingly. (See Section 6.5: Conservancy). In the event that the depth of water is significantly reduced the Harbour Master will issue a Notice to Mariners to that effect.

As Pilotage Superintendent, the Harbour Master will monitor the capability of the pilots over whom he has disciplinary control. In the event of an incident where safety has or may have been compromised the Harbour Master will conduct an inquiry and report his findings to the Board of the Port Authority.

The Harbour Master must at all times have due consideration for harbour works, and by diligent frequent inspection ensure that no damage occurs due to careless or malicious practice by shipping, tenants, staff or the public. He must, however, establish and maintain a good working relationship with all of these. From the foregoing it follows that he must attend the berthing and unberthing of any vessel whose size or unwieldiness makes damage a possibility.

To assist safe navigation, the Harbour Master will ensure that all navigational aids, lights, buoys and daymarks within the harbour are maintained in good working order. He will ensure that regular inspections of all aids to navigation are carried out and, in the event, that a navigation aid becomes defective he will issue a Notice to Mariners.

Berths in Peterhead Bay may become untenable for shipping in adverse conditions of weather, particularly during south-easterly gales. In anticipation of adverse weather conditions vessels berthed within the Bay may, in addition to providing extra moorings, be required to place moorings “on the bight”. Should it become necessary, after an assessment of the prevailing and anticipated weather conditions to instruct a vessel to evacuate the harbour the Harbour Master shall, in the interests of safety, ensure that this instruction is given in good time.

The Harbour Master will have familiarised himself with the numerous ordinances applicable to his harbour, particularly the byelaws, which he must administer but also the above mentioned Act, the Harbours Act 1964, the Merchant Shipping Act 1995, Pilotage Act 1987, Oil Pollution Act 1978 and all Acts and Regulations which may from time to time be enacted which pertain to Harbours, Docks and Piers and the Acts and Byelaws applicable to the harbour, and to take the initiative in preparing appropriate action against offender.

The Harbour Master, through assessment and audit, shall monitor the effectiveness of the marine safety management system to ensure compliance with the Port Marine Safety Code.

## **2.4 Senior Assistant Harbour Master**

The Senior Assistant Harbour Master aids and supports the Harbour Master in the operation of the port. The Senior Assistant Harbour Master is vested with the same statutory discretions as the Harbour Master himself and authorised to deputise for the Harbour Master, in his absence.

## **2.5 Pilots**

The Pilotage Act 1987 describes the pilot as “any person not belonging to a ship who has conduct thereof” and has the same meaning as given in Section 742 of the Merchant Shipping Act 1894. Such “conduct” is confined to the process of navigation and therefore the pilot is in charge of the ship only to the extent that he is in sole control of the navigation.

### ***2.5.1 The Role of the Pilot***

The pilot has control of the vessel but does not have command thereof. The command of a vessel always remains with the Master. The pilot knows the port but is a stranger to the vessel but has “conduct thereof”, the Master knows his vessel but is a stranger to the port. The pilot has the expert knowledge of local conditions which will allow him to ‘conduct’ a vessel safely from sea to a berth or anchorage and vice-versa.

### ***2.5.2 Employment of Pilots***

The pilots are employed by the Peterhead Port Authority who has satisfied itself that the pilots employed have the necessary qualifications, skill, experience, training and local knowledge to enable them to carry out their duties in safely piloting vessels within the whole of the Port of Peterhead.

**Details of pilot qualifications, training and authorisation, together with a more detailed overview of Pilotage is given in Section 6.3: Pilotage Services.**

## **2.6 Port Controllers (VTS Operators)**

Whilst on duty in the Control Tower, Port Controllers are ‘Authorised Deputies’ of the Harbour Master. Their duty is to monitor vessel movements by using all resources available and to provide vessels with the necessary information, advice or directions in order to maintain a safe, accident free harbour.

The Authority has set the qualifications, knowledge, training and local knowledge required which will enable them to carry out their duties in a skilful and competent manner so that the safety of vessels entering, leaving or maneuvering within the harbour is ensured. It is a requirement for Port Controllers to hold a valid in date medical.

**A more detailed overview of the Port Controllers’ qualifications, training and duties are given in Section 6.1: Management of Navigation.**

## **2.7 Port Health, Safety & Environmental Officer (HSEO)**

The HSEO shall act as the ‘Designated Person’ and provide the ‘Duty Holder’ with an independent overview of the Marine Departments’ compliance with the Port Marine Safety Code.

The Health, Safety & Environmental Officer shall also assist the Harbour Master with: -

- fostering a positive culture within the organisation towards safety.
- ensuring that the organisation is aware of and complies with its shoreside statutory obligations.
- ensuring that all injuries, diseases and/or dangerous occurrences are notified to the relevant enforcing authority in compliance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, and records kept.
- carrying out investigations into injuries, cases of work-related illness and near misses and identifying in each case why they happened and ensuring that appropriate steps are taken to prevent a re-occurrence.
- regularly reviewing and updating the organisations shoreside Safety Policy to take into account any new Health and Safety Legislation, new plant and equipment, new techniques and materials etc.
- ensuring the Ports Environmental practice and performance is ‘Fit for purpose’ and adheres to the Ecoports Port Environmental Review System (PERS) or any other measure of best practice.



## **2.8 Port Authority Marine Personnel**

Peterhead Port Authority employs trained Marine Operatives as Boatmasters, Berthing Masters and Linesmen. All marine operatives are provided with the appropriate Personal Protective Equipment (PPE) to carry out their duties.

All marine personnel shall have the responsibility of: -

- familiarising themselves with the contents of the organisations Marine Safety Policy and working in accordance with the instructions laid down.
- undertaking work in a safe manner having regard to Health and Safety instructions given and ensuring that items, plant, equipment, tools, materials, facilities etc are properly used and correctly maintained.
- ensuring their own and the Health and Safety of others affected by their acts or omissions whilst at work.
- making full use of protective clothing and equipment where appropriate.
- reporting all accidents, dangerous occurrences and near misses immediately to the appropriate supervisor.
- refraining from drinking alcohol and the use of drugs etc, whilst at work.
- reporting any hazards, defects or omissions in plant and equipment to the appropriate supervisor.
- only operating plant and equipment where they have received adequate training and instruction and are competent to do so.
- attending any training sessions provided to support Health and Safety in the workplace.
- Maintaining a safe and tidy working area, having due regard to all processes, materials, substances etc, used and so far, as is reasonably practicable, taking effective measures to prevent hazards in the workplace.
- co-operating fully with the organisation to enable them to meet their legal duties with regard to maintaining Health, Safety and Welfare in the workplace by adopting good working practices and safe systems of work.

## **2.9 Boatmasters**

Boatmasters work under the direction of the Harbour Master as either coxswain/deckhand on the pilot boat or work boat. Each of the Boatmasters holds a Peterhead Port Authority Coxswain Certificate. Boatmasters have each attended basic First Aid courses.

**Details of the Boatmasters' duties and training are given in Section 6.4: Marine Services.**

## **2.10 Berthing Masters/Linesmen**

Berthing Masters work under the direction of the Harbour Master to ensure the effective and efficient operation of the fish market. They ensure that fishing vessels are securely moored at the market and that the fish is placed in its allotted space. The linesmen are also employed to ensure that commercial vessels using berths other than the fish market are securely moored.

A period of on the job training for new personnel as berthing masters/linesmen is carried out at the port, highlighting hazards, danger zones and involves work site visits.

Risk Assessment covering the mooring of vessels by Berthing Masters and Linesmen are held by the Harbour Master and reviewed annually as a measure of audit.

### **2.11 Harbour Master's Assistant (Marina Manager)**

The Harbour Master's Assistant is employed to ensure the effective and efficient operation of the marina and the Tanker Jetty under the direction of the Harbour Master. He is also employed as the coxswain of the marina work boat.

The Authority is satisfied that the person they have employed as the Harbour Master's Assistant has the necessary skill, qualifications, training, local knowledge and experience to enable him to perform properly and safely the tasks for which he is employed to undertake.

### **2.12 Marina Manager's Assistant (Part-time)**

The main duties of the Marina Manager's Assistant are to assist the Marina Manager in the day-to-day running of the Marina and when required to attend to the Tanker Jetty.

The Authority is satisfied that the person they have employed as the part-time Marine Assistant has the necessary skill, qualifications, training, local knowledge and experience to enable him to perform properly and safely the tasks for which he is employed to undertake.

### **2.13 Non-PPA Linesmen**

ASCO Linesmen provide a service at Harbour berths. Written procedures are available from ASCO.

### **2.14 Collective Responsibilities**

The Authority acknowledges that it has a duty to take reasonable care, to ensure that all who may choose to navigate within the port may do so without danger to their lives or property.

The Authority acknowledges that it has an obligation to conserve, and facilitate the safe use of the harbour; and a duty of care against loss caused by negligence.

The Authority acknowledges that it has an obligation in regard to efficiency and safety of operations in respect to the services and facilities provided.

The Authority acknowledges that it has an express duty to take such actions as it considers necessary or desirable for the maintenance, operation, improvement and conservancy of the harbour.

### **2.15 Open Port Duty**

Peterhead Port Authority acknowledges its obligation to maintain an open port duty whereby upon payment of the amounts published in the Table of Dues to be levied, and subject to the other provisions thereof, the port shall be open to all persons for the shipping and unshipping of goods, and the embarking and landing of passengers.

### **3. LEGISLATION & STATUTORY OBLIGATIONS**

#### **3.1 Peterhead Port Authority Harbour Order**

The Peterhead Port Authority Harbour (Constitution) Revision Order (2005) which on 1<sup>st</sup> January 2006 renames and constitutes Peterhead Bay Authority and Peterhead Harbour Trustees as Peterhead Port Authority.

#### **3.2 Byelaws**

The Peterhead Port Authority Byelaws are currently under comment and homologation with Marine Scotland.

#### **3.3 Directions (General/Specific)**

Without prejudice to the responsibility of the Master of any vessel, the Authority may issue directions, whether general or specific, in respect of all vessels or a specified class of vessel within the Harbour or any part thereof, and may amend or revoke the same.

Such directions shall be for the purpose of: -

- a)** Ensuring the safety of vessels in the Harbour
- b)** Preventing injury to persons or property within the Harbour
- c)** Securing the efficient management and regulation of the Harbour

The making, amending or revocation of such directions shall as soon as practicable be promulgated in the appropriate publications.

The making, amending or revocation of general directions shall be subject to consultation with the General Council of British Shipping and other port users.

**Copies of current directions may be viewed in the Local Rules & Direction section.**

#### **3.4 Statutory Regulations**

In order to remain current and compliant with all statutory regulations relevant to the Port, regular reference is made to the two regulating bodies, the Health & Safety Executive and the Maritime Coastguard Agency. A concentrated focus is placed on the following regulations and Approved Code of Practice (ACOP): -

**The Health & Safety at Work Act 1974**

**The Management of Health & Safety at Work Regulations 1999**

**Safety in Docks ACOP (L148)**

**Merchant Shipping Act 1995**

**Pilotage Act 1987**

**Environmental Protection Act 1990**

## **4. CONSULTATION & COMMUNICATION**

### **4.1 Consultation**

The organisation will provide adequate facilities, time and communication channels for consultation directly with its employees as required by the Health and Safety (Consultation with Employees) Regulations 1996.

The Authority will communicate to all marine employees the Authority's commitment to safety so as to ensure that all marine employees are familiar with the contents of the Marine Safety Policy.

In order to maintain a current consensus from all staff and stakeholders on the effectiveness of the marine safety management system, the following communication channels are provided: -

- Port health, safety & environmental meetings are held quarterly, giving staff the opportunity to express their views, concerns and ideas with regard to Port Health & safety and providing management the opportunity to respond accordingly.
- Port Users' Group meetings provide an insight into the views, concerns and ideas of the Port community, including points relevant to port marine safety. These meetings are held twice a year.
- Port landing Committee meetings are held twice a year and involve all users of the Fish market
- Peterhead Pilotage meetings are held every 6 months.
- Reporting documentation provides staff with the opportunity to feedback their findings and observations and enables management to respond accordingly.
- Regular Port tours by management members ensure that current matters regarding health & safety are discussed and resolved in a timely manner.
- Toolbox talks are held prior to the commencement of specific operations, or where concerns for health and safety have been raised. These talks can involve a variation of the following parties; operational staff, supervisory staff, contractors and members of management.
- Peterhead Port Authority's policy statements are made available to all interested parties through introduction to the Port's official website.

### **4.2 Communication Channels utilised in the Port**

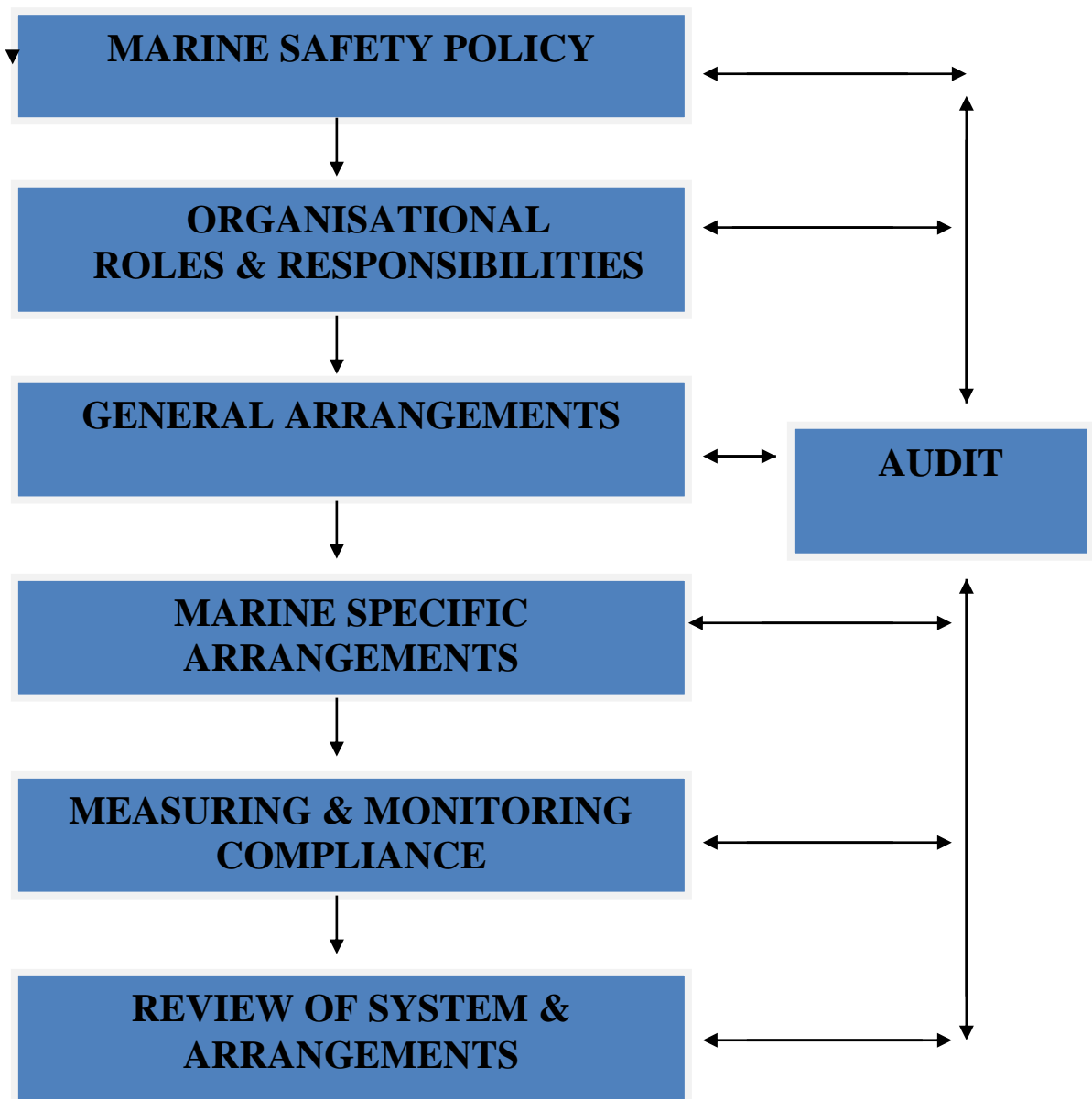
To ensure that marine safety issues are communicated, and in the event of an incident, responded to in a timely manner, the following communication channels are utilised in the port: -

- **24-hour VHF Radio contact**
- **Landline Telephones**
- **Mobile telephones**
- **E mail network**
- **Reporting documentation**

## 5. GENERAL ARRANGEMENTS & SUB – POLICIES

### 5.1 Port Marine Safety Management System

A Port Safety Management System is in place to identify Health and Safety hazards and their potential consequences, to implement procedures and provide resources to reduce risk to its lowest possible level and to maintain compliance with all relevant Health & Safety regulations.



## **5.2 Risk Assessments**

Risk Assessments have been carried out by the Port Authority so as to identify the risk to health and safety of their employees, harbour users, the public and the environment, arising out of, or in connection with the conduct of marine operations within the port. The assessments identify how the risks arise and how they impact on those affected. This information is used to make decisions on how to manage those risks so that the decisions are made in an informed, rational and structured manner, and the action taken is proportional.

The marine risk assessment process is carried out by personnel who are sufficiently qualified with experience to assess marine hazards and to decide whether or not a more detailed assessment or risk analysis study is required.

The responsibility and accountability for accepting marine risk assessments and approving identified control measures, existing and additional, shall rest with the Harbour Master.

The responsibility for maintenance, construction and building risk assessments (shoreside) rests with the Port Health, Safety & Environmental Officer.

Fire risk assessments for port offices and workshops are retained centrally and reviewed annually as a measure of audit. These assessments are carried out by the Port Health, Safety & Environmental Officer.

### **The Risk Assessment Process**

The process of risk assessment consists of five stages: -

**Stage 1 - Identify the hazards**

**Stage 2 - Decide who might be harmed and how**

**Stage 3 - Evaluate the risks and decide on precautions**

**Stage 4 - Record your findings and implement them**

**Stage 5 - Review your assessment and update if necessary**

#### **Stage 1 - Identify the Hazards**

This process identifies known hazards. A hazard is something with the potential to cause harm (this can include articles, substances, plant or machines, method of work, the working environment and other aspects of work organisation).

#### **Stage 2 - Decide Who Might be Harmed and How**

Each hazard identified will be analysed as to who might be harmed; this will help in identifying the best way of managing the risk. This does not mean listing everyone by name, but rather identifying groups of people. Particular attention will be given to vulnerable groups, e.g. new and young workers, new or expectant mothers and people with disabilities. In each case, the possible types of harm will be identified, i.e. what type of injury or ill health might occur. For example, 'shelf stackers may suffer back injury from repeated lifting of boxes.

### **Stage 3 - Evaluate the Risks and Decide on Precautions**

The risk analysis is used in order to prioritise the hazard identified and assess their impact on safety. A risk is the likelihood of potential harm from that hazard being realised. The extent of the risk depends on: -

1. The likelihood of that harm occurring;
2. The potential severity of that harm i.e. the resultant injuries and numbers exposed.

Control measures and precautions will be put in place to either eliminate the risk or to reduce it to as low as reasonably practicable.

### **Stage 4 - Record Your Findings and Implement Them**

An assessment of risk is nothing more than a careful examination of what causes harm to people so that, management can weigh up whether they have taken enough precautions or could do more.

### **Stage 5 - Review Your Assessment and Update if Necessary**

Marine Risk Assessments will be reviewed and updated on an annual basis or if there is change to working practices, equipment or as the result of an incident.

### **Promulgation of Risk Assessments**

The findings of risk assessments will be communicated to all marine staff. Documented assessments will be shared between Peterhead Port Authority and all relevant parties, where each party's activities can influence or present a risk to the activities or operations of any other party.

### **External Audit of Risk Assessments**

Existing Marine risk assessments shall be included in the external audit carried out annually by the Designated Person to ensure compliance with the 'Port Marine Safety Code'.

### **5.3 Method Statements**

Where marine operations are considered to be outwith the normal routine, method statements shall be developed prior to commencement of the operation and lodged with the Harbour Master.

Method Statements shall include: -

- **Consultation process and relevant parties**
- **Working systems to be used**
- **Communication channels required**
- **Arrangements for protecting the safety of all relevant parties**
- **Plant and equipment to be used**
- **Fall protection**
- **Materials required**
- **Hazardous goods**
- **Training requirements**
- **Personal protective arrangements**
- **Procedures to prevent local pollution**
- **Segregation of specific areas**
- **Procedures to ensure compliance with legal requirements.**

### **5.4 Confirmation of Compliance Letters**

External contractors and agencies that utilise the port facilities are required to submit signed statements of compliance to the Port Authority. The statement shall make reference to the contractors or agencies commitment to carry out all Port operations in compliance with all local Health & Safety directives and all statutory Health & Safety regulations.



## **5.5 Fire**

The following arrangements have been implemented to meet the requirements of The Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006 and The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998: -

- Procedures shall be put in place to identify, monitor and control all fire hazards within the Port.
- Identified fire hazards shall either be eliminated or reduced to the minimal risk through procedures or controls.
- The organisation shall provide appropriate fire fighting equipment in all workplaces and make arrangements for it to be checked at regular intervals by a competent person.
- Procedures in the use of fire fighting equipment, means of escape, fire alarms and fire drills shall be established by the organisation at each workplace and effective steps will be taken to ensure that all employees are familiar with the procedures.
- Designated Fire Wardens shall be appointed in concentrated staff areas to coordinate emergency evacuation procedures, monitor and check compliance with the organisations fire safety policy and carry out the testing and checking of alarm systems.
- All alarm tests, compliance checks and incidents are recorded in corresponding fire log books for each location.
- Fire risk assessments shall be reviewed on an annual basis, after an incident or where changes to the structure or procedures of a location have occurred.
- Vessel boatmasters shall be responsible for the checking of fire fighting equipment and escape route integrity on their relevant vessels.
- Annual maintenance inspections of all fire fighting and detection equipment shall be carried out by qualified external specialists.

### **Supplementary and Underpinning Sources**

- **Fire Risk Assessments**
- **log books**
- **Alarm inspection reports from external specialists**
- **Fire extinguisher inspection reports from external specialists**
- **Emergency lighting inspection reports from external specialists**
- **Training database**

## **5.6 First Aid**

The following arrangements have been implemented to meet the requirements of First aid at work. The Health and safety (First Aid) Regulations 1981: -

- The organisation will ensure that adequate facilities and arrangements are provided in respect of First Aid and that these facilities are adequately maintained in a satisfactory condition.
- Employees will be informed of the location and arrangements made for First Aid treatment at all workplaces.
- The organisation will provide training as required by the Health and Safety (First Aid) Regulations 1981 and the Approved Code of Practice. All Peterhead Port Authority vessel crews shall receive 'Emergency First Aid at Work, training
- Vessel crewmembers shall:
  1. Maintain the contents of the First Aid boxes to the standards recommended in the Approved code of Practice.
  2. Ensure prescribed notices and statutory guidance for First Aid are displayed.
  3. Administer, where necessary, basic First Aid treatment and record details of the incident in the organisation's accident book and record details of First Aid Treatment given.

## **Supplementary and underpinning Sources**

- **Accident book**
- **Training database**

## **5.7 Workplace Inspections**

It is the policy of the Authority to comply with the Workplace (Health, Safety and Welfare) Regulations 1992 (boats are excluded from the terms of these Regulations). Regular inspections of the shoreside workplace shall be conducted by the Health & Safety Officer. In addition, inspections will be conducted in the relevant areas whenever there are significant changes in the nature and/or scale of the Authority's operations. Workplace inspections will also provide an opportunity to review the effectiveness of the policy and to identify areas where a revision of policy may be necessary.

## **5.8 Work Equipment**

- It is the policy of the Authority to comply with the law as set out in the Provision and Use of Work Equipment Regulations 1998.
- The Authority will ensure that all equipment used in the workplace is safe and suitable for the purpose for which it is used.
- All marine employees will be provided with adequate information and training to enable them to use work equipment safely.
- The use of any work equipment which could pose a risk to the well being of persons in or around the workplace will be restricted to authorized persons.
- All work equipment will be maintained in good working order and repair.
- Marine employees shall report defects or faults in work equipment to their department supervisors and isolate the work equipment from circulation immediately
- All employees will be provided with such protection as is adequate to protect them from dangers occasioned by the use of work equipment.
- All work equipment will be clearly marked with health and safety warnings where appropriate.

## **5.9 Control of Hazardous Substances**

It is the policy of the Authority to comply with the law as set out in the Control of Substances Hazardous to Health Regulations (COSHH) 2002. A risk assessment will be conducted of all work involving exposure to hazardous substances. The assessment will be based on the manufacturers' and suppliers' health and safety guidance and our own knowledge of the work process.

The Authority will ensure that the exposure of employees to hazardous substances is minimized and adequately controlled in all cases.

All employees who will come into contact with hazardous substances will receive comprehensive and adequate training and information on the health and safety issues relating to that type of work.

Assessments will be reviewed regularly, whenever there is a substantial modification to the work process and when there is any reason to suspect that the assessment may no longer be valid.

## **5.10 Personal Protective Equipment**

It is the policy of the Authority to comply with the law as set out in the Personal Protective Equipment at Work Regulations 1992.

After considering all possible safety controls, employees who may still be exposed to a health and safety risks while at work will be provided with suitable, properly fitting and effective personal protective equipment.

All personal protective equipment provided by the Authority will be properly assessed prior to its provision.

All personal protective equipment provided will be maintained in good working order.

All faults and defect found in personal protective equipment provided shall be reported to department supervisors and isolated from circulation immediately.

All marine employees provided with personal protective equipment by the Authority will receive comprehensive training and information on the use, maintenance and purpose of the equipment.

The Authority will endeavor to ensure that all personal protective equipment provided is used properly by its employees.

## **5.11 Manual Handling Operations**

It is the policy of the Authority to comply with the law as set out in the Manual Handling Operations Regulations 1992.

Manual handling operations will be avoided as far as is reasonably practicable where there is a risk of injury.

Where it is not possible to avoid manual handling operations an assessment of the operation will be made taking into account the task, the load, the working environment and the capability of the individual concerned. An assessment will be reviewed if there is any reason to suspect that it is no longer valid.

All possible steps will be taken to reduce the risk of injury to the lowest level possible

## **5.12 Accident/Incident Reporting & Investigation**

It is the policy of the Authority to comply with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

The Authority sees accident/incident investigation as a valuable tool in the prevention of future incidents. In the event of an accident resulting in injury a report will be drawn up by the Harbour Master/Port Health & Safety Officer detailing: -

- a) The circumstances of the accident including photographs and diagrams wherever possible.
- b) The nature and severity of the injury sustained.
- c) The identity of any eyewitness.
- d) The time, date and location of the incident.
- e) The date of the report.

All eyewitness accounts will be collected as near to the time of the accident as is reasonably practicable. Any person required to give an official statement has the right to have a lawyer or trade union representative present at the company's expense.

The completed report will be used in an attempt to discover why the accident occurred and what action should be taken to avoid a recurrence of the problem.

All reports will be submitted to the Authority's legal advisors who will advise on liability, proceedings and quantum of damages. The Harbour Master/Port Health & Safety Officer will then submit the report to the Authority's insurance risk advisors for assessment.

A follow up report will be completed after a reasonable period of time examining the effectiveness of any new measures adopted.

### **Reporting forms can be located in the Annex Section**

## **5.13 Enforcement**

If we are to build and maintain a healthy and safe marine working environment, co-operation between marine employees at all levels is essential.

All marine employees are expected to co-operate with the Harbour Master or Pilotage Superintendent and to accept their duties under this policy. Disciplinary action may be taken against any marine employee who violates safety rules or who fails to perform his or her duties under this marine safety policy.

Marine employees have a duty to take all reasonable steps to preserve and protect the health and safety of themselves and all other people affected by the operations of the Authority.

Discipline and Grievance procedures are in place to deal with matters of non-compliance with the Ports Safety Management System, local directions and relevant statutory regulations.

External matters of non-compliance with the Port's Safety Management System and relevant statutory regulations shall result in a verbal/written warning (depending on the severity of the matter) with possible consequences resulting in fines, expulsion from selected Port areas, or in severe cases the offending party shall be reported to the controlling authorities.

## **5.14 Training**

Safety training is regarded as an indispensable ingredient of an effective health and safety programme. It is essential that every marine employee is trained to perform their jobs effectively and safely. It is the opinion of the Authority that if a job is not done safely then it is not done effectively.

All marine employees will be trained in safe working practices and procedures prior to being allocated any new role. Training will include advice on the use and maintenance of personal protective equipment appropriate to the task concerned and the formulation of emergency contingency plans.

Training sessions will be held as often as is deemed necessary and will provide another opportunity for marine employees to express any concerns or improvement ideas.

# **6 MARINE SPECIFIC ARRANGEMENTS**

## **6.1 Management of Navigation**

The Harbour Master has principal operational responsibility for the safety and management of navigation in the port.

### ***6.1.1 General Regulation of Traffic***

The Authority has used the powers, conferred on it by its Harbour Order to make Byelaws covering the movement and regulation of vessels within the harbour.

### ***6.1.2 Port Control***

A 24 hour, every day of the year, Vessel Traffic Service (VTS), traffic organisation and information service is provided so as to ensure vessels using the port are provided with the necessary information, advice or directions in order to achieve a safe passage from sea to berth, vice-versa and from berth to berth. Radar, visual and CCTV monitoring of vessel movements is carried out by the Duty Port Controller based in the Control Tower. Information, advice or directions are relayed to vessels on VHF Channel 14. A listening watch is maintained on VHF Channels 14 and 16. VHF Channels 9 and 11 are port operation channels. VHF Channel 10 is used for Emergency and Oil Pollution Control only.

These arrangements have been implemented through reference to the IMO RESOLUTION A.857 (20) - GUIDELINES FOR VESSEL TRAFFIC SERVICES.

### **6.1.3 Duty Port Controller**

Port Controllers are “Authorised Deputies” of and are responsible to the Harbour Master for the regulation of marine traffic. The Port Controllers’ duties include but are not restricted to the following: -

- a)** Provide specific navigational advice to vessels entering, leaving or maneuvering within the port.
- b)** Advise pilots and pilot boat crew regarding vessels requiring the services of a pilot.
- c)** Ensure that all vessels entering, leaving or maneuvering within the port comply with the Collision Regulations and the appropriate Byelaws.
- d)** Operate all equipment within the Control Tower.
- e)** Track the pilot boat on radar whenever it is on service.
- f)** Operate VHF radio using the Standard Marine Communication Phrases (SMCP) for VTS operators.
- g)** Monitor, track and gauge the development of potentially dangerous situations and take appropriate action.
- h)** Monitor tidal state, record and relay to shipping any resulting constraints on navigation.
- i)** Monitor meteorological conditions and issue advice/warning to vessels and berth operators.
- j)** Broadcast Special Directions and Notice to Mariners as required.
- k)** Provide advice to vessels on where to berth or anchor, after consultation, if necessary, with the Harbour Master, Duty Pilot and berth operator.
- l)** Implement the Emergency Plans and Oil Spill Contingency Plan of the Port Authority where necessary, and manage the initial response until relieved by the Harbour Master.
- m)** Advise the Harbour Master of, and record all breaches of the Byelaws, Directions and Collision Regulations.
- n)** Liaise with outside agencies (MCA, emergency services, local health authority etc) as necessary.
- o)** Maintain Port Control records and logs as specified by the Harbour Master.
- p)** Advise the Harbour Master and record in the log any dangerous or potentially dangerous occurrences which might affect navigation safety or danger to personnel.
- q)** Log and report all defects to navigation aids in accordance with the procedure laid down in Section 6.1.6
- r)** Log and report all defects to VTS equipment to the Harbour Master as soon as they become apparent.
- s)** Marine Circulars are written by the Harbour Master and implemented by the Port Controllers
- t)** Issue Permits to Dive.

#### **6.1.4 Duty Port Controller Qualifications**

Port Controllers are qualified to V103 standard or equivalent.

#### **6.1.5 Duty Port Controller Training**

Training for new Port Controllers consists of six weeks on-the-job training with a fully trained, competent Port Controller. One week stand alone training in which their competence is checked by the Harbour Master and completion of the IALA Model Course V-103/1 VTS Course.

Break of service – Operators away from VTS duties for more than 12 months are no longer qualified for VTS duties and must retrain as per MGN434 amendment 1 sections 16-1 and 16-2.

#### **6.1.6 Navigation Aids**

The navigation aids within the harbours are shown in the Admiralty List of Lights and on Admiralty Chart No. 1438 Harbours on the East coast of Scotland.

The harbour authority is a Local Lighthouse Authority (LLA) and as such is responsible for the maintenance and accuracy of navigation aids within the port.

The operation of all navigation lights is checked by the Harbour Pilots on each act of Pilotage. Failures are reported immediately to the Control Tower who informs the Harbour Engineer. The time and duration of all navigation light failures are recorded in the “Peterhead Log of Outages” file. A weekly entry is made in the “Navigation Light Log” that lights have been checked and are working satisfactorily. A summary of failures is provided to the Harbour Engineer for forwarding to the Northern Lighthouse Board and Harbour Master.

The sanction of the Commissioners of the Northern Lighthouse Board shall be obtained before the characteristic or position of any existing navigation aid is changed. They also sanction the placement of any new navigation aid.

#### **6.1.7 Promulgation of Navigation Aid Defects**

Where any navigation aid becomes defective to any degree, a warning to all mariners will be broadcast, by the duty port controller on VHF Channel 14. This will be followed up by a Notice to Mariners which will be issued to UKHO, Northern Lighthouse Board, berth operators, pilots, PEC holders and shipping agents.

Once a navigation aid is restored a Notice to Mariners will be issued to those mentioned above declaring the defective navigation aid has been reinstated.

### **6.2 Recreational Navigation**

Recreational navigation incorporates a wide range of differing activities and types of vessel. These range from seagoing yachts and power boats to small personal watercraft, canoes and rubber dinghies. These varied craft each have their own requirements and priorities which are often at variance. In addition to the needs of the above-mentioned craft the swimmers and bathers of the Lido Beach need to be considered in this Section.

In the south-west part of Peterhead Bay, protected by two stone mound breakwaters is a marina, sailing club, bathing beach and public slipway. The Marina is owned and operated by Peterhead Port Authority whilst the Sailing Club belongs to its members. The beach, above the low water mark is owned by the Local Authority, Aberdeenshire Council.

Note: - The Peterhead Port Authority Byelaws are currently under comment and homologation. The previous Byelaws stipulate the following: -

### ***6.2.1 General Navigation of Small Craft***

The following byelaws apply specifically to the operation of small craft (a small craft is defined as including any vessel of not more than 20m in length and whether navigated by sail, oars or internal combustion engine or any other means).

### ***6.2.2 Small Craft Directions***

The Small Craft Directions were drawn up to provide additional instructions to ensure safety of the operators of small leisure craft and other harbour users within the harbour. The Directions are displayed at the public slipway and in the marina. Enforcement of the Directions is carried out by the Harbour Master, Port Controllers, Pilot Boat and Marina Manager. A copy of the Small Craft Directions is provided in section 8.9

### ***6.2.3 Organised Events***

The organiser of any boat race, regatta, swimming competition, public procession or other public event when a number of vessels are expected to assemble on the water of the harbour or its approaches, shall make an application to the Harbour Master. Every such event must have the prior approval of the Authority and is to be conducted over courses and at times previously agreed by the Harbour Master.

Every application to hold such an event must be accompanied by a risk assessment carried out by the event organiser. In approving the event, the Harbour Master will satisfy himself that any risks to the safety of navigation or other port users have been effectively mitigated.

### ***6.2.4 Speed Limits***

Byelaw 9 of the Peterhead Bay Harbour Byelaws directs that the speed limit for vessels in Peterhead Bay Harbour is 5 knots over the ground except in circumstances where the Harbour Master is satisfied that it is unsafe for any vessel to proceed at 5 knots or less. Byelaw 44(d) states that the speed limit imposed by Byelaw 9 will not apply to vessels engaged in water skiing, aquaplaning, kiting or parachute towing, provided the speed in any part of the harbour does not exceed 26 knots over the ground. The maximum speed limit for vessels within the marina is 4 knots over the ground.

### ***6.2.5 Communications***

Every recreational vessel, fitted with a VHF radio, shall establish contact with the duty port controller on VHF Channel 14 call sign “Peterhead Harbour” prior to entering the harbour from seaward or leaving the marina to enter the harbour.

### ***6.2.6 Peterhead Sailing Club***

The Sailing Club holds regular sailing races over agreed courses within the bay in accordance with the ‘Bay Sailing Plan’. Prior to laying out their course they shall contact the duty port controller and advise him of the course they wish to sail. The duty port controller will advise them as to projected vessel movements and weather forecast, he will also advise them if their proposed racing course is approved. This will enable the course to be set up so as not to interfere with the navigation of larger vessels. In advance of any relevant ship movements the sailing yachts are to go to the landward side of the course as detailed in the Sailing Plan. The Sailing Club will maintain a listening watch on VHF Channel 14 throughout the racing so that the duty port controller can advise them of any changes to shipping movements or weather. The Sailing Club is responsible for advising the duty port controller prior to the start and on completion of the day’s sailing. Peterhead Sailing Club is responsible for the provision of their own risk assessments and the provision of safety boats and equipment as shown by the risk assessments.



### **6.2.7 Lido Bathing Beach**

The Lido Beach is a popular local bathing area and is contained by the rubble breakwaters that protect the Peterhead Bay Marina. The Authority has a statutory duty to protect the amenity of the Lido Beach. The area is used by leisure craft (both sailing and motorised craft), by jet skis, canoeists and by bathers. The area includes a public slipway and a 4-knot speed limit is in force. Aberdeenshire Council are responsible for ensuring the provision of life belts and other lifesaving operations at the Lido.

### **6.2.8 Water Skiing, Aquaplaning, Board Sailing etc**

Byelaw 44 of the Peterhead Bay Authority Byelaws 1984 governs the use of the above operations within the harbour as follows: -

- a. No person shall engage or take part in water skiing, aquaplaning or board sailing except with the written permission of the Authority given either specifically or generally and only in such areas as may be designated from time to time by the Harbour Master and no water skiing is to take place within 30 meters of any diving operation or any person bathing.
- b. A Master whilst using his vessel for the purpose of towing a water skier or a person aquaplaning shall have onboard at least one other person capable of taking charge of the vessel and of giving such assistance as may be reasonably required during the towing and in the recovery of the water skier, and shall carry: -
  - 1. For each person on board a life jacket manufactured in accordance with the appropriate British Standard Specifications or a personal buoyancy aid of the Ship and Boat Builders' National Federation approved type, two hand-held distress signals and a fire extinguisher;
  - 2. For each person water skiing or aquaplaning, a rescue quoit with line or other sufficient hand thrown rescue device.
- c. No person shall engage in kiting or parachute towing in the harbour without prior written consent of the Authority given either specifically or generally and in accordance with such reasonable conditions as may be imposed by the Authority.
- d. The speed restriction imposed by Byelaw 9 will not apply to vessels authorized by the Harbour Master under this Byelaw to engage in water skiing, aquaplaning, kiting or parachute towing. Provided that the master of such a vessel shall not cause or permit his vessel to proceed in any part of the harbour at a speed in excess of 26 knots over the ground.

## **6.3 Pilotage Services**

Peterhead Port Authority is designated the Competent Harbour Authority (CHA) in accordance with the Pilotage Act of 1987 and is authorised to carry out Pilotage activities within Peterhead Harbour and its approaches. This service is available to all vessels irrespective of the requirements of the Pilotage Direction. The Harbour Master carries out the role and responsibilities of Pilot Superintendent. Peterhead Port Authority employs trains and authorises the pilots, provides and maintains the pilot boat and administers the day-to-day operations of Pilotage. It is also responsible for the administration of Pilotage Exemption Certificates (PEC) to qualified Masters and Mates.

### ***6.3.1 Pilotage Direction (See Local Rules & Directions Section)***

In exercise of the powers conferred by Section 7(1) of the Pilotage Act, 1987 the Authority has produced a Pilotage Direction that describes how Pilotage is applied to vessels using the port.

The Pilotage Direction is published in the Port of Peterhead Handbook and in the booklet “Information for Ship Masters, Owners and Agents” both of which are freely available from the Harbour Office. However, should the Master of any vessel require the services of a pilot this can be arranged upon contact with the Control Tower.

### ***6.3.2 Pilot Qualifications and Authorization***

Marine Officers/Pilots are authorised by Peterhead Port Authority to pilot vessels inward, outward and within the Port of Peterhead.

Each pilot possesses a suitable Certificate of Competency and has had previous experience as a pilot or attained local navigational knowledge in a senior sea-going position. In addition, they are expected to attain the standards set out in the British Ports Industry Training Handbook “Marine Pilotage National Occupational Standards”.

Pilots are authorised, following an oral examination (in Pilotage matters within Peterhead Harbours, Peterhead Bay Harbour and the approaches thereto) and the candidate having undertaken the requisite number of Pilotage acts in effective control of the vessel and as an observer.

### ***6.3.3 Pilotage Training***

The training of marine pilots consists of an induction period during which time the trainee will understudy a more experienced pilot. Training will be supplemented by the use of ship simulator facilities and the use of manned models at appropriate stages in the training program.

Pilots are expected to attain the standards set out in the British Ports Industry Training Handbook “Marine Pilotage National Occupational Standards”.

### ***6.3.4 Pilotage Cover***

24-hour Pilotage operations are carried out by pilots using a rotating system whereby one pilot is on duty at all times.

### ***6.3.5 Pilotage Passage and Maneuvering Plan (PPMP) (See Local Rules & Directions Section)***

Peterhead Port Authority has developed a Pilotage Passage and Maneuvering Plan (PPMP). Prior to each act of Pilotage, the Pilot and the Ship’s Master will exchange and discuss the Port Pilotage Passage and Maneuvering Plan, amending the ship’s own passage plan as necessary incorporating a risk assessment.

Whilst the act of pilotage progresses, the PPMP will be under constant review and may be adjusted as necessary. Note, navigation in restricted visibility is not permitted except in circumstances when the vessel / pilot and Port Control have agreed a specific navigation plan.

### ***6.3.6 Boarding and Landing Procedures***

The boarding and landing of pilots shall be carried out in accordance with The Embarkation and Disembarkation of Pilots Code of Safe Practice.

Prior to the pilot boat approaching the vessel, the Master of the vessel shall confirm that the means of access is in accordance with The Merchant Shipping (Pilot Transfer Arrangement) Regulations 1999, and the accompanying Merchant Shipping Notice MSN 1716.

In the event that the weather is of such a nature as to make the boarding and landing of a pilot unsafe at the nominated boarding/landing area, the area shall be changed after consultation between Pilot, VTS Operator, Pilot Boat Coxswain and vessel, with all matters of safety having been assessed.

### **6.3.7 *Restricted Visibility***

Controllers will in the event of restricted visibility, advise the master of the vessel due (following his initial ETA report) to the present visibility conditions at the Port. Controllers must also inform the pilot if he is required to attend the vessel.

References to procedures considered for Pilotage and towage operations in the occurrence of fog are contained in the port documents; Towage Procedures, Flying Scud working practice, Pilot boat operational procedures and the Ugie Runner working practice. These documents are located on each corresponding vessel and the marine department and are reviewed annually.

### **6.3.8 *Communications***

Pilotage operations are normally conducted on VHF Channel 14 or VHF Channel 9. During Pilotage operations the vessel, pilot, pilot boat, tugs, mooring boat, mooring crew and the Control Tower will monitor the same VHF working channel.

### **6.3.9 *Personal Protective Equipment (PPE)***

The pilots are issued with the following PPE and are required to wear it where appropriate: -

- a) Sea safe floatation jackets with strobe light and recovery harness
- b) Waterproof trousers
- c) Safety shoes
- d) Safety gloves

### **6.3.10 *Hazardous Material (HAZMAT) Reporting***

The Master of any vessel carrying dangerous or polluting goods must provide a checklist in the form set out in Schedule 2 of MSN 1784 (M) Reporting Requirements for Ships Carrying Dangerous or Polluting Goods to the Port Authority. If the checklist is not satisfactorily completed, or if it is not supplied, the Port Authority will report this fact to the MCA.

### **6.3.11 *Vessel Deficiencies***

In the event that a vessel has a deficiency that may affect adversely its safe navigation, the pilot must report this fact to the appropriate Harbour Master immediately. The Harbour Master in turn will pass this information to the MCA.

### **6.3.12 *Pilotage Exemption Certificate (PEC) System***

Before an application can be made to Peterhead Port Authority for a PEC, the candidate will normally be required to complete six inbound and six outbound voyages during the period of twelve months whilst serving as Master or First Mate on the vessel for which the certificate is sought. These voyages shall be undertaken under the supervision of an authorised Pilot. The granting of a PEC is dependent on Peterhead Port Authority being satisfied, by oral examination that the applicant's skill, experience and local knowledge are sufficient for the applicant to pilot their vessel safely within the Port of Peterhead.

### **6.3.13 *Qualifications***

Applicants for PECs must hold a valid Certificate of Competency which entitles them to hold the position of Master or First Mate of the vessel named in the application. In the interests of safety, it is necessary for each applicant to be able to communicate in the English language.

#### ***6.3.14 Application Process***

Qualified Masters or First Mates who wish to apply for a PEC shall make that application on the form provided by Peterhead Port Authority for that purpose. The application form must be accompanied by two passport size photographs and the required fee.

#### ***6.3.15 Granting of PECs***

Following the receipt of the completed application the candidate will undergo an oral examination which will demonstrate the candidate's competence in the English language and assess their local knowledge of the port and its approaches.

PECs are valid for one year from date of issue. Renewal depends on Peterhead Port Authority being satisfied of the following: -

- a) PEC may take one trip with a pilot so as to ensure that the latest Information is held onboard.
- b) With the conduct of the PEC holder.
- c) Their Certificate of Competency remains valid.
- d) They have undertaken a predetermined number of voyages within the Pilotage District during the previous year.

#### ***6.3.16 Suspension or Revoking PECs***

Peterhead Port Authority may suspend or revoke a PEC if it has been shown that the holder has been guilty of incompetence or misconduct. Before so doing written warning of the suspension or revocation shall be given to the holder. The holder shall be given the right to make representations on his behalf to Peterhead Port Authority.

### **6.4 Marine Services**

For the purpose of this Code, the term “Marine Services” means the full range of support activities, which assist the Authority to maintain safety of navigation, and to conserve the hydrographic regime.

#### **Harbour Authority Craft**

##### ***6.4.1 The Pilot Boat - “Blue Toon”***

The pilot boat is owned and operated by Peterhead Port Authority. Further details are contained in the Vessels operating procedures which are located on each corresponding vessel and at the Harbour Office marine department

##### **Pilot Boat Description**

Built in 1993 by Jones Buckie Shipyard to a Murray Cormack design, the boat is of steel construction with a LOA of 17.25m, breadth 5.2m and draught of 1.715m. The boat is fitted with a Mampaey quick release towing hook and pushing fenders on the bow. The boat is rated at 6t bollard pull.

##### **Pilot Boat License**

The MCA has licensed the boat as a Pilot Boat under the terms of the Merchant Shipping (Small Work Boats and Pilot Boat) Regulations 1998. The boat is licensed to carry twelve persons including two crew.

### **Pilot Boat Manning**

The pilot boat crew consists of a coxswain and deck hand who assists the pilot in boarding and landing.

Both the coxswain and deck hand of the pilot boat are in possession of a Peterhead Port Authority Coxswain Certificate. The Coxswain will have the final decision whilst in service.

Boatmaster's employed by the Peterhead Port Authority are fully qualified and licensed. Their shift rota ensures that there are always two licensed boatmasters on duty at any one time.

### **6.4.2 Work Boat – “Flying Scud”**

The work boat “Flying Scud” is certified as a work boat by the MCA. Further details are contained in the vessel's operating procedures which are located on each corresponding vessel and at the Harbour Office marine department

### **“Flying Scud” Description**

Built in 1981 by Wood & Davidson (Peterhead) Ltd. The boat is of steel construction with a loa of 11.3m, breadth of 3.6m and draught of 1.85m.

### **Duties**

The boat is primarily used in assisting fishing boats into and out of the drydock and slip, line handling during mooring operations, pollution control/clean-up and as a standby pilot boat for which, it has an MCA declaration as a UK Relief Pilot Boat. Application must be made to the MCA on each occasion that the 'Flying Scud' is to be used as the Relief Pilot Boat.

Towing is achieved using the dedicated towing bollard fitted abaft of the wheelhouse.

The 'Flying Scud' Code of Working Practice is issued to the boatmen and can also be located centrally. This Code of practice is reviewed annually unless there are operational changes as a measure of audit.

### **Manning**

The boat crew consists of a coxswain and deck hand. During operations this number will be augmented by supernumerary deck hands.

Both the coxswain and permanent deck hand are in possession of Peterhead Port Authority Coxswain Certificate. The supernumerary deck hands may not have Boatmaster's Licenses but are under the supervision and guidance of the duty coxswain at all times when operating as part of the crew.

### **6.4.3 Work Boat – “Ugie Runner”**

The work boat “Ugie Runner” is certified as a work boat by the MCA. Further details are contained in the Vessels operating procedures which are located on each corresponding vessel and at the Harbour Office marine department

#### **“Ugie Runner” Description**

Built in 2008 by Macduff Ship Design Ltd. The boat is of steel construction with a loa of 13.00m, breadth of 2.5m and draught of 1.85m.

#### **Duties**

The workboat is primarily used for the towing of vessels within the harbours and bay subject to the risk assessment process. Other duties include but are not limited to; assisting fishing boats into and out of the drydock and slipway, line handling during mooring operations, pollution control/clean-up, standby pilot boat (for which, it has an MCA declaration as a UK Relief Pilot Boat), plough dredging operations and the deployment and recovery of the navigation mark situated at the marina. Application must be made to the MCA on each occasion that the Ugie Runner is to be used as the Relief Pilot Boat.

Towing is achieved using the novel towing system of the Mampaey Dynamic Oval System (DOT). The Ugie Runner is the first vessel to be fitted with the DOT system which makes towing at low and high speeds safe and controlled and when towed side ways the tug cannot capsize optimizing significant safety for the boatmen.

A code of working practice is issued to the boatmen and is also located centrally. This Code of Practice is reviewed annually unless there are operational changes as a measure of audit.

#### **Manning**

The boat crew consists of a coxswain and deck hand. During operations this number will be augmented by supernumerary deck hands.

Both the coxswain and permanent deck hand are in possession of a Peterhead Port Authority Coxswain Certificate. The supernumerary deck hands may not have Boatmaster’s Licenses but are under the supervision and guidance of the duty coxswain at all times when operating as part of the crew.

#### **6.4.4 Work Boat – “Dell Quay Dory”**

##### **Work Boat Description**

Purchased in May 1994 the boat is a Dell Quay Fisherman Cuddy 17. The boat is of GRP construction with sandwiched close cell polyurethane foam with a loa of 5.19m, breadth 2.15m and unloaded draught of 40cm. The steering is mechanical through a 55hp Suzuki outboard.

##### **Work Boat Certificate**

The boat was granted a Work Boat Certificate by the MCA in November 1999. The boat may carry up to four persons including the crew. A total weight of persons and cargo which can be carried is 400kgs.

##### **Manning**

The boat is manned by a crew consisting of coxswain and crew member. All boat personnel have been trained and are experienced in the use of the boat.

##### **Duties**

The boat is used for hydrographic surveying (see section 6.5.2.3 for details of hydrographic equipment carried) inspection of harbour structures and fittings, oil pollution clean-up and navigation aid maintenance.

#### **6.4.5 Barge Working Platform**

To assist in all quayside maintenance activities, where access is required from the water, a barge working platform has been introduced to ensure safe access is provided. The barge is fitted with an access ladder from the water and a permanent lifebuoy fixture.

##### **Manning**

The barge must never be utilized by a lone worker and will accommodate a maximum of three operatives. All operatives must ensure that they are wearing life vests or suitable buoyancy equipment when utilizing the barge.

#### **6.4.6 Marine Risk Assessment & Feedback Loop**

Marine Risk assessments for port vessel operations have been allocated reference numbers and issued to the corresponding vessels with copies being retained in the marine department. All work boat operations are discussed prior to commencement with the relevant risk assessments referenced and adhered to. Reporting feedback documents (**See Annex section: D**) are provided to the Health, Safety & Environmental Officer on each marine operation. This procedure not only provides assurances to management that risk assessments are being discussed and adhered to, but also that any concerns, observations or ideas are communicated by marine staff to management. Risk assessments are audited and reviewed annually unless there are changes to the operations of the vessel, concerns have been raised or as reactive measures to an incident.

#### **6.4.7 Vessel Safety Equipment**

Details of the safety and fire fighting equipment on board the ports vessels are given in the vessels working procedures and are to the requirements specified in ‘The Safety of Small Workboats and Pilot boats – A code Of Practice.

## **6.5 Conservancy**

Conservancy means the monitoring and protection of the hydrographic regime within the harbour by controlling construction and dredging projects in order that the safety of navigation is not adversely affected. Conservancy also includes the provision of navigation aids and information, thereby ensuring the safe passage of all vessels.

### ***6.5.1 Responsibility for Conservancy***

Peterhead Port Authority is responsible for all conservancy functions within port limits. The Authority is designated as the Local Lighthouse Authority under the provisions of Part VIII of the Merchant Shipping Act 1995 and is responsible to the Northern Lighthouse Board for all Aids to Navigation.

### ***6.5.2 Hydrography***

#### ***6.5.2.1 Description of the Seabed***

The seabed in the area of Peterhead Bay navigable by commercial vessels consists of fine sand/silt with gravel and cobble deposits over clay mud and bedrock. Sand and other detritus materials enter the harbour from seaward mainly as a result of wave action during bad weather conditions. The heavier material settles out in the centre of the bay. The finer materials are carried to the edges of the harbour where the majority of the berths are situated or to the beach and rocks which are situated in the western part of the bay. Elsewhere within the Marina and within the Inner Harbour the seabed consists of sand/silt over clay and rocks. There are no river discharges into the Harbour.

#### ***6.5.2.2 Frequency and Types of Hydrographic Survey***

Because the seabed within the harbour is not susceptible to rapid changing levels, the Authority has formulated an ongoing survey rota whereby every part of the harbour is surveyed at regular intervals by external specialists. There is also external provision to conduct ad-hoc surveys for specific craft such as oil rigs or in the event of grounding or other incidents.

#### ***6.5.2.3 Tide Gauge***

A tide gauge, manufactured and installed by Sonar Research Ltd, is situated adjacent to the Control Tower. The tide gauge datum is checked on a regular basis using the Ordnance Bench Mark on the lighthouse adjacent to the Peterhead Port Authority's Office.

#### ***6.5.2.4 Promulgation of Survey Information***

Results of surveys are made available to Pilots, VTS Operators, Port Users and Berth Operators. Where appropriate a Navigational Warning will be issued by the Port Controller to vessels when the depth of water is less than that shown for their specific berth.



### ***6.5.3 Dredging Operations***

Dredging operations within the port are undertaken by recognized dredging contractors using their own plant and machinery. The dredging contractor shall carry out his own Risk Assessments, a copy of which must be supplied to the Authority.

#### ***6.5.3.1 Maintenance***

The seabed within the harbour is reasonably stable however; maintenance dredging is carried out when and where required.

#### ***6.5.3.2 Capital Dredging***

Capital dredging is carried out when required.

#### ***6.5.3.3 Dredging Licenses***

Before any dredging, capital or maintenance, the Authority must obtain the appropriate consents and licenses from Marine Scotland

#### ***6.5.3.4 Promulgation of Dredging Operations***

Prior to the start of any dredging operations the Harbour Master will issue a Notice to Mariners identifying the area in which the dredging is to take place, the position of the disposal site, name of the dredger, disposal method (barge or dredger) operating hours and any other relevant information.

The duty port controller will also advise every vessel entering, leaving and maneuvering within the harbour that dredging operations are being undertaken within the port.

#### ***6.5.3.5 Dredger Safety Compliance***

The master of any dredger shall ensure that his operations are carried out in a safe and secure manner so as not to endanger any vessel or person.

The dredger must exhibit the proper shapes and lights in compliance with the Collision Regulations.

### ***6.5.4 Wrecks***

Where any vessel becomes a wreck within the limits of the harbour, the process of removing the wreck will be carried out under the directions of the Harbour Master in accordance with the process laid down in Section 252 of the Merchant Shipping Act 1995 and Section 56 of the Harbours, Docks and Piers Clauses Act 1847. Further details are given in Section 6.5.7

### ***6.5.5 Weather***

#### ***6.5.5.1 Prevailing Weather***

The prevailing wind is from the South-West but on a few occasions during the year - as with all ports on the east coast of Scotland - Peterhead is affected by easterly gales. Advanced warning of these is provided by the Meteorological Office weather forecasts.

#### ***6.5.5.2 Weather Forecasts***

The Meteorological Office maintains a monitoring station at Peterhead and provides forecasts tailored to the harbour's requirements twice daily. The forecast includes a four-day projection and twenty-four-hour sea state prediction. Details can be obtained by calling "Peterhead Harbours" on VHF Channel 14 and is displayed at the Fishmarket and Bay Marina

### **6.5.6 Development**

The Authority is aware that in some instances, developments within the port or port area may have an adverse affect on the safety of navigation. Where navigation could be so affected include: -

- a) High constructions, which inhibit the line of site of microwave transmitters or the performance of port radar.
- b) Lighting on shore developments in such a manner that the night vision of mariners and port controllers is impeded, or that navigation lights ashore are masked or made less conspicuous.
- c) Works below the high-water mark which impedes navigation of vessels.

#### **6.5.6.1 Risk Assessments**

Where any works being undertaken within the harbours or harbour area the planning applicant is required to conduct a risk assessment in order to establish that the safety of navigation is not to be put at risk.

#### **6.5.6.2 Works Below the High-Water Mark**

Where any works, with the potential to interfere with the safe navigation of vessels, are to be carried out below the high water mark the Harbour Master will issue a Notice to Mariners giving details of the works, limits of the works and details of how the works area is to be marked.

### **6.5.7 Salvage**

In the event that a vessel is sunk, stranded or abandoned within the limits of the Port of Peterhead in such a manner as, in the opinion of the Authority, to be, or likely to become, an obstruction or danger to navigate, the Authority may exercise those powers set out in Section 252 of the Merchant Shipping Act, 1995.

These powers enable the Authority: -

- a) To require that the owner of the wreck to remove it
- b) To take possession of, raise, remove or destroy the whole, or any part of the vessel, and any other property to which the power extends
- c) To light or buoy the vessel until it is raised, removed or destroyed
- d) to sell the vessel or part of the vessel so raised or removed and any other property recovered during the exercise of the above powers (subject to various restrictions)
- e) To reimburse itself, out of the proceeds of the sale, for the expenses incurred by the Authority in relation to the sale.

In addition to the wreck raising powers set out in Section 252 of the Merchant Shipping Act 1995, Paragraph 56 of the Harbours, Docks and Piers Clauses Act 1847 enables the harbour master to remove any wrecks or other obstruction to the harbour which impedes the navigation of the harbour. The expense of removing the wreck or obstruction shall be repaid by the owner and on non-payment of the expense the Authority may sell the wreck to pay any expenses incurred.

#### **6.5.7.1 Legal Advice**

Before the Authority undertakes the removal of a vessel which has sunk, become stranded or abandoned within the harbour it will consult with and be guided by the information provided by their legal advisers.

#### **6.5.7.2 Notice to Mariners**

Where a vessel has sunk, become stranded or abandoned so as to cause a hazard to navigation, the Harbour Master will issue a Notice to Mariners detailing the position and nature of the danger to navigation. The Duty Port Controller will advise every vessel entering, leaving or maneuvering within the harbour of the information contained in the Notice to Mariners.

As soon as the vessel is no longer a hazard to navigation the Harbour Master will issue a Cancellation Notice to Mariners.

#### **6.5.7.3 Contingency Planning**

In the event of a vessel sinking, stranding or colliding within the port the relevant section of the Port Emergency Plan will be activated by the duty port controller. If the sinking, stranding or collision results in, or there is a threat of pollution then the Oil Spill Contingency Plan will be activated and a pollution control contractor will be engaged to combat pollution from the oil or other matter likely to escape from the vessel, and to remove from the vessel such oil or matter likely to escape.

#### **6.5.7.4 Salvage Plan**

Before the owner of any vessel which has sunk or become stranded in the port carries out any salvage operation, they must obtain the services of a reputable salvor which is acceptable to the Authority. The agreed salvor will submit to the Authority a detailed salvage plan covering: -

- a) The method of raising the vessel
- b) Temporary lay-by berth for the vessel
- c) Arrangements for limiting environmental damage
- d) Method of dealing with any pollution
- e) Agreed location for beaching/drying berth
- f) Diving operations connected with the salvage operation, and an assurance that all diving operations shall be carried out in accordance with the Diving at Work Regulations 1997 and its Code of Practice.
- g) A suitable plan for the final disposal of the vessel

### **6.6 Towage**

Towage procedures - Unless of any operational changes these procedures are reviewed annually as a measure of audit and are located on relevant vessels and at the marine department.

#### ***Guidelines***

The towage requirements for vessels using the harbour are based on an assessment of the risk of getting a vessel safely to and from a berth within the harbour.

Risk assessments have determined that vessels over 100m LOA berthing at Albert Quay may require one tug to be in attendance; vessels of 130m LOA and over may require two tugs.

## **6.7 Diving Operations**

Diving operations within the port come under two headings “Commercial Diving” and ‘Recreational Diving’.

### **6.7.1 Commercial Diving**

All commercial diving operations carried out within the port must be conducted in accordance with the Diving at Work Regulations, Approved Code of Practice (ACOP) for Commercial Diving Projects Inland/Inshore.

Before any diving operation takes place within the limits of the ports the diver must complete and return to the Harbour Master a Permit to Dive form which is available from the Control Tower.

Divers engaged in commercial operations must be qualified to HSE recognised standards and operate within the ACOP.

Diving companies intending to carry out work within the limits of the port of Peterhead must: -

- a) Provide a risk assessment and method statement to the Peterhead port Authority prior to the intended operation.
- b) Complete the ‘Permit for Diving Operations’ form prior to any diving activity
- c) Ensure compliance with all UK diving guidance and regulations
- d) Ensure that the intended site is safe for use.
- e) Maintain constant communication with the Port control tower at all times
- f) Be aware of hazards, such as tides, currents, location of sluices or other underwater obstructions.

The Peterhead Port Authority shall provide relevant information to the diving company on request and support the diving supervisor and diving contractor in the event of an emergency.

**A copy of the “Permit for Diving Operations” form is included in the Annex Section E.**

### **6.7.2 Recreational Diving**

The Recreational Diving Projects ACOP applies when one or more of the divers engaged in the project “are at work”.

### **6.7.3 Permission for Diving Operations**

Clearing fouled propellers, scrubbing the bottom of boats, checking underwater fittings or recovering items lost overboard in the marina, would normally be considered to be a “work activity”. However, if the work is undertaken by a sports diver who says they receive no payment or, is the owner of the boat then this usually places them outside the scope of the Diving Regulations. However, before anyone carries out any diving operation within the marina, they must obtain the prior permission of the Harbour Master.

## **6.8 Waste Management**

### **6.8.1 Legislation**

Peterhead Port Authority follows procedures for the disposal, carrying or receiving of special waste set down in the Special Waste Regulations 1996. The Authorities comply with the “duty of care” as laid down in Section 34 of the Environmental Protection Act 1990.

The Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1988 apply to ships including small craft and yachts and fishing vessels using the Port of Peterhead. They prohibit the disposal of all plastics anywhere and control the disposal of material such as nets, dunnage, paper, rags, glass, wood, other maintenance wastes and galley wastes within specified distances from the nearest land. The Maritime and Coastguard Agency is responsible for their implementation.

The Merchant Shipping (Port Waste Reception Facilities) Regulations 1997 requires the Authority to provide adequate facilities for the reception of prescribed wastes from ships using the Authorities’ facilities. The term “adequate” is interpreted as “without causing undue delay to, and according to the needs of those ships”. Prescribed wastes are garbage, oil and oily mixtures and noxious liquid substances.

Part IV of the Environmental Protection Act 1990, requires the Authority to keep their own and adjacent land clear of litter and refuse as far as possible.

Section 31 of the Control of Pollution Act 1974 (as amended by the Water Act 1989) makes it an offence to cause or permit any polluting matter to enter controlled water unless a discharge license has been obtained. The Authority has obligations to take action against polluters, to initiate clean-up activities and recover costs where appropriate.

### **6.8.2 Waste Management Plan**

The object of the Port Waste Management Plan is to ensure all port users are made aware of the provisions provided within the port for the reception and disposal of waste from ships, all other seagoing vessels and offshore installations.

It is the responsibility of the waste producer to ensure that domestic and non-domestic waste is adequately segregated prior to disposal.

### **6.8.3 Special Waste**

Special wastes are those products which are defined in Part 1 of Schedule 2 of the Special Waste Regulations 1996.

All ships within the port must comply fully with the Special Waste Regulations 1996. Special waste shall not be removed from ships within the port without a completed Consignment Note.

Ship Masters wishing to dispose of special waste shall make the necessary arrangements for its uplift through their agents, berth operator or licensed disposal contractor. The ship will be charged either directly or indirectly by the berth operator, agent or disposal contractor.

Fishing vessels using the inner harbour may place drums containing waste oil on the quay for collection and disposal by the Port Authority

### **6.8.4 Plan Review**

The Port Waste Management Plan is updated every three years with amendments being forwarded to the MCA. The Harbour Master has the responsibility for ensuring the plan is updated. The plan is located in the Marine Department.

## **7 ENVIRONMENTAL MANAGEMENT**

### **7.1 Port Environmental Policy**

It is the policy of Peterhead Port Authority to commit to the protection and conservation of the environment. The Authority shall seek to maintain and improve, wherever possible, high environmental quality through the strict adherence to UK and Scottish environmental legislation and internationally agreed convention, resolutions and directives intended to protect the environment. The Authority recognises the need to conserve the natural environment of the port under their control through sound environmental management. Environmental policies for the Port will ensure, wherever possible, that duties carried out by Authority employees and commercial and recreational activities within their areas of jurisdiction will take place without an adverse effect on the quality of the environment. To this end published copies of the Authority's Policy and Environmental Objectives are freely available at the Harbour Offices.

There are no Sites of Special Scientific Interest (SSSI), areas of outstanding natural beauty, Heritage Coast or Special Areas of Conservation within the port. It is the Authority's policy to work closely with the various environmental agencies to ensure that the quality of the environment is improved upon, thereby enhancing the natural resources for future generations.

The Authority shall encourage users of the port and suppliers of services to the port to adopt practices compatible with the aims of the environmental management system. The Authority considers that educating and training employees, as well as, port users and the public, on the importance of conserving and enhancing the port environment will contribute to achieving environmental goals.

### **7.2 Environmental Objectives**

The aim of the Authority in all their activities, whether in port operations or property development, is to ensure that any adverse effects on the environment are reduced to a practicable minimum.

### **7.3 Relevant Environmental Regulations.**

Section 31 of the Control of Pollution Act 1974 (as amended by the Water Act 1989) makes it an offence to cause or permit any polluting matter to enter controlled water unless a discharge license has been obtained. Details of discharge licenses are held by Scottish Environmental Protection Agency. Part IV of the Environmental Protection Act 1990, requires the Authority to keep their own and adjacent land clear of litter and refuse as far as possible.

### **7.4 Environmental Arrangements**

The Master of a vessel in the harbour loading or discharging cargo shall exercise due diligence to ensure that he neither causes nor suffers any part of that cargo to be thrown or to fall into the harbour, but in the case of accidental loss shall request permission of the Harbour Master to recover such cargo in accordance with the provisions of the Byelaws.

Tankers discharging or loading bulk oils such as fuel oil and bunkers shall be guided by the advice contained in the International Safety Guide for Oil Tankers and Terminals (ISGOTT) with particular regard to the section on pollution and safety precautions against fire and explosions.

## **7.5 Prevention of Oil Pollution**

Pollution of the harbour from any source is strictly prohibited. The Authority has duties and obligations under the Prevention of Pollution Acts to take action against polluters, to initiate clean-up activities and recover costs where appropriate.

Vessel masters must take the greatest care to ensure that no pollution of any kind originates from their vessel, particularly during fuelling operations.

The Peterhead Oil Spill Contingency Plan sets out the arrangements for dealing efficiently with the consequences of oil pollution within the port.

Oil Spill Contingency Plans have been prepared by the Authority in accordance with the Merchant Shipping (Oil Pollution Preparedness Response and Co-operation Convention) Regulations 1998. The aim of the Plan is to set out the arrangements for dealing efficiently with the consequences of oil pollution which might affect the Port.

Copies of the Plan may be viewed at the harbour offices during normal working hours.

Further details are given in the 'Emergency Preparation & Response' section.

## **7.6 Toxic Gas, Liquid, Hazardous Chemicals and Radioactive Materials**

Port Emergency Plans have been prepared by the Port Authority in accordance with the Dangerous Goods in Harbour Areas Regulations 2016. The aim of the plan is to deal with marine emergencies in which toxic gases, liquids, hazardous chemicals and radioactive materials are involved. Copies of the plans may be inspected at the harbour offices during normal working hours.

Further details are given in the 'Emergency Preparation & Response' section.

## **7.7 Ships' Waste**

The Port Waste Management Plan has been prepared by the Port Authority in accordance with the Merchant Shipping & Fishing Vessels (Port Waste Reception Facilities) Regulations 2003, for the reception of prescribed wastes from ships using the Authority's berths.

Further details are given in the 'Marine Specific Arrangements' section.

A copy of the plan may be examined at the harbour offices during normal working hours.

## **7.8 Harbour Development Works**

Before any harbour development work is undertaken which may have substantial environmental effect, both during construction and subsequently, the Authority may commission an Environmental Impact Assessment (EIA) and Environmental Statement (ES) which will conform to all the requirements of either the Environmental Impact Assessment (Scotland) Regulations 1999 / Harbours, Docks, Piers and Ferries / The Harbour Works (Environmental Impact Assessment) Regulations 1999, whichever applies.

Copies of current EIAs and ESs may be examined at the harbour office during normal working hours.

## **7.9 ESPO/Ecoports**

Peterhead Port Authority are network partners of the ESPO/EcoPorts Foundation. The ESPO/Ecoports foundation offer support, guidance and consultation on environmental issues and legislation. They are the awarding body for the Ports Environmental Review Accreditation which remains the only Port specific environmental accreditation.



## **8 LOCAL RULES AND DIRECTIONS**

### **8.1 Safety Rules**

#### ***General***

1. All marine employees should be aware of, respect and adhere to the rules and procedures contained in this policy statement.
2. All employees shall immediately report any unsafe practices or conditions to their line manager.
3. All employees under the influence of alcohol or any other intoxicating drug which might impair motor skills or judgment, whether prescribed or otherwise, shall not be allowed on the job.
4. Horseplay, practical joking or any other acts which might jeopardise the health and safety of any other person are forbidden.
5. Any employee whose levels of alertness and/or ability are reduced due to illness or fatigue will not be allowed on the job if this might jeopardise the health and safety of that person or any other person.
6. Employees shall not adjust, move or otherwise tamper with any electrical equipment, machinery or air or water lines in a manner not within the scope of their duties, unless instructed to do so by the Harbour Master.
7. All waste materials must be disposed of carefully and in such a way that they do not constitute a hazard to other employees.
8. No employee should undertake a job which appears to be unsafe.
9. No employee should undertake a job until he or she has received adequate instruction and is authorised to carry out the task.
10. All injuries must be reported to the Harbour Master.
11. Employees should take care to ensure that all protective guards and other safety devices are properly fitted and in good working order and shall immediately report any deficiencies to their immediate Supervisor.
12. Work shall be well planned and supervised to avoid injuries in the handling of heavy materials and while using equipment.
13. No employees should use chemicals without the knowledge required to work with those chemicals safely.
14. Suitable clothing and footwear will be worn at all times. Personal protective equipment shall be worn wherever appropriate.

### **8.2 Working Environment**

1. Work site must be kept clean and tidy.
2. Any spillage must be cleaned up immediately.
3. Waste materials and rubbish must be removed routinely.
4. All combustible waste materials must be discarded in sealed metal containers.
5. All pits and holes must be covered when not in use and clearly marked with warning signs when in use.

### **8.3 Walkways**

1. Walkways, gangways and passageways must be kept clear from obstructions at all times.
2. Trailing cables are a trip hazard and should not be left in any walkway, gangway or passageway.

#### **8.4 Tools and Equipment Maintenance**

1. Machinery and tools owned by the Authority are only to be used by qualified and authorized personnel. It is the responsibility of their line manager to determine who is authorized to use specific tools and equipment.
2. It is the responsibility of all employees to ensure that any tools or equipment they use are in a good and safe condition. Any tools or equipment which are in any way defective must be repaired or replaced.
3. All tools must be properly and safely stored when not in use.
4. No tool should be used without the manufacturers recommended shields, guards or attachments.
5. Approved personal protective equipment must be properly used where appropriate.
6. Employees using machine tools must not wear clothing, jewellery or long hair in such a way as might pose a risk to their or anyone else's safety.
7. Employees are prohibited from using any tool or piece of equipment for any purpose other than its intended purpose.

#### **8.5 Personal Protective Equipment**

1. Employees must use all personal protective equipment provided to them in accordance with the training and instruction given to them regarding its use.
2. Employees who have been provided with personal protective equipment must immediately report any loss of or obvious defect in any equipment provided to their immediate Supervisor.

#### **8.6 Manual Handling**

1. Lifting and moving of objects should always be done by mechanical devices rather than manual handling wherever reasonably practicable. The equipment used should be appropriate for the task at hand.
2. The load to be lifted or moved must be inspected for sharp edges, splinters and wet or greasy patches.
3. When lifting or moving a load with sharp or splintered edges gloves must be worn. Gloves should be free from oil, grease or other agents which might impair grip.
4. The route over which the load is to be lifted or moved should be inspected to ensure that it is free of obstructions or spillage which could cause tripping or spillage.
5. Employees should not attempt to lift or move a load which is too heavy to manage comfortably.
6. Where team lifting or moving is necessary one person should act as co-ordinator, giving commands to lift, lower etc.
7. When lifting an object off the ground employees should assume a squatting position, keeping the back straight. The load should be lifted by straightening the knees, not the back. These steps should be reversed for lowering an object to the ground.

**PILOTAGE DIRECTION****BY****PETERHEAD PORT AUTHORITY**

In exercise of the powers conferred by section 7(1) of the Pilotage Act 1987 (“**the Act**”), we Peterhead Port Authority (hereinafter referred to as “**the Authority**”) constituted by The Peterhead Port Authority Harbour (Constitution) Revision Order 2005 (“**the Order**”) and having our Principal Office at Harbour Office, West Pier, Peterhead AB42 1DW, being a competent harbour authority within the meaning of the Act, hereby make the following Pilotage Direction (“**this Direction**”):-

1. This Direction may be cited as the Peterhead Port Pilotage Direction and shall come into force on 1<sup>st</sup> January 2016.
2. In this Direction, the following terms shall have the following meanings: -
 

<b>“Harbour Master”</b>	means the Harbour Master of the Port of Peterhead or any of his authorised deputies, assistants or VTS officers.
<b>“Inner Harbour”</b>	means that part of the harbours of Peterhead, as such harbours are defined in section 3 of the Order, which is northward of a straight line drawn between the Control Tower on the West Pier and the East Quay.
<b>“Peterhead Bay Harbour”</b>	as defined in section 3 of the Order.
<b>“Pilot”</b>	means an authorised pilot, as defined in the Act.
<b>“Pilotage Area”</b>	means that part of the Port of Peterhead which is landward of a straight line drawn between the seaward extremities of the North Breakwater and the South Breakwater.
<b>“Pilotage Exemption Certificate”</b>	means a valid pilotage exemption certificate issued by the Authority under the Act.
<b>“Port of Peterhead”</b>	means the Port of Peterhead, as defined in article 12 (c) of the Order.
3. Notwithstanding any other provision of this Direction, pilotage shall be compulsory within the Port of Peterhead for any vessel which in the opinion of the Harbour Master ought not to be navigated without a Pilot, having due regard to the interests of safety or the risk of pollution or where an obstruction has been caused due to the occurrence of an accident, the presence of a wreck or any similar cause.
4. Subject to any other provision of this Direction, pilotage shall be compulsory within the Pilotage Area for any vessel: -
  - (a) which has a gross tonnage (ITC69) exceeding 3,500 gross tonnes;

- (b) which has a gross tonnage (ITC69) exceeding 200 gross tonnes and which is to enter the Inner Harbour;
  - (c) which, in the opinion of the Harbour Master, is defective, damaged or handicapped to such an extent that it ought not to be navigated without a Pilot having due regard to the interests of safety;
  - (d) carrying more than 12 passengers;
  - (e) engaged in the trade of carrying oil in bulk as a cargo within the meaning of sections 153 and 170 of the Merchant Shipping Act 1995 or any statutory modification or re-enactment thereof;
  - (f) carrying more than one tonne of explosives of IMO Class 1 category; or
  - (g) carrying hazardous cargo or dangerous goods in bulk in a quantity of 100 tonnes or more.
5. Clause 4 above shall not apply to a vessel described therein: -
- (a) in the event the Master or Chief Officer onboard holds a Pilotage Exemption Certificate in respect of that vessel;
  - (b) which is less than 20 metres in length;
  - (c) which is a fishing boat with a registered length of less than 70 metres; or
  - (d) in the circumstances described in clause 6 below.
6. Pilotage shall not be compulsory for a vessel described in clause 4(a) above: -
- (a) during the period whilst the vessel is navigating within the Pilotage Area between any of ASCO South Base berths 1-8 inclusive or between any of the South Breakwater berths 10-12 inclusive or between any of the North Breakwater berths 13-15 inclusive or between any other berths designated by the Harbour Master (but for the avoidance of doubt, such navigation shall not include any crossing of Peterhead Bay Harbour); and
  - (b) such navigation without a Pilot has been authorised by the Harbour Master.
7. The boarding of an arriving vessel and the disembarking from a departing vessel by a Pilot shall take place in an area of the North Sea within 2 miles of the South Breakwater Light except that in adverse weather conditions or any other circumstances as determined by the Harbour Master, the Harbour Master may designate another area within or out-with the Pilotage Area for such boarding or disembarking.
8. Upon this Direction coming into force, all previous Pilotage Directions issued by the Authority shall cease to have effect.

**Chief Executive**  
**Peterhead Port Authority**

## 8.8

## PILOTAGE PASSAGE & MANOEUVRING PLAN

### Arrival

Vessels must inform the Harbour at least 1 hour before estimated time of arrival to the Port.

In general terms, inbound vessels will normally be aligned with the leading marks (two fixed red lights vertically disposed by night and two orange triangles apex together by day) on a bearing of 314°T which marks the centre of the navigation fairway in the Bay Harbour.

The Pilot will normally board the vessel 2 miles outside the port to ensure clearance of the Breakwaters. Where conditions necessitate that boarding shall be carried out within the Bay, awareness must be given to the proximity of the breakwaters and any other potential hazards before boarding can commence.

Thereafter navigation under pilot's advice to the allocated berth will commence.

### Tidal Data

The flood tides set south. The ebb tide sets north.

The tide across the breakwater entrance and up to three cables offshore (depending on tidal range) is usually as follows: -

**South Setting Flood** – starts approximately 0.5 hours to one hour before LW Peterhead.

**North Setting Ebb** – starts approximately one hour to two hours before HW Peterhead.

Tidal stream rates vary between one and three knots but stronger currents can be experienced occasionally due to weather effects.

Inside the breakwaters there is no appreciable tidal stream.

### Departure

Vessels shall notify the control tower at least 1 hour prior to departure. Navigation outward bound is generally the same as described in the foregoing but in reverse. Except for Skerry rock and surrounding shoals, there are no off-lying dangers and departing vessels can plan a clear course eastward with confidence at any state of the tide.

Vessels should be aligned with the centre of the channel on a course of 134°T and proceed through the breakwater entrance. When the vessel is clear of the breakwaters the pilot will normally disembark immediately, provided the Master is satisfied that the vessel is in a safe position.

### Radio Monitoring

At all times during Arrival/Departure/Shifting operations the vessel, the pilot, tugs, mooring boats, the pilot boat and the vessel traffic management centre should monitor the same VHF working frequency. This is normally Channel 14 but Channel 9 may be used when two pilotage operations are being undertaken simultaneously, or in other exceptional circumstances.

## **Large Vessels**

Large vessels, oil rigs and where appropriate barges undertow may only enter at slack water periods but can normally leave at any state of tide. Careful consideration when doing so should be given by the ship's Master to the effects of cross currents at the harbour entrance. These occur at all times other than slack water and sufficient leeway should be allowed to clear the downstream breakwater.

## **Safety of Navigation**

All vessels entering the Port of Peterhead must comply with all SOLAS navigational directives and all normal practices of good seamanship.

## **WEATHER PRECAUTIONS**

### **Vessels Berthed at Breakwaters**

- (a) During periods of easterly gales seas can break over the exposed part of the North and South Breakwaters. After prolonged periods of easterly weather, a swell can develop within the harbour and in past times this has caused the mooring lines of large vessels moored alongside to part.
- (b) Vessels which are berthed at the North and South Breakwaters must, on receipt of a bad weather forecast, ensure that moorings are secured "on the bight" (i.e. the end with the spliced eye is passed ashore round the bollard and back to the vessel) in order to dispense with the need for personnel to be present on the breakwaters to let go moorings, should the necessity to shift the vessel arise.
- (c) From 1<sup>st</sup> October until 31<sup>st</sup> March, any vessel loading or discharging a bulk cargo at the breakwaters (e.g. grain, frozen fish, bulk pipes), must be mooring with ropes on a bight, irrespective of the weather forecast and such vessels must not berth at the breakwaters unless they can comply with this requirement. Pilots are requested to ensure that these safety requirements are stringently complied with.
- (d) In the event of any conflict of radio advice to vessels between the Tower and berth operator, the advice issued by Tower staff will prevail.
- (e) **Tug Attendance**  
Vessel masters are advised that in adverse weather conditions tugs may be required to assist the vessel to stay alongside or, where this is not practicable, to sail the vessel to sea.

Vessel masters should ensure that effective standby arrangements are made with the tug company, which is based in Aberdeen, when a bad weather forecast is received.

- (f) **Engine Immobilisation**

Between 1<sup>st</sup> October and 31<sup>st</sup> March, no vessel berthed at the North or South Breakwater may immobilise its engines. At other times of the year, such immobilisation may only take place with the permission of the Harbour Master and under conditions sanctioned by him.

## **Backwash Effects**

During gales from the North-East to South-East quadrant, the sea area to the East of the North and South Breakwaters can become extremely turbulent due to waves being reflected from the solid wall of the breakwaters. Turbulence is greatest at close proximity to the structures.

Small vessels attempting to enter Peterhead Port in these conditions should navigate along the leading line marked by the Kirktown Leading Lights from a position 0.5 miles South-East of the breakwater entrance. Similarly, vessels leaving the harbour should keep the leading lights dead astern until they reach this position before setting course.

**SMALL CRAFT DIRECTIONS**

These Directions apply to all craft of not more than 20 metres in length.

- No water-skiing, jet skiing or high-speed boating may take place within the marina area.
- Maximum speed for all small craft within the marina area is 4 Knots.
- Except in the case of an emergency no small craft, speedboat or Jet Ski may navigate in the exclusion zone shaded Red on the adjacent plan of the harbour.
- All small craft must be navigated in such a manner so as to ensure the safety of all other persons and craft.
- Small craft being used for the purposes of towing a water skier or a person aquaplaning shall have onboard at least one other person capable of taking charge of the vessel and of giving such assistance as may be required during the towing and in the recovery of the water skier, and shall carry two hand held distress signals, fire extinguisher and for each person water skiing or aquaplaning a rescue quoit with line or other sufficient hand thrown rescue device.
- All persons onboard any small craft must wear appropriate safety clothing and LIFE JACKET/BUOYANCY AID AT ALL TIMES.
- The operator of any small craft must ensure that the craft does not carry more persons than it is designed to carry.
- The area shaded Blue on the adjacent plan may be obstructed due to the existence of fishing floats and related equipment. The operators of small craft must keep well clear of this area.
- Person's water skiing must wear a buoyancy aid at all times.
- All small craft must keep clear of persons swimming, bathing or paddling. GIVE THEM A WIDE BERTH.
- All small craft should be aware of sea anglers fishing from the main breakwaters.
- Before launching your small craft, you should carry out appropriate Safety Checks.
- If you see another person in danger you should Dial 999 and ask for the Coastguard or call "Peterhead Harbours" on VHF Channel 16 or 14.

PLEASE HELP US TO KEEP THE PORT OF PETERHEAD SAFE FOR ALL WATER USERS



## **9      EMERGENCY PREPARATION & RESPONSE**

The following risk register has been compiled to identify hazards that could have a significant impact on the health, safety and environmental integrity of the Port. Proactive mitigating controls have been implemented to reduce the risk of the identified hazards. Contingency and emergency plans have been implemented to reduce the impact to its lowest practicable level and to ensure a timely response to emergency situations.

### 9.1.1 Emergency Risk Register

RISK	Inherent Assessment		CONTROLS IN PLACE	Residual Assessment		PLANNED MONITORING LEVELS	RESPONSIBILITY
	Impact	Likelihood		Impact	Likelihood		
Collision Vessel Traffic	High	Medium	Trained VTS Operators implementing traffic organisation & information services	Medium	Low	Maintain training levels for VTS staff and ensure VTS equipment remains operational as far as is practicable	Harbour Master
Grounding Vessel Traffic	High	Medium	VTS monitoring vessel traffic image throughout	Medium	Low	Ensure VTS have up to date charts and other datum at all times	Harbour Master
Evacuation of a part loaded vessel from berth	High	Medium	Assess 24hr+ forecast prior to vessel loading and ensure cargo/vehicles available for prompt loading/discharge	Medium	Low	Maintain up to date forecast with met office. Ensure terminal operator works to port procedures	Harbour Master
Vessel fire onboard	High	Medium	Ensure personnel trained and aware of emergency plans	Medium	Medium	Ensure emergency plans are up to date and revalidated at required intervals	Harbour Master
Explosion/fire on tanker discharging/ loading	High	Medium	Monitor & stop any observed risk. Ensure emergency plans are current	Medium	Low	Monitor tanker operations ensure systems in place with appropriate signage	Harbour Master
Pedestrian & traffic convergence resulting in an accident	High	High	Pedestrian routes, speed restriction signage, speed humps and pedestrian crossings are in place,	Medium	Low	Monitor control measures in place to ensure effectiveness. Put in place further walkways/ pedestrian routes and speed limits as required	Health & Safety Officer
Safety management systems failure	High	Medium	Health & Safety Adviser/ Harbour Master monitoring & review ensuring audit & reporting programmes	Medium	Low	To review annually unless there are changes to operations	Harbour Master (Marine) Health & Safety Officer (Shoreside)
Major Oil Spill	High	Medium	Oil spill contingency plan and resources.	Medium	Low	Maintain training levels for oil spill response staff. Ensure oil spill emergency resources are sufficient.	Harbour Master
Fire in Port building or facility	High	Medium	Direct fire alarm connection to control tower telephone. Fire risk assessments. Fire wardens. Fire fighting equipment	Medium	Low	Maintain staff training in fire awareness. Weekly fire alarm testing. Monthly fire fighting equipment inspections.	Health & Safety Officer

## **9.2 Port Emergency Plan**

Emergency plans have been prepared in compliance with the requirements of Regulation 10 of the Dangerous Goods in Harbour Areas Regulation 2016. The incidents with which the plans are concerned may involve: -

- (a) Fire onboard any class of vessel
- (b) Explosion onboard any class of vessel
- (c) Escape of toxic gas, liquid and hazardous chemicals
- (d) Radioactive material
- (e) Collision, sinking, stranding

And may involve any of the following classes of vessels which visit Peterhead: -

- (a) Tanker vessels carrying petroleum and chemicals
- (b) General cargo vessels
- (c) Bulk carrying vessels e.g. grain, phosphates, fertilizers etc.
- (d) Specialized vessels for the carriage of such products as liquefied petroleum gas, oil rig support, roll on - roll off vessels, drilling rigs, survey vessels and diving support vessels
- (e) Cruise vessels
- (f) Fishing vessels
- (g) Leisure craft
- (h) MOB – Government agency, tugs, port Authority and RNLI craft

### **9.2.1 Preparation of Plans**

The emergency plans have been prepared in consultation with the appropriate emergency services. In addition, the Authority has consulted with companies/organisations likely to be involved in its operation. These companies/organisations are listed as Participants in the Plan.

### **9.2.2 Command and Control**

The emergency plan details the duties of the Main Controller (Harbour Master) and Incident Controller (Senior Assistant Harbour Master). They also give details of the command structure and the areas of control/responsibilities for the emergency services and all other Participants of the Plan.

### **9.2.3 Training and Exercise**

For the emergency plan to be effective all personnel involved must be competent to fulfill their roles. All members of the Participants response teams have received initial training in their roles in the event of an emergency. To ensure that this plan is able to deal efficiently with the consequences of an emergency it is essential that the plan should be exercised to ensure it functions as expected. A series of exercises, live and tabletop, will be carried out at irregular intervals to ensure that the emergency plan together with the contingency plans of ASCO, Fire Service, Police, Ambulance Service, Coastguard Agency, local Health Service and all other Participants are suitable for dealing with an emergency within the port.

Exercises are planned and executed in conjunction with the Participants of the Plan. The planning of emergency exercises is the responsibility of the Harbour Master. A record of emergency exercises is maintained by the Harbour Master.

#### **9.2.4      *Circulation and Updating***

Numbered copies of the plan have been circulated to all Participants of the Plan who are required to advise the plan originators with updated information regarding call-out telephone numbers/day/night and the names of contacts etc.

The plans are updated annually with replacement pages being sent to all plan holders.

The responsibility for ensuring the plan is updated rests with the Harbour Master.

#### **9.2.5      *Activating the Plan***

In the event of an emergency, the person discovering the emergency should raise the alarm by one of the following means: -

1.      Calling “Peterhead Harbours” on VHF Channel 14 or 16;
2.      Telephoning “Peterhead Harbours” on 01779 483630

Stating the nature and location of the emergency. This will be sufficient to activate the Emergency Plan.

### **9.3          *Oil Spill Contingency Plan***

Ports, Harbours and Oil Terminals within the UK are required to develop Oil Spill Contingency Plans in accordance with the Merchant Shipping (Oil Pollution Preparedness Response and Co-operation) (OPRC) Regulations 1998.

The Oil Spill Contingency Plans of Peterhead Port Authority has been prepared in accordance with “The Oil Spill Contingency Plan Guidelines for Ports, Harbours and Oil Handling Facilities” issued by the Maritime and Coastguard Agency (MCA) who is responsible for applying the regulations in the United Kingdom. The Oil Spill Contingency Plan is valid for 5 years. The Peterhead Port Authority plan expires in September 2022.

### **9.3.1      *Aims and Objectives***

The aim of the plan is to set out the arrangements for dealing efficiently with the consequences of oil pollution within port limits.

The Plan details a three-tiered response strategy that is in accordance with UK legislative requirements and takes into account the spill risk associated with established oil transfer operations; the nature of the oils that could be spilt, the prevailing meteorological and hydrographic conditions and the environmental sensitivity of the port and surrounding area.

The principle objectives being: -

- (a) To permit the rapid dissemination of information through established lines of communication,
- (b) To clarify the roles of the authorities, agencies, organisations and companies listed as participants in the plan through defined responsibilities.
- (c) To ensure procedures are in place for dealing with all contingencies
- (d) To define arrangements for setting up the Pollution Control Centre.
- (e) To ensure all relevant authorities, agencies, organisations and companies listed as participants in the plan are kept informed or consulted as necessary throughout the operation.
- (f) To minimize the environmental impact of any oil pollution incident.
- (g) To ensure information, guidance and recommended action is available as necessary on anti-pollution measures.
- (h) To disseminate information to government departments and the general public and to maintain and control media links.
- (i) To ensure rapid mobilization of staff and resources.
- (j) To ensure such samples as may be necessary are taken to support any future legal action or claim.
- (k) To maintain a comprehensive record of events.
- (l) To maintain a comprehensive financial record.

### **9.3.2      *Training Policy***

For the oil spill response plan to be effective all personnel involved must be competent to fulfill their roles.

All members of the oil spill response team have received initial training from an accredited training organisation. A record of Personnel Training is held by the Harbour Master and is available for inspection by the MCA.

Harbour Masters and Assistant Harbour Masters have received training to MCA level 4p.

Marine Staff have been trained to MCA Level 1.

### **9.3.3      *Exercise Policy***

To ensure that the plans are able to deal efficiently with the consequences of oil pollution it is essential that the plans are exercised.

A series of exercises will be held annually to ensure that the various elements of the plan (communications, call-out, equipment deployment etc) operate efficiently. The responsibility for organising and arranging these exercises rests with the Harbour Master.

#### **9.3.4      *Circulation and Updating***

Numbered copies of the plans have been circulated to all Participants of the Plan. Participants are required to advise the plan's originator with updated information regarding changes to call-out telephone numbers day/night and the names of contacts etc.

The plans are updated annually with replacement pages being sent to all plan holders. The responsibility for updating the plan rests with the Harbour Master and is located centrally.

Major changes to the plan must be approved by the MCA.

#### **9.3.5      *Interface with Other Contingency/Emergency Plans***

The Oil Spill Contingency Plan interfaces with the following plans: -

- (a) National Contingency Plan
- (b) Peterhead Port Authority Emergency Plan
- (c) Peterhead Port Authority Waste Management Disposal Plan
- (d) ASCO plc Safety Procedures and Oil Spill Contingency Plan
- (e) Scottish and Southern Energy, Peterhead Power Station Oil Spill Plan
- (f) Port of Peterhead Major Incident Plan
- (g) Grampian Joint Emergency Executive Major Oil Pollution Contingency

#### **9.3.6      *Activating the Plan***

In the event of an oil spill the person discovering the incident should immediately raise the alarm by one of the following means: -

1. Calling "Peterhead Harbours" on VHF Channel 14 or 16;
2. Telephoning Peterhead Harbours on 01779 483630

Giving a description and stating the location of the pollution. This will be enough to activate the Oil Spill Contingency Plan.

#### **Risk Assessments**

Oil pollution risk assessments are contained in the relevant Oil Spill Contingency Plan.

### **9.4          *Dangerous Goods Considerations & Arrangements***

#### **9.4.1      *Application***

Dangerous goods are defined "as any goods which, when in a harbour or harbour area, creates a risk to the health or safety of any person". The Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1990 defines the various categories of goods classified as dangerous and refers to the International Maritime Dangerous Goods Code (IMDG) for individual definition and classification.

#### **9.4.2      *Storage of Dangerous Goods***

Apart from fuel oil, only small amounts of dangerous goods are stored within the various transit sheds, open storage and waste storage areas. Sites within the harbour do not come within the COMAH Regulations.

#### **9.4.3      *Notice of Entry***

24-hour prior notification is required to be given to the Harbour Master before any dangerous goods are brought into the harbour or harbour area.

The notice should be in writing unless the harbour master agrees to some other form of communication.

Notice may be given up to six months in advance so as to assist regular consignments of dangerous goods passing through the harbour.

#### **9.4.4      *Dangerous Goods from Inland***

For dangerous goods coming into the harbour or harbour area from inland, the information should include the designated name given in the IMDG Code, UN number, the quantity or weight and the appropriate classification.

The responsibility for the notification of dangerous goods coming from inland rests with the operator of the transport mode.

#### **9.4.5      *Dangerous Goods from Sea***

For dangerous goods coming into the harbour or harbour area from sea, the master should provide the designated name, UN number, the quantity and classification of the goods as determined in accordance with the Merchant Shipping (Dangerous Goods) Regulations or the Dangerous Goods in Harbour Areas Regulations 2016.

#### **9.4.6      *Notification for all dangerous goods shall include: -***

- a) The name and call sign of the vessel;
- b) Nationality of the vessel;
- c) Overall length, draught and beam of the vessel;
- d) The intended destination within the harbour area;
- e) The estimated time of arrival at the intended destination or pilot station, as required by the harbour authority.

#### **9.4.7      *Handling and Packaging***

All dangerous goods brought into, handled, loaded or unloaded within the harbour or harbour area, are to be packaged, labeled and handled in accordance with the relevant sections of the Dangerous Goods in Harbour Areas Regulations 2016 and the IMDG code.

#### **9.4.8      *Reporting Requirements***

The Master of any vessel carrying dangerous or pollutant goods must complete a check list in the form set out in Schedule 2 of MSN 1741 (M) (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods).

#### **9.4.9      *Appointment of Inspectors***

In accordance with Section 19(1) of the Health and Safety at Work Act 1974 (the 1974 Act) the Authority has appointed suitably qualified persons to exercise the power of an Inspector specified in Sections 20, 21, 23 and 25 of the 1974 Act.

#### **9.4.10    *Explosives***

Under regulation 20 of the Dangerous Goods in Harbour Areas Regulations 2016, the Port Authority has a License, granted by the Health and Safety Executive, permitting explosives to be brought into and carried and handled within the harbour or harbour area.

The notification of intended entry of explosives into the harbour area, packaging, handling, loading and unloading shall be the same as other dangerous goods except that when loading of a vessel or a vehicle with explosives has been completed, the master of the vessel or the operator of that vehicle, as the case may be, shall ensure that vessel or vehicle is taken out of the harbour area as soon as is reasonably practicable. To ensure this happens explosives are to be the last load onto or, the first load off a vessel berthed within the harbour.

#### **9.4.11    *Licensed Berths***

Under the terms of the License the maximum quantity of explosives of Division 1.1 which may be present at those licensed berths are: -

Berths 1	650 kgs
Berths 2	1,200 kgs
Berth 4, 5, 6	50 kgs
Berth 7	300 kgs
Berth 8	450 kgs
Berth 10	10,000 kgs
Berth 11	27,000 kgs
Berth 12	18,000 kgs
Berth 13	4,000 kgs
Berth 15	3,000 kgs
Tanker Jetty	250 kgs
Sir Albert Quay A	50 kgs
Smith Quay	50 kgs

**See appendix B for the numbered berths locations**

#### **9.4.12    *Security of Explosives***

In accordance with Regulation 20 of the Dangerous Goods in Harbour Area Regulations 2016, the berth operators (ASCO plc) and the Authority has appointed Explosives Security Officers to ensure that adequate precautions are taken to secure explosives against loss, theft or wrongful use.

#### **9.4.13    *Record of Explosives and Auditing***

The Authority keeps records of explosives which are handled within the harbour area. These records distinguish between export and import and are retained by the Authority for a minimum period of five years.

To ensure that explosives shipments are correctly handled, packaged and carried, irregular audits are carried out by the Port Explosives Security Officer. Records of these audits are maintained by the Authority.



## **10 MONITORING, AUDIT & REVIEW**

### **10.1 Monitoring Performance**

Regular inspections of all port operations are carried out by the Harbour Master and members of the marine management team. The purpose of the inspection is to ensure compliance with the Ports Safety management system, the effectiveness of the management system and compliance with all Health & Safety statutory regulations. The performance of Marine Operations will be measured by a combination of both proactive and reactive measures.

These measures are: -

Proactive – Periodic Audits, Reviews, Safety Inspections, Safety Committee Meetings.

Reactive – Accident/Incident/Near Miss Reporting, Accident/Incident Investigation, Formal/Informal Reporting and Observations.

These performance indicators shall be measured on a regular basis to ensure that the operating procedures documented within the Safety Management System are functioning correctly. From these findings the Port will evaluate performance and identify any lessons learnt and improvements to be made to operational procedures and resources.

### **10.2 Audits**

Internal annual audits of the Port's compliance with the marine safety management system shall be carried out by the Harbour Master and designated Marine personnel. Independent audits shall be provided by the 'Designated Person' (The Health, Safety & Environment Officer). The audit findings shall be documented and the final report presented to the Board for consideration.

### **10.3 Document Review & Control Procedures**

All Port Management System documents are reviewed and updated annually in line with any legal or procedural changes. Amendments are presented to Department Managers and the Chief Executive for approval.

This Safety Management System associated operating procedures and standard reporting forms are controlled documents ensuring that the contents are accurate, current, and valid and that the most recent information is available to the relevant personnel.

The following list is a reference to the documents incorporated within the Integrated Safety Management System (ISMS). Information alongside each document reference (given in no particular order) identifies where each document can be found, the audit and review schedule and the person responsible in this respect to the document.

**Unless there are changes to operational procedures these documents will be reviewed within the stated periods.**

<i><b>Document</b></i>	<i><b>Responsibility</b></i>	<i><b>Audit/Review</b></i>	<i><b>Locality</b></i>
Port Marine Safety Management System	Harbour Master	Annually	Marine Dept
Emergency & Contingency Plans	Harbour Master	Bi Annual	Marine Dept
Shore-side Fire action plans/ fire risk assessments	H&S Officer	Annually	HSE Dept/ Relevant area
Maintenance and quayside Work Area / risk assessments	H&S Officer	Annually	HS&E Dept Relevant area
Marine risk assessments	Harbour Master	Annually	Marine Dept
Navigation Lights Log	Harbour Master	On going	Marine Dept
Operations Log	Controllers	On going	Control Tower
Building inspections	Port Engineer H&S Officer	On going	Engineering Dept HS&E Dept
Port Maintenance Inspections	Port Engineer H&S Officer	Monthly	Engineering Dept HS&E Dept
Marine Circulars	Harbour Master	Annually	Control Tower
Pilot Boat Operational Procedures and Code of Practice	Harbour Master/ Pilot Superintendent	Annually	Work Boats/ Marine Dept
Flying Scud Work Boat Code of Practice	Harbour Master	Annually	Work Boats/ Marine Dept
Ugie Runner Work Boat Code of Practice	Harbour Master	Annually	Work Boats/ Marine Dept
Towage Procedures	Harbour Master/ Pilot Superintendent	Annually	Work Boats/ Marine Dept
Hazardous Goods/ Explosives	Senior Assistant Harbour Master	Documents retained for min 5yrs	Marine Dept
ISPS Port Security Plan	Port Security Officer	Annually	Marine Dept
ISPS Port Facility Security Plan	Port Facility Security Officer	Annually	PFSO office
Bye Laws	Harbour Master	3yrly	Centrally
Waste Management Plans	Harbour Master	3yrly	Marine Dept

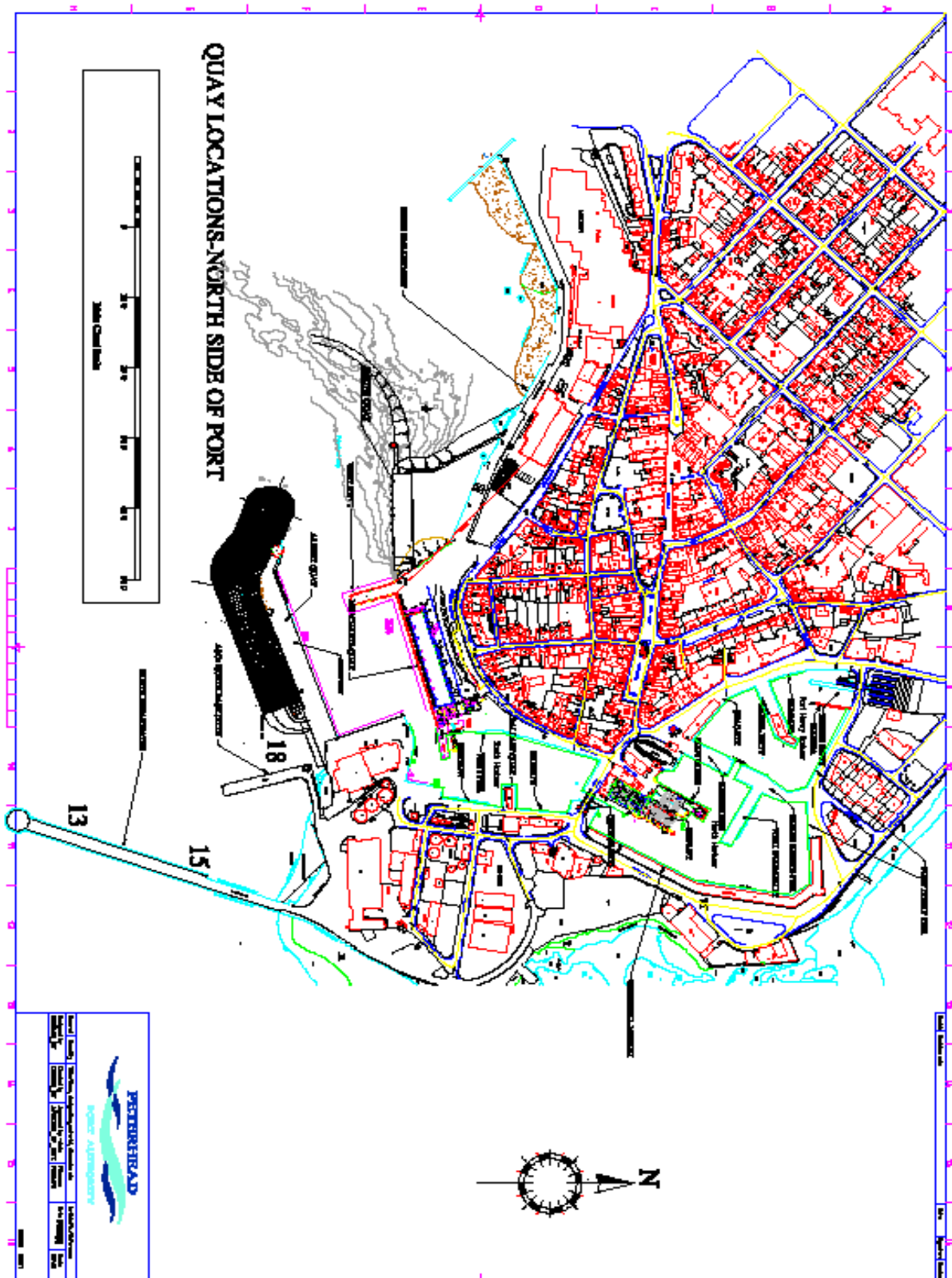
## **ANNEX**

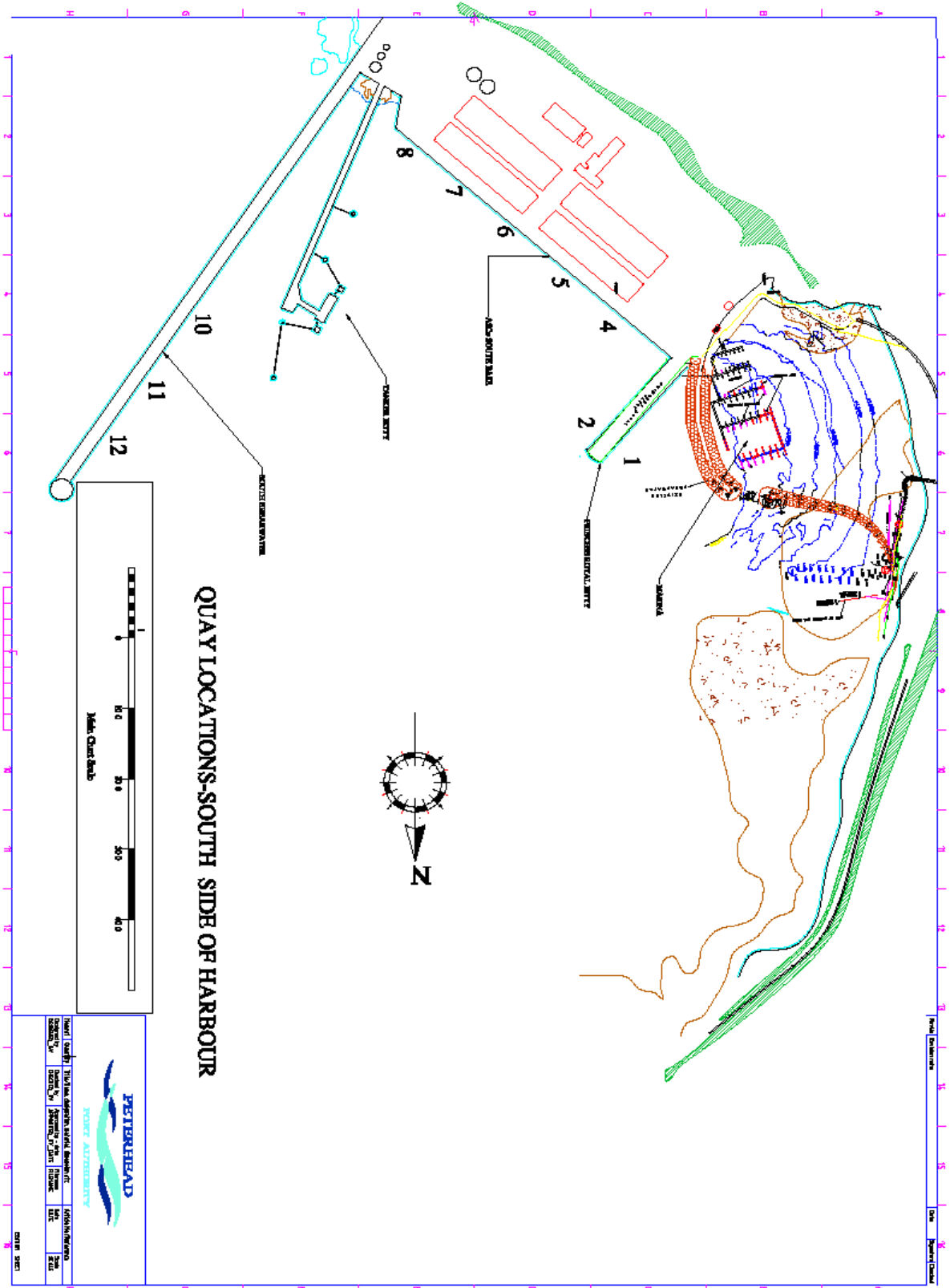
- A) PORT MAP (LIMITS)**
- B) PORT MAPS (BERTH NUMBERS)**
- C) REPORTING FORM**
- D) MARINE RISK ASSESSMENT FEEDBACK REPORTS**
- E) PERMIT FOR DIVING OPERATIONS**
- F) LEISURE & COMMERCIAL MARINA RULES**
- G) ALEXANDRA PARADE CLOSURE PROCEDURE**

**A**



B





B



Peterhead  
PORT AUTHORITY

Use this form to report any workplace accident, incident, dangerous occurrence or observation.  
Return completed form to your Department Supervisor, or relevant Management.

1

□

## Observation

### Event Details (If relevant)

Location of Event: \_\_\_\_\_

Witnesses or person/s involved: \_\_\_\_\_

**Description of Events or Observation** (For event details, please describe tasks being performed, sequence of events and corresponding times):

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

CONTINUE OVERLEAF.....



TO BE COMPLETED ONLY IN CASES OF FIRST AID OR MEDICAL TREATMENT	
Name of Injured person	
Type of injury sustained:	
Cause of injury:	
Was professional medical treatment necessary?	Yes_____ No_____  If yes, name of hospital or physician:

Signature of Receiving Supervisor / Manager: \_\_\_\_\_ Date: \_\_\_\_\_

D

REF:

## PORT OPERATIONAL RISK ASSESSMENT FEEDBACK

PORT AUTHORITY VESSEL:

DATE:

[illegible]

OPERATION DETAILS	TIME	RISK ASSESSMENTS THAT HAVE BEEN REVIEWED AND DISCUSSED.	STAFF INVOLVED IN OPERATION

DO THE REVIEWED RISK ASSESSMENTS PROVIDE ADEQUATE  
SAFETY CONTROLS:

YES

☐

NO

☐

FURTHER CONTROLS REQUIRED:

.....  
.....  
.....  
.....

POST OPERATIONAL COMMENTS:

.  
.....  
.....  
.....  
.....

RETURN TO HEALTH & SAFETY OFFICER



Harbour Office  
West Pier  
Peterhead  
Tel No: 01779 483630  
Fax No: 01779 471292

319

### PETERHEAD PORT AUTHORITY PERMIT FOR DIVING OPERATIONS

Authority is hereby granted by Peterhead Port Authority to carry out Diving Operations within Port limits.

By granting this permit the Harbour Authority does not accept responsibility for any accident, damage or claim which may arise from, or as a result of the use of this permit.

This permit is not transferable, is valid only for the Diving Operations stipulated and the period for which it has been granted, must be produced on demand, and may be withdrawn at any time.

All Diving work must be carried out in accordance with the Diving at Work Regulations 1997. The appropriate flags or signals be exhibited in order to warn shipping of the presence of divers and V.H.F. radio watch kept on the Port working Channel 14.

Name of Diving Company .....

Name of Supervisor .....

Nature of Diving Operation .....

Diving Location .....

Diving Team Name	HSE Diving No	Medical Certificate Expiry Date
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

Signed Diving Supervisor .....

Date & Time of Issue Date..... Time .....

Duty Officer Port Authority ..... Signature .....

Valid until Date ..... Time.....

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# **F**

## **PETERHEAD BAY MARINA**

### **REGULATIONS RELATING TO USE OF MARINA FACILITIES DEFINITIONS**

The "Authority" means Peterhead Port Authority constituted by The Peterhead Port Authority Harbour (Constitution) Revision Order 2005 and having its principal place of business at Harbour Office, West Pier, Peterhead, AB42 1DW or its successors as operators of the Marina.

The "General Terms & Conditions" means the Authority's General Terms & Conditions as may be varied from time to time by the Authority.

The "Harbour" means the Port of Peterhead and all the facilities contained therein, as defined in article 12(c) of The Peterhead Port Authority Harbour (Constitution) Revision Order 2005.

The "Harbour Master" means the Authority's Harbour Master, his deputy or any nominee of theirs. The "Marina" means Peterhead Bay Marina including the protective stone breakwaters, pontoons, access bridge, services and administration building, walkways, hard standing boat compound area, car park and all plant and equipment fitted or placed thereon by the Authority.

The "Regulations" means these Regulations relating to the use of the Marina.

The "Vessel" means any vessel, craft, boat, yacht, dinghy or other marine structure which is the property of or is in the control of the Owner.

The "Owner" means any person in control of the Vessel (other than the Authority) including any charterer or hirer.

### **PROVISION OF MOORINGS**

The Authority shall be under no obligation to provide berthing facilities, but in the event it does, such facilities shall be granted on the following terms and conditions: -

### **BERTH RENTAL AND HARBOUR DUES**

Berths may be rented for the periods and rates published from time to time by the Authority. Where a berth rental charge is calculated with reference to the overall length of the Vessel, the length will include extensions such as davits, bowsprits, etc. and will be rounded to the nearest whole metre. An Owner is not entitled to the exclusive use of a particular berth.

In the case of an Owner renting a berth on an annual basis the berthing year will be the period of twelve months commencing on 1 April and rental charges will be payable in advance and demanded by invoice. Payment is due to be received within 30 days from the invoice date. For the ongoing rental of a berth on an annual basis full payment is due and must be made by the 31 March preceding commencement of the berthing year otherwise the Owner will be liable to pay the rental charges published by the Authority at the daily/weekly rate for the period of berth occupancy after the commencement of the berthing year. If the Owner fails to pay any sum due by it to the Authority, the Owner shall be liable to pay interest to the Authority on such sum from the due date, for the period from that due date to the date of payment at 2 per cent per annum above the base lending rate of The Royal Bank of Scotland plc. Subject to all applicable laws and regulations, the Authority has the right to exercise a lien upon any Vessel and/or any gear and equipment whilst in the Marina or Harbour until all monies due to the Authority in respect of the Vessel have been paid. The Authority shall be entitled to refuse to deliver up the Vessel until all such sums have been paid. Berthing charges accruing shall continue to accrue during such period. If any sums remain unpaid for a period of 60 days from the due date the Authority shall be entitled to take possession of any such Vessel and to sell it and reimburse the Owner the sale proceeds less sums due to the Authority and the reasonable sale costs and expenses incurred by the Authority. The Authority shall have no liability in this regard. No refund is due for berths that are vacated part way through a year. If payment for a berth is not received by the due date, the Authority reserves the right to cancel the berth.

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## **THE LICENCE**

The right to berth a Vessel in the Marina relates to a particular Owner and Vessel. The Authority reserves the right to cancel an offer of a berth if on inspection of the Vessel it is considered unsuitable for berthing in the Marina because of its dimensions, weight, method of construction, state of repair, type of fendering or other reason. In such circumstances a proportionate refund of any future berth rental charges already paid will be made. A licence to berth in the Marina may not be transferred, nor may it be used for any other vessel without the prior written consent of the Authority. A licence to berth in the Marina issued on an annual basis will be valid from the date of issue until the following 31 March. The Owner must provide the Authority with an address and contact telephone number. Any change in the details relating to the Owner or Vessel provided on the application form, shall be notified to the Authority forthwith.

## **USE OF ELECTRICITY**

Electricity is available at most berths although the supply is not guaranteed. If electricity is required to be supplied to unattended vessels or for use other than for low powered equipment, a metering system must be purchased or rented from the Authority. In such circumstances the Owner will be charged for the number of units consumed and shall pay on demand at the current rate of charges in force at the Marina from time to time. Connectors and cables not supplied by the Authority shall only be used if they are of proper manufacture and comply with UK government standards. The Owner will be liable for any damage to the electrical equipment incurred as a result of the acts or neglects of the Owner.

## **VESSEL IDENTIFICATION**

Vessels berthed in the Marina must have their name clearly displayed. The Owner must ensure that any display sticker provided by the Authority as evidence of the relevant dues having been paid is displayed in a conspicuous position on the Vessel.

## **MOORING OF VESSEL**

The Owner shall berth and leave the Vessel safely and securely moored and appropriately fendered and in such a manner, position and location as the Authority may require. The Authority shall have the right to alter the location of the berth from time to time. The Owner must ensure that no damage, obstruction, nuisance or annoyance is caused to the Harbour and other Harbour or Marina users. All necessary warps and fenders shall be supplied by the Owner. In the event that the Vessel has sails, these are required to be removed and stored safely when not in use and all rigging secured safely. Any outboard motors are to be removed from the water and stored safely on the Vessel when not in use. The Owner shall, if required to do so by the Harbour Master, give free access across the deck of his Vessel for persons and goods to and from vessels berthed alongside his Vessel. The engines of any Vessel moored in the Marina shall not be operated in such a manner so as to cause damage to the bed or banks of the Marina or to any other vessel or property.

## **MOVEMENT OF VESSELS**

The Authority shall have the power to move, enter or board any Vessel if in its opinion this is necessary for the safety of the Vessel and/or safety or convenience of other Harbour users and/or safety of the Authority's premises, plant or equipment and/or any other reason determined by the Harbour Master acting reasonably. The Authority reserves to itself absolute discretion as to the means and procedure to be followed in the handling of any Vessel notwithstanding any express instructions given by the Owner in relation thereto. If required by the Authority, the Owner shall leave a duplicate set of their Vessel keys with the Authority at all times. Keys will not be released to third parties without the Owner's prior consent.

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## **MAINTENANCE OF VESSEL**

The Owner shall keep the Vessel in a sound watertight and sea worthy condition, to the satisfaction of the Harbour Master, at all times. The Authority shall have the right to carry out emergency work on the Vessel and the Owner shall be liable for all reasonable charges for this work. The Owner shall notify the Harbour Master as soon as practicable after becoming aware of any vessel that has sunk or grounded in the Harbour or the occurrence of any accident within the Harbour Limits. If the Vessel sinks within the limits of the Harbour, the Authority shall be entitled to raise and salvage the Vessel and to recover from the Owner reasonable charges, fees and expenses incurred in respect thereof. Where reasonably practicable the Owner will be given prior warning that the Authority is about to exercise its rights under this clause.

## **REPAIR WORK**

No repairs or works shall be carried out on the Vessel within the Marina premises other than minor running repairs or minor routine maintenance. Such repairs shall be carried out in a safe manner so as not to cause or be likely to cause any damage or any danger, nuisance, disruption or annoyance to other Marina or Harbour users and local residents. The Authority reserves the right to terminate works in progress if it considers that these are being carried out or about to be carried out in breach of this regulation. No welding or hot work is permitted without prior approval of the Harbour Master.

## **COMMERCIAL USE**

No part of the Marina or the Vessel may be used for any commercial purpose without the prior written consent of the Authority, which may be withheld at the Authority's sole discretion.

## **USE OF MARINA PREMISES**

No part of the Harbour shall be used for water skiing, jet skiing, kite surfing, parascending, recreational swimming or diving or such other similar activity without the prior consent of the Harbour Master. No person shall leave on the pontoon decks, walkways, access bridge or boat compound any equipment, fishing gear, ropes or personal belongings or any other thing whatsoever except for brief periods in the course of transporting the items to or from the Vessel. The Authority shall have the right to remove and dispose of any such items left on the Marina premises without the prior consent of the Authority. The loading, landing or storage of any creels, fishing related equipment, with the exception of sea angling tackle, is prohibited. Any Vessel, equipment, goods or other property which is located on the Marina and Harbour, is located entirely at the owner's own risk and the Authority shall not be held responsible or liable for any damage either done by or to the Vessel, equipment, goods or other property, howsoever that damage or destruction is occasioned.

## **LIMITATION OF LIABILITY**

All persons using any part of the Harbour for whatever purpose do so at their own risk. The Authority shall, in no circumstances have any liability (including by way of indemnity) in respect of any of the following losses or damage howsoever caused (whether such losses or damage were foreseen, foreseeable, known or otherwise): (a) any, indirect, incidental, special or consequential loss or damage; (b) loss of actual or anticipated income or profits; (c) loss of goodwill; (d) loss of business; (e) loss of revenue or of the use of money; (f) loss of contracts; (g) loss of anticipated savings; and (h) loss which could have been avoided by the Owner through reasonable conduct or by the Owner taking reasonable precautions.

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The Authority shall have no liability for any loss, damage, cost, expense or delay caused or arising as a consequence of: (a) acts, events or omissions beyond its reasonable control; (b) force majeure (including adverse weather, storm, tempest, lightning, earthquake, tidal waves and flood); (c) strikes, lock-out or other industrial disputes (whether involving the workforce of the Authority or any other party); (d) failure of a utility service or transport network; (e) war, riot or civil commotion; (f) malicious damage; (g) wear and tear, leakage or latent defect of goods or equipment; (h) compliance with any law or governmental order, rule, regulation or direction; (i) accident; (j) breakdown of plant or machinery (including computer hardware, computer software, telephone, radio satellite or other communication system, alarm or C.C.T.V.); (k) loss/deletion of data; (l) fire (including steps to extinguish fire) or smoke; (m) temperature variation, mould or corrosion; (n) vermin or insects; (o) any Vessel being in an unsuitable condition; (p) acts or default of third parties including suppliers or sub-contractors; and (q) the failure of the Owner to comply with these Regulations. Nothing in these Regulations shall exclude or in any way limit the Authority's liability for fraud, or for death or personal injury caused by its negligence, or any other liability to the extent the same may not be excluded or limited as a matter of law.

### **MAINTENANCE OF BERTH**

No guarantee is given or responsibility accepted by the Authority for the suitability of any berth, depth of water or facilities provided at the Marina.

Owners shall immediately advise the Harbour Master should any defect become apparent in the Marina infrastructure including breakwater, mooring chains, ropes, buoys, pontoon berthing or water/electrical/safety appliances.

### **SPEED RESTRICTIONS**

Vessels entering, leaving or manoeuvring within the Marina or Harbour shall do so with care and caution and at such speed and in such a manner so as not to damage, endanger or inconvenience other vessels, individuals, equipment or any part of the Harbour or Marina. A speed limit of 5 knots is in force throughout the Bay Harbour. This reduces to 4 knots within the Marina breakwater other than in respect of use by the Harbour Master in the case of emergency.

### **POLLUTION/FIRE SAFETY**

**No refuse is to be thrown overboard or left at any place** within the Harbour or Marina except in the appropriate receptacles provided by the Authority. No effluent, detergent, fuel or other pollutants shall be spilled or dumped within the Harbour limits. Oily rags, waste oil, used filters, etc must be placed in the appropriate bin and must not be left lying around. Any flammable materials, fuel oil, gasses and warning flares stored on board a Vessel shall be securely stored and contained in a safe and proper manner. Smoking is strictly prohibited in any fuelling areas. The Owner shall take all necessary precautions for the prevention of fire including providing at least one fire extinguisher on the Vessel suitable for the type of engines, fuel and equipment on the Vessel and shall comply with any requirements of the Harbour Master in this regard.

### **NOISE**

No noisy, noxious or objectionable equipment, machinery, engines or radios shall be operated within the Harbour or Marina which shall cause or be likely to cause annoyance to other persons using or residing in the vicinity of the Harbour. Halyards and other rigging shall be secured in such a manner as not to cause annoyance or obstruction. Owners shall at all times behave in a considerate manner.



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## **INSURANCE**

Owners shall maintain third party insurance in respect of their Vessel, crew and guests to cover all risks including damage by fire or other hazards to other craft and persons using the Harbour and Marina, and to the property of the Authority, for a minimum sum of £3,000,000 or such greater sum as may be required by the Authority and intimated to the Owner. Owners shall maintain first party removal of wreck insurance for a minimum sum of £3,000,000. Such insurances shall be maintained with a reputable insurance company and evidence that the Vessel is so insured shall be provided each year to the Authority on request. Vessels found to be without such insurances may have the berth cancelled immediately in accordance with the undernoted termination provisions.

## **SECURITY**

The Authority may introduce security measures at the Marina, as well as physical barriers to deter unauthorised access to the pontoons and vessels. However, ultimate responsibility for loss from or damage to a Vessel lies with the Owner.

## **HARBOUR BYELAWS/DIRECTIONS**

Attention is drawn to the Peterhead Bay Harbour Byelaws 1984 and any modification or re-enactment thereof, a copy of which can be provided on request. The Byelaws are effective in the Marina as well as the Harbour. These Regulations do not in any way prejudice the powers of the Authority under the Byelaws. The Owner shall comply with any further directions of the Harbour Master and the Authority made in respect of good management of the Marina.

## **TERMINATION OF CONTRACT**

If the Owner fails to comply with any statute, byelaw, condition of berthing, any of the Regulations or any lawful direction given by the Harbour Master, the Authority may terminate the berthing contract by sending written notice to the last known address of the Owner by registered post. If the identity of the Owner or the Owner's contact details are not known to the Authority, the Authority shall serve such written notice by leaving a copy on the Vessel. In such circumstances the Owner shall remove the Vessel and any other property belonging to him within 28 days. Notwithstanding the foregoing, the Authority may terminate the berthing contract and require removal of the Vessel and any other property of the Owner with immediate effect in the event of any material breach of any statute, byelaw, Regulation or lawful direction of the Harbour Master (the determination of a material breach being made by the Harbour Master in their sole discretion). On failure to remove the Vessel within the 28-day period or immediately (if applicable as per the foregoing), the Authority may at the Owner's sole risk and expense remove the Vessel from the Harbour and store or berth it elsewhere and all reasonable costs incurred by the Authority in so doing shall be recoverable from the Owner. If the Owner fails to collect and remove the Vessel within a further 28 days (following the initial 28-day period if applicable as per the foregoing); or (ii) any sums due to the Authority remain unpaid for a period of 60 days from the due date the Authority shall be entitled to take possession of the Vessel and to sell it and reimburse the Owner the sale proceeds less sums due to the Authority and the reasonable sale costs and expenses incurred by the Authority. The Authority shall have no liability in this regard.

## **GENERAL**

Headings are for ease of reference and do not form part of or affect the interpretation of these Regulations. The Regulations together with the conditions detailed in the 'Peterhead Bay Marina' promotional brochure shall apply to all Marina users. These may be altered or amended from time to time by the Authority and shall be deemed to be incorporated herein upon any notice of amendment being sent to the Owner's last known address. If the identity of the Owner or the Owner's contact details are not known to the Authority, the Authority shall serve such notice by leaving a copy on the Vessel if located within the Marina. In the absence of express acceptance by the Owner of these Regulations, acceptance shall be implied in the event of the entry or delivery of any Vessel, person, goods or equipment into or onto the Marina or by oral application to the Authority for entry to the Marina or the

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use of any Marina facility by or on behalf of any Owner. If and in so far as any part or provision of the Regulations is or becomes void or unenforceable it shall be deemed not to be or never to have been or formed a part of the Regulations and the remaining provisions of the Regulations shall continue in full force and effect. The failure of the Authority to exercise or enforce any right conferred on them by the Regulations shall not be deemed to be a waiver of any such right or operate to bar the exercise or enforcement thereof at any time or times thereafter. These Regulations and in particular the limitations on liability are intended to inure for the benefit of both the Authority and its employees, agents and contractors to which end the Authority contracts on these Regulations on its own behalf and as agent for and trustee for the benefit of its employees, agents and contractors. All legal relationships and agreements between the Authority and the Owner shall be governed in all respects by Scots law and the Owner hereby submits to the exclusive jurisdiction of the Scottish Courts in connection therewith. The provisions of the General Terms & Conditions shall apply to the Owner and the Vessel to the extent they are not at odds with the Regulations.

## **PORT HENRY MARINA RULES REGULATIONS RELATING TO USE OF MARINA FACILITIES DEFINITIONS**

The "Authority" means Peterhead Port Authority constituted by The Peterhead Port Authority Harbour (Constitution) Revision Order 2005 and having its principal place of business at Harbour Office, West Pier, Peterhead, AB42 1DW or its successors as operators of the Marina.

The "General Terms & Conditions" means the Authority's General Terms & Conditions as may be varied from time to time by the Authority.

The "Harbour" means the Port of Peterhead and all the facilities contained therein, as defined in article 12(c) of The Peterhead Port Authority Harbour (Constitution) Revision Order 2005.

The "Harbour Master" means the Authority's Harbour Master, his deputy or any nominee of theirs. The "Marina" means Peterhead Bay Marina including the protective stone breakwaters, pontoons, access bridge, services and administration building, walkways, hard standing boat compound area, car park and all plant and equipment fitted or placed thereon by the Authority.

The "Regulations" means these Regulations relating to the use of the Marina.

The "Vessel" means any vessel, craft, boat, yacht, dinghy or other marine structure which is the property of or is in the control of the Owner.

The "Owner" means any person in control of the Vessel (other than the Authority) including any charterer or hirer.

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## **THE LICENCE**

The right to berth a Vessel in the Marina relates to a particular Owner and Vessel. The Authority reserves the right to cancel an offer of a berth if on inspection of the Vessel it is considered unsuitable for berthing in the Marina because of its dimensions, weight, method of construction, state of repair, type of fendering or other reason. In such circumstances a proportionate refund of any future berth rental charges already paid will be made. A licence to berth in the Marina may not be transferred, nor may it be used for any other vessel without the prior written consent of the Authority. A licence to berth in the Marina issued on an annual basis will be valid from the date of issue until the following 31 March. The Owner must provide the Authority with an address and contact telephone number. Any change in the details relating to the Owner or Vessel provided on the application form, shall be notified to the Authority forthwith.

## **MAINTENANCE OF VESSEL**

The Owner shall keep the Vessel in a sound watertight and sea worthy condition, to the satisfaction of the Harbour Master, at all times. The Authority shall have the right to carry out emergency work on the Vessel and the Owner shall be liable for all reasonable charges for this work. The Owner shall notify the Harbour Master as soon as practicable after becoming aware of (i) any vessel that has sunk or grounded in the Harbour or the occurrence of any accident within the Harbour Limits. If the Vessel sinks within the limits of the Harbour, the Authority shall be entitled to raise and salvage the Vessel and to recover from the Owner reasonable charges, fees and expenses incurred in respect thereof. Where reasonably practicable the Owner will be given prior warning that the Authority is about to exercise its rights under this clause.

## **LIMITATION OF LIABILITY**

All persons using any part of the Harbour for whatever purpose do so at their own risk. The Authority shall, in no circumstances have any liability (including by way of indemnity) in respect of any of the following losses or damage howsoever caused (whether such losses or damage were foreseen, foreseeable, known or otherwise): (a) any, indirect, incidental, special or consequential loss or damage; (b) loss of actual or anticipated income or profits; (c) loss of goodwill; (d) loss of business; (e) loss of revenue or of the use of money; (f) loss of contracts; (g) loss of anticipated savings; and (h) loss which could have been avoided by the Owner through reasonable conduct or by the Owner taking reasonable precautions.

The Authority shall have no liability for any loss, damage, cost, expense or delay caused or arising as a consequence of: (a) acts, events or omissions beyond its reasonable control; (b) force majeure (including adverse weather, storm, tempest, lightning, earthquake, tidal waves and flood); (c) strikes, lock-out or other industrial disputes (whether involving the workforce of the Authority or any other party); (d) failure of a utility service or transport network; (e) war, riot or civil commotion; (f) malicious damage; (g) wear and tear, leakage or latent defect of goods or equipment; (h) compliance with any law or governmental order, rule, regulation or direction; (i) accident; (j) breakdown of plant or machinery (including computer hardware, computer software, telephone, radio satellite or other communication system, alarm or C.C.T.V.); (k) loss/deletion of data; (l) fire (including steps to extinguish fire) or smoke; (m) temperature variation, mould or corrosion; (n) vermin or insects; (o) any Vessel being in an unsuitable condition; (p) acts or default of third parties including suppliers or sub-contractors; and (q) the failure of the Owner to comply with these Regulations. Nothing in these Regulations shall exclude or in any way limit the Authority's liability for fraud, or for death or personal injury caused by its negligence, or any other liability to the extent the same may not be excluded or limited as a matter of law.

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## **SPEED RESTRICTIONS**

Vessels entering, leaving or manoeuvring within the Marina or Harbour shall do so with care and caution and at such speed and in such a manner so as not to damage, endanger or inconvenience other vessels, individuals, equipment or any part of the Harbour or Marina. A speed limit of 5 knots is in force throughout the Bay Harbour. This reduces to 4 knots within the Marina breakwater other than in respect of use by the Harbour Master in the case of emergency.

## **POLLUTION/FIRE SAFETY**

**No refuse is to be thrown overboard or left at any place** within the Harbour or Marina except in the appropriate receptacles provided by the Authority. No effluent, detergent, fuel or other pollutants shall be spilled or dumped within the Harbour limits. Oily rags, waste oil, used filters, etc must be placed in the appropriate bin and must not be left lying around. Any flammable materials, fuel oil, gasses and warning flares stored on board a Vessel shall be securely stored and contained in a safe and proper manner. Smoking is strictly prohibited in any fuelling areas. The Owner shall take all necessary precautions for the prevention of fire including providing at least one fire extinguisher on the Vessel suitable for the type of engines, fuel and equipment on the Vessel and shall comply with any requirements of the Harbour Master in this regard.

## **SECURITY**

The Authority may introduce security measures at the Marina, as well as physical barriers to deter unauthorised access to the pontoons and vessels. However, ultimate responsibility for loss from or damage to a Vessel lies with the Owner. Patrons of Port Henry Marina must ensure for security purposes that the main entrance gate is kept closed and not wedged open at any-time.

## **HARBOUR BYELAWS/DIRECTIONS**

Attention is drawn to the Peterhead Bay Harbour Byelaws 1984 and any modification or re-enactment thereof, a copy of which can be provided on request. The Byelaws are effective in the Marina as well as the Harbour. These Regulations do not in any way prejudice the powers of the Authority under the Byelaws. The Owner shall comply with any further directions of the Harbour Master and the Authority made in respect of good management of the Marina. No fishing gear to be left on Marina. Marina to be kept tidy with no trip hazards. There is a waiting list for berths in the Port Henry Marina. These berths shall be awarded to the owners and not the vessel. Patrons must report any damage or suspicious behaviour to the Control Tower.

## **TERMINATION OF CONTRACT**

If the Owner fails to comply with any statute, byelaw, condition of berthing, any of the Regulations or any lawful direction given by the Harbour Master, the Authority may terminate the berthing contract by sending written notice to the last known address of the Owner by registered post. If the identity of the Owner or the Owner's contact details are not known to the Authority, the Authority shall serve such written notice by leaving a copy on the Vessel. In such circumstances the Owner shall remove the Vessel and any other property belonging to him within 28 days. Notwithstanding the foregoing, the Authority may terminate the berthing contract and require removal of the Vessel and any other property of the Owner with immediate effect in the event of any material breach of any statute, byelaw, Regulation or lawful direction of the Harbour Master (the determination of a material breach being made by the Harbour Master in their sole discretion). On failure to remove the Vessel within the 28-day period or immediately (if applicable as per the foregoing), the Authority may at the Owner's sole risk and expense remove the Vessel from the Harbour and store or berth it elsewhere and all reasonable costs incurred by the Authority in so doing shall be recoverable from the Owner.

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If (i) the Owner fails to collect and remove the Vessel within a further 28 days (following the initial 28-day period if applicable as per the foregoing); or (ii) any sums due to the Authority remain unpaid for a period of 60 days from the due date the Authority shall be entitled to take possession of the Vessel and to sell it and reimburse the Owner the sale proceeds less sums due to the Authority and the reasonable sale costs and expenses incurred by the Authority. The Authority shall have no liability in this regard.

## **GENERAL**

Headings are for ease of reference and do not form part of or affect the interpretation of these Regulations. The Regulations together with the conditions detailed in the 'Port Henry Marina' promotional brochure shall apply to all Marina users. These may be altered or amended from time to time by the Authority and shall be deemed to be incorporated herein upon any notice of amendment being sent to the Owner's last known address. If the identity of the Owner or the Owner's contact details are not known to the Authority, the Authority shall serve such notice by leaving a copy on the Vessel if located within the Marina. In the absence of express acceptance by the Owner of these Regulations, acceptance shall be implied in the event of the entry or delivery of any Vessel, person, goods or equipment into or onto the Marina or by oral application to the Authority for entry to the Marina or the use of any Marina facility by or on behalf of any Owner. If and in so far as any part or provision of the Regulations is or becomes void or unenforceable it shall be deemed not to be or never to have been or formed a part of the Regulations and the remaining provisions of the Regulations shall continue in full force and effect. The failure of the Authority to exercise or enforce any right conferred on them by the Regulations shall not be deemed to be a waiver of any such right or operate to bar the exercise or enforcement thereof at any time or times thereafter. These Regulations and in particular the limitations on liability are intended to inure for the benefit of both the Authority and its employees, agents and contractors to which end the Authority contracts on these Regulations on its own behalf and as agent for and trustee for the benefit of its employees, agents and contractors. All legal relationships and agreements between the Authority and the Owner shall be governed in all respects by Scots law and the Owner hereby submits to the exclusive jurisdiction of the Scottish Courts in connection therewith. The provisions of the General Terms & Conditions shall apply to the Owner and the Vessel to the extent they are not at odds with the Regulations.

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## **Procedures for closing Alexandra Parade**

**Harbour Master or Harbour Master on duty is empowered to close Alexandra Parade**

**Harbour Master John Forman – 07740662615,**

**Senior Assistant Harbour Master George Reid – 07796323934**

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**Considerations for closing Alexandra Parade –**

**Direction and strength of wind, Swell Direction and height, Time and height High Water**

**Closure may also be for emergency services, or road blockages**

**E-Mail to be sent to the road closure list giving as much notice as possible.**

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**Designated computers with the Road Closure E-Mailing list –**

**Harbour Master, Control Tower, Craig Allan (Office)**

**Contact Tel No's – Main Office 01779 483600**

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**Before closing the gates on Alexandra Parade**

**Ensure the Queenie Bridge is in operation or call someone in if after hours.**

**Contact Details of qualified Bridge Operators –**

**Senior Port Engineer David Buchan – 07710922271**

**Port Facility Manager Jim Dixon – 07554335233**

**Bridge Operator Graham Finlay - 07771898771**

**Bridge Operator Neil Brown – 07920539564**

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**Harbour Master on duty to ensure the Control Tower is informed**

**and that all actions are logged in the Official Log Book**

**Control Tower contact details 01779 483630 / 01779 483626**

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**HSE Officer Richard Baird - 07802300534**