ABSTRACT
This report sets out proposals for short and medium term public access for launching and retrieving trailer mounted vessels within Arbroath Harbour at the existing slipway and seeks the council’s determination on the matter.

1  RECOMMENDATIONS

1.1 It is recommended that the Council:

(i) considers a series of proposals as detailed in this report to allow controlled public access for launching and retrieving trailer mounted vessels from the existing slipway in Arbroath Harbour; and

(ii) determines whether or not it wishes to progress this as set out in the report.

2  BACKGROUND

2.1 The possibility of constructing a new slipway at Arbroath Harbour, which would allow small, trailer-mounted vessels, such as sailing boats, small yachts, power boats, dinghies and other such vessels, to be launched and recovered was reviewed in detail and subject to public consultation in 2008 (reference Report No 1002/08). The outcome of the consultation was that the market research which was undertaken did not provide sufficient confidence that the level of demand would be such as to generate the income required to meet the running costs of a managed facility, notwithstanding the capital cost of such provision and concluded that the provision of a new public slipway facility at Arbroath Harbour should be not progressed at that time.

2.2 Following further interest in providing facilities for public access to the patent slip within the harbour, the Head of Roads has considered options to facilitate short term and medium term proposals to allow trailer mounted vessels access to the existing slipway for launching/retrieving. Proposals are presented in this report having considered factors including location, accessibility, manageability, costs, timescales for delivery and risks.

2.3 The existing slipway and associated winch are owned and operated by Angus Council and held on the Roads Division account. The slipway within the boatyard is predominantly used for the maintenance and refurbishment of vessels. These works are most often undertaken by Mackay Boatbuilders (Arbroath) Ltd, who lease the adjacent Boatyard and Sailcloth Store from Angus Council. The slipway itself is not included within the boundary of the leased land.

2.4 The current slipway has two cradles for use during refurbishment of boats. Both cradles are used at times, either in combination or independently depending on the size and hull shape of the vessel(s) requiring slipping. The Harbourmaster and assistants are responsible for the hauling and launching of the boats using the cradles and the winch, and for taking bookings for the use of the cradles/winch in liaison with the boatyard operators.
3 SHORT TERM PROPOSALS FOR PUBLIC ACCESS TO THE SLIPWAY

3.1 Proposal for access to the slipway for small trailer-mounted craft

It has been proposed that controlled public access to the slipway might be facilitated through the existing vehicular gate adjacent to the walkover bridge and along an unsurfaced roadway onto the existing slipway under the supervision of the Harboumaster and assistants (see plans attached to this report).

3.2 Working Times

The boatyard carries out refurbishment of boats mainly during the week and during normal working hours, which often requires the use of either or both cradles. Public access to the boatyard during these working hours is not considered to be suitable for reasons of safety and could affect commercial activities in the boatyard. Use of the lower cradle may mean that access to the slipway for launching vessels is physically restricted at times. This would allow public access to use the slipway only during the evenings and at weekends, depending on the tide, and availability of the Harboumaster and assistants to supervise access. Previous usage records for 2010/11 indicate that the slipway was inaccessible by dint of the occupation of the cradles approximately 220 days of the 365 days for that year of which approximately 56 days were at weekends. The breakdown of the occupation of the slipway for weekends during 2010/11 is set out in detail in Appendix 1 to this report.

3.3 Issues associated with the short-term proposal

3.3.1 The layout and orientation of the existing access gate to the slipway would require an owner manoeuvring a vehicle and trailer onto and down the slipway to take great care. It is thought considered that this may be achievable albeit with the exercise of the necessary care. The location plan for the slipway and the extent of the plan indicating the land leased to Mackay’s boatyard are attached to this report in Appendices 2 and 3 respectively. The relevant area is that immediately adjacent to the slipway on its east side in the vicinity of the wash down water tank and constrained by the slipway to the west side, the stone wall to the east and the land leased to Mackay’s on the north. Together these constrain the area available for manoeuvring a road vehicle and trailer.

3.3.2 At the access gate, there is a water tank etc which is used for the washing down of boats, this is used to prevent pollutants from the boats entering the harbour waters. It is noted that consideration would have to be given to protecting this tank and associated pumps and pipework from vehicle damage (part of the council’s slipway assets).

3.3.3 It is noted that after launching their vessel from the slipway, users would have to take their trailer and vehicle to suitable remote parking and return on foot to their vessel.

3.3.4 Safety and security of the users of the slipway and the boatyard, and potential impact on commercial operations therein have been discussed with Mackay Boatbuilders (Arbroath) Ltd given the juxtaposition of the slipway and the boatyard. These issues would need to be subject to further consideration as the management procedures for this proposal are finalised. It is fair to say that at this stage the boatyard operators are not in favour of the proposal. The views of the established harbour user groups have been obtained through the meeting of the Arbroath Harbour Joint Consultative Committee held on 3 June 2011. These views have been set out in section 3.4 of this report below.

3.3.5 In addition, concerns over unregistered and uninsured boats accessing the outer harbour have been raised and would again need to be addressed as the management procedures for this proposal are finalised. This might include restrictions on the type of vessel permitted to use the slipway.

3.3.6 The rails on the patent slipway present a hazard to pedestrians through tripping and to vessels and launch vehicles and trailers. Similarly the vehicles and trailers would introduce a risk that the rails may be damaged (see 3.9 below).
3.3.7 Trailer mounted vessels would require to pass under the lifting footbridge as they progressed down the slipway. The headroom clearance varies between about 2.5 and 3.2m which may require that for certain vessels which exceed that height on their trailers to have the footbridge raised to allow them to pass.

3.4 Views of Established harbour User Groups

The opportunity was taken at the meeting of the Arbroath Harbour Joint Consultative Committee (AHJCC) held on Friday 3 June to canvass the views of the representatives of the various user groups with regard to this proposal. In summary all representatives of the various user groups would like to see a slipway available for the launching and retrieval of small trailer-mounted vessels, but not the proposed use of the existing slipway as set out in this report for a range of reasons as further set out below.

3.4.1 **Representative of the small (fishing and commercial) boat owners**

It was felt that this would be in the wrong part of the harbour and would introduce conflict of use and users, putting recreational users into the heart of the industrial part of the harbour activity.

3.4.2 **Representative of the Arbroath Fishermen’s Association**

In addition to the above it was felt that the manoeuvring at the head of the slipway and the limited headroom under the pedestrian footbridge would also introduce conflict of use with the established slipway uses.

3.4.3 **Representative of the Arbroath Sailing and Boating Club**

The proposal would also introduce conflict with pedestrians at the south breakwater/entrance to the boatyard and in the vicinity of the pedestrian bridge with associated disruption and risk.

3.4.4 **Representative of Leisure Craft Owners**

While originally supportive of the proposal the representative now recognises the potential conflict in the proposed use and is not now in favour.

3.4.5 **Representative of the Boatbuilders/Repairers**

Mr Simpson previously made a presentation to the Council meeting of 12 May 2011 and reiterated his concerns about the potential conflict with the boatyard activities and the potential detriment to business activities in that regard.

3.4.6 **Representative of the RNLI**

It was considered that the proposal was impractical as set out for the detailed reasons previously described by others.

3.4.7 Of the four Councillors who attended the meeting, two fully concurred with the views expressed by the harbour users and one urged that the Committee should agree to the proposals detailed in Report No 286/11 to allow public access for launching and retrieving trailer mounted vessels from the existing slipway. The Chairman confirmed that all of these views would be reflected in the report to be submitted to the Council on 22 June 2011 when this matter was to be considered.

3.4.8 The AHJCC also raised the possibility of a hoist or davit possibly achieving the same purpose located elsewhere in the harbour area or that the council revisit the suitability of a slipway located elsewhere in the Arbroath area but away from the immediate harbour confines.
3.5 **Proposed Construction Works**

3.5.1 There are no construction works proposed within this short term option.

3.6 **Control of slipway**

3.6.1 It is proposed that access to the slipway if allowed should be controlled by the Harbormaster and the assistants. The following controls are proposed:

(i) Times will be made available on the internet and at the Harbormaster’s office of when the slipway is available which will be dependant on any operations being carried out by the boatyard operators. It is acknowledged that on occasions the slipway cradles may be occupied at short notice unexpectedly by boats requiring urgent or emergency work and that other potential users would require to be advised of that possibility. Past records indicate that this has been a relatively rare occurrence.

(ii) Access be supervised by the Harbormaster or his assistants

(iii) Vessel owners who have pre-registered their insurance details with the Harbormaster could be allowed to access the slipway without further checks on their insurance.

(iv) Other users would need to provide evidence of adequate insurance to the Harbormaster or assistants prior to accessing the slipway.

3.7 **Costs**

3.7.1 It is anticipated that staff time only would be required under this option to control and manage the operation of the slipway subject to demand. Similarly it is anticipated that staff costs could be contained within the current Roads revenue budget on the basis that the operation of the slipway for public use will be subject to current availability of staff and consistent with such other duties as they are required to undertake.

3.7.2 It is further proposed that users would be charged £10 per day (or part thereof) for use of the slipway for this purpose or that as an alternative a seasonal fee of £50 (June-September) be levied.

3.8 **Timescales**

3.8.1 It is anticipated that subject to council approval these short term proposals could be implemented quickly, making public access available shortly following determination of the proposal by the council.

3.9 **Risk Management**

(i) Due to the uneven nature of the ground at the slipway and the presence of the rails, there is a potential risk to pedestrians and vehicles. It is proposed that signage and supervision of users by harbour staff would manage this risk.

(ii) Day to day harbour operations are affected due to time spent by harbour staff controlling the slipway. It is proposed that access to the slipway would be suspended where harbour staff are urgently required to undertake other duties.

(iii) Potentially the presence of boats on the slipway undergoing maintenance work would prevent safe access to the slipway by members of the public. It is proposed that appropriate notice would be given on the internet and at the Harbormaster’s office when such conditions apply.
(iv) Security of the boatyard and Sailcloth Store, Winch Shed and boats being repaired, and safety of members of the public require consideration. It is proposed that close supervision of users by harbour staff could manage this risk.

3.10 Summary

3.10.1 It is considered that the risks associated with this short term proposal for public access to the slipway could be managed as detailed above and could be delivered within existing budgets, but subject to priority being given to other harbour duties. Accordingly and if the council wishes to progress this proposal, it is recommended that this be initially implemented during 2011 to establish the viability of the proposal and to allow the funding arrangements associated with the medium term proposals relating to continuing such use of the slipway, which are detailed below, to be considered.

4 MEDIUM TERM PROPOSALS FOR PUBLIC ACCESS TO THE SLIPWAY

4.1 Proposal for access to the slipway for small trailer-mounted craft

4.1.1 Following the initial operating period described above it is proposed that a further report be brought back to Infrastructure Services Committee to assess the merits and issues of continuing the practices as described or as may be modified, based on patronage, safety, convenience both to new users and established users and any other salient information gathered. The subsequent report would make recommendations regarding the provision of the further medium term measures in respect of the vehicle access to the slipway as are set out below, and which again could be determined by the Infrastructure Services Committee.

4.1.2 In addition to the short term proposal detailed in section 3, it is proposed that the unsurfaced track to the slipway would be replaced with a formed surface, which may include physical protection measures to and from the slipway rails. In addition to this, it is proposed that a moveable security hoarding be erected to prevent unauthorised access to restricted areas within the boatyard, which may reduce the requirements for supervision by the harbour staff.

4.1.3 Working Times

As detailed in section 3.2 of this report, available access to the slipway would be subject to operational and physical restrictions during the working times of the boatyard and the availability of the Harbormaster and assistants to supervise access. Tidal conditions also need to be factored into the periods of availability.

4.1.4 Issues associated with the medium-term proposal

The issues applying to the short term proposals, as detailed in section 3 of this report, also apply to the medium term proposals for slipway access as detailed in this section of the report.

4.1.5 Control of slipway

The controls as detailed for the short term proposals in section 3.6 of this report could also apply to these medium term measures.

4.1.6 Proposed Works (slipway)

(i) The existing unsurfaced area between the access gate and the slipway is proposed to be excavated and replaced with suitable road construction. This will include any protection measures for the rails to the patent slip, and the tank, pumps and pipework of the wash catchment system.

(ii) It is proposed that movable security hoarding be purchased and erected when required to inhibit unauthorised access to the boatyard areas.
4.1.7 Costs

The estimated cost for the above proposed works encompassed within the medium-term proposals is £27,500, as summarised below:

(i) Excavation of existing surface and replace with road construction, including protection of rails to the patent slip, and tank, pumps and pipework = £25,000;

(ii) Moveable Security Hoarding = £2,500.

4.2 Timescales

4.2.1 The proposed medium term works at the slipway, as detailed above would take 4-6 weeks to complete. It is proposed that the implementation of these works would be subject of review of the short-term proposals detailed above. Subject to a successful review and council approval, it is considered that these works could be implemented ahead of summer 2012 during financial year 2012/13. Such works would require to be co-ordinated with the operations of Mackay’s boatyard so as to minimise any disruption thereto.

4.3 Risk Management

(i) Due to the uneven nature of the ground at the slipway and the presence of the rails, there is a potential risk to pedestrians and vehicles. It is proposed to resurface the access to the slipway and install protection measures to and from the slipway rails.

(ii) Day to day harbour operations are affected due to time spent by harbour staff controlling the slipway. It is proposed that access to the slipway would be suspended when harbour staff are required for other duties.

(iii) Potentially boats on the slipway undergoing maintenance work prevent safe access to the slipway by members of the public. It is proposed that notice of restrictions would be given on the internet and at the Harbourmaster’s office.

(iv) The security of the boatyard and Sailcloth Store, Winch Shed and boats being repaired, and safety of members of the public require consideration. It is proposed to erect security hoarding across the slipway to prevent unauthorised access to the boatyard area.

4.4 Summary

4.4.1 It is considered that the risks associated with this medium term proposal could be managed as detailed, but subject to priority being given to other harbour duties and the necessary funding being identified for the proposed works. The proposed medium term works would be subject to a review of the success of the short-term measures for facilitating access to the slipway for the stated purposes and committee approval of same, and could be implemented ahead of summer 2012.

5 FINANCIAL IMPLICATIONS

2011/12

5.1 Staff costs for the proposed initial implementation of operation of the slipway to allow public access for launching and retrieving trailer mounted vessels within Arbroath Harbour, as detailed above in the short term proposals (see section 3) can be contained within the 2011/12 Road’s Division revenue budget.
5.2 Subject to a successful review of the initial period of operation and the necessary committee approval as detailed above, the following works as detailed in the medium term proposals (section 4 above) could be undertaken at an estimated cost of £27,500 in financial year 2012/13.

5.3 The £25,000 cost for resurfacing and repairs to the surfacing to improve access to the slipway for the public, can be provided from the Roads Capital Budgets for 2012/13 subject to the operational review described. If approved, the project would require to be reflected in the 2012/13 Capital Plan.

5.4 The £2,500 cost to purchase the movable security hoarding to provide security and safety to the boatyard, as detailed in the medium term proposals, together with staff costs for the erection of the hoarding may be contained within Roads revenue budgets.

Charges

5.5 If the council determines to proceed with the proposal as set out in this report, it is proposed that users be charged a fee of £10 per day (or part thereof) for using the slipway for launching/retrieving trailer mounted vessels. An alternative seasonal charge of £50 is also proposed for the part of 2011 in which the proposal may be available.

6 HUMAN RIGHTS IMPLICATIONS

6.1 There are no Human Right implications arising from the proposals in this report.

7 EQUALITIES IMPLICATIONS

7.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective. An equalities impact assessment has been undertaken.

8 SINGLE OUTCOME AGREEMENT

8.1 This report contributes to the following local outcomes contained within the Single Outcome Agreement for Angus:

- Growth in tourism in Angus is achieved
- Resources are used effectively.

9 CONSULTATION

9.1 The Chief Executive, Director of Corporate Services, Head of Finance and Head of Law and Administration have been consulted in the preparation of this report.

10 CONCLUSION

10.1 It is recommended that the council considers the implementation of short term proposals for the access to the patent slipway for trailer-mounted vessels at Arbroath Harbour and determine the proposal.

10.2 The issues associated with providing such access to the slipway for trailer-mounted vessels in the short term, if implemented, will be reviewed and can be reported to a future meeting of the Infrastructure Services Committee with a view to considering subsequent implementation of the further medium term proposals.

ERIC S LOWSON
NOTE:

The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

Report 840/10 AHJCC Arbroath Harbour – Autumn Report - Infrastructure Services Committee on 19 November 2010.

Report 119/08 Proposed Lease of Boatshed and Sailcloth Store – Arbroath Harbour – Mackay Boatbuilders (Arbroath) Ltd - Corporate Services Committee on 31 January 2008

Report 1002/08 Arbroath Harbour Consideration of Provision of Public Slipway - Infrastructure Services Committee on 14 October 2008
APPENDIX 1

ARBroATH HARBOUR PATENT SLIPWAY CRADLE OCCUPATION

In summary, the top cradle was in use for 60 days and the bottom cradle was in use for 223 days.

The following table shows the occupation of the cradles over weekend periods only between 1 April 2010 and 31 March 2011.

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<th>Vessel</th>
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</tr>
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Information for months June, July and August are shown in bold to highlight “the summer season”
Appendix 3
Detailed Plan

Extent of area of McKay Boatbuilders' lease.