

Agenda Item: 11

**APPRAISAL OF OFFSHORE OPERATIONAL
REQUIREMENTS AND REPLACEMENT OF THE
AUTHORITY'S PATROL VESSEL "SOLWAY PROTECTOR"**



Report by the Enforcement Director

Purpose of the report

- 1.1 This report outlines the Authority's current offshore enforcement activity as carried out by the 15.8 metre patrol vessel "Solway Protector" and progress of the necessary preparatory steps towards the proposed replacement of the vessel.

Recommendation

- 2.1 That progress and the proposed future time table for replacement be noted, and in light of an unsuccessful bid for EC funding, Members agree to explore procedures for the future funding of a new vessel.

Introduction

- 3.1 The Authority's patrol vessel "Solway Protector", a 15.8 metre commercial variant of Halmatic's GRP Arun class design was commissioned and entered service with the Cumbria SFC in March 1989. When built, the useful life of the vessel was expected to be between 15 – 20 years. The vessel is now in her 22nd year of operation and whilst still in reasonable condition, due to her age is becoming increasingly expensive to maintain and operate.
- 3.2 The primary need for an operational offshore presence remains the enforcement of EC and UK fisheries regulations and the Authority's byelaws. Local byelaw provision is essential to the long term protection and conservation of inshore fisheries and habitats. When the current patrol boat was commissioned the Cumbria SFC area of jurisdiction was from the Solway Firth to the Duddon Estuary, and the seaward limit was 3 nautical miles. The boat is now having to operate in all the sea area 6 miles from baselines, between the Dee Estuary and the Scottish border in the Solway (the new NW IFCA offshore district). This is over three times the area the vessel was designed to patrol and operate in.
- 3.3 Since the early 1990s new marine environmental legislation had the effect of placing additional duties on the now obsolete SFCs. This resulted in officers being increasingly called up to undertake additional monitoring, surveys, stock and habitats assessments, and much other work relating to sensitive marine areas. It is almost certain that the NW IFCA will be expected to take on additional and far reaching offshore duties and responsibilities. Apart from the normal sea fisheries management and enforcement, it is expected that the IFCA will assume responsibility for the management of many other aspects of the marine environment, such as Marine Protected Areas, Special Areas of Conservation and future marine conservation zones. In recent times a number of locally significant projects have been completed or scheduled to commence in or adjacent to the NW IFCA district. These include the installation of long sea outfalls, monitoring of dredge dump areas, the construction of several wind farm sites and associated cable routes, and ongoing oil and gas exploration to mention but a few. It is essential that offshore work of this nature is monitored due to the possible impacts on both the marine

environment and local fish and shellfish populations. This can only be undertaken by maintaining a presence at sea.

Offshore operational constraints

- 4.1 As previously mentioned in this report the “Solway Protector” was built in 1988/89 for a projected 15 – 20 year life span. The vessel has been well maintained and serviced throughout, and underwent a major staged refurbishment during 2001/03.
- 4.2 Operationally from a fisheries enforcement perspective, the vessel continues to deliver a reasonable service, however as the real need is to maintain a presence at sea, when fishing boats and others that may require monitoring are working, the patrol boat should have the ability remain on station as and when required. Officers are increasingly concerned about changes that have taken place, principally due to the much larger area of jurisdiction that now needs to be patrolled along with a notable increase in the structure and size of fishing vessels currently working in or adjacent to the district. Despite being equipped with the latest satellite navigation and radar equipment allowing for “pin point” positioning and monitoring of fishing activities, it has become increasingly apparent during the past decade or so that the “Solway Protector” is not as effective deterrent as it once was. It is indeed a fact of life that a 15.8 metre shallow drafted GRP patrol boat cannot safely work at sea in the same conditions as a 25 metre heavy displacement steel hulled trawler or seine netter.
- 4.3 A further area of concern with the current patrol boat is the outdated RIB boarding boat launch and recovery system which severely restricts the day-to-day offshore enforcement capabilities. In carrying out this operation, the crew have to work on deck with the side deck safety rails removed. Despite modification carried out in recent years, including the installation of a hydraulic crane, safe execution of this operation is still reliant on the high skill level of the crew, good judgment and a degree of luck. On health and safety grounds, all staff have been issued with instructions that the boarding RIB must not be deployed in anything other than a “calm” sea state. The opportunities to carry out boardings and inspections at sea is therefore severely compromised.
- 4.4 Members should also be aware that the current boat offers little scope for undertaking any type of marine environmental monitoring or stock assessment work. Despite the crew adapting the boat to carry out some mussel and cockling sampling, Members should be aware that it was not designed to undertake work such as trawl sampling, sea bed discrimination and other general sub surface monitoring. It is expected that the need for the NW IFCA to carry out this type of work, will increase significantly in the future. Furthermore, the vessel would not be fully suitable operationally should the Authority’s district ever be extended further seaward, or for charter to the MMO should they as anticipated, decide to use IFCA patrol vessels to carry out some of the enforcement work currently undertaken within territorial waters by the Royal Navy fisheries squadron.

Replacement patrol vessel

- 5.1 The Cumbria SFC decided in December 2009 that Officers should start the process of planning to replace the “Solway Protector” and agreed a budget for the financial year

2010/11 which included a sum of £10,000 to fund the initial planning phase for a replacement vessel.

- 5.2 In early 2010 Tony Tait, Senior Marine Surveyor for Seafish Services submitted a proposed work schedule for the preparation of an outline specification and cost assessment for a replacement vessel (Annex 'A'). This was required so as to support an application for EU grant assistance under the current fisheries control programme. The grant application was submitted in March 2010, indicating a build price in the region of £2 million pounds.
- 5.3 The current position regarding a replacement vessel is that a detailed specification was drawn up by Seafish Services, and approved by officers in December 2010. Briefly, it is planned that the vessel would be 26 metre overall length and of a twin hull (catamaran) design and to be constructed of marine grade aluminium. She would be a multi-functional vessel capable of a wide range of applications. These would include fisheries patrol and enforcement (including intertidal shell fisheries), scientific survey work, marine monitoring (MPAs, MPZs etc.,) and could be chartered to carry out a wide variety of work for other agencies.
- 5.4 Unfortunately officers were informed on 24th May 2011 that the application for EU grant assistance had been unsuccessful. The Commission's decision was as follows "*In order to encourage investments in the priorities defined by the Commission and given budgetary constraints, all Member States applications for union finance contributions towards projects related to training, to initiatives raising awareness of CFP rules, as well as to the purchase and modernisation of fisheries patrol vessels and aircraft, were rejected*".
- 5.5 Had the grant application proved successful, officers were confident that matched funding would have been available. When vested on 1st April 2011 all the assets of the Cumbria and North West SFCs transferred to the NW IFCA. These assets included reserves of around £300,000 accrued by the NW SFC over a number of years towards a replacement patrol vessel. A somewhat different arrangement existed in Cumbria. Following an aborted proposal to replace the "Solway Protector" in 2002, the Cumbria County Council as sole funders of the Cumbria SFC agreed to establish a replacement fund whereby initially £100,000 per year for a 5 year period would be set aside. This was to be held within the County Council's Capital Programme. At the final meeting of the Cumbria SFC held on 25th February 2011, officers were informed that as at 31st March 2011, this fund would stand at £706,000. It was also confirmed and subsequently minuted, that the fund is ring fenced by the County Council for a replacement patrol vessel and that the fund would be available to the NW IFCA if and when it replaced the patrol boat.
- 5.6 In anticipation of receiving EU grant funding, an advertisement inviting expressions of interest to build the vessel was placed in the European Journal. Responses to this ultimately resulted in Seafish Marine Services recommending a list of 6 suitably qualified yards who were invited to tender to build the vessel. Surprisingly the prices quoted have proved to be higher than anticipated, ranging between £2.4 - £3.6 million pounds. These may however be reduced by amending the specification, although this would have an impact on the required functionality and criteria of the vessel.

Conclusion

- 6.1 This report aims to demonstrate the continuing importance to the north west economy of the fisheries and fish and shellfish landings within the North Western IFCA district. Fisheries within the district continue to produce a significant amount of high and middle value species and remain extremely valuable to all sectors of our local fishing industry. It is imperative that these fisheries continue to be protected, therefore the need to maintain an offshore enforcement presence remains as important today as every before.
- 6.2 The Authority will now need to consider its policy on replacement of the “Solway Protector” and if agreed that a new vessel should be commissioned, how the project could be funded.
- 6.3 Provided that funding arrangements can be finalised, officers would recommend that Members support a new build option of the type of vessel alluded to at paragraph 5.3 of this report as it is anticipated that this would provide the best long term solution for future development of the Authority’s offshore marine management and conservation roles.

DAVID T DOBSON
Enforcement Director



Mr. David Dobson
Chief Fisheries Officer
Cumbria Sea Fisheries Committee
6 Duncan Square
Whitehaven
Cumbria
CA28 7LN

2 February 2010

Dear David,

CUMBRIA SEA FISHERIES COMMITTEE PROPOSED PATROL VESSEL

Regarding your recent discussions with the Writer, we are pleased to confirm we can undertake the proposed project on behalf of the Cumbria Sea Fisheries Committee. This would comprise initially by assisting in the preparation of an outline specification and cost assessment of a replacement patrol vessel in accordance with the following schedule:-

Proposed Work Schedule

1) Background

The Cumbria Sea Fisheries Committee operates a fisheries patrol vessel, based in Whitehaven Cumbria, for patrol of the assigned fishery areas. This existing vessel is now required to be replaced with a modern vessel, following the extension seaward and southwards of the area boundaries, the increasing age of the existing vessel and the requirement for enhanced marine survey and research work.

2) Objectives

The Committee is to seek EU grant assistance for the procurement of a replacement vessel. We understand an assessment of the cost of a suitable replacement vessel must be carried out by specifying the duties and operational requirements of the proposed vessel, with a comprehensive specification agreed prior to ordering the vessel.

3) Strategy and work programme

i) The strategy and work programme will comprise three stages, these being:-

- Stage 1: Formulation of specification, assistance with grant applications and assessment of replacement vessel cost.
- Stage 2: Tender assessment, contract negotiation, Plan Approvals and Inspection / certification of construction.
- Stage 3: Warranty / guarantee inspections including negotiation with builder for any remedial works for the 1year period after delivery of the vessel

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- ii) The formulation of the specification will be carried out in association with Cumbria Sea Fisheries Committee staff, and the assessment of replacement vessel costs will be by direct quotation from suitably qualified ship/boat builders.
- iii) The Seafish Marine Services will appoint a Project Leader, to implement and participate in the above-mentioned phases (i) and (ii) by direct liaison with the Cumbria Sea Fisheries Committee.

4) Methodology (Stage 1)

4.1) Formulation of specification

- i) The appointed Project Leader will visit and commence discussion with the Cumbria Chief Fishery Officer, and any other designated staff for the determination of the required vessel's operational duties, size, and power configuration, range and duration capabilities.
- ii) The Project Leader will also visit the existing vessel for viewing existing arrangements and operational procedures.
- iii) Project Leader will prepare Outline Specification for submission to Cumbria Sea Fisheries Committee for comment.
- iv) Project Leader will visit Cumbria Sea Fisheries Committee for discussion of specification and incorporation of any amendments/revisions to the original specification.
- v) Project Leader will prepare final Outline Specification for submission to and approval by Cumbria Sea Fisheries Committee.

4.2) Assessment of replacement vessel cost

- i) Following approval of the Outline Specification, Project Leader will provide assistance to Cumbria Sea Fisheries Committee in drafting an initial advertisement inviting applications from suitably qualified tenderers to provide quotations for the building of the specified vessel. Project Leader will also assist in determining the qualifications to be met.
- ii) On completion of selection of qualified applicants, Project Leader will assist Cumbria Sea Fisheries Committee with the drafting of Invitation to Tender, together with conditions of tender for issue to selected applicants.
- iii) Upon receipt of quotations, Project Leader in conjunction with Cumbria Sea Fisheries Committee, will assess each quotation and provide advice to the Committee based upon the results, assessment of replacement vessel cost, and recommendations for future action.

5) Methodology (Stage 2)

Inspection/certification of construction

When Cumbria Sea Fisheries Committee is ready to order the vessel from the selected tenderer, we are pleased to confirm hereunder, the proposed objectives, strategy and work programme.

5.1) Strategy

On selection of Contractor for supply of the vessel, Seafish will assign a Marine Surveyor for the purposes of continuing survey of the vessel during construction as detailed in paragraph 5.2(a) hereunder.

5.2) Work programme

Inspection/certification of construction

- i) Marine Surveyor will accompany Cumbria Sea Fisheries Committee officials to the selected Contractor and provide technical advice during contract negotiation and signing procedure.
- ii) Marine Surveyor, in association with Cumbria Sea Fisheries Committee and Contractors personnel, will establish procedures for technical consultation, plan approval, stage inspection visits and contractual matters arising during construction and completion of the vessel.
- iii) Marine Surveyor will check and approve the design, construction, and outfit drawings to ensure compliance with specification requirements, selected standards, compliance with classification society requirements and, statutory safety requirements.
- iv) Marine Surveyor will carry out periodical inspection of vessel construction and outfit up to and including attendance at dock and sea trials and final acceptance of the vessel. Certificates at testing stages achieved will be provided to Cumbria Sea Fisheries Committee for verification of contract stage payments.
- v) Marine Surveyor will survey and certify the vessel for UK code vessel compliance, and International Regulations for stability, fire protection, life-saving, and collision regulations Category 2. The vessel will then be entered onto the Seafish Register.
- vi) Marine Surveyor will assist with technical and contract matters during the construction period, and will provide assistance and advice to Cumbria Sea Fisheries Committee in any dispute that may arise during the construction period between the Committee and the Contractor.
- vii) Seafish will submit a report to Cumbria Sea Fisheries Committee at agreed times, assessing progress and compliance with both the construction contract and the inspection/certification contract.

6) Methodology (Stage 3)

Guarantee Period

Commencing from the acceptance of the vessel, Seafish will provide a technical advisory service to Cumbria Sea Fisheries Committee during the twelve month guarantee period, comprising:-

6.1) Strategy

The Vessel will be inspected after six months and 12 months service, recording and reporting of any defects noted or advised by operators, a continuation to this service can be provided under a separate contract.

6.2) Work Programme

Guarantee Period

- i) Discussions with Cumbria Sea Fisheries Committee and the Contractor, and agreeing procedures for correction of any defects found after this inspection.
- ii) Inspection/certification of repairs/corrections to defects by the Contractor or agreed third party, and submission of report to Cumbria Sea Fisheries Committee on completion.
- iii) A final inspection in conjunction with the Contractor after twelve months service, at an agreed location, and agreeing procedures for correction of any defect found or reported.
- iv) Inspection/certification of repairs/corrections to defects by the Contractor or agreed Third Party, and submission of report to Cumbria Sea Fisheries Committee on completion of reports.
- v) During the guarantee period, Seafish will provide technical advice on any matters concerning the operation of the vessel and fitted equipment.
- vi) On completion of the guarantee period, a final report will be submitted by Seafish to Cumbria Sea Fisheries Committee comprising an assessment of the vessel's performance, operation, and equipment; defects noted and repairs carried out, and recommendations concerning future inspections.

7) Resources and personnel

7.1) Resources

- i) Seafish has a Headquarters office in Edinburgh and a Technology Division in Grimsby where the Marine Services Department is based. In addition to these offices, Marine Services have coastal offices in Brixham and Peterhead. Marine Surveyors are located at all of the above locations.
- ii) The main resource to be employed on this project is technical personnel, which are well supported by in-house Financial and Administration services, including Information, Technology, Graphics and clerical skills.

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7.2) Personnel

Seafish marine Services will appoint a Project Leader from the following Authority employees:-

Senior Marine Surveyor & Marine Safety Services Manager	- Tony Tait
Marine Surveyor, Hull	- Richard Blackhurst
Marine Surveyor, Hull	- David Dewick

8) Fees applicable

Stage 1: Formulation of specification and assessment of replacement vessel cost

Staff time: Manager/Project Leader	8 days
The total Seafish charges for these services will be	£5,760.00

Stage 2: Inspection/certification of construction

Staff time: Manager/Project Leader	22 days
The total Seafish charges for these services will be	£15,840.00

Stage 3: Guarantee Period

Staff time: Manager/Project Leader	6 days
The total Seafish charges for these services will be	£4,320.00

Total Seafish charges for above stages 1, 2 & 3 will be £25,920.00

These fees are inclusive of all UK mainland travel and subsistence but are exclusive of VAT. Foreign travel and subsistence will be charged on an actual basis.

We look forward to hearing from you soon to enable us to prepare a Contract. Should you need any further clarification or information, please don't hesitate to get in touch.

Yours faithfully



Tony Tait
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Marine Services Manager

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