POLICY NOTE

THE ARDERSIER PORT LIMITED (PILOTAGE POWERS) ORDER 2024

SSI 2024/382

The instrument was made in exercise of the powers conferred by section 1(4) of the Pilotage Act 1987.

The instrument is laid before Parliament according to the procedure set out in section 30 of the Interpretation and Legislative Reform (Scotland) Act 2010.

This Order is made following an application to the Scottish Ministers by Ardersier Port Limited to be treated as a competent harbour authority for the purposes of the Pilotage Act 1987.

Summary Box

This Order provides that Ardersier Port Limited is a competent harbour authority for the purposes of the Pilotage Act 1987 in respect of the harbour of Ardersier.

Ardersier Port Limited is the harbour authority for the harbour Ardersier but does not currently have powers in relation to Pilotage.

The Order will allow Ardersier Port Limited to regulate the provision of pilotage services within its jurisdiction in order to facilitate the safe navigation of vessels.

Policy Objectives

Ardersier Port Limited is the harbour authority for the harbour of Ardersier, but is not currently a competent harbour authority within the meaning of that Act. This means that Ardersier Port Limited does not currently have powers in relation to Pilotage in the harbour.

The facilities at Ardersier Port are designed for use by large vessels involved in the development of offshore wind power as well as general cargo vessels. The port will be available for use for assembly, storage, modification and dispatch of offshore wind components and structures and also for fabrication, hull launch and turbine integration. The types of vessels which will use the Port are anticipated to be offshore installation vessels, semi-submersible carriers and General Cargo vessels (as well as associated tugs and pilot vessels).

This order will allow Ardersier Port Limited to regulate the provision of pilotage services in the Port. Authorised Pilots will be familiar with the difficult channels and the tides and obstacles in the harbour and so their provision will improve the safety of the port by helping to avoid potential accidents. As the Port accommodates large ships carrying large components for wind farms, this power is essential to prevent accidents and collisions in the Port and surrounding waters.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, the Ardersier Port Limited (Pilotage Powers) Order 2024 is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

Notice has been given by Ardersier Port Limited in accordance with section 1A(2) of the Pilotage Act 1987.

The following bodies have been consulted by the port:

- Highland Council as Local Authority
- Inverness Port Authority
- Maritime and Coastguard Agency
- Nairn Harbour, Highland Council
- Northern Lighthouse Board
- Port of Cromarty Firth
- Royal Yachting Association
- UK Chamber of Shipping

No objections to the application were received.

Impact Assessments

A Child Rights and Welfare impact assessment has been completed in relation to the SSI and is attached. Children's rights are not thought to be impacted by this Order.

Financial Effects

The Cabinet Secretary for Transport confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Ferries Directorate

11 December 2024