

Aberdeenshire Council

Integrated Impact Assessment

Budget Saving Proposal - Port Marine Safety Code - End Designated Person Commission

Assessment ID	IIA-002632
Lead Author	Gavin Penman
Service Reviewers	Philip McKay, Bill Lennox
Subject Matter Experts	Suzanne Rhind, Kakuen Mo, Jane Wilkinson, Ricki Lyon, Jade Fitzpatrick
Approved By	Philip McKay
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1. Overview

This document has been generated from information entered into the Integrated Impact Assessment system.

Aberdeenshire Council have a 3-year contract in place with Marex, who provide the external Designated Person role as required by the Port Marine Safety Code. This provides officers and elected members (of the Harbours Sub-Committee as Duty Holders), with independent advice on our compliance with the Port Marine Safety Code. It is proposed that this contract is terminated, and the Designated Person role is sourced internally within Aberdeenshire Council.

During screening 3 of 11 questions indicated that detailed assessments were required, the screening questions and their answers are listed in the next section. This led to 2 out of 5 detailed impact assessments being completed. The assessments required are:

- Equalities and Fairer Scotland Duty
- Town Centres First

In total there are 0 positive impacts as part of this activity. There is 1 negative impact, the impact has been mitigated.

A detailed action plan with 2 points has been provided.

This assessment has been approved by philip.mckay@aberdeenshire.gov.uk.

The remainder of this document sets out the details of all completed impact assessments.

2. Screening

Could your activity / proposal / policy cause an impact in one (or more) of the identified town centres?	Yes
Would this activity / proposal / policy have consequences for the health and wellbeing of the population in the affected communities?	No
Does the activity / proposal / policy have the potential to affect greenhouse gas emissions (CO2e) in the Council or community and / or the procurement, use or disposal of physical resources?	No
Does the activity / proposal / policy have the potential to affect the resilience to extreme weather events and/or a changing climate of Aberdeenshire Council or community?	No
Does the activity / proposal / policy have the potential to affect the environment, wildlife or biodiversity?	No
Does the activity / proposal / policy have an impact on people and / or groups with protected characteristics?	No
Is this activity / proposal / policy of strategic importance for the council?	Yes
Does this activity / proposal / policy impact on inequality of outcome?	No
Does this activity / proposal / policy have an impact on children / young people's rights?	No
Does this activity / proposal / policy have an impact on children / young people's wellbeing?	No
Does the activity / proposal / policy relate to budget proposals?	Yes

3. Impact Assessments

Children's Rights and Wellbeing	Not Required
Climate Change and Sustainability	Not Required
Equalities and Fairer Scotland Duty	No Negative Impacts Identified
Health Inequalities	Not Required
Town Centre's First	All Negative Impacts Can Be Mitigated

4. Equalities and Fairer Scotland Duty Impact Assessment

4.1. Protected Groups

Indicator	Positive	Neutral	Negative	Unknown
Age (Younger)		Yes		
Age (Older)		Yes		
Disability		Yes		
Race		Yes		
Religion or Belief		Yes		
Sex		Yes		
Pregnancy and Maternity		Yes		
Sexual Orientation		Yes		
Gender Reassignment		Yes		
Marriage or Civil Partnership		Yes		

4.2. Socio-economic Groups

Indicator	Positive	Neutral	Negative	Unknown
Low income		Yes		
Low wealth		Yes		
Material deprivation		Yes		
Area deprivation		Yes		
Socioeconomic background		Yes		

4.3. Evidence

Type	Source	It says?	It Means?
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Type	Source	It says?	It Means?
External Data	https://www.gov.uk/government/publications/port-marine-safety-code	<p>Each organisation must appoint an individual as the “designated person” to provide independent assurance directly to the duty holder that the Marine Safety Management System (MSMS), for which the duty holder is responsible, is working effectively. Their main responsibility is to determine, through assessment and audit, the effectiveness of the MSMS in ensuring compliance with the Code.</p> <p>In order to fulfil this function, the designated person must have a thorough knowledge and understanding of the requirements of this Code (and supporting Guide to Good Practice) and associated port and marine legislation. Their role does not obscure the accountability of the organisation’s duty holder.</p>	<p>It is important that the Designated Person is independent from the Harbours Service and has a thorough knowledge and understanding of the requirements of the Code and associated port and marine legislation.</p>

4.4. Overall Outcome

No Negative Impacts Identified.

No Negative Impacts Identified

5. Town Centre's First Impact Assessment

5.1. Local Factors

Indicator	Positive	Neutral	Negative	Unknown
Town centre assets		Yes		
Footfall		Yes		
Changes to road layouts		Yes		
Parking		Yes		
Infrastructure changes		Yes		
Aesthetics of the town centre		Yes		
Tourism		Yes		
Public safety			Yes	
Town centre business		Yes		
Cultural heritage and identity		Yes		
Social and cultural aspects		Yes		

5.2. Negative Impacts and Mitigations

Impact Area	Details and Mitigation
Public safety	<p>The Marine Safety Management System (MSMS) is the main tool used to manage navigation and to identify the risks in harbours, the steps needed to eliminate or keep them to a minimum and ensure that the risks are regularly reviewed. Not having an appropriately independent and experienced Designated Person may result in a failure of the MSMS and increased risk to the public.</p> <p>Can be mitigated Yes</p> <p>Mitigation Negative impacts can be mitigated only if an appropriate independent internal resource can be identified, with the necessary knowledge and understanding of the PMSC and associated port and marine legislation.</p> <p>Timescale April 2025</p>

5.3. Evidence

Type	Source	It says?	It Means?
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5.4. Overall Outcome

All Negative Impacts Can Be Mitigated.

Negative impacts can be mitigated only if an appropriate independent internal resource can be identified, with the necessary knowledge and understanding of the PMSC and associated port and marine legislation.

6. Action Plan

Planned Action	Details
Seek advice from Legal regarding termination of contract with Marex.	<p>Lead Officer Gavin Penman</p> <p>Repeating Activity No</p> <p>Planned Start Tuesday April 01, 2025</p> <p>Planned Finish Wednesday April 30, 2025</p> <p>Expected Outcome Legal advice</p> <p>Resource Implications Staff time</p>
Internal recruitment of Designated Person	<p>Lead Officer Gavin Penman</p> <p>Repeating Activity No</p> <p>Planned Start Tuesday April 01, 2025</p> <p>Planned Finish Wednesday April 30, 2025</p> <p>Expected Outcome Potential appointment of Designated Person.</p> <p>Resource Implications Staff time.</p>