

FORTH REPLACEMENT CROSSING
MARINE LIAISON GROUP
TERMS OF REFERENCE

1 Context

- 1.1 The formation of the Marine Liaison Group is a joint initiative by the Scottish Ministers, the Statutory Harbour Authority, the operators of Rosyth Dockyard and Port Edgar Marina, the emergency services and other relevant parties to cement a collaborative and inclusive approach to aid the coordination of marine operations within the Forth estuary.

2 Membership

- 2.1 The Marine Liaison Group will comprise:

- a) the Scottish Ministers' Employer's Representative or his delegated representative (including his advisors);
- b) the Statutory Harbour Authority (Forth Ports Limited);
- c) the operator of Port Babcock, Rosyth (Babcock International Group (or their subsidiaries));
- d) Lothian and Borders Police;
- e) Fife Constabulary;
- f) the Maritime and Coastguard Agency;
- g) the Northern Lighthouse Board;
- h) the operator of Port Edgar Marina;
- i) the contractor; and
- j) any other party that may be considered from time to time as appropriate.

3 Purpose

- 3.1 The purpose of the Marine Liaison Group is:

- a) To review the planning, execution, monitoring and safety of marine operations to be carried out for the project works and to provide assurances to those organisations participating in the Group that in accordance with the Forth Crossing Act 2011 and Code of Construction Practice:
 - i) Operations are conducted in accordance with the requirements of the Harbour Authority to allow it to carry out its Statutory duties.

- ii) operations are being effectively managed to limit disruption to navigation; and
 - iii) that reasonable steps are being taken to secure that the minimum obstruction, delay or interference is caused to vessels using or intending to use the Firth of Forth;
- b) To provide assurance that the construction of the main crossing is carried out in a manner that ensures the safety of vessels and the safety of the workforce and the works.
 - c) To facilitate co-ordination of other marine operations to be carried out in the Forth by the members of the Group, including dredging works.

4 Working Principles

- 4.1 The contractor will chair the meetings of the Marine Liaison Group. Responsibilities in this regard will include:
- a) Ensuring the scheduling of meetings and notifying Group members;
 - b) Ensuring all documentation required for the meeting is issued to the Group members a least one week in advance of each meeting;
 - c) Guiding the meetings according to the agenda [to be developed and agreed by the Marine Liaison Group] and time available; and
 - d) Ensuring that all proposals for construction matters are raised sufficiently ahead of the construction operations to allow full discussion and, if appropriate, amendment and re-appraisal of the proposals and that additional measures considered necessary by the Group, acting reasonably, can be implemented.
 - e) Taking notes of proceedings and preparing minutes of the meetings and providing agendas for the Group meetings and agreed minutes to the Employer's Representative to allow them to be placed in the public domain.
- 4.2 The Marine Liaison Group will meet on a regular basis at periods to be determined by the Group, with additional ad-hoc meetings held as necessary to consider specific issues or operations.
- 4.3 The Contractor will take due cognisance of comments and opinions from the Group members when planning and executing its operations.
- 4.4 The members of the Group will provide any information to be considered at meetings to the Employer's Representative at least a week in advance, or less on urgent business, to enable it be issued to all members in advance.

- 4.5 The Employer's Representative will liaise with community councils and other community groups in advance of Marine Liaison Group meetings as appropriate to identify any issues they wish to be considered by the Group.
- 4.6 The Employer's Representative will consider all advice he receives from the Marine Liaison Group in determining whether it is necessary to take any actions to improve safety and/or the contractors' performance.
- 4.7 The Marine Liaison Group will work together in relation to coordinating operations to ensure that any disruption to navigation within the Forth is minimised and that all operations can be carried out safely.
- 4.8 Public comments on behalf of the Group will only be made on resolution of the Group by the Employer's Representative.

5 Functions

- 5.1 The functions of the Marine Liaison Group are to:
 - a) take evidence from the contractor on matters relating to marine operations to support the purpose of the Group;
 - b) consider whether the necessary procedures relating to marine operations are in place and operating effectively and to identify any improvements to the planning procedures;
 - c) review the contractor's proposals for carrying out marine operations and consider whether they are proposed and being undertaken in accordance with the Forth Crossing Act 2011 and the Code of Construction Practice and to identify any areas where investigation or actions are required to provide a satisfactory level of assurance. Specific consideration will be given to:
 - i) the nature of the works proposed to be carried out by the contractor;
 - ii) the contractor's proposals to mitigate any safety risks for other users of the Firth of Forth and ensure the safe construction of the main crossing;
 - iii) the timing and effect of the contractors' proposals in relation to other marine operations proposed by other members of the Group; and
 - iv) whether reasonable steps are proposed or being taken to secure that the minimum obstruction, delay or interference is caused to vessels using or intending to use the Firth of Forth, whilst enabling the safe construction of the main crossing and the safe navigation of vessels.
 - d) allow potential issues associated with the contractors' proposals to be identified and mitigation measures and suitable alternative strategies to be agreed, where necessary in order to comply with the Forth Crossing Act 2011 and the Code of Construction Practice;

- e) enable the members of the Group to have an understanding of the marine operations to be carried out for the project so that they can take appropriate actions in respect of their own marine operations;
- f) consider matters relating to public notification of marine operations, community consultation, enquiries and complaints regarding marine operations and/or compliance with the Code of Construction Practice, including whether appropriate actions have been taken in respect of each and to identify any improvements to the procedures in place or actions taken;
- g) consider matters brought to the attention of the Employer's Representative by community councils and other community groups for consideration by the Group; and
- h) consider any other matter from time to time considered appropriate by the Employer's Representative.