



Maritime &  
Coastguard  
Agency

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Edward Mountain MSP  
Net Zero, Energy and Transport Committee  
c/o Clerk to the Committee  
Room T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP

October 2023

Dear Edward,

Thank you for your letter of 20 September 2023, on behalf of the Scottish Parliament's Net Zero, Energy and Transport Committee, seeking clarification on matters relating to Ferguson Marine (Port Glasgow) Ltd Hull 801. I can respond to your 8 points as follows:

1. In a new-build project such as this the Maritime and Coastguard Agency (MCA) are not only engaged to undertake "final sign-off" of a vessel. The MCA are engaged by the owner early in the project to undertake approval of plans, complete statutory surveys during the build, assess and approve the vessel's stability information and to complete final surveys and audits to allow relevant statutory trading certificates to be issued.

For vessels which are registered with a Classification Society aspects of plan approval and survey relating to hull structure, control systems, electrical systems and machinery will be undertaken by the Classification Society. The classification of the hull and machinery are taken into account by the MCA when issuing statutory certificates.

The MCA informally met with Ferguson Marine Engineering Ltd in 2015 regarding this project, with formal engagement following in late 2015. Following the change in entity from FMEL to Ferguson Marine (Port Glasgow) Ltd this relationship was reestablished in August 2020.



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2. The MCA have worked with the Builder since 2015 and commenced the Plan Approval Process on 20<sup>th</sup> May 2016. This process is ongoing.
3. The reference to “Cargo Ship” rules made by Mr Tydeman in his letter of 22 August 2023 to the Committee refers to Chapter 13 of the International Code for Fire Safety Systems, in relation to the provision of Means of Escape from crew and passenger areas on a vessel. This International Standard is invoked through EU Directive 2009/0045 Safety Rules for Passenger Ships Recast, which is a statutory requirement for this vessel under Statutory Instrument 2020 No. 1222 The Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2020.

The EU Directive 2009/0045 has been extant since 2009; this Directive was subject to minor amending regulations in 2022, 2020, 2017 and 2016. Due to exiting the EU, the UK has not enacted the 2020 or 2022 amendments. None of the 2022, 2020, 2017 and 2016 amendments would have made any difference to the rules applicable to these ships.

The International Code for Fire Safety Systems has been extant since 2000.

4. Since the commencement of this project the requirements of Chapter 13 of the Fire Systems Safety Code have not changed. Therefore, the MCA have been consistent in the application of the requirements.
5. For Ferguson Hull 801 and 802 there has been no reassessment of the application of Chapter 13 of the Fire Systems Safety Code as the requirements have not changed.
6. As there has been no reassessment or change to the requirement, there has been no correspondence with any of the parties referenced in your letter on this subject.
7. Please see point 6, above.
8. Without specific reference as to what is meant by “other approval issues” referenced in David Tydeman’s letter to the Committee of 22 August 2023, we cannot provide further clarification. I can confirm that plan approval for Hull 801 & 802 has been ongoing since commencement of the project and is not yet completed.

Thank you for writing and I hope this letter answers your concerns. As ever we at the MCA remain at your disposal.

Yours sincerely,

**Virginia McVea**  
Chief Executive