

# Harbour Committee

15 June 2022

## Weymouth Harbour Pilotage Review

### For Decision

**Local Councillor(s):** All Council Members

**Executive Director:** J Sellgren, Executive Director of Place

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**Report Status:** Public

### Brief Summary:

Weymouth Harbour Authority is a Competent Harbour Authority within the meaning of the Pilotage Act 1987 which states that *“Each Competent Harbour Authority shall keep under consideration ...whether any, and if so, what pilotage services need to be provided to secure the safety of the ships navigating in or in the approaches to its harbour”*

Dorset Council (Weymouth Harbour) contracted Marine and Risk Consultants Limited (Marico Marine) to review the pilotage provisions of the Weymouth Competent Harbour Authority and determined the following:

The review included:

- A full review of the 2014 assessment report including factual updates;
- A rescoring of the 2014 Risk Assessments for the current situation to confirm (or otherwise) the ongoing need for pilotage as a risk mitigation.
- Identification of new and / or updated recommendations with respect to pilotage.

Since 2014 there have been a number of significant changes at Weymouth, including a change in trade and facilities within the Harbour, a new Council / Duty Holder, modernisation of legislation (HRO) and a change in personnel, all of which have been reflected in the updated and continuously reviewed navigation

risk assessments and Marine Safety Management System for the harbour pilotage provision.

The review noted the significant reduction in commercial traffic visiting Weymouth, both currently and anticipated in the future, and the difficulties this presents in maintaining a Pilotage service.

Changes to legislation are also noted, especially the Marine Navigation Act of 2013, which makes the review of pilotage provision simpler, and the modern legislation now available to Weymouth following the enactment of the Weymouth Harbour Revision Order in 2021.

The quantitative assessment of those hazards to navigation within the Weymouth Harbour Competent Harbour Authority Area which could be realistically mitigated through the provision of pilotage as a control measure demonstrates that:

- The baseline level of risk without Pilotage is Low; and
- Pilotage only reduces the risk very slightly, still within the Low-risk band.

Currently Weymouth Harbour provides a Pilotage service to fulfil its responsibilities as a Competent Harbour Authority. This is providing a number of operational challenges to the Authority

- It is not economically feasible to employ even one full time pilot, so the Authority is reliant on contracted personnel who require considerable notice periods to ensure availability;
- Commercial traffic levels have fallen to such an extent that the requirement for vessels to take pilots has become extremely infrequent;
- It is not economically feasible to maintain required infrastructure such as a coded pilot vessel, requiring reliance on availability of the neighbouring Portland Harbour vessels for pilot transfer;
- The numbers of vessels requiring pilots has fallen to such an extent, that it is very difficult for existing authorised Pilots to maintain the required levels of competency through undertaking a minimum required number of pilotage acts each year (section 5.3, Pilotage Directions);
- The Authority no longer employs any officers suitably qualified to train or assess new pilots or PEC applicants, and unless one of the two current authorised pilots are able to fulfil this function (noting age profile and local experience limitations), it may become impossible to authorise further

Pilots without amending schedule 5 of the current Directions (Standards and Criteria Required for The Issue of Pilotage Exemption Certificates (PECS) and Pilotage Authorisations); and

- The level of pilotage actually undertaken cannot generate sufficient revenue to cover the ongoing costs incurred.

### **Recommendation:**

While Harbour Authorities should always strive to reduce the level of risk associated with operations in their area to the lowest level practicable, there is no clear evidence that the current pilotage service contributes significantly to a reduction of risk.

The report recommends that consideration should be given to the removal of the pilotage service as this would not have an unacceptable impact upon the level of navigational risk within the CHA area:

Considering the current and expected future traffic profile of Weymouth Harbour, and the result of the formal navigation risk assessment, the following recommendations are made to Weymouth Harbour:

1. Commence the process of removing the Harbour Authority's Pilotage functions, as provided for under The Marine Navigation Act 2013.
2. Before the Pilotage service is removed, fully review and, if possible, enhance relevant existing control measures, in particular:
  - a) Make use of the 2021 HRO to issue General Directions which will become enforceable as soon as pilotage ceases.
  - b) Review the Harbour's Local Traffic Service provision.

### **Reason for Recommendation:**

#### **1. Report**

- 1.1 Over many years there has been a significant decline in the number of larger ships visiting our Harbour which has necessitated very few acts of pilotage. Weymouth has experienced no regular cargo operations since the cessation of Ferry operations in 2015.
- 1.2 The last act of pilotage was in July 2019, for sailing vessel Tenacious.

- 1.3 The fact that few pilotage acts are carried out has meant that the Harbour Authority is now unable to meet the obligations of the Pilotage Act 1987 and the recommendations of the Port Marine Safety Code in respect of pilotage. Namely that the service should be provided through the assessment and management of authorised pilots. To enable this to be achieved, the pilotage service must “have sufficient pilotage work to maintain their skills adequately”. (PMSC Guide to Good Practice, s9.4.5, 2017).
- 1.4 The types of vessels using the Harbour are now predominantly smaller fishing and leisure craft which are below the 50-metre length threshold set for mandatory pilotage.
- 1.5 In accordance with its statutory obligations to keep pilotage services under review, the council has undertaken a comprehensive review of its port navigation risk assessment and completed a pilotage service review which included:
  - a) A review of current documentation and relevant national and local legislation
  - b) An overview of the current pilotage operation
  - c) A risk assessment to determine the continued need for a pilotage service
  - d) An analysis of the methods and options for delivering a pilotage service, if considered required
- 1.6 The pilotage service review concluded that the Harbour is “low risk” and that there were already adequate controls in place to mitigate the safe arrival and departure of the vessels which now use the Harbour without the need to embark a pilot.
- 1.7 The Harbour has assessed the Local Port Service following this review and is in the process of enhancing the provisions of this service in 2022 by integrating the following technology into the daily operations:
  - AIS monitoring.
  - CCTV installation covering Weymouth Bay, Harbour Entrance and Channel entrance.

- Weather station at Harbour entrance, which is displayed on the website, providing data on tidal information both predicted and actual, wind speed and direction, pressure and temperature.
- Updated digital VHF equipment.
- Updated VHF aerial equipment.
- Investigations with Navmoor to transition the Harbour entry light system to the International Association of Marine Aids to Navigation and Lighthouse Authorities recommendation r0111 for port traffic signals

*A port traffic signal shows a special arrangement (a code) of lights of different colours to convey information to the mariner. The main purpose of the code is to control the traffic movements in ports or port approaches. The basis of the system is that there is a main message, which should be displayed through simple signals easy for the mariner to commit to memory.*

- 1.8 The Harbour will recruit two assistant Harbour Masters to increase the operational management coverage of the Harbour.
- 1.9 The Harbour has made use of the 2021 Harbour Revision Order to formulate General Directions, which would become enforceable when pilotage ceases.
- 1.10 The Harbour will continue with its duty to review the navigational risk assessment and keep under review the need for pilotage should the traffic profile of the Harbour change.
- 1.11 The Pilotage Service Review also concluded that there was insufficient demand to enable pilots to maintain their skills nor to train new pilots to the required standard. The council notes that this is likely to fall short of the guidance in the Port Marine Safety Code (PMSC) Guide to Good Practice which requires pilots to undertake “sufficient pilotage work to maintain their skills adequately”.
- 1.12 The removal of pilotage functions from Competent Harbour Authority (CHA), relieves the harbour of their powers and duties relating to pilotage under the 1987 Act. A harbour authority from which such functions were removed would cease to be a CHA but would continue to be a Statutory Harbour Authority (SHA). SHAs have a responsibility, placed on the Harbour Master, to ensure navigation and safety within harbour limits and

have powers to issue general or specific directions to control the movement of vessels.

## 2. **Financial Implications**

2.1 The council's notes that, although not fully quantifiable, it does incur costs to operate and maintain the current pilotage service. Those costs include:

- a) Current provision of hiring a pilot boat from Portland Port (approx. cost of £390.00)
- b) Previous costs associated with provision of the Weymouth Pilot boat, including maintenance and certification costs (Current pension fund costs at £14 200 per annum for previously employed pilots).
- c) Maintenance of pilot boat crew certification and associated training costs. (Currently covered under MOU pilot boat cost with Portland)
- d) Costs associated with employing a pilot. (FTE – average salary £38 000 - £50 000)
- e) Provision and costs of simulation training for the licenced, and any trainee, pilots.
- f) Costs of keeping the pilotage service under review.

## 3. **Climate Implications**

3.1 There are no climate implications arising from this report.

## 4. **Well-being and Health Implications**

None

## 5. **Other Implications**

5.1 Harbour issues are subject to regular consultation with customers, the Harbour Consultative Groups and the Harbours Committee.

## 6. **Risk Assessment**

6.1 **HAVING CONSIDERED:** the risks associated with this decision; the level of risk has been identified as:

Current Risk:       Low  
Residual Risk:      Low

Taking the findings of the review into account a comprehensive set of enhanced control measures have been identified and the Harbour Authority is satisfied that the removal of the Pilotage Service would not significantly affect the level of risk once the measures are implemented.

It should be understood that the removal of the pilotage service does not affect the harbour's standing as a statutory harbour authority.

**7. Equalities Impact Assessment**

There are no equalities implications arising from subject of this report.

**8. Appendices**

Appendix 1: Weymouth Harbour Pilotage Review 2021

Appendix 2: Weymouth Harbour Pilotage Directions.

**9. Background Papers**

Nil