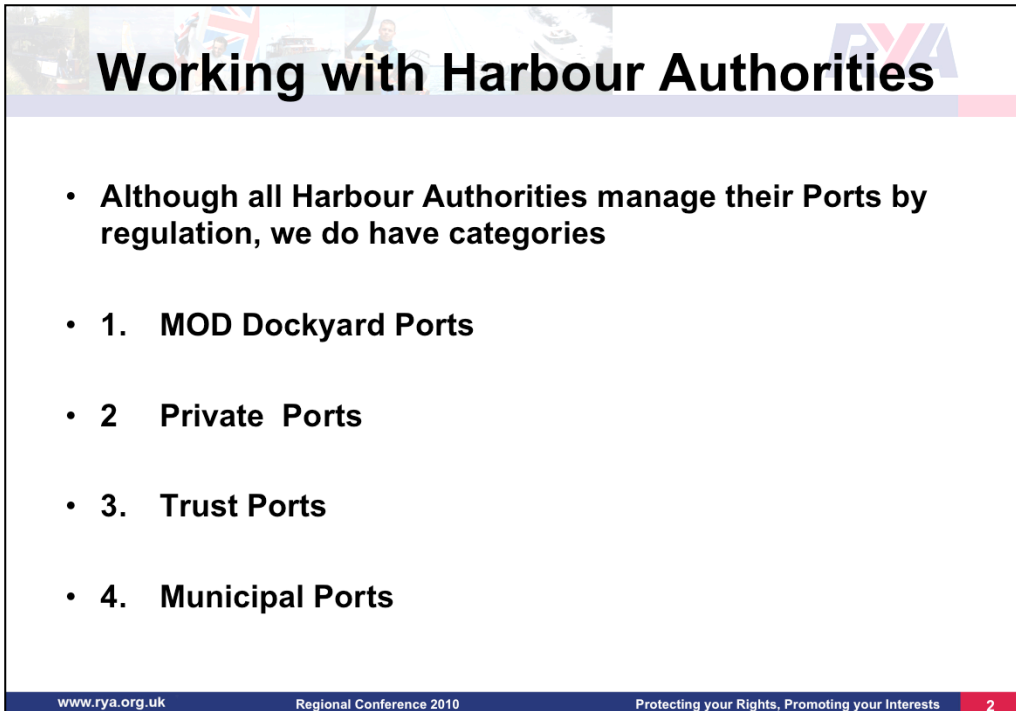




Working with your Harbour Authority

Roger Wilson
and
Mike Pearson



Working with Harbour Authorities

- **Although all Harbour Authorities manage their Ports by regulation, we do have categories**
- **1. MOD Dockyard Ports**
- **2. Private Ports**
- **3. Trust Ports**
- **4. Municipal Ports**

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1. MOD Dockyard Ports

Are controlled under Orders made pursuant to the Dockyard Ports Regulation Act 1865 or under enabling legislation

This gives absolute control by law to the Admiralty who delegate to a Queens Harbour Master (QHM)

In turn, he delegates the day to day operation to a Deputy Queens Harbour Master (DQHM) – The DQHM is the Officer we deal with.

2 Private Ports

Are operated on behalf of owners of the Port. Larger private Ports may be constituted as public limited (e.g. Associated British Ports)

Small private ports may be constituted as private limited companies (e.g. Bembridge Harbour Improvements Co Ltd).

The Company will appoint a Harbour Master for the day to day operations

3. Trust Ports

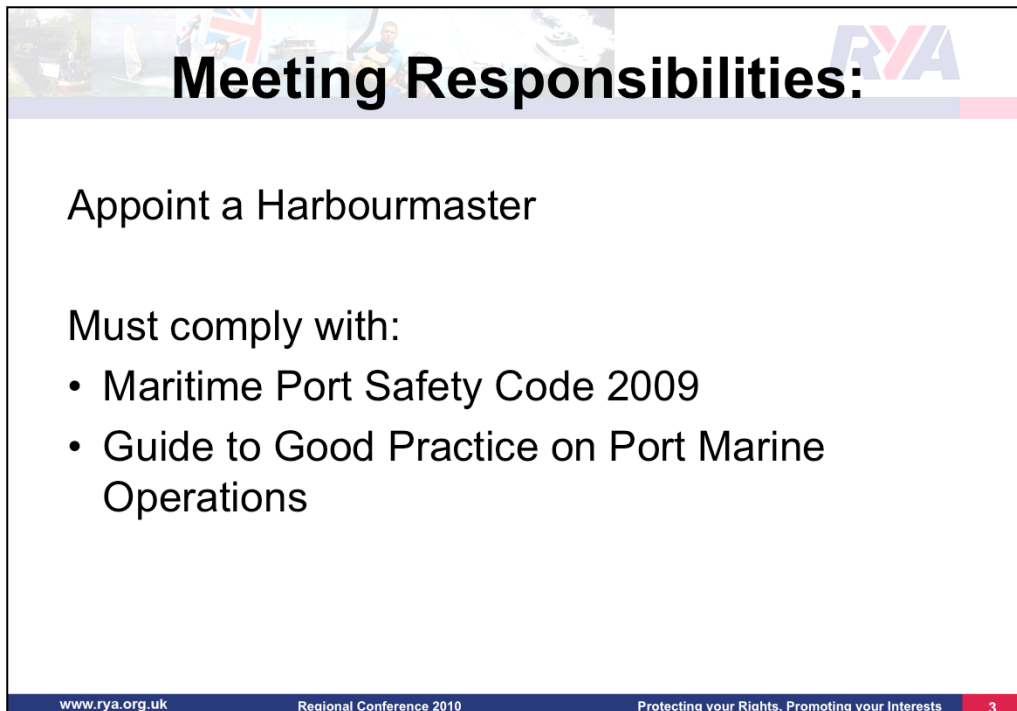
Have a legal structure that is almost unique. They are generally managed by Harbour Commissioners. The Commissioners operate the harbour on behalf of the stakeholders.

Trust ports range from major commercial ports such as Dover through medium size mixed ports such as Falmouth & small ports such as Fowey

4. Municipal Ports

These are operated by local authorities as part of the overall function of the authority.

Municipal Ports tend to be predominantly concerned with leisure & fishing traffic



Meeting Responsibilities:

Appoint a Harbourmaster

Must comply with:

- Maritime Port Safety Code 2009
- Guide to Good Practice on Port Marine Operations

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Most port authorities have the power to make byelaws to regulate activities within the authorities jurisdiction.

Most ports will appoint a Harbour Master for the day to day operation. In all cases the Harbour Master has absolute control for the safety within his Harbour / Port

Maritime Port Safety Code Summary:

1. Review and be aware of their existing powers based on local and national legislation;
2. 'Comply with the duties and powers under existing legislation, as appropriate;
3. Ensure all risks are formally assessed and as low as reasonably practicable in accordance with good practice;
4. Operate an effective marine safety management system(SMS) which has been developed after consultation and uses formal risk assessment;
5. Use competent people (i.e.trained, qualified and experienced) in positions of responsibility for safety of navigation;
6. Monitor, review and audit the marine SMS on a regular basis – an independent designated person has a key role in providing assurance for the duty holder;
7. Publish a safety plan showing how the standard in the Code will be met and a report assessing the performance against the plan;
8. Comply with directions from the General Lighthouse Authorities and supply information & returns as required.

In addition, harbour authorities should seek additional powers if the existing powers are insufficient to meet their obligations to provide safe navigation.



Control Methods

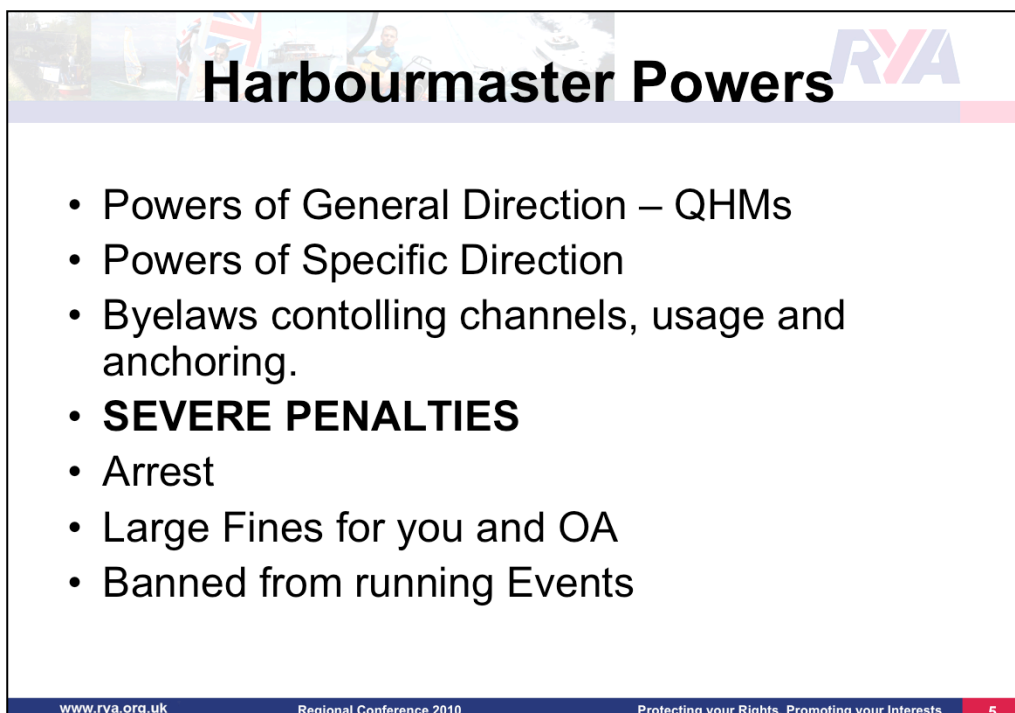
- Byelaws
 - Powers of General Direction
 - Powers of Specific Direction
- Harbour Risk Assessment
- Harbour Safety Management Plan
- Code of Practice for Organised Sailing Events
- Emergency Action Plan

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He must provide safe navigation for commercial shipping

He must ensure environmental issues and codes are adhered to

He must ensure other users such as leisure craft are given freedom to enjoy their recreational activity



Harbourmaster Powers

- Powers of General Direction – QHMs
- Powers of Specific Direction
- Byelaws controlling channels, usage and anchoring.
- **SEVERE PENALTIES**
- Arrest
- Large Fines for you and OA
- Banned from running Events

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Firstly the QHM in a M.O.D. RN Harbour/Port has absolute authority over all harbour users. To arrange safe navigation for the Royal Navy he can close down the Port; ie a total lock down can be put into operation banning all boat owners from leaving their moorings while a delicate movement takes place. Lock downs occur in Ports like Plymouth during movements of Trident Nuclear Submarines. The main theme being security against unforeseen third parties wishing to disrupt the safe passage of the vessel.

For less serious operations the Harbour Master will have stipulated main channels which he will use for safe navigation of shipping. These will then be prohibited areas where race marks cannot be laid and where obstructions cannot be placed. One will be given the freedom to race across shipping channels but must ensure that competitors realise that they must give way to shipping at all times. A yachtsman cannot expect to follow the anti collision regulations

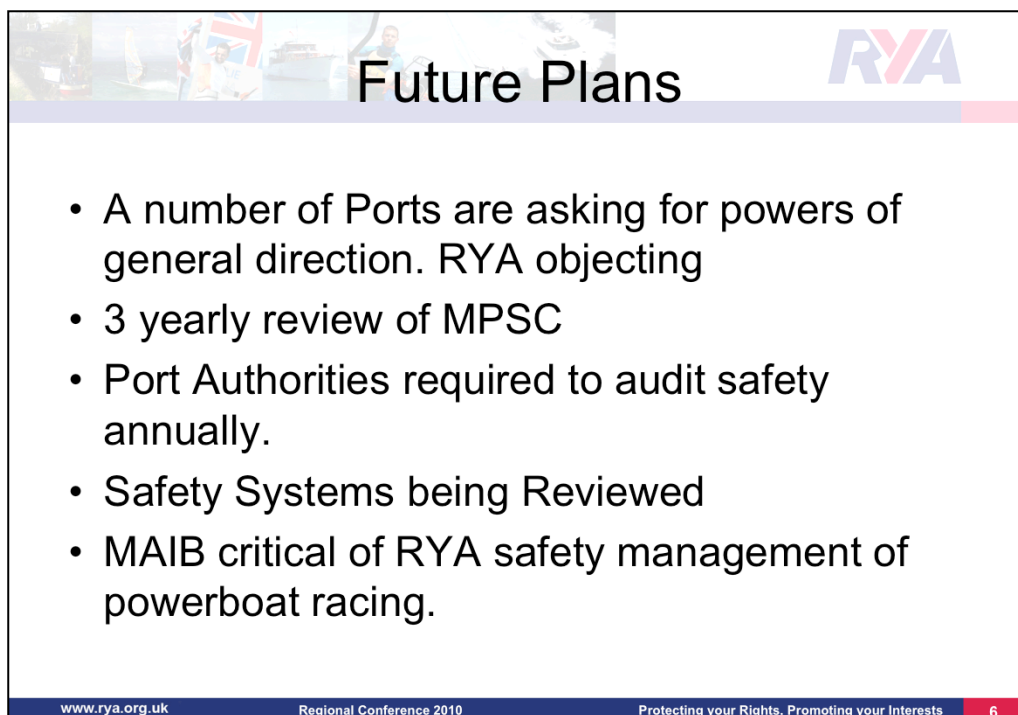
A Harbour Authority might also choose to have prohibited areas which are generally buoyed and indicated on the local chart where yachting is not allowed so as to give safe and friendly usage to the likes of swimmers, water skiers etc. In Ports like Plymouth where we have the QHM in total control we direct all communication through them; they in turn contact the MRCC

One must remember that in the event of serious injury or an unfortunate fatality the MRCC will investigate everything below the high water level & the Police will investigate above this level

HM also has to ensure that ALL recreational bodies share the use of his 'Patch' in a safe and fair way. This could include: swimmers, canoeists, Sub-aqua, rowers, fishermen etc., It is sports like above that require consideration when planning a major Regatta.

Over the past decade, the biggest headache for Harbour Authorities has been an abundance of environmental issues and regulation. Beaches with examples of scientific importance where one cannot land. Coastal areas where one cannot anchor, including dropping a Race Mark kedge

If one fails to follow the HMs request, guidance or regulation, serious penalties can follow.

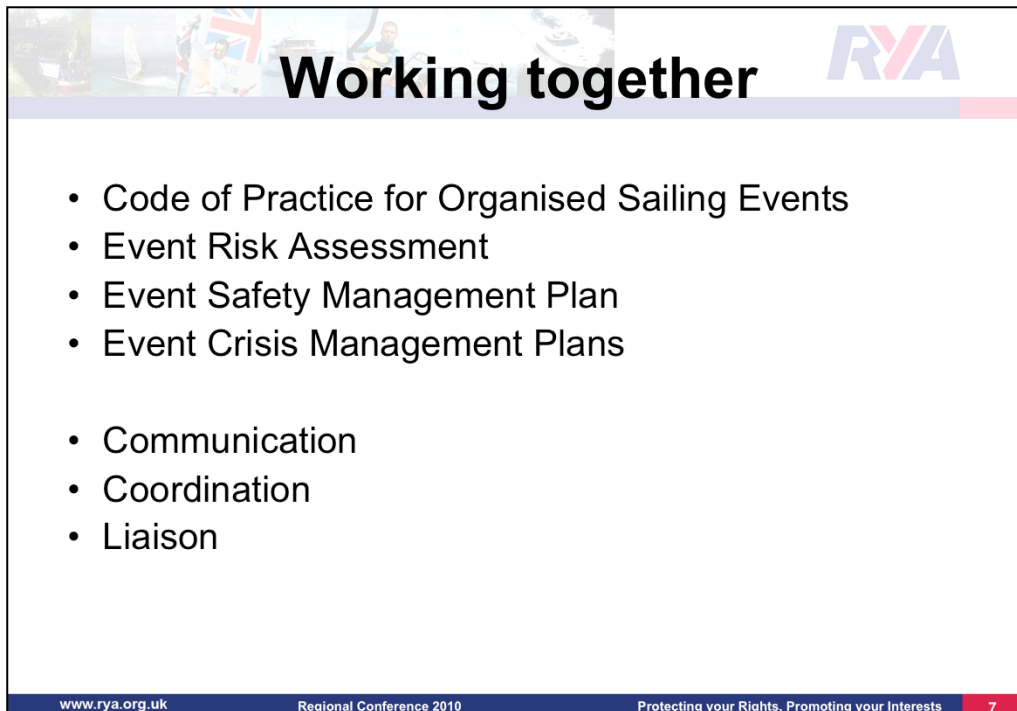



The slide features a header with the text "Future Plans" and the RYA logo. Below the header is a list of five bullet points. At the bottom of the slide, there is a footer containing the website address, conference name, slogan, and page number.

Future Plans

- A number of Ports are asking for powers of general direction. RYA objecting
- 3 yearly review of MPSC
- Port Authorities required to audit safety annually.
- Safety Systems being Reviewed
- MAIB critical of RYA safety management of powerboat racing.

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Working together 

- Code of Practice for Organised Sailing Events
- Event Risk Assessment
- Event Safety Management Plan
- Event Crisis Management Plans

- Communication
- Coordination
- Liaison

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For an RYA affiliated Yacht / Sailing Club it therefore commits us to work with the Harbour Master (Harbour Authority)

Under the introduction of the Port Marine Safety Code together with the Department of Transport's Guidance of Good Governance of Trust Ports in early in 2000, we are required to plan regattas within Port / Harbour areas with the assistance of the Harbour Master

Over many years, through time and practice, Yacht / Sailing Clubs have established a working relationship with Harbour Authorities and the actual process becomes an automatic procedure.

However, the HM has to be shown the plans plus copies of the Risk Assessment and Crisis Plan during the previous months of planning & preparation

The discussion would cover the proposed racing area; taking different wind conditions and tidal effects into consideration

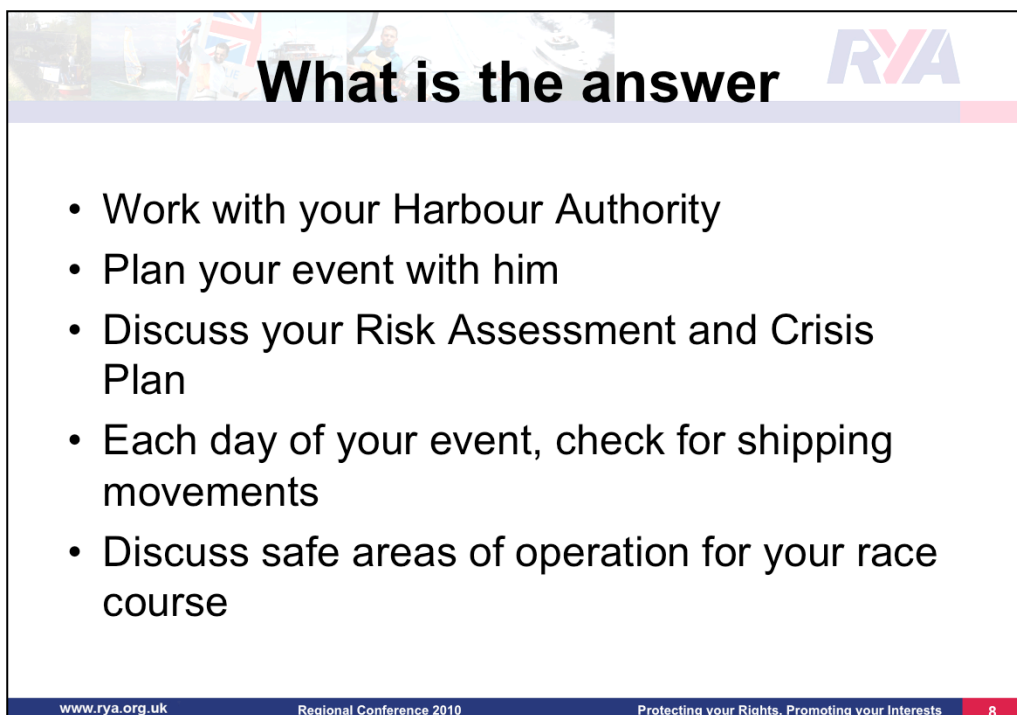
We would also review the type of Regatta, ie Number of vessels, type of vessel, type of user

These facts would of course be built into the Risk Assessment.

In the case of a mis-adventure, how would we put the Crisis Plan into operation?

Who do we contact first : MRCC or HM?

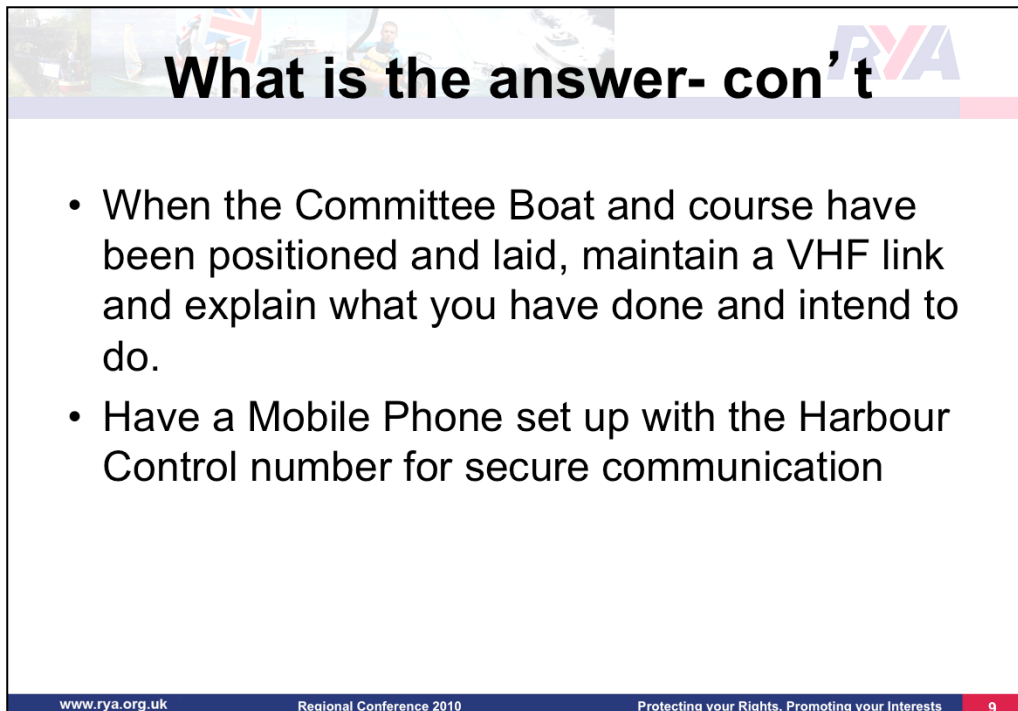
Where do we land casualties for Emergency Services?



What is the answer

- Work with your Harbour Authority
- Plan your event with him
- Discuss your Risk Assessment and Crisis Plan
- Each day of your event, check for shipping movements
- Discuss safe areas of operation for your race course

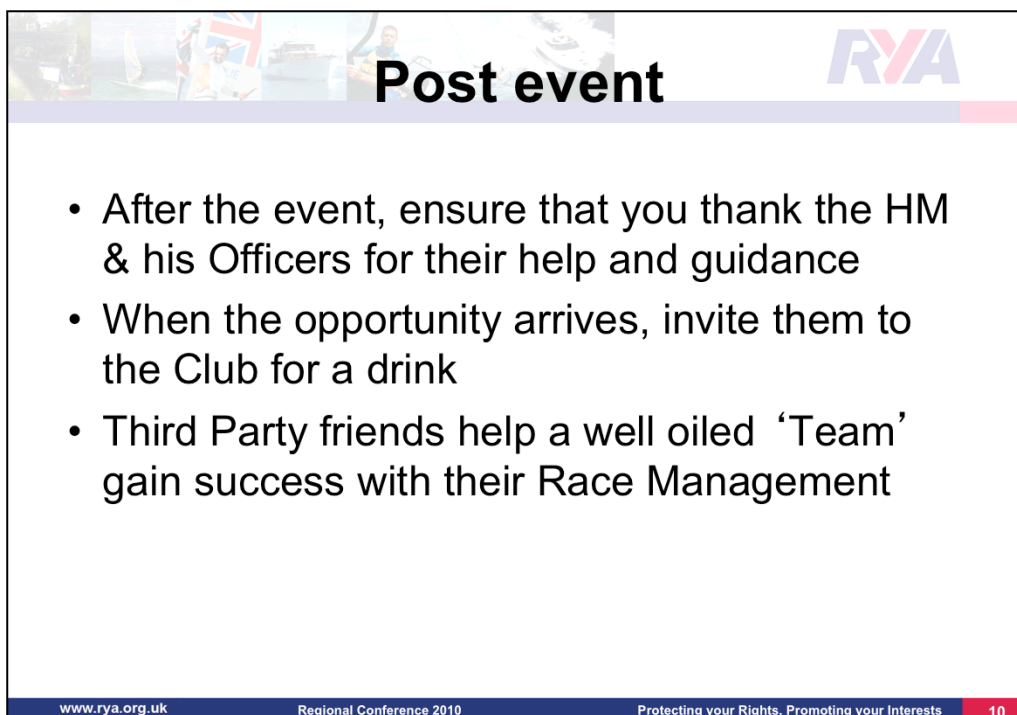
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What is the answer- con't

- When the Committee Boat and course have been positioned and laid, maintain a VHF link and explain what you have done and intend to do.
- Have a Mobile Phone set up with the Harbour Control number for secure communication

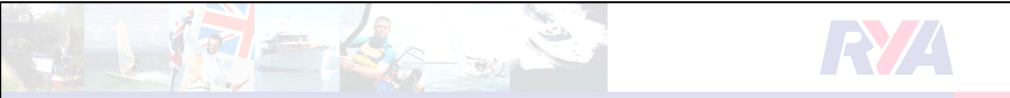
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Post event

- After the event, ensure that you thank the HM & his Officers for their help and guidance
- When the opportunity arrives, invite them to the Club for a drink
- Third Party friends help a well oiled 'Team' gain success with their Race Management

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• Follow the code, treat fellow water users with respect and let us show everyone that yachting is a great sport with great people in control

• Any Questions?

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