



Department
for Transport

Yarmouth (Isle of Wight) Harbour Authority

Pilotage Function Removal Order: Response to Consultation Document

February 2015

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Background

On 21 November 2013, the Department received a letter from the Chief Executive and Harbour Master of Yarmouth Harbour on the Isle of Wight requesting the removal of its status as a Competent Harbour Authority (CHA).

The assessment of Yarmouth Harbour was that pilotage was not required to ensure the safe navigation of the types of ship that use the harbour, nor was there any prospect of that situation changing.

Furthermore, so far Yarmouth Harbour could tell from its records, they had never employed pilots and so pilotage services had not been offered by them. This had certainly been the case since 2006, when the current Harbour Master assumed his post.

The Department for Transport duly considered the request by Yarmouth Harbour and the need for pilotage within that CHA area, and concluded that it was minded to approve the removal of their CHA status.

This would require a Pilotage Function Removal Order to be made under section 1(4A) of the 1987 Pilotage Act (“the 1987 Act”), which had been inserted by the Marine Navigation Act 2013.

The Department therefore undertook a public consultation in accordance with section 1(8A) of the 1987 Act, seeking views on this proposal.

Consultation process

The consultation period lasted six weeks, beginning on 26 June 2014 and running until 7 August 2014. The consultation paper (which explains in more detail what pilotage is and the role of the CHA) may be found online at: www.gov.uk/government/consultations/yarmouth-harbour-change-in-status

Fourteen bodies were directly consulted, though the consultation was open for others to respond. They were:

1. British Marine Federation
2. British Ports Association
3. Commercial Fishermen’s Association
4. Isle of Wight Council
5. Royal Solent Yacht Club
6. Royal Yachting Association
7. Solent Forum
8. UK Chamber of Shipping
9. UK Major Ports Group

10. UK Maritime Pilots Association
11. Wightlink
12. Yarmouth Harbour Authority

13. Yarmouth Sailing Club
14. Yarmouth Town Council

Consultation questions

The consultation asked respondents to formulate their responses specifically to answer the following questions (and to give reasons for their answers where appropriate):

1. Do you agree that there is no need for:
 - (a) pilotage services at Yarmouth; or
 - (b) a body to keep that status under review?
2. Do you have a view on whether the Government's proposal to remove Yarmouth Harbour Authority's CHA status will have any impact on harbour users or the local environment, whether directly or indirectly?
3. Are you aware of any quantifiable costs or benefits that could be attributed to the proposed change?

Responses received

Seven responses were received, all from those bodies whom were directly consulted.

All but one respondent agreed with the Government's proposal to remove CHA status from Yarmouth Harbour, responding to the questions as follows:

1. They agreed that there was no need for pilotage services at Yarmouth nor a body to keep that status under review.
2. They said that they believed that the Government's proposal to remove Yarmouth Harbour Authority's CHA status would have no adverse impact on harbour users or the local environment.
3. They were not aware of any quantifiable costs or benefits that could be attributed to the proposed change. One respondent commented

specifically that the change in status would reduce some obligations on the Harbour Authority and would therefore slightly reduce their costs.

The one respondent that disagreed, in their response to questions 1 and 2 expressed concern that highly experienced ferry personnel working in and out of Yarmouth Harbour might be unavailable (e.g. through illness) on occasions and replaced by temporary, inexperienced staff. In that scenario, there could be an increase in risk to navigation safety. They concluded that an incident involving a ship calling at the port could have a severe impact on harbour users and the environment.

The Department consulted with Yarmouth Harbour Authority and came to the conclusion that the concerns raised were not relevant because the certificates of competence for all crew members who undertake the navigation of vessels at Yarmouth are in place and underpin their ability to operate safely. Furthermore it was agreed that there would be no increase in risk to maritime safety by those that navigate waters at Yarmouth Harbour if the CHA status was removed. This was the view of all the other respondents.

Decision

As a result of the consultation the Minister for Shipping made the Order to remove the status of Competent Harbour Authority from Yarmouth Harbour Authority.

The Order can be found on line at:

<http://www.legislation.gov.uk>