

## **Item: 9**

**Harbour Authority Sub-committee: 25 May 2021.**

**Competent Harbour Authority – Pilotage.**

**Report by Executive Director of Development and Infrastructure.**

### **1. Purpose of Report**

To advise of business considered by the Examining Body of the Competent Harbour Authority and to provide an overview of pilotage activity in financial year 2020/21.

### **2. Recommendations**

The Sub-committee is invited to note:

#### **2.1.**

That the Examining Body of the Competent Harbour Authority met on 21 September 2020, 7 October 2020, 17 November 2020, 3 February 2021 and 12 February 2021, to conduct a total of five Pilotage Exemption Certificate examinations and one Class Two Pilotage examination, all of which were successful.

#### **2.2.**

That the number of Acts of Pilotage decreased from 892 in financial year 2019/20 to 633 in financial year 2020/21, due to the loss of cruise liner pilotage as a direct effect of the COVID-19 pandemic.

#### **2.3.**

That this report will be passed to the Designated Person as part of his Port Marine Safety Code assurance requirement.

### **3. Background**

#### **3.1.**

The Harbour Authority Sub-committee, as the delegated Duty Holder for all Harbour activity, has a responsibility to ensure that the business of the Competent Harbour Authority for pilotage is being correctly conducted.

#### **3.2.**

Part of this assurance is to receive periodic reports from the Pilotage Examining Body which oversees pilotage activity. The Examining Body is chaired by the Harbour Master, as a competent mariner, under his Letter of Delegation from the Chief Executive.

### **3.3.**

Pilotage is considered by the Designated Person in order to fulfil the assurance function to the Sub-committee that, with regards to pilotage, the harbour is operating within the requirements of the Port Marine Safety Code and in accordance with the relevant Pilotage Act and Orkney Islands Council Pilotage Direction 2016. For this reason, the Designated Person will receive a copy of this report, subject to it being noted by the Council.

## **4. Pilotage Examining Body**

### **4.1.**

The Examining Body met on five occasions in financial year 2020/21, on 21 September 2020, 7 October 2020, 17 November 2020, 3 February 2021 and 12 February 2021, to examine applicants for Pilotage Exemption Certificates and to examine a trainee pilot.

#### **4.1.1.**

Five applicants from Pentland Ferries and Northlink Ferries presented themselves for a Pilotage Exemption Certificate examination. All applicants passed successfully and have been informed of their result.

#### **4.1.2.**

One Council trainee pilot presented themselves for a Class two Pilotage examination. The trainee passed successfully and has been informed of their result.

### **4.2.**

The Examining Body had no occasion to meet in the period for the purposes of incident investigation. One navigational incident involving a Pilotage Exemption Certificate holder occurred since the last report in 2019. However, the holder resigned from his employer and surrendered his Pilot Exemption Certificate prior to any possible meeting.

### **4.3.**

Due to the current pandemic the Pilotage Examining Body has only met in person once for the examination of the trainee pilot. The Body has instead been utilising the video conferencing application Microsoft Teams. This has proven to be a considerable cost saving measure for candidates residing outwith Orkney.

## **5. Pilotage Activity**

### **5.1.**

The actual pilotage activity for the period will, as usual, be included in the Harbour Authority Annual Report. The figures for recent years are summarised below.

Item	2017/18	2018/19	2019/20	2020/21
Number of acts of pilotage	606	835	892	633

## 5.2.

The number of acts of pilotage has shown a steady trend of annual increases over the past six years. However, the impact of the COVID-19 pandemic worldwide, and its dramatic detrimental effect on the cruise industry, has seen the number drop by almost a quarter. The bulk of the activity has therefore been Flotta and Ship to Ship transfer work, being the most complex and intensive of operations. It is hoped that the cruise industry makes a start towards recovery in 2021, although the movement numbers are unlikely to reach pre-COVID-19 levels for some time.

## 5.3.

The routine review and revision of the Orkney Islands Council Pilotage Directions has commenced. The proposed revisions which concern the Pilotage Exemption Certificate and the continued training of Pilots, are now being consulted upon before consideration by the Harbour Authority Sub-committee later in 2021.

## 6. Corporate Governance

This report relates to the Council fulfilling its statutory responsibilities as Competent Harbour Authority for pilotage and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

## 7. Financial Implications

There are no financial implications arising directly from this report other than to note that pilotage income has continued to cover all costs associated with the service provision.

## 8. Legal Aspects

### 8.1.

Under section 8 of the Pilotage Act 1987 (and amendments), a Competent Harbour Authority which has given a pilotage direction shall, on application, grant a Pilotage Exemption Certificate to any bona fide Master, First Mate or officer assigned to navigation duties of a ship if it is satisfied as to the level of his skills, experience and local knowledge.

### 8.2.

Regulation 5 of the Orkney Pilotage Direction 1988 (as amended 2007, 2010 and 2016) deals with the appointment of an Examining Body, whose duty it is to set the qualifications required for applicants and to conduct the examination of applicants for Pilots' Authorisations or Pilotage Exemption Certificates under the Pilotage Act 1987 (and amendments). Regulation 5 also states that the Examining Body will consider

matters relating to pilotage within the Competent Harbour Authority areas and advise the Competent Harbour Authority of their views.

## **9. Contact Officers**

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