

# THE PILOT



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## Editorial

One of the lessons learned by pilots following the 1987 Pilotage Act is that wording is all important in drawing up legislation and if the text is not exact then an ambiguity can arise that can effectively render the legislation worthless. Since 1987 there have been many examples of how such ambiguity has worked against pilots' interests and the Port Marine Safety Code was introduced to provide some form of accountability of CHAs to the Secretary of State. Whilst undertaking the Review of the 1987 Act the DfT recognised the need to draw up a new Pilotage Act to provide this missing accountability and to underpin the PMSC.

Regrettably the proposed legislation is not planned for this Parliament and seems to have been quietly dropped from the Government's agenda. However, changes have been made to the 1987 Act in order to bring the Act into compliance with EU legislation on recognition of qualifications. This amendment was incorporated into the Act on 30th May this year and whilst on the surface it appears to be a straightforward administrative amendment upon closer scrutiny it appears to grant CHAs the powers to recruit non UK pilots from the EU without any formal qualifications whatsoever!

It takes a legal mind to analyse such documents and the implications of the amendments have been brought to my attention by Kevin Austin, ex Humber Pilot and now of City law firm Constant & Constant. In Kevin's opinion the new amendment not only opens the door for recruitment of cheap pilotage personnel from the enlarged EU but also grants CHAs

### DAS ERRATUM

For some reason the DAS information box has contained an error for several years that has just been brought to my attention. Members should note that the DAS cover does **NOT** extend to contractual disputes. However, members should be aware that if they are in a contractual dispute over employment terms then the T&G offer legal advice as part of membership benefits.

Apologies for any confusion that may have arisen.

JCB

## FPSO BONGA

*One important aspect of pilotage work is the programming of vessels. In most ports the duty pilot routinely makes planning decisions for agents and it is all taken in the pilot's stride as part of his duties but the responsibilities of this task are considerable and the repercussions of making a mistake are always at the back of a pilot's mind when making critical decisions. Every once in a while the duty pilot receives a request to plan a passage for a vessel totally out of the ordinary and since such a passage will frequently involve a high media presence it is all the more important that things go right on the day. Last year the Tyne pilots received one such request for bringing in a large oilfield storage and extraction vessel for fitting out. The following is an account from John Hart Burn of the process from planning to arrival.*



the right to employ unqualified pilots from the EU but not from the UK!! The final irony is that the legislation would now appear to grant the right of appeal to the Secretary of State to an unqualified EU pilot applicant whose application is rejected by a CHA on the grounds that he is insufficiently qualified. There is no right of appeal available to qualified UK serving pilots even if they are de-authorised by a CHA! The statement that "imperfect legislation generates legal nihilism" is most appropriate!

Kevin's legal interpretation is reproduced in full on page 6.

John Clandillon-Baker  
Canterbury Gate House, Ash Road  
Sandwich, Kent CT13 9HZ  
Tel: 01304 613020  
Email: john@pilotmag.co.uk

### In This Issue

Editorial:	John Clandillon-Baker
FPSO Bonga	JH Burn
Pension News	Debbie Marten
3rd October - EU Latest	
Legal Opinion - Pilotage Regs.	Kevin Austin
PLA Bridge Simulator	Don Cockrill
Pilotage Review and The Humber Legacy	Avald Wymark
Viewpoint - Lloyd's List article	Michael Grey
Jody F Millennium & Tai Ping	JCB
Obituaries	
Video Review	
PNCPC Election	

Over the years, the River Tyne has been very much involved in the energy business. At first this meant of course coal, from this there arose a rapidly increasing coastal shipping trade in coal and similarly a short sea export trade. The River Tyne was destined to become a focus of shipping trade routes which in turn also led it to become a large shipbuilding and repair centre.

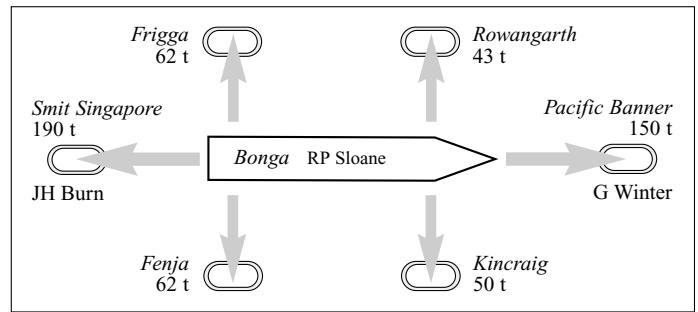
Coal reached a peak in the 1930s but all good things come to an end and in the 1950s, in the dying days of coal, miners from Harton Colliery were operating at coal-faces some seven miles out under the North Sea. In the meantime the search for new energy sources had moved even further out into the North Sea for oil and gas. The River Tyne played a full part in support of survey, drilling and service vessels. Later came the construction of rigs, platforms and modules with which to exploit these fields.

The North Sea fields have now peaked with only smaller, less productive fields, lying in deeper waters remaining to be exploited. The traditional method of production through platforms has progressively given way to the Floating Production, Storage and Offloading Unit or FPSO for short. These vessels are positioned over well heads, the oil being drawn up through flexible pipes into the vessel for storage and certain processing before being off-loaded into tankers. These FPSOs may be moved by towing from one field to another relatively easily. Many of the first vessels of this type were conversions from existing large tankers and the Tyne got its fair share of this work. Nowadays the vessels are increasingly being built in the Far East and then towed to Europe for fitting out. The largest so far is the *Bonga*, a vessel designed for the Nigerian oil fields which arrived in the Tyne in November 2002 for fitting out.

During 2001, Tyne Pilots Ltd (TPL) were advised by AMEC Wallsend that a bare hull was being built in Korea for Shell and designed for work on the Bonga field off Nigeria. With a length of 305 metres, beam 75 metres and a DWT of 300,000 an arrival draft of about 5 metres was agreed to suit the available depth alongside the berth. Vessels of such length are not able to be swung within the Port so AMEC were given a choice of whether they wished the vessel to enter head first or stern first. AMEC opted for stern first which one suspects was down to the belief, in PR and Publicity Departments, that such a vessel, expected to proceed to sea in a blaze of glory, doesn't look quite so good being dragged stern first!

The draft presented no problem, there being sufficient water right into the berth at all states of tide. However, with large, slow moving vessels or structures it is preferable to conduct an inward river transit with the aid of the flood tide. However, in common with many break-water ports, the Tyne experiences tidal sets across its entrance generated by the tidal stream at sea. That resulting from the South going flood stream is greatly magnified as the breakwaters are neared and this is due to the configuration of the coastline to the North and to the North Breakwater itself. Whenever operationally possible, with such a vessel or structure, entry is arranged for slack water off the Bar which occurs at one and a half hours after low water in the Harbour.

As to swell conditions this was set at 3 to 4 feet which was the requirement of the tug Masters making fast and for the head and stern sea tugs to change ends and re-connect to bridles. It was also a requirement for the use of the



boarding method, this being by way of a pilot ladder rigged over the transom and then by staircase.

With a windage area in excess of some 75000sq.ft and a comparatively light draught then a wind speed of 10 to 15 knots from any direction was given as a maximum.

Towage requirement was for six tugs. The two sea tugs to take the ends with four additional tugs, one at each corner. It was advised that the two sea tugs would be required to be of a kind which would be suitably manoeuvrable for the bends of the river and of not less than 120 ton bollard pull. The shoulder and quarter tugs to be of roughly equal bollard pull but to aggregate to 200 ton to satisfy insurance requirements. As all tow lines would be secured from the main deck then the effective bollard pull of the tugs would be very much reduced from their rated pull.

An additional two local tugs, *Yarm Cross* and *Flying Spindrift* would escort the vessel as an insurance against breakdowns.

Air draught on the inward transit was not a problem and the arrival date was estimated to be August/September 2002.

TPL advised that there would be three pilots involved: One pilot on the *Bonga* with one each on the two sea-going tugs to act as second pilots to him. It is the convention on the Tyne for the pilot on board the tow to be in charge.

It was not until early 2002 that TPL heard again from the fitting-out yard to enquire about pilots being sent to the South Shields simulator for training. This apparently was for the pilots to be able to handle a vessel such as *Bonga*! It had escaped the attention of the enquirer that as far back as the seventies Tyne Pilots were involved with the launching, sailing, trials and dry-docking of vessels of over 325 metres LOA and 50 metres beam! It was therefore intimated to the fitting-out yard that such training would not be necessary. Having already paid tens of thousands to the Simulator, the yard were not best pleased. It appears that the Port, fired with enthusiasm by a company also charging tens of thousands to devise a risk management system to comply with the Port Marine Safety Code, had directed that a simulation exercise was required. Like Paul on the road to wherever it was, TPL pilots underwent an immediate change of heart upon realising that simulation was going to be immensely more rewarding than actually doing the job itself. As it was not possible to determine which pilots might be involved in the actual job then all TPL pilots trained assiduously on as many days as could be arranged at the simulator!! As *Bonga* proceeded towards the Tyne, the ETA



Pilot boarding point



Under tow

dropped back and back. Six weeks of ideal weather were lost. The very day she put in an appearance the weather broke. After running out of neap tides with no improvement in sight she proceeded to Rotterdam for shelter. Whilst laying by in that port I believe she was struck by another vessel and required dry-docking. Once again on her return to the Tyne the weather broke and it was not until the last day of the then neaps and with immense pressures mounting to get her in, that Saturday November 16th opened with perfect conditions. At 0600 the *Bonga* and her attendant sea-going tugs were boarded some two and a half miles to the N East. Pilots involved were Ralph Sloane on the *Bonga*, John Hart Burn on the lead tug *Smit Singapore* and George Winter on the trailing tug *Pacific Banner*. By 0615 the four harbour tugs were made fast and the *Bonga* proceeded towards the breakwaters crossing the Bar at 0830. The four mile river transit was completed by 1030 making an average of about two and a half knots from boarding position to berth. From start to finish *Smit Singapore* was steered in auto and at no time was more than 25 ton bollard pull called for. The operation went perfectly with the pilot on *Bonga* not using the harbour tugs until in the vicinity of the berth. As usual, the pilots on the sea-going tugs could report having been given every support from the Masters whilst handling these vessels during transit. Most of the Masters in these vessels have been associated with similar operations here in the past, are well used to the way in which TPL pilots operate and relationships are good. It should be noted that each pilot was accompanied by a trainee pilot and the trainee on board of *Bonga* was very helpful to the pilot during the berthing operation.

Due to the obstructions overside of *Bonga* the berth had been furnished with two dolphins which meant that positioning would be fairly critical. Whilst the sea-going tugs held the vessel in position the inboard harbour tugs were released and utilised to 'push up'. However, since all the moorings had to come from winches ashore the operation took an inordinate amount of time. It was not until 1330 that the sea-going tugs could be released, the harbour tugs being involved for some considerable time afterwards. The job was finally completed without incident and to the satisfaction of the owners and the yard.

Soon after arrival the appearance of *Bonga* began to change rapidly. The fitting out commenced with the placing of many pre-fabricated modules on board. The lifting was accomplished by Smit's Taks *Hercules* which I believe is their biggest self-propelled floating crane. One of the lifts was her personal best at about 2,800 tons. There was a pilot on board the crane for all moves and lifting operations.

At time of writing the outward passage has already been provisionally planned and despite over 20,000 tons being placed on board she will be sailing with only 5.8 metre draught. Air



G Winter



JH Burn



Ralph Sloane

draught has increased to 95 metres so there is no possibility of negotiating the overhead power cables which are situated at about one mile down-river from the berth and they will have to be removed. These conductors form part of the National Grid and though provision was made when they were erected for a temporary removal, such removal is subject to a one year notice period. Although at a height of just over 87 metres above Chart Datum at lowest point of the catenary these lines have presented many problems in the past for vessels and structures wishing to pass beneath them. On occasions, surveyors have been required to monitor the heights of the conductors during a transit owing to the fact that demand surges cause heating, expansion and consequent drooping of the catenaries. Additional to the straight-forward physical clearance there also needs to be an electrical clearance. Owing to the windage area having increased to over 118,000sq.ft. the maximum wind speed from any direction has now been set to 10 knots. Maximum swell height of 4 to 5ft is being maintained particularly as the landing provision offered is the same as that on arrival.

Tidal requirement is once again for neap tides with the vessel leaving the berth at two hours before high water.

Tug requirement remains the same as for the inward transit. It is understood however that SNEPCO (Shell Nigeria) have engaged a different towage company so it is not yet known which sea-going tugs may be chartered.

Once again TPL pilots have been assiduously simulating and it is expected that once again the media will announce that the simulator did the job !

JH Burn

### Latest news from John H Burn: 5/10/03

Due to strong winds the departure for Nigeria has been cancelled until 17th October. A five day weather window has been demanded by the insurance company for departure from the Tyne and the tow down through the English Channel. As with operations off the Port there is of course the same problem in the Channel with depth of water. The catenary of the tow is such that in event of bad weather it needs to be of such length as to be in danger of snagging the bottom. It is uncertain as to which tugs will be in attendance for the job but:-

For the two ends for the river transit the *Maersk Logger* and the *Far Saltire* are presently in Port.

For the four corners it was to be *Ormsby Cross* and *Aydon Cross* (which are the two largest in the Tees) plus the *Kincraig* from Cromarty Firth and the *Rowangarth* from the Tyne. Plus two Tyne tugs *Flying Spindrift* and *Yarm Cross* in attendance for breakdowns.

Waiting offshore are the ocean going tugs *Wolraad Woltemade* (S Africa) and the *Smit Rotterdam* which will be undertaking the sea tow to Nigeria.



Asian Hercules

# PENSION NEWS

## PNPF AND THE SECRETARIAT

The changes continue, the Secretariat has moved. I have to confess that it was with mixed emotions that I left London, after all I had been commuting to New Premier House for fourteen years. So for those of you who did not hear me being dragged, kicking and screaming out of London we have moved to Sevenoaks. The new address and telephone numbers are:

First Floor, Buckhurst House,  
42-44 Buckhurst Avenue,  
Sevenoaks, Kent. TN13 1LZ

Telephone no: 01732 779460  
Fax no: 01732 779464

The email addresses remain the same.

We are still not straight, but these things take time. We still operate an open door policy, so if you are in the area please feel free to drop by.

The office hours are 8.30 am to 4.30 pm Monday to Friday.

## AVC SCHEME

The Additional Voluntary Contributions Scheme renewal went smoothly this year with only one or two late submissions. As I write this article Richard is in the process of compiling the paperwork for onward submission to the appropriate providers. 1st October was the start of the new Additional Voluntary Contributions Scheme year and once the employed members' September contributions are sent Equitable Life and Norwich Union should commence preparing the annual benefit statements for all members.

We hope to be in a position to send out

the AVC benefit statements by the end of November, but this will depend on when they are received (there was a problem with Norwich Union last year) and the accuracy of the information.

## STATUTORY MONEY PURCHASE ILLUSTRATION

There may be an additional hold up in that as from 6 April 2003 new regulations require pension schemes with a money purchase element, i.e. the Additional Voluntary Contributions Scheme, to produce illustrations of the pensions their members are likely to get. The Government's reasoning behind this is to encourage people to save more, in reality it may have the opposite affect.

This is known as a Statutory Money Purchase Illustration (SMPI) and will be produced by the Additional Voluntary Contributions Scheme provider. As it is yet another piece of paper they are required to produce it may result in delays. (I am beginning to sound like Connex Southeast!)

## INLAND REVENUE - PENSIONS SHORTFALL

It appears that the Inland Revenue has failed to warn millions of workers that they have not paid enough National Insurance Contributions (NICs) to receive a full state pension. The Inland Revenue has blamed staff shortages for this failure and over the coming year they will be writing to many of those affected. Many of those affected will need to pay a top-up contribution of £1600 to avoid a shortfall in their state pension.

Many of those who have not paid sufficient NI Contributions are thought to be on low incomes and they will need to consider whether it is worth paying expensive additional NICs, when the government has introduced the minimum income guarantee (MIG), which is replaced in October by the pensioner credit.

Women are not required to pay NI contributions after the age of 60, but the threshold is 65 for men. Men who retire between the ages of 60-65 can get so-called 'autocredits' to boost their contribution record, but if they return to work they will have to pay NI contribution as usual.

If you think your NI contribution record may be incomplete, you may request a pension forecast by filling in form BR19, which is available from the Benefits Agency.

## PENSIONER REPRESENTATIVE

Some of you may not be aware that there is a pensioner representative on the Pilots

National Committee for Pensions (PNCP) of the UKMPA. It is Dan McMillan, a retired River Thames pilot, and should you wish him to raise any points with the UKMPA on your behalf you can contact him at:

17 Park Road, Gravesend,  
Kent. DA11 7PR

Telephone number: 01474 365154

Any queries you may have regarding the PNPF, your pension, your prospective pension, etc., will continue to be dealt with by the Secretariat at our new address

## NEWS IN BRIEF

### Pension Watchdog

The Occupational Pension Regulatory Authority (OPRA) has confirmed that there will be a more powerful pensions watchdog as suggested in last year's Green Paper. The bad news is it will not happen for another two years

### Expat Pensioner loses Case

The British pensioner living in South Africa and fighting for the right of all expatriate pensioners to receive increases on their state pension has lost the latest round in her legal battle.

The Court of Appeal upheld the British Government's right to deny pensioners living in certain countries the right to increases on their state pension even though they have a full National Insurance Contributions record.

Well wasn't it a glorious summer and most weekends would find me in the garden reading a book. It proved a little too hot for Bumbles, though, and even though I could coax her out for a few minutes she soon retreated to the cool of the dining room. Still by the time you read this it will soon be Christmas and Bumbles will have to relearn the route around the Christmas tree, if she is anything she is adaptable!

Debbie Marten  
Debbie@pnpf.co.uk

## Retirements

April - July 2003

JH Burn	Tyne	Apr
JT Bushell	Liverpool	July
GL Champion	King's Lynn	June
BC Fulton	Southampton	Apr
DA Moore	Gloucester	June

## DAS

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DAS House, Quay Side, Temple Back,  
Bristol BS1 6NH

## 3rd October: EU Latest. The commissioners insist!!

Despite the overwhelming vote by the elected MEPs to remove pilotage from the proposed Directive on port services the unelected Commissioners are determined to keep it in, insisting that pilotage is a "commercial" service. The following is the latest news report from Lloyd's List that I have been able to obtain at the time of the magazine going to print.

EUROPE'S dockworkers have warned of quayside unrest after transport representatives of the European Parliament voted narrowly, eight to seven, to accept self handling by ships crew in a complex package of legislation to liberalise port services.

Limited self handling, restricted to a ships' crew and equipment, was just one part of the last minute conciliation process to reach agreement on the controversial port services directive.

The final draft on self handling, pilotage, port contract compensation and prior authorisations was hammered out in the early hours yesterday by MEPs and European transport ministers, with the latter tabling 37 amendments. However, the Council of Ministers refused to back down on the thorny issue of pilotage. The ministers insisted, against MEP's wishes, that pilotage be included in the final package of port services measures that still has to be voted through by a full parliament in December.

Eduardo Chagas of the European Transport Workers Federation said that he was "very unhappy" with the self handling draft and warned that European dockworkers would "find an appropriate response" if shipowners tried to implement that aspect of any future directive.

Speaking the day after dock worker protests in Rotterdam, Mr Chagas said: "This is not just a Rotterdam and Antwerp issue. There were dockworker representatives from all over Europe and the US.

"We know that liberalisation of port services is on the agenda and will form part of the World Trade Organisation negotiations by Europe, with the current directive used as a model."

MEP Georg Jarzembowski, the transport committee rapporteur who drafted parliament's response to the original European Commission port services proposal, said: "We have reached a solid compromise, with clear regulations that allow for proper competition between European harbours."

Brussels-based Maritime industry representatives, such as European shipowners group ECSA, and ESPO for European ports, broadly welcomed the latest package, although they needed to study the detail.

Amid suggestions that Dutch and Belgian MEPs would come under intense political pressure to block the directive at the full Parliamentary vote, Mr Jarzembowski said: "I hope that parliament is aware of its role and will not

be intimidated. Parliament has fought for its seafaring people. It is parliament and not interest groups who draft the legislation."

### Danish pilotage competition

As the above report was being produced the following press release arrived from Denmark. I am in no doubt that there is a powerful lobby group trying to force Competition into pilotage at any cost and the warnings are loud and clear.

The Danish Ministry of Defence is cutting general pilot charges by 4% from September. Although it is a modest cut, the Danish Shipowners' Association says it is "a step in the right direction" in encouraging use of pilots in Danish waters.

However, the association renewed its calls for more efficiency of the service, including a role for private companies. Renée Piil Pedersen, head of trade and shipping policy, told Lloyd's List that it was a positive development, but not enough.

"It's a step in the right direction, but we still believe there's room for both efficiencies and rationalisation," he said. "We'd like to see double digit percentage price reduction... what we would regard as interesting would be a form of competition in pilot operations. That way the market would find the right price."

The Danish Competition Authority is due to publish a report later this year on the piloting service. The service was previously criticised by the government auditors for being too inefficient.

Svitzer Wijsmuller, the tug and salvage company, said it would be interested in offering its services if piloting were privatised in Denmark.

### Coaster sunk by unskilled lashing

EU unions are quoting a recent ship loss as a dire warning to regulators over the dangers inherent in the "self handling" clause. The 1500 gt Danish owned Karin Cat (1986) sank after its cargo of heavy equipment shifted and punctured a hole in the shell plating resulting in an overwhelming ingress of seawater. Fortunately, on this occasion, no lives were lost. The report by the Danish Maritime Authority found that "the cargo shifted because it was insufficiently secured to withstand the movement of the vessel during the prevailing rough sea"! This is significant to the current argument because the cargo was lashed by the ship's crew following loading in Antwerp. At the time this action was the subject of complaints by the

Antwerp stevedores but these concerns were dismissed by the authorities. The report is careful to blame the weather rather than the skill of those lashing the cargo and the EU Shipowners Association were quick to declare that "On the face of it, it seems that this would have happened irrespective of who had done the lashing" The ITF have been more critical stating that using ship's crew to lash cargo "increases the chances" of things going wrong and aptly made the point that "Accidents like this should not happen".

It may be of interest to our readership that this vessel was one used by our own Government "chartered for military support and resupply operations" although it was not on an MOD charter at the time of the sinking.

No more amendments can be made before the full parliamentary vote set for December but it can still be rejected at that vote **so write to your MEP.**

## Pilot thoughts

A pilot is like a postage stamp – he gets licked, depressed, stuck in a corner, travels a lot at night and is sent from pillar to post!

There are many classes of pilot and they wear different uniforms for different places but he always gets there if he sticks to it!

Submitted by London pilot  
Pat Goode

## REMEMBER

It is in your interest if involved in any accident or injury, however trivial it may seem at the time, to inform Navigators and General **within 30 days.**

## DISCOUNT TRAVEL

### HOVERSPEED - SEACAT

Discount travel on the Dover - Calais; Folkestone - Boulogne; Troon - Belfast services continues. The usual 25% discount is available. Send s.a.e. to the editor at his home address for an application form.

I have been advised that the North Sea ferry concession is no longer available.

## LEGAL OPINION: The Pilotage (Recognition of Qualifications and Experience) Regulations 2003

Statutory Instrument 2003/1230 establishes a framework for the recognition of European pilots qualifications and experience by UK Competent Harbour Authorities (CHAs), by amendment of the Pilotage Act 1987.

A new schedule (A1) appears in the Pilotage Act which explains the procedure to be adopted by CHAs in determining whether an applicant for appointment as a UK pilot has the relevant qualifications and/or experience.

### Qualified Applicants - Applicants' rights, CHAs discretion

Section 2 applies where a CHA has determined a requirement for its pilots to have some formal qualification (for example a UK Master's Certificate of Competency). As this is the case in practically all CHAs, section 2 is likely to be the most commonly relied upon provision. Under this section a CHA is required to compare an applicant's European qualification against the Authority's UK qualification benchmark.

Section ((2(2)) is uncontroversial and deals with the case where the applicant's qualifications correspond to or exceed the required level. In these circumstances the CHA is prevented from refusing to authorise the applicant, (or refusing to consider his application) simply on the basis that he does not hold the required formal qualifications. Simply stated, and with the advent of STCW, somewhat obviously, a CHA has to recognise a Class 1 Certificate issued in any European country as being equivalent to the UK version.

The applicant may, however, still be refused authorisation by the relevant CHA if he fails to complete the required training programme, is unsuccessful in the examinations or is otherwise deemed by the CHA not to be suitably qualified to act as a pilot.

Section 2(3) is rather more contentious, providing that where the applicant's formal qualifications show a level of knowledge and skill substantially below the level required by the authority (say a Class 2 rather than a Class 1), the CHA is required to allow the applicant to undergo an adaptation period or an aptitude test to demonstrate that he has acquired the knowledge and skills which were lacking. The following points are of note:

- The Schedule uses mandatory not discretionary language ("shall" not "may") granting the applicant a right to an adaptation period/test.
- The Schedule does not specify a minimum or maximum period for adaptation, and one must assume that it is for the CHA to determine under their statutory powers conferred by Section 3 of the Pilotage Act.
- This Section's reference to the applicant's level of knowledge and skill being "substantially" below that required by the authority implies that there is no minimum standard of qualification envisaged.
- The Schedule only appears to require a CHA to facilitate adaptation or a test. No doubt the CHAs will have noticed there is nothing in the Schedule, which imposes a requirement for them to pay for these facilities.
- If the CHA fails to deal with an application promptly (within four months), or do not make provision for an aptitude test or adaptation period, the applicant may appeal to the Secretary of State.

### "Adaptation period"

In the context of the Schedule "adaptation period" means a period in which the applicant acts as a pilot under the supervision of an authorised pilot, in much the same way as trainee pilots have previously been trained.

### "Aptitude tests"

An "aptitude test" means a test of the applicant's professional knowledge to act as a pilot. Again, it would appear that the CHA retains the sole discretion as to whether an applicant has been successful in this test.

The individual applicant may elect whether he wishes to submit to a test or undergo an adaptation period.

### Recognition of Experience

The Instrument makes provision for the recognition by a CHA of relevant experience in Pilotage gained in an EEA State other than the UK (Schedule A1 s.5). This section only applies where the CHA requires a candidate to demonstrate general commercial or professional knowledge and ability gleaned from having previously worked in Pilotage. It may, therefore, apply additionally to section 2 or, where a CHA does not require formal qualifications of its pilots, as a separate and distinct provision.

Presumably so as not to constrain the CHAs discretion, the section does not state in what capacity the applicant needs to have been working in order to gain the relevant experience, nor indeed does it define the phrase "working in Pilotage". In practice it is likely that 'relevant' will mean just that, but the prospect remains of an applicant who has never worked as a pilot (but has worked in Pilotage) being able to challenge a CHAs decision not to offer authorisation.

### What is not covered

A notable deficiency in the Statutory Instrument is that it only applies to nationals of European States other than the United Kingdom, holding non-UK qualifications. It does not apply to holders (European or UK) of UK qualifications that fall below the standard required by the CHA, nor does it apply to UK nationals who hold European qualifications.

Kevin Austin

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E-mail: [wmc@solent.ac.uk](mailto:wmc@solent.ac.uk)

FOR VOCATIONAL TRAINING RESEARCH AND CONSULTANCY REG. NO. 926387



In late February 2003, following several years research and planning, the PLA's new bridge simulator was installed in their offices at Gravesend. The machine has been purchased primarily as a tool to enhance training of the Authority's pilots. Pilots had been actively involved throughout the period of research and evaluation of the various full mission training simulators available on the market. Although other simulators were fully appraised, it was determined that the Marine Research Institute of Netherlands (MARIN) unit was the most suitable for PLA purposes. In part this had been well proven by the extensive experience already gained by various PLA pilots on the MARIN simulator in Wageningen, where for some time PLA Berthing pilots had been trained in the manoeuvring of large tankers at the BP Coryton refinery.

A significant factor in choosing the MARIN simulator was the sophistication of its software. The simulator as a training tool is a development of a research simulator first built by MARIN and their partners for their own research use. The data used in the ship modelling is thus real research data rather than purely theoretical data as is the case with certain other machines.

The simulator itself comprises a typical modern bridge layout for control of the Own Ship equipped with all the usual instrumentation as well as various navigational aids; Radar, GPS, ECDIS, Doppler logs etc. There are currently 31 different ship types available with the capability for in-house software generation of additional vessels as required. Single and twin screw combinations with bow and stern thrusters are available. A large number of various target vessels can be written into exercises and there is full control facility of ship towage tugs where required.

The simulation environment is facilitated by video imagery projected onto 5 screens giving an arc of visibility of approximately 165 degrees. Side view monitors provide bridgeway views as required whilst the stern view is facilitated by an additional monitor. The main projection can be offset as required and the wing monitor images can be tilted, panned and zoomed under the control of the pilot or the operator.

The operator room annexed to the bridge gives full control and monitoring of the simulation exercise by the operator / trainer including but by no means limited to time of day and meteorological conditions as well as physical control of target vessels movements within the simulation exercises.

Composing and conduct of the exercises is performed by one or more of four PLA pilots who have been specifically trained by MARIN to operate the simulator. Geographically the simulator currently

## Port of London Authority Bridge Simulator

covers the Thames Estuary and River up to Greewich.

The visual image provides a very realistic graphical interpretation giving good visual transits as the ship proceeds as well as correct mapping detail of navigation marks, berths, locks etc enabling full real time manoeuvres to be exercised. Sea and meteorological effects including high and low level frequency sound effects all help to create a complete picture for the pilots senses. As with all simulators there is an aspect of limitation within the simulator when close quarters manoeuvres are being performed.

In addition to the areas already described a full briefing/debrief suite is provided giving facility for detailed analysis of exercises if desired though for most purposes a lot can be determined from post exercise discussion of the pilot's experiences and ship position timed interval plots available in various hard copy formats from the simulator.

Utilisation of the simulator has several facets. As previously explained, the principal use of the simulator is for the additional training of pilots. To date the simulator has been utilised for the advancement training of authorised pilots to a higher category and providing the facility for emergency failure scenario training. Two pilots work in the bridge at any time with one acting as helmsman for the other. The whole training period is conducted with complete confidentiality to the pilots' personal performance.

As may be expected there has been some speculation and indeed isolated elements of cynicism with regard to the simulator's potential use for the periodic assessment of pilots. It is the author's and many colleagues' view that simulators generally are not appropriate tools for pilot assessment - certainly not within the PLA area. Whilst there is no question of the accuracy of the simulation environment from a technical perspective, clearly the numerous onboard circumstantial aspects of shipboard operation which impinge on a pilot's duties daily are almost impossible to recreate without incurring unacceptably vast expense. There is therefore always to be a need to maintain onboard training and assess-

ment regimes where they are established.

In addition to pilot training, the PLA has identified a use for the simulator in VTS training. By connecting the simulator to the established in house VTS training facility, it has been possible to write complex traffic scenarios on the simulator software which are run without using the own-ship bridge itself. The targets are all individually manageable by the operator in addition to following their pre-planned tracks. By the constructive use of VHF role play by the operator and additional personnel the end result is a complex communications and VTS exercise for the VTS operator.

In recent months, the MARIN simulator's research background has proven its worth. Earlier in the year the London Gateway public enquiry was able to specifically illustrate the impact of the proposed container port on traffic with a full explanation being provided of the extensive research which has been done by the PLA into various shipping aspects of the proposed development using the simulator. More recently, with the simulator having been validated by an independent third party as being suitable for research use, PLA pilots have been actively involved in trials for Transport for London's proposed Thames Gateway Bridge in Gallions Reach and Deputy Prime Minister, John Prescott recently visited the simulator in connection with this development. Future research projects are likely to include feasibility of proposed terminal developments and perhaps more importantly the facility to provide pilots with practise of manoeuvring on and off new berths whilst under construction. The latter case in point being the new panamax berth at Tilbury Power Station.

Use of the simulator is currently restricted to PLA training and projects, however it seems most likely that in the fullness of time its use may be expanded out of house and many concepts have already been identified.

*PLA pilot Don Cockrill*



*PLA pilot and simulator instructor Nigel Hall prepares a container ship passage plan for Deputy Prime Minister John Prescott. The simulator subsequently went aground! Photo: PLA*

# THE PILOTAGE REVIEW AND THE HUMBER LEGACY

*A letter from Bristol pilot Avald Wymark*

As we approach another Conference and nearly two years have passed since the dramatic conference at Eastbourne, I cannot help but reflect on events since the outcome of the *Sea Empress* disaster. During the last two years the Humber situation has dominated pilotage discussion in this country and appears to have left us in total limbo. Whilst I have been supportive of our colleagues on the Humber for their valiant attempt to defeat ABP, in the end they appear to have lost. For two years *The Pilot* has admirably supported the Humber Pilot's case, but it also has a role as the official organ of the Association to confront issues and be a forum for constructive discussion of the future pilotage issues. If this association is to move forward I believe now is the right time to ask what has been learned and what will be the Association's future role under a new Chairman.

When the then DETR commenced its pilotage review Andrew Burr embarked on a tour of UK ports to ascertain the current status of pilotage, especially in respect of training, authorisation and operation. The results of these findings directed much of their work on the Port Marine Safety Code, Guide to Best Practice and the Occupational Standards. Prior to his recent departure I contacted Mr Burr, advising him of my opinion in relation to the Humber situation. He replied as follows:

*"As to the Humber, should I say anything...? Well, I might as well – even though you may disagree. I first met HPL in 1997 and was shocked, as I hinted in the Review of the Pilotage Act. I had not met anything like it in any other cooperative. There seemed*

*bound to be conflict with the CHA (whoever was Harbourmaster) and HPL seriously over estimated their position – they made no passage plan [I believe this to be an allegoric remark, not literal]. The final outcome was unnecessarily damaging to many of the HPL men – they were trapped by the way HPL made its decisions, and were driven rather than led. As to safety, I do think things are better – and will improve because I doubt that an effective CHA-led safety management system could have operated effectively in the old climate."*

So there we have it! Whether you agree or disagree with his comments, it is irrelevant. The perceptions he obtained at that first meeting in 1997 influenced his whole response to the Code and the changes he perceived as being required. During those meetings in 1997 some ports met the Department in association with the CHAs others met independently. In my own port, aware of the limited time, we presented a written submission to back up our statements made at the meeting, which I believe was unique. What was said by HPL at their meeting to convey such a negative impression we will never know, but the results have been profound?

During my time as a Section Committee member during the review period we constantly endeavoured to establish a constructive working arrangement with Andrew Burr and his Department, to convince them that pilots were reasonable people and argue by reasoned debate for the need of change. The fact that the Code could have been far worse is testament to these efforts. Despite the occasional setbacks this proceeded fairly satisfactorily until the Humber Pilots took industrial action. Since then relations with the Department have been virtually non-existent on an official level, I believe to our detriment.

So, to the dispute! Sadly, it had become an all too familiar story year after year at Conference to hear the reports from the Humber delegates on the latest crisis to befall them and the deteriorating relationship with Paul Hames. Just as sadly, no one appeared to be able to offer any advice on how to break this cycle. In the end through sheer frustration they embarked on their unilateral course of action seeking no advice or assistance from the T&G or our association. They would sort it out themselves. Only after taking their action did they seek T&G assistance and declined offers of help from our association. Even at the conference in Eastbourne they assured delegates they were in charge of the situation and "WE WILL WIN". However, they were cautioned that they had taken upon themselves a heavy responsibility, because if they lost the consequences for other districts could be very serious indeed. Unfortunately, they were in no mood to heed these warnings.

At that Conference I spoke 'off the record' to various delegates. From these conversations a picture emerged similar to that portrayed by Mr. Burr. There was frustration at their Companies own refusal to adopt or implement change. Internal feuds and power struggles were commonplace. One long term delegate who later accepted ABP employment (and all the condemnation associated it) advised me they were wasting their time anyway as their negotiators knew the case was lost and had already secured other employment! Like so many other people, over the years I have heard conflicting accounts of the Humber's problems, but there are many questions that remain unanswered. Why did Paul Hames change so dramatically? Why did they have such a poor contract/s? Why did they not act sooner to rectify the problems? Why were they not supported by the tugs as in the Liverpool dispute? Why and on whose advice did they terminate their own contract – by their own admission an act of suicide? I feel we may never know the true answers to these questions whose impact have had such a dramatic outcome.

In addition I like many others come into daily contact with

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**On request, vacancy details are available in different formats, e.g. BRAILLE, audiotape, disk or large print.**



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*"white stick provided for plumbing the depths: own guide dog needed"*  
Submitted by Harry Hignett



Masters of vessels who trade/d regularly to the Humber. During discussions it is apparent that by and large whilst they do not endorse what happened to the Humber Pilots, neither did they have a very high opinion of them. Whilst it is accepted that the skills of the new pilots are less, I am advised they are improving, which is inevitable.

So, what is the legacy?

## The negative

- Over 100 pilots lost their livelihood. Was this avoidable? Probably yes.
- Is the system now in place on the Humber better or worse? It is too early to tell.
- The UKMPA and PNPf have lost over 100 members along with the associated contributions. The eventual effects of this cannot yet be effectively determined, but in the short term they are most definitely negative.
- The largest port in the country is now no longer represented by the UKMPA
- The UKMPA was deprived of its vice Chairman George Mills who I believe would have gone on to be a major asset to the Association as the next Chairman.
- The PNPf was deprived of some very experienced trustees.
- Severe damage was done to the working relationship the UKMPA executive had fostered with the DETR/DfT to the effect of suspension of meetings and discussions.
- Similarly, to the Port training organisations. No input into the Port Skills and Safety Group has transpired despite qualifications and assessment still being unresolved.
- To the ports obvious delight the myth that a Masters certificate is required to effectively train to become a pilot has been exploded. Other Ports are already heralding the Humber example as the dawn of a new age, dispensing with this requirement.

## The positive

- What have we gained? The dubious conclusion that we may all be workers and free to take industrial action. Even this may be debatable depending on the contents of any contract.

## The lessons

I feel there are many lessons to be learnt from this dispute, both locally and nationally. These are some of my own opinions, I am sure there are other opinions and others who will disagree, but only by confronting them can we effectively move forward. Hopefully the forthcoming issues will elicit some responses, good!

## Local

- Independent action without seeking professional legal advice from the T&G legal department is a very risky venture.
- As was repeatedly stated at conference and by Mr Burr himself, the contract of employment or provision of services must be comprehensive enough to protect both sides' interests. Some contracts were/are very poor or non-existent. Within this contract there must be an effectively grievance and disciplinary procedure acceptable to both parties.
- Termination of contract should not be employed as a tactical manoeuvre.
- Never make the assumption that you are irreplaceable. Even within my own District there are still some who ascribe to the view 'it could never happen here, they [the CHA] could not manage without us!'
- Do not be afraid to adapt to and implement change. We operate in a dynamic environment where technology is marching relentlessly on. Pilots are conservative by nature and always

suspicious of change because of the impact it may have on pay and conditions.

## National

- Improve the working relationship between the UKMPA and the T&G. For too long there has been a perception that whilst we are members of the T&G we find this rather an embarrassment. Are we not an Association, not a Union – operating to a different set of ethical values? The Humber dispute has exposed this sham. Without the services of the T&G it would have been impossible for HPL to take their dispute so far. Had they sought their advice earlier the outcome may have been very different. As far as I am aware we have never made provision for the Chairman or other executive member to attend the TUC conference to raise our profile.
- Raise our profile within the government. This should involve closer association with Members of parliament and lobby groups. In our President we have a first class example. Reference to the report from Sweden in the EMPA magazine demonstrates the effectiveness of this policy. Talk to the organ grinders not the monkeys!
- Resume attendance and participation at port related forums. We cannot sit on the sidelines sulking indefinitely. Only by arguing our point of view from within these groups can we have any chance of implementing change to our benefit. Failure to do so will mean the change is imposed on us. It may be anyway, but better to have fought and lost than not fought at all.
- Encourage districts to make better use of the T&G locally plus the available services they offer and respond more effectively to requests for assistance.
- Discourage un-elected, self-appointed, pilotage organisations from making quasi-official submissions to official bodies.

## The future

I feel with the loss of the Humber Pilots the Association is now faced with an identity crisis. The interest amongst the younger pilots to become involved within the Association is minimal. The lack of pilots offering themselves as representatives either for SC or T&TC is a major cause for concern. Furthermore, the ability to take time off duty to attend UKMPA business is always fraught with problems. It was one of the reasons for my own resignation from SC. Unless pilots accept that these people are representing everyone's interests and make provisions accordingly we are doomed to failure. There are many crucial issues still to be resolved which only the Association and its executive can achieve. Pilot qualifications, assessment, working hours, PECs implementation of the PMSC are but a few.

As we embark on another conference it is time to put the Humber dispute behind us and move on effectively with a little more realism. Whilst it is inevitable that the dispute and its aftermath will arise at Conference there are many other important matters to which delegates should be directing their thoughts and efforts.

Finally, what place for the new Humber pilots in our Association? I know there is a viewpoint that advocates never again allowing a Humber Pilot to join our Association. What will this achieve except some smug self-satisfaction? The reality is that many of the latest batches of entrants will have had nothing to do with breaking the dispute. They have accepted terms and conditions that are still probably better than in some current districts. Many will not have Masters certificates, shame; neither do many other very experienced pilots in other districts including myself. To deny them future membership is only to our own detriment. The longer the pilots in the largest port are kept at a distance the more harm it will do to our claim to be representative of pilots nationally. This will only to the ports benefit.

Food for thought Gentlemen, respond.

# VIEWPOINT

*As pilots we often find it difficult to describe to outsiders what exactly we do and how we do it. I therefore felt that the following "Viewpoint" article by Michael Grey from Lloyd's List eloquently describes the day he spent on the Tees with pilot and SC member Geoff Taylor. The article and photographs are reproduced by kind permission of Michael Grey. JCB*

THE pilot lookout is perched on the lonely promontory of South Gare, which extends northwards into Tees Bay from the grassy dunes cloaking the coast down towards Redcar and beyond, where the lovely Cleveland Hills fall into the grey North Sea.

It is a place of spectacular contrasts. To the north there is a huge rain squall of Turner-esque confusion cascading over the rooftops of Hartlepool. To the east there is every shade of grey, with the dark shape of an incoming ship hanging in the refraction which blends sea and sky and makes the horizon indistinguishable.

Half a dozen big deep-laden ships lie quiet in the anchorage, through which bright-painted chemical and gas carriers head towards the fairway, where the survey boat may be seen minutely charting the depths.

At the end of the channel the pilot boat urgently arcs towards its controlled collision with an outbound ship.

With a subdued murmuring of radio and telephone traffic, the duty pilot coordinates the watch, pilots dispersed around half a dozen ships, in and around the river, awaiting jobs, organising transport to ensure that masters are not kept waiting, relating to agents, the foyboatmen, to the port control, to the



*A modern bridge team! Pilot Geoff Taylor and helmsman Michael Grey*

pilot boat and to the tugs.

A ship is brought forward a couple of hours, another drops back until the following day. A very big ship will need two pilots, another will have an additional pilot under training.

It is a dynamic picture, a puzzle that is constantly changing, with people and ships and berths and equipment and vehicles all requiring positioning at the right place at precisely the right time along both banks of a 16 km river, to the roadstead in Tees Bay and up into the Hartlepool.

Looking up the river, past the steelworks and bulk and ferry terminals and the vast Seal Sands refineries to the chemical complexes of the north bank, the view is oddly reassuring, with its belching chimneys, towering retorts and flare stacks the very antithesis of the post-industrial England in which too many of us believe, with its financial services and pale folk peering into screens or wired up in call centres.

Here on the Tees heavy industry still flourishes. Here we still make things out of ore and petroleum, coal and chemicals. This is an industrial port and proud of it and, although the industrialists dish out pretty brochures listing their considerable environmental achievements and the cleanliness of the river, they haven't lost sight of the real reason for this great port's existence.

Here is work and added value, all taking place around the clock, old-fashioned wealth creation that you can see and touch and smell, in a port largely created by the old steelmen whose slag wastes were used by the harbour commissioners to train the river and scour the channel and whose weed-covered relics can still be seen at low water.

Up the river, past the disused Middlesbrough dock, the iconic transporter bridge and the extraordinary Victorian lifting bridge, there is serious regeneration taking place.

Ten years ago, when the Tees barrage was being built, there was no shortage of those mocking the very idea of doing anything constructive with the industrial wastelands which stretched to Stockton with their polluted, industrial wreckage and blasted landscape.

Today, as salmon and sea trout leap below the barrage, the Tees has been transformed to high value land where executive homes, hi-tech industry and Durham University departments have been erected amid greenery and above the tideless lake created by the barrage, where a national and possibly even international water sports centre has been developed.

I was on this river by courtesy of the Tees Bay pilots to experience, albeit briefly, what modern harbour piloting is all about.

Piloting requires special qualities and it

is perhaps worth examining these. Why are pilots taken? The traditional answer is for their skill in shiphandling in confined waters and for their knowledge of the local conditions.

These still apply, perhaps the more so as ships have got so much bigger and the safety envelopes around them have reduced with the dimensions and the depth under the keel.

But the demand for dispatch and speed through ports has also created new pressures, while huge reductions in crew size have made the pilot so much more essential, with masters not infrequently keeping watches, dog-tired and submerged with paperwork and procedures.

The pilot has thus become an essential resource on an almost empty bridge at a time when the greatest demands are put upon the thinly spread manpower.

A laden suezmax bound for Le Havre is the first "customer", a Norwegian, lying bows out in a river berth, with a decent bow thruster helping the two tugs tow the ship off the berth.

The ship is smart and its crew exudes competence, and the manoeuvre to unmoor and haul off into the channel is uncomplicated. The tide is low and there is a brisk breeze whipping across the channel as the ship slowly makes its way down the channel, closed by the VTS to other shipping, while the tanker is proceeding to sea.

These are today's deepsea creatures, 10-month tours of duty running from Australia to the Tees, ballast to Brazil for a cargo to China. "More days, more dollars," we used to say, but these people earn theirs.

Variety is the spice of the Tees pilot's life and, in contrast, the next ship we board is a laden bulk carrier of about 4,300 dwt with a cargo of slag sand bound for the London River.

The ship is moored head up river, with a gas tanker close astern on an adjacent berth and an awkward shoal patch just upriver. But the little ship has a Becker rudder and a good bow thruster, which makes it almost dynamically positioning, and the pilot turns it in little more than its own length, while the ship steers with the precision of a car and little wheel on the passage down river, the master alone on the bridge and doubtless appreciative of some assistance.

Pilots in this river, where the pilotage is relatively short, have to get used to these contrasts. The big ships require a degree of anticipation with a relatively long interval between a helm or engine order and anything actually starting to happen, in contrast to small ships which are markedly more responsive.

The pièce de resistance is a couple of hours later as we clamber aboard a big



*Some traditions maintained.  
A cheery wave on departure!*

capsize at the Redcar ore terminal, which has half-discharged its iron ore cargo from Dampier and is making a short passage to Immingham.

The ship is new, all gleaming paint and clearly well-maintained, the crew smart in blue boiler suits, giving every impression that they know their business.

The tide is low, the ship head up and there will be four Svitzer tugs employed to swing it, as there will be little room for the 290 m long ship.

Swinging this gigantic ship is a study in co-ordination. A touch of the engines to keep the ship steady in the tide, the four tugs levering this great lump of steel around while the VTS shuts down other movements.

From the towering bridge of this monster the river and its navigable deep draught channel seem visibly to shrink.

There is little water under the keel and the propeller throws up dark mud under the poop. The turn complete, there is a ponderous passage in slow motion to the end of the fairway, where the pilot boat is waiting.

Pilots, for all their independence, don't work in isolation, and the Tees is an example of how the relationships in a port community can work well.

"If you keep talking about problems they don't grow," says the harbourmaster, and it is eminently clear that all those responsible for the movement and handling of ships in the port work well together, with a professional respect for the other person's point of view, the prosperity of the port as a whole and the over-riding need for safety.

*Michael Grey, Lloyd's List*

## Jody F Millennium & Tai Ping

Those of you who have been following my articles on the *Jody F Millennium* grounding may be forgiven for thinking that I am a bit obsessed by events that have occurred in the antipodes when there is so much happening closer to our own shores. Maybe you are right but with shipping being a world wide operation, events in other countries may have a significant effect on our own operations. It is my personal opinion that the *Jody* and *Tai Ping* cases will have an effect on port operations over here and in particular may just make those currently eager to introduce competition and subject pilotage to market forces think again. Backing up this viewpoint is news that there is another claim being lodged against Milford Haven port over the *Sea Empress* grounding. The link between all these three incidents is pilot training and pilotage regulation.

### Jody F Millennium

You will recall in the case of the *Jody* that the manner in which the pilot was appointed was not in accordance with correct procedures and with a claim of NZ\$23 million currently being lodged against Port Gisborne and Gisborne District Council the lawyers are looking very carefully at this aspect of the incident. To recap on the appointment controversy. In 1998 Port Gisborne (part of Gisborne District Council) decided to outsource the pilotage in the port using Adsteam as the service provider. A qualified and experience Napier pilot, Robert Sands applied for the post, but the incumbent pilot Ian Cook was in disagreement with Port Gisborne and not wishing to work for Adsteam did not apply for the post. Whilst Ian Cook took Robert Sands on board for a few observation passages the bad feeling between himself and Adsteam resulted in no formal training being undertaken and Robert Sands' training was completed by a relieving pilot. Robert Sands was then examined by this relieving pilot and the General Manager of Adsteam. He was duly granted his Gisborne licence and was subsequently appointed as Gisborne pilot by Port Gisborne. In taking this action Port Gisborne had effectively breached the NZ MSA procedures whereby a pilot examination board has to be appointed by the director of maritime safety and this panel were not. The NZ MSA were advised of the examination and the appointment after it had been completed, an action that concerned the MSA and the NZ Maritime Pilots' Association deeply. In

the end the MSA decided that if the examiners had applied to the Director then they would have been found compliant and although they registered a written complaint against Port Gisborne they decided that the appointment was valid. The NZMPA therefore reluctantly had to accept this decision. Legally, it would appear that since the examination procedures were not statutory then the breach will probably not be pursuable by the insurance claimants. However, this aspect of the incident will probably throw the spotlight onto pilot training.

### Tai Ping

In the case of the *Tai Ping* stranding off South Port (as reported in the July issue) initial findings by the Transport Accident Investigation Commission (TAIC) into the grounding found that a significant contributory factor was that because the pilot had not received any instrument training, once the vessel was engulfed in thick fog, the pilot became disorientated which led to the grounding. Since writing that report the TAIC has issued its full report and this has confirmed that the pilot "lost situational awareness" and thus "devised strategies to help him continue visual pilotage". However the most significant finding is that the South Port pilot/tug training manual required staff to receive instrument only training but this had not been undertaken. The report therefore recommended that South Port use simulator training to ensure that "staff can respond to any conditions". In this case the insurers have issued a claim against South Port and South Port and its marine manager are facing a total of eight charges relating to the grounding. Two charges are against the manager for operating the tug "in a manner causing unnecessary danger or risk to other people and property" and the third charge against the manager is for "failing to ensure that the tug was navigated in accordance with maritime regulations. As employers of the manager South Port faces the same three charges plus a further two charges for "providing compulsory pilotage services and tug assistance to the *Tai Ping* in a manner causing unnecessary danger".

### Milford Haven

Back here in the UK Milford Haven have issued the following press release to *Fairplay*:

*Continued on page 12*

From page 12

Milford Haven Port Authority revealed last week that it is facing a second legal action in respect of the Sea Empress grounding in 1996, from Chevron Texaco. MHPA chief executive Ted Sangster told Fairplay that the legal process in respect of this and the International Oil Pollution Compensation fund's £38M (\$60M) claim were progressing.

The port authority's annual report for 2002, published on August 20, made note of a \$16M claim by ChevronTexaco lodged in February 2002, just days before the deadline for such actions regarding compensation for loss of cargo and other related costs.

"The claim was made to protect our position over the *Sea Empress*," a Chevron Texaco spokesman told Fairplay. The oil company confirmed the action against MHPA and Milford Haven Pilotage, saying that the official UK Marine Accident Investigation Branch inquiry into the incident found that pilot error contributed to the grounding.

Sangster said the port authority was preparing for the legal mediation stage where a mediator is appointed in the hope that the claims will be dropped or a settlement agreed. "This will start in October, but if that is not successful, then court time has been booked for next June/July."

All of these reports indicate that pilot training is now a key area for litigation and it could well cause private companies interested in taking over pilotage services and reducing costs by reducing entry and training standards to reflect carefully on what they might be letting themselves in for. Let's hope so!

JCB

## HIGH LIFT RUDDERS UPDATE

Following the July feature on rudders where I speculated as to the name of the British inventor of the articulated rudder, retired Great Yarmouth pilot Alan Osgood informs me that there is a model of an articulated rudder in the Science Museum in London invented by Mr. Henry Lumley. The rudder was trialed in HMS *Bullfinch* in 1862!

So, I feel that in memory of this visionary, when confronted with a vessel with an articulated rudder we have a duty to inform the Master that he doesn't have a "Becker" rudder but a "Lumley"!

# OBITUARIES

## Douglas MacKenzie

The Clyde was a sad place on May 6, 2003, when we heard of the sudden death of one of our friends and colleague, Douglas MacKenzie.

Dougie was 55 years old and had been a Clyde Pilot for 12 years.

Dougie died suddenly at his family home in Plockton, where hoped to retire to. He had been visiting Plockton for a few days from his home in Greenock. Born in Plockton, he was the younger son of the late Kenny John and Elspeth Mackenzie. He attended Plockton school, where his father had been the French teacher.

Dougie went to sea at 17, joining Elder Dempsters and gaining his Masters Ticket in 1975.

He married Alice Kedzierski in 1976 and they had a son Alexander in 1978. At this time Dougie had started piloting in Bahrain, so this is where Alexander spent his early years. Sadly Alice was diagnosed with MS and after a long brave battle with the illness she passed away.

Douglas married again to Jane French and they had a daughter, Fiona, in 1988. The family moved to Plockton, when Douglas took the job of Harbour Master in Kyle of Lochalsh. However, the lure of piloting took Dougie and his family to Papua New Guinea, where he worked as harbour Pilot for a year, before returning to Scotland and becoming a Clyde Pilot in 1991.

Dougie loved the sea and sailing, a passion inherited from his father and already passed on to his son and daughter.

He was an enthusiastic member of Plockton Small Boat Sailing Club, regularly sailing in the Annual Regatta in his boat *Seaforth*, and was Commodore of the club in 1993. On the Clyde he raced 'Loch Longs', traditional wooden sailboats, and latterly he was partner in a 27ft wooden yacht, on which much love, attention and varnish was lavished.

Dougie was also a keen musician and played the mandolin.

He had a unique sense of humour and ready wit that always livened up the pilot meetings and he was always a sociable and friendly person who greatly enjoyed the company of family and his many friends.

Dougie will be greatly missed, which was evident from the very large crowd of over 300 packed into Plockton church for the funeral service conducted by the Rev. Roddy Rankin.

Burial took place at Balmacara New Cemetery, on the shores of Loch Alsh and whilst a piper played a last lament, a ships whistle could be heard faintly in the

background, a fitting tribute.

It is to his wife Jane, his son Alexander and daughter Fiona to whom we offer our deepest sympathy.

David Blair for Clyde Pilots

## Thomas A Hood

Tom Hood joined the merchant navy in September 1942 in the employment of P. Henderson & Co. of Glasgow. He remained with the company until becoming a Clyde Pilot in 1958.

The ships in which he sailed include s/s *Burma*, *Amarapoor* (a hospital ship), *Pegu*, *Yoma*, *Kanbe*, *Salween*, *Kalewa*. These vessels traded mainly to Burma and West Africa.

Tom was given his command in 1955 which he held until becoming a pilot - serving at various times as retained pilot by P. Henderson & Co., Scott Lithgow (Shipbuilders) and Scotstoun Marine.

It was at the 18th hole of Gourrock Golf Club that Tom collapsed and died at the age of 78. Tom's ashes were scattered at the Tail of the Bank of Greenock. He is survived by his wife, Mae; son, David; and daughter, Isobel.

Colin Macdonald

## Pensioners Deceased

May - July 2003

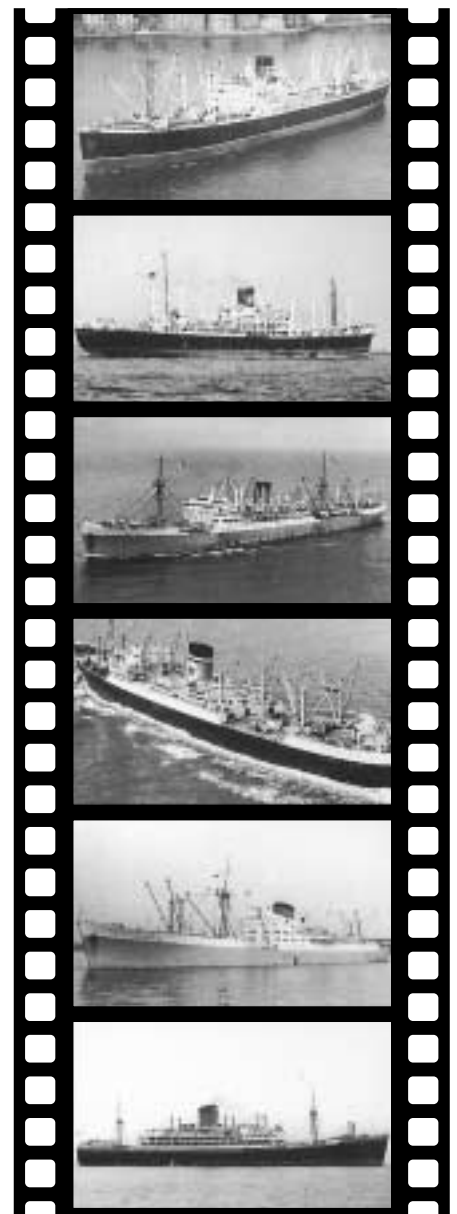
<b>B Cardy</b>	<i>London ~ Chammel</i>
<b>S Duncan</b>	<i>Tyne</i>
<b>JC Hessler</b>	<i>Liverpool</i>
<b>PP Hills</b>	<i>London ~ East</i>
<b>TA Hood</b>	<i>Clyde</i>
<b>GE Lowther</b>	<i>Humber</i>
<b>CH Marsh</b>	<i>Rye</i>
<b>AJ Milburn</b>	<i>Medway</i>
<b>DW Pounder</b>	<i>Humber</i>

# VIDEO REVIEW

As the last issue before Christmas it is always a pleasure to review something that may tempt you for your wish list. It was therefore with delight that I have discovered the "Great Liner" series of videos produced by Snowbow Productions. This remarkable series of videos now form part of the world's most comprehensive collection of film records of our once glorious Merchant Navy when British ships from an enormous and diverse range of shipping companies were to be found in every port around the World. The searching out and collating of film and archive footage by the director Des Cox started out 15 years ago as a small project to try to collate and preserve as many records as possible of the ships and seafaring life on video before they were lost forever.

Being presented on a series of one hour videos the collection, produced by Des, his wife and a small production team have now reached video number 21 with number 22 in the pipeline to be released as funds permit. Like many such projects born from a dedicated purpose and a professional knowledge of the subject matter, the results are more than just a mere record with the images being enlivened by an informative commentary detailing the names of the ships, cargoes carried and contemporary anecdotes. Reviewing the latest video in the series on shipping companies trading to New Zealand the wry commentary revived nostalgic memories of the days when ships still had large crews and jolly Jack Tar made the most of lengthy stays in port to enjoy a good run ashore to sample all the available delights! Interspersed with some contemporary footage of NZ ports and shipping, this video brings the dramatic changes of the last 50 years starkly into perspective. With today's fast port turnarounds, 24 hour working and virtually no time for shore leave it all begs the question have we really progressed? Watching these videos the answer is a resounding NO! From a pilot's viewpoint this particular video is worth buying for the last few seconds that depict an acrobatic pilot mimicking Tarzan transferring from the pilot ladder to cutter by means of a single manrope and then vaulting over the cutter's rails before giving a cheery wave to the *Rangitata* leaving NZ waters on its final voyage in 1962. Priceless, and I look forward to being contacted by someone who can provide me with the name of the pilot!

The 21 videos so far produced contain footage of all the major shipping companies, much of which has come from private collections never before shown. With each video having a specific theme the contents of each one are too numerous to list here but a catalogue containing full details can be obtained from:



Snowbow Productions (2000) Ltd.  
145 The promenade, Peacehaven,  
E. Sussex BN10 7HN  
Tel: 01273 585391

The cost of each video is £16.95 plus  
£1.00 P&P for the UK, £2.00 EEC and  
£4.00 overseas.

Tel/ credit card order line: 01273 585391  
Fax: 01273 584470

Website: [www.snowbow.co.uk](http://www.snowbow.co.uk)  
Email: [snowbow.productions@virgin.net](mailto:snowbow.productions@virgin.net)



## NOSTALGIA CRUISE

Des is currently arranging a themed MN history cruise from Fort Lauderdale to Harwich via the Azores. Departing Fort Lauderdale on 14th April 2004 each day will feature films, videos and lectures covering a different shipping company. I understand that socializing will be an important part of this cruise and extra bar stocks and lanterns to swing are being laid on in anticipation!

**For further details please contact Des Cox: 01273 585391**

## WANTED

Do you possess any old film  
footage of merchant ships,  
pilot cutters, tugs?

If so Des is always keen to  
obtain new footage. Please  
contact him directly at the  
above address.



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**Strobe Light**  
Powerful strobe light that is highly visible for miles to ensure a quick rescue

**Inflation Tube**  
Oral inflation tube backup system

**Storm Cuffs**  
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**Crotch Strap**  
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