



# The Pilot

No. 3, Vol. 30

JUNE

1951

---

## THE SIXTY-FOURTH CONFERENCE

The 64th Conference of the Association will be held in H. Q. S. "Wellington," Temple Stairs, Victoria Embankment, London, W.C.2, on Wednesday and Thursday, July 4th and 5th, 1951. There will be the usual eve of Conference meeting of the Executive Committee on Tuesday, July 3rd, 1951, at the same place.

### A G E N D A

1. The Conference opens at 10 a.m.
2. Report of Secretary and Solicitor.
3. Debate on Report.
4. Balance Sheet and Accounts.
5. Resolutions as set out below.
6. Any other Resolutions brought forward by or with the consent of the Executive Committee.
7. Pilotage Rates and Ministry Formula.
8. Election of Officers.
9. Appointment of Auditors.
10. Place of next Conference.
11. Any other business.

---

### RESOLUTIONS

#### ISLE OF WIGHT INWARD

THAT the United Kingdom Pilots' Association through its Parliamentary Committee petition Parliament to establish an independent tribunal before which unresolved disputes affecting pilots may be taken for arbitration and a ruling.

#### SWANSEA

1. THAT in the general interests of pilots the time has come when the United Kingdom Pilots' Association and the Pilotage section of the Transport and General Workers' Union should be welded together and affiliated to the T.U.C.
2. THAT in order to pay adequate salaries and to meet the rising costs of administration the contributions of members should be increased having due regard to the earnings of the respective ports.
3. IN view of impending negotiations for a national agreement re pilots' remuneration a small sub-committee be appointed from the Executive members to maintain personal contact with our Secretary and Solicitor.

## LONDON CHANNEL

TO determine a means of safeguard against pilots being forced to work unreasonable hours and their earnings exploited thereby.

## BARRY

THE Barry pilots who are members of the Association are of opinion that the full taxed costs awarded against Mr. O. R. Powell (ex-Barry pilot) should be paid by the Association.

## CINQUE PORTS

1. THAT the resolutions of previous Conferences authorising establishment of United Kingdom Pilots' Association office in London be implemented as early as possible.
2. THAT this Conference instructs the Executive Committee to desist from discussing the master/mate status of a pilot when conferring with the Chamber of Shipping.

## WISBECH

THAT the second Paragraph of Rule II relating to the election of officers shall be amended to read as follows:—

"At each Annual Conference at which any member or members retire in manner aforesaid there shall be elected by a majority of the delegates present or by proxy a like number or less, as the case may be, of ordinary members to serve on the Executive Committee. The instrument appointing a proxy shall be in writing under the hand of the local secretary of the port concerned and shall name the person or persons for whom the proxy shall vote. No person shall be appointed a proxy who is not either a member or officer of the Association. The instrument appointing a proxy shall be deposited with the Secretary of the Association not less than two clear days before the date of the Conference at which the vote is to be recorded."

## EXECUTIVE COMMITTEE VACANCIES

Pursuant to Rule 11, three members who have been longest in office without re-election retire.

The three members to retire at this Conference are the following:—

Mr. H. G. Eagle (Southampton)      Mr. J. H. Innes (Gourock)

Mr. H. G. Pead (Cardiff)

These three retiring members are eligible without nomination and will offer themselves for re-election.

In addition to the three retiring members, there have been two nominations for the three vacancies, namely:—

Mr. C. A. Papworth (Gravesend Channel)      Mr. W. E. Spencer (Cinque Ports)

## LEGAL PROCEEDINGS—LEGAL AID

MEMBERS of the Association will be aware that when a pilot is summoned to appear before his Pilotage Authority on any allegation which might involve the suspension or revocation of his licence, it has been the practice of the Association to give favourable consideration to the provision of financial assistance towards the expenses he may incur either in being legally represented before the Authority or in any proceedings by way of appeal against their decision.

It is desired to point out that as long as the Association is in a position to do so, it is hoped to continue this assistance where, in the opinion of the Executive Committee, the circumstances of the case warrant such a course.

It is, however, essential that a pilot who contemplates applying to the Association for assistance should get into touch with the General Secretary at once and, in any case, before any such expenses are incurred. If, in an emergency, it becomes necessary to obtain legal assistance before there is time to communicate with the Secretary, the matter should be reported to him at the earliest opportunity thereafter.

Failure to comply with this simple procedure may result in the Executive Committee having to refuse an application made at a later date.

## HOME TRADE LIMITS

Any Attempt To Extend Them Will  
Be Resisted

An article in the journal of the Navigator and Engineer Officers' Union contained a proposal that as a temporary and experimental measure in summer the limits of home trade shipping should be extended to include some of the Baltic ports.

It was brought to the notice of Sir John Inskip by Mr. T. R. R. Letten, the Harwich secretary, writing on behalf of the North Channel pilots, the bulk of whose work as inward pilots from the north to London is from the Baltic and Scandinavian countries, which are, of course, at present outside the home trade limits.

In his letter Mr. Letten mentioned the possible opposition of the insurance underwriters to vessels trading in this proposed new area without a certificated master or engineer.

The matter was on the agenda of the Executive Committee meeting in March, when Mr. Griffiths reported that Sir John's view was that the proposal could not be adopted without legislation.

The Committee agreed that the proposal should be resisted.

In the discussion it was mentioned that home trade limits were not defined in the Pilotage Act, and Mr. Webb pointed out that the proposal would involve an amendment to the Merchant Shipping Act where the limits were defined.

DISCUSSIONS WITH THE  
CHAMBER

At the Executive Committee meeting on March 14th, Mr. Griffiths briefly reported on the discussions which had taken place between members of the U.K.P.A., the Transport Union and the Liverpool Pilots' Association. It was decided he said, after a morning and afternoon session, that there should be a meeting with the Chamber of Shipping, but that in the first instance the approach should be made by Sir John Inskip, Mr. Bird and himself without any pilots, so that in a less formal atmosphere a free and easy discussion could take place without the Chamber taking the defensive. The pilots' representatives would be able to call another meeting and let the pilots know what any proposals amounted to.

Mr. Innes: Was it not agreed at Conference that in any discussion with the Ministry or the Chamber Sir John should be accompanied by a pilot?

Mr. Goldsmith: Sir John and Mr. Bird would not commit themselves to any proposal.

## TRUSTEES AT CONFERENCE?

Should the trustees attend Conference? There appears to be a feeling among some members of the Executive that it would be a nice policy to revive a custom of the old days when the trustees did attend and any of the documents with which they were concerned were there for them to see.

It will be for Conference to answer the question.

## CHANNEL PILOT'S RELIANCE ON RADAR

**"It Must Be Used Intelligently With Existing Regulations"**  
says Magistrate

**A**N appeal case of great interest to pilots was heard in the Thames Magistrates' Court on February 13th.

A London Channel pilot, Mr. F. E. O. Mitchell appealed under section 28 of the Pilotage Act from the decision of the London Pilotage Committee given at a court of inquiry held at Trinity House on December 8th, 1950. The Committee found him guilty of failure or neglect of duty as a pilot under section 26 and guilty of a misdemeanour under section 46 of the Pilotage Act while the T.E.S. *Smoky Hill* was under his charge on March, 30th, 1949 and was in collision with the M.V. *Robert Lowry*.

The grounds of the decision were that Mr. Mitchell proceeded at full speed in fog and did not use the whistle in accordance with Articles 15 and 16 of the Pilotage Regulations made under the Merchant Shipping Act. On the recommendation of the Committee the Board of Trinity House suspended his licence for one calendar month.

The appeal came before Mr. W. E. Batt, Metropolitan magistrate, who sat with a Nautical Assessor, Rear-Admiral W. G. Benn. Counsel appeared for Trinity House and for the pilot who also had counsel at the Court of Inquiry.

The magistrate mentioned that the Committee also found the appellant was unwise and negligent in other respects, but he based his judgment solely on the breaches of Articles 15 and 16 which were obligatory and it was not necessary to consider the other grounds. He continued:

"On March 30th at about mid-day the pilot was in charge of the tanker *Smoky Hill* of 10,668 gross tonnage, outward bound from London in ballast. By reason of fog visibility was half a mile, or less. He was on a course of 180 degrees true and steaming full ahead and the ship was making about 10 knots. He had been sounding his whistle intermittently, but at all material times he sounded his whistle on two occasions only and that was as signals that he was altering course and not as a warning at large in conformity with Article 15. The pilot was using a Cossor radar set on a short range, i.e. three to three and a half miles radius and when near to the East Goodwin light vessel he picked up an object on the extreme edge of his radar screen on a bearing of 6 degrees on his starboard bow. He ascertained that this was a moving object and that its bearing remained

constant. It was in fact the American M.V. *Robert Lowry*, navigated by her own officers who were not using radar. She was bound for Bremen on a course of 026 degrees, that is some 26 degrees from parallel to that of the *Smoky Hill*. Assuming, as appears to be the case, that she was also steaming full ahead the two ships if they had maintained speed and course would have been in collision, or in great danger of it, within less than 15 minutes. When they had closed to one and a half miles the *Robert Lowry* was still 6 degrees on the *Smoky Hill*'s starboard. When one mile apart the pilot gave the helmsman the order 'hard-a-starboard,' at the same time sounding one short blast to indicate this alteration of course. Then to the consternation of the pilot the *Robert Lowry* gave two short blasts indicating he was going to port. Almost immediately at not more than a half mile distant the *Robert Lowry* came into actual view. By this time the two vessels were swinging into each other and a collision was inevitable. The pilot reversed his engines to full astern, and went hard-a-port giving two blasts to indicate the change of helm. This last minute manoeuvre was unavailing and the two vessels collided at an angle estimated by appellant of about 60 degrees. Extensive damage was done, but fortunately neither foundered.

"It is clear from these facts that the pilot relied solely on radar and neglected the elementary precautions laid down in Articles 15 and 16. I had no evidence from the *Robert Lowry* and therefore no explanation of his apparently suicidal action in turning to port.

"The appellant maintained that the *Robert Lowry* should have maintained a course or gone to starboard in which case he would have passed safely port to port. That was the pilot's very strong contention. He also contended that 10 knots was a moderate speed within the meaning of the regulations having regard to his use of radar. This I rejected holding that 'moderate speed' meant a speed at which the pilot could take the way off his vessel in a distance consistent with actual visibility. Perhaps the *Robert Lowry* mistook the pilot's short blast. Be that as it may the complete answer to the pilot's contention is plain, namely, that a slackening of speed when the *Robert Lowry* was first picked up by radar would have allowed that vessel to cross the *Smoky Hill*'s bow with complete safety, while the whistle would have warned the *Robert Lowry* of the *Smoky Hill*'s presence when the ships were

two miles apart, that being the pilot's estimate of the whistle's range.

"But for the obvious sincerity of the pilot I should have said that the appeal was frivolous.

"In the result if dismissed the appeal both from finding and from sentence, which I consider lenient in the circumstances, and order the appellant to pay the assessor's fee and £10 towards the costs of the Board.

"It is to be noted that as the period of suspension of his licence had expired the appellant's avowed object in bringing the appeal was to vindicate his faith in radar and his complete reliance on it in this case. To which I add by way of obiter that radar must be used intelligently with existing regulations."

The case was discussed at the Executive Committee meeting in March, when Mr. Griffiths reported an application from Mr. Mitchell for help in meeting his legal costs of 75 guineas. The first approach to the Association, he said, was on February 13th—two days after the judgment in the Thames Magistrates' Court. Mr. Mitchell then informed the Association that the Navigator and Engineer Officers' Union had paid 25 guineas toward his total out of pocket expenses of over £200.

## DIVIDED VIEWS on PENSION SCHEME

**Executive Agrees With Sir John That Association Cannot Take Sides**

When the draft bye-laws of Trinity House's new pension scheme were published, Sir John Inskip wrote a letter to all Trinity House ports concerned in order to ascertain their views and offer such assistance as he could give, should it be required.

On February 26th he sent out another letter stating that many ports had not replied to his inquiry, some wrote giving the proposals their fullest support while others expressed the strongest objections upon many important grounds.

"In such circumstances," he continued, "it will of course be understood, where many members desire the bye-laws to be confirmed and many others do not, that the U.K.P.A. obviously cannot advocate two points of view or try to face both ways at the same time over the same matter. On the other hand, every individual member is entitled to receive from the Association all possible advice and guidance as to his rights in any given circumstances and how to set about enforcing them."

There was considerable criticism of Mr. Mitchell for not approaching the Association in the first instance. Mr. Goldsmith who read the rule providing for "such assistance as the Executive might deem advisable," said it might well be that in this case the pilot was not aware of his moral obligation to approach Sir John. Mr. Marshall commented that it was only commonsense that a man could not engage two solicitors.

The President who arrived while the discussion was in progress and remained for a time, said that when a member was in trouble he should contact the Association and not go off on his own.

Mr. Ward said that this had been pointed out to the members again and again.

On the proposition of Mr. Innes, seconded by Mr. Marshall, it was agreed by a majority, "as an exceptional measure in this case," to make a contribution of £25 towards the expenses of Mr. Mitchell.

It was agreed that in future no application for assistance would be entertained unless the applicant had put his case before the Association at the beginning.

Mr. Tate emphasised that radar was becoming a force in their lives and there was a brief discussion on the subject. It was mentioned that in some ships there were notices in the chart room pointing out that radar must be used in conjunction with the existing rules for safety.

Sir John then proceeded to advise the pilots at ports where there was unanimous objection to the confirmation of the bye-laws as they stood, how to lodge their objections, and also the procedure to be adopted where the pilots were divided in their views.

This was one of the subjects which came before the Executive Committee in March. Mr. Griffiths told them that Sir John's view was that Trinity House would call their committee together to reconsider the proposals. It would remain a domestic matter for Trinity House and the pilots.

In the discussion which followed Mr. Eagle regretted the view that the Association should keep out of it and pointed out that unless there was a unanimous vote on any subject 40 or 50 obstructionists could stop all the work done by the Executive.

Eventually on the proposition of Mr. Tate, seconded by Mr. Ward the Executive agreed to support Sir John's attitude and take no sides.

## CLYDE PILOT WINS HIS APPEAL

Just before this issue of *The Pilot* went to press, news was received that Pilot Conway had won his appeal against the revocation of his licence.

The Sheriff reversed the revocation which was ordered by the Clyde Pilotage Authority in September, 1950, and directed the Authority to renew the licence as from February 1st, 1951.

The pilot was awarded the costs of the appeal.

## Mr. O. R. POWELL'S COSTS

In response to an application from Mr. O. R. Powell, a former Barry pilot for financial assistance towards the legal costs which he had incurred in prosecuting his appeal against the revocation of his licence following an accident in which the ship he was piloting damaged a jetty, the Executive agreed to pay the taxed costs of his solicitors.

## DANISH HONOUR FOR PILOT

While returning to Denmark on board the *Kronprinsesse Ingrid* after his recent state visit to this country, King Frederik conferred the honour of Knight of the Order of Dannebrog on Mr. J. F. Bammant, North Channel pilot, and senior pilot of the London district. Captain Bammant received the O.B.E. in 1946.

## TO FIGHT EAST HULL

A well-known Goole pilot, Mr. H. Richman is the prospective Conservative candidate for East Hull. He entered the pilotage service in 1937, but during the war served in the navy as an R.N.R. officer and was wounded in an E-boat action. On demobilisation in 1946 he returned to pilotage. He received the O.B.E. during the war and was mentioned in despatches.

## PILOTAGE RETURNS

A memorandum on the procedure to be followed in arriving at the average gross and net earnings of pilots for the purposes of the pilotage returns to be submitted to the Ministry of Transport was sent by the Ministry to all Pilotage Authorities at the beginning of March.

When it was discussed at the Executive meeting in March, Mr. Griffiths mentioned that Sir John, in a short reply to the Ministry had reserved the right to raise other points after discussing it with the Executive. It was Sir John's view that certain matters the Ministry said were not appropriate deductions were not likely to be agreed by the Executive, such as the cost of uniform and telephone. Mr. Griffiths suggested that if any pilot felt aggrieved because he was not allowed any specific expense he should take it up with Sir John.

## Obituary

### Mr. D. J. DAVIES, Swansea

A critical but kindly companion has gone from among us. Mr. Davies was known throughout the Association, and particularly by those who heard his breezy speeches at Conference. Ill-health unhappily had kept him away last year and the year before. He died on March 17th and was 52 years of age.

Mr. Davies was a pilot for 16 years. Previously he had been with the Court and Blue Funnel Lines and Messrs. Constants. He obtained his master's certificate at the age of 22 and was given his first command (in the Court Line) when 26.

During the war while engaged as pilot in the *Strombus*, adjusting compasses in Mumbles Roads, a violent underwater explosion occurred and the vessel had to be beached. Again in 1941 while pilot of *Georgios V* he docked her under gunfire from enemy aircraft, for which he was highly praised by the Port Emergency Committee.

In 1948 he was appointed a trustee of the U.K.P.A.

Mr. Davies left a widow and one married daughter.

### Mr. H. COWLING, Goole

The Goole pilots have suffered a severe loss by the death of Mr. H. Cowling. He was in charge of the motor vessel *Hartel* which capsized on Goole Ness in the early part of this year and his death was in some measure due to the accident. Mr. Cowling who was 57 years of age had been a pilot for 26 years. He was an old member of the U.K.P.A. and for a long time was the local secretary.

## VALUABLE NUCLEUS ON THE TYNE

On the Tyne the U.K.P.A. men are in a minority but two of them, Messrs. Marshall and Ayre are members of the Tyne Pilotage Authority and they are sponsoring an application for an increase in the rates with which the Authority agree. Twelve months ago a similar application which also had the approval of the Chamber of Shipping was refused by the Ministry.

Mr. Marshall, at the March Executive meeting sought the support of the Association, through Sir John Inskip to their present application.

This, of course, they can count on; as the Chairman (Mr. Love) said, "Messrs. Marshall and Ayre are holding together a valuable nucleus of U.K.P.A. men and they deserve every encouragement."

## UNITED KINGDOM PILOTS' ASSOCIATION

### Income and Expenditure Account for the year ended 31st December, 1951

Expenditure				Income			
1949	£	s.	d.	1949	£	s.	d.
77	82	14	1				
174	162	11	6				
183	221	4	5				
463	484	9	7				
64	123	8	0				
37	42	0	0				
1,000	1,250	0	0				
22	20	9	4				
10	9	15	1				
25	—	—	—				
19	33	0	4				
132	—	—	—				
						</	



### Balance Sheet as at 31st December, 1950

## AUDITORS' REPORT

(Signed) J. B. WATLING, F.C.A.

Chartered Accountant,

*Approved Auditor under the Friendly Societies Act.*

Bristol, 10th May, 1951