

Introduction

The Workington (Pilotage) Harbour Revision Order 1988 sets out the limits within which Cumbria County Council has jurisdiction for the purposes of pilotage. The Port has determined that for a certain size and type of vessel pilotage shall be compulsory and has prepared the Port of Workington Pilotage Direction that describes the geographical area in which pilotage is compulsory and the size and type of vessel subject to compulsory pilotage.

In support of the Port of Workington Pilotage Direction the Port has developed these pilotage regulations that set out the administrative requirements of the pilotage service.

1 Pilot authorisation and re-validation

Authorisation of a pilot is undertaken by the Port of Workington (on behalf of Cumbria County Council) when it is satisfied that the requisite standards have been achieved. The standards comprise professional qualification, previous experience, recorded training, formal assessment and successful examination.

A structured programme leading to authorisation is adopted which incorporates assessments, examination and specified training. The Harbour Master monitors and manages the training of pilots.

1.1 Professional qualifications and experience

Candidates for pilot at the Port of Workington must be qualified and experienced as follows.

- The holder of a Class 2 (Deck) Certificate of Competency (STCW'95 Regulation II/2) re-validated as required by the issuing authority with five years satisfactory sea service as Deck Officer.
- Or
- The holder of the UK National Occupational Standards (NOS) for pilot's certificate.
- Preferably command experience.
- Preferably ship handling experience.
- Survival at sea certificate.

Candidates must hold a valid ENG 1 (MCA medical certificate) or other equivalent medical certificate and be considered by the competent harbour authority to have a level of physical fitness such that they can safely perform pilotage duties.

1.2 Pilot training phases

1.2.1 Induction

Induction is carried out in the first week depending on training opportunities and personnel availability. During this week the candidate will experience and participate in the activities listed below.

- Man-overboard recovery training on the pilot boat.
- Instruction on all safety equipment and safety procedures on pilot boat.
- Basic Pilot Ladder/Boarding instructions.
- Instruction on Personal Safety Equipment.
- Issue of Chart and relevant publications.
- Port familiarisation.
- Trip and familiarisation with tug and towing procedures.

1.2.2 Phase 1

Phase 1 training takes place over a four-week period immediately following the induction process. All candidates, irrespective of former experience, follow this phase.

Objective: The candidate should achieve familiarity with the area of jurisdiction of the Port as the competent harbour authority, the geography, and hydrography of the Port and its approaches together with the typical meteorological conditions and tidal regime. During phase 1 candidates are also required to become familiar with the marine operations – safety management system and the Port of Workington General Byelaws.

Tripping should encompass all sizes of vessel at this stage and should concentrate mainly on local familiarisation. Tripping requirements will be determined in light of the candidate's ability and demonstrated proficiency, subject to a minimum of five trips inward and outward in total, covering both day and night, and spring and neap tidal conditions.

During this phase, the candidate is expected to gain familiarity with the following:

- The Ship handler's Guide
- The Pilotage Act 1987
- Port of Workington General Byelaws
- Pilotage Directions given by the Port and these Pilotage Regulations
- The Code of Practice for the Boarding and Landing of Pilots

1.2.3 Phase 2

Phase 2 training takes place over a four-week period, immediately after completing phase 1. Experienced candidates may be encouraged to combine phase 2 with phase 3 over a shortened total period, at the discretion of the Harbour Master.

Objective: The candidate will be encouraged to conduct vessels to or from the approaches, channel and turning basin. By the end of this phase, the candidate should be reasonably competent in the conduct of vessels in these areas. Actual berthing of ships is not specifically included but may be permitted by the training Pilot if the vessel type and weather conditions are considered suitable.

Tripping: Candidates should concentrate on vessels up to 92m LOA.

During this phase, the candidate is expected to gain familiarity with the following:

- The Code of Practice for the Boarding and Landing of Pilots
- Local Boarding and Landing Procedure

1.2.4 Phase 3

Phase 3 training takes place over a four-week period following on from successful completion of Phase 2.

Objective: To consolidate experience and lessons learned to date, to commence closer involvement in berthing operations and the control of the tug to assist operations.

Tripping: Candidates should concentrate on vessels up to 92m LOA with the emphasis on gaining sound ship-handling skills and should be given increasing amounts of “hands-on” experience by training Pilots.

During this phase, the candidate is expected to gain familiarity with the following:

- Hazardous Goods Regulations
- Merchant Shipping Notices relating to pilotage

1.2.5 Phase 4

Phase 4 training will cover a period of six to ten weeks, depending on previous experience and aptitude. The last two weeks will involve a minimum of six practical assessments, to be completed successfully, unaided, but under the continuous supervision of the training Pilot.

Objective: To ensure that, as far as possible, the candidate acts as Pilot for complete acts of pilotage throughout this period, gaining both competence and confidence. Vessels up to 92m LOA should be given highest priority, but candidates should endeavour to obtain experience on vessels above this initial authorisation limit.

Tripping: The candidate should undertake as many passages as possible. Formal assessment will only take place when a satisfactory standard is being consistently noted.

During this phase, the candidate is expected to gain familiarity with the following:

- Master Pilot Relationship
- MS (Pilot Transfer Arrangements) Regulations
- MS (Accident Reporting and Investigation) Regulations
- MS (Reporting Requirements for Ships Carrying Dangerous Or Polluting Goods) Regulations
- MS (Port State Control) Regulations

1.3 Assessments of Pilots under training

Assessments are carried out by an accompanying Authorised Pilot during the later phases of the tripping periods. These will take the form of written and graded comments on key aspects of the trainee’s conduct of vessels (see annex A).

1.4 Examination for pilot

Candidates sit an oral examination by the Harbour Master and an Authorised Pilot before the initial issue of a pilotage authorisation.

Candidates for initial pilotage authorisation are to make themselves thoroughly acquainted with the following.

- The limits of jurisdiction as the competent harbour authority for pilotage.
- General navigation.
- The International Regulations for Preventing Collision at Sea, 1972 as amended.
- Port of Workington General Byelaws and arrangements in place for the regulation and management of navigation in, or in the approaches to the Port of Workington.
- Communications procedure.
- Local Notices to Mariners.
- "M" Notices relating to pilotage.
- Experience and local knowledge.

The applicant's experience will be determined by his/her ability to demonstrate practical knowledge of the area, with particular reference to the following.

- Coastal and prominent features.
- General direction of tidal streams.
- Critical areas of navigation.
- Relevant depth criteria.
- Names of berths and general knowledge of the manoeuvring problems associated with vessels berthing and unberthing.
- Knowledge of procedures contained within the Port of Workington marine operations – marine safety management system.

Detailed knowledge of the area will be required in respect of the following points.

- The names and characteristics of buoys, beacons, and other navigational aids in or near the pilotage area.
- The names of various channels, points, headlands and shoals in or near the pilotage area.
- The width of the channel and turning basin.
- The channel and turning basin courses and distances.
- Depth of water throughout the area and required minimum under keel clearance.
- The set, rate, rise and duration of the tides.
- The likely effect of the fresh river water flow.
- Ship-handling characteristics of ship types likely to call at the Port of Workington.
- Operating with tugs, communications and precautions.
- Special local signals.
- The Port of Workington Oil Pollution Contingency Plan, the Port of Workington Port Facility Security Plan, Port of Workington On-Site Emergency Plan, and the Port of Workington Shipping Safety Regulations & Waste Management Regulations.
- Other relevant information at the discretion of the examiners.

The examination shall be held at such place and at such times as determined by the Port.

If a candidate fails to pass the examination, he/she shall be put back for 3 months from the date of failure of the examination before re-trying.

1.5 Initial authorisation

On successful completion of Phases 1-4, formal assessment and examination the candidate will receive initial authorisation in accordance with Section 3 of the Pilotage Act 1987. The Port Manager and the Harbour Master will sign the authorisation document.

Initial authorisation will be as a Class II Pilot. Class II Pilots are authorised to pilot vessels of up to 92m LOA.

1.6 Class I Pilot

Experience on the job will continue to be gained by the Class II Pilot for an appropriate period before he/she will be considered for assessment for Class I authorisation.

Objective: The candidate should complete as many acts of pilotage as possible during this period, increasing competence and gaining confidence, particularly on the larger vessels and those requiring compulsory towage.

A minimum of six practical assessments must be completed successfully, unaided, but under the continuous supervision of the training Pilot before a Class I authorisation will be issued.

Prior to promotion to Class I Pilot the candidate sits a further oral examination by the Harbour Master and an Authorised Pilot.

1.7 Re-validation

Authorised pilots are subject to an assessment of competence, ongoing validity of professional certification, qualifications in respect of physical fitness, time of service, local knowledge, ship-handling skills and character. The assessments are conducted at intervals not exceeding 5 years and are undertaken in two parts.

1.7.1 Assessment trip

The Pilot is assessed during an act of pilotage by an Authorised Pilot and/or the Harbour Master. The assessing officer notes the Pilot's overall performance with particular regard to competence, confidence and the authority of the Pilot in the conduct of the vessel. The assessing officer may also comment on the Pilot/Master exchange including discussion of the passage plan and the Pilot's overall conduct on the ship.

The assessing officer completes 'Pilot training – record of formal assessment form' (see annex A) as a record of the assessment trip.

1.7.2 Assessment interview

The Pilot is interviewed by the Port Manager and an Authorised Pilot. The Pilot is required to show evidence of his or her professional qualification and medical fitness. Comments made by the assessing officer during the assessment trip may be addressed. The Pilot's overall

conduct, time keeping and performance may also be discussed. Any recommendations or requirements that the interview panel may make will be advised to the Pilot in writing.

On successful completion of both parts of the re-validation assessment the Pilot's authorisation is re-validated by the Port Manager for a maximum period of 5 years. A lesser period may be thought appropriate with regard to age, physical fitness, conduct and other matters deemed relevant by the assessment board.

2 Discipline of pilots

The Cumbria County Council Disciplinary Procedure (see annex C) will be followed in all instances of discipline involving County Council personnel.

The disciplinary procedure for sub-contracted pilots is to be incorporated within the relevant pilotage contract.

Additionally, when a vessel in the charge of, or acting under the specific advice or instruction of a Pilot authorised by the Port of Workington or a Master or Deck Officer holding a valid Pilotage Exemption Certificate has touched ground, or has been in collision with, or in dangerous proximity to any other vessel, or any fixed or floating object in the waters under the pilotage or navigational jurisdiction of the authority, he/ she shall report the occurrence immediately to the Harbour Master, giving all the circumstances leading up to the occurrence.

A Marine Incident Report form is to be completed (see annex D).

If the casualty or incident involved a Pilot authorised by the Port of Workington, the Harbour Master may recommend that the Pilot be suspended pending the consideration of the casualty report and further investigation, should the circumstances appear to warrant such action in the interests of safety or the wellbeing of the Pilot.

If the circumstances appear to warrant such action, the Harbour Master may also recommend that the Pilotage Exemption Certificate of a Deck Officer be immediately temporarily suspended pending further investigation.

All available reports, evidence and records shall be gathered and considered by the Harbour Master. The Harbour Master may also seek a second opinion from an independent person with appropriate knowledge. The Harbour Master may, if necessary, obtain clarification from any person who may have a direct interest in the casualty or incident on such points as will assist them in taking the most appropriate action.

If the Pilot concerned in the above is the Harbour Master then the reports, evidence and records shall be considered by his/her Deputy.

Consequent upon such consideration and consultation, the Harbour Master may either declare the matter closed or decide there should be further investigation of the incident and the roles played by all or any of the Pilots, Deck Officers or Masters involved.

If the Harbour Master declares the matter closed, no further action will be taken. If subsequently, new information comes to light, the matter will be re-opened for further consideration.

If the Harbour Master decides there should be further consideration of the casualty or incident, the procedure shall be as follows:-

1. The Harbour Master will recommend the convening of a Casualty Investigation Panel to consist of:-
 - a. A senior manager from Cumbria County Council with experience of chairing investigating panels (the Panel Chairman). As an alternative, an independent person with appropriate experience may be invited to chair the panel.
 - b. The Port Manager.
 - c. The Harbour Master or Towing Coxswain.
 - d. An Authorised Pilot from another port.
2. The Pilot or Deck Officer involved in the casualty shall be informed, in writing that the Casualty Investigation Panel is to hold a hearing. He/she shall be given notice of the date, time and place and required to attend. He/she will be advised of the right to be accompanied by a colleague or a trade union representative.
3. On conclusion of the hearing, the Panel Chairman may announce the decision of the panel but will in all cases produce a written report of the proceeding and the decision of the Panel within seven days. The Panel may recommend to the authority:-
 - i) That no further action needs to be taken.
 - ii) That no further action needs to be taken against the Pilot or Deck Officer, but there are lessons to be learned from the incident and remedial action required.
 - iii) That further action against a Pilot shall be considered within the terms of Cumbria County Council Disciplinary Procedure or the Contracted Disciplinary Procedure, in which case they may recommend suspension of the Pilot from duty pending the outcome.
 - iv) The Pilot's Authorisation should be downgraded, suspended for an appropriate period or revoked.
 - v) In the case of a Deck Officer, the PEC shall be suspended pending re-examination of the holder or the PEC should be suspended for an appropriate period or revoked.

4. In the event that the Port of Workington accepts a recommendation as contained in 3.iii), 3.iv) or 3.v), the Pilot or Deck Officer may appeal to a Senior Officer of Cumbria County Council.
5. The appeal must be made in writing and it must reach the Senior Officer not more than 28 days after the Pilot or Deck Officer has been made aware of the authority's decision.
6. As soon as reasonably practicable, the Senior Officer of Cumbria County Council will convene a Hearing at which a minimum of three senior personnel from Cumbria County Council, will hear the appeal. The Pilot or Deck Officer shall be given notice of the date, time and place and required to attend. He/she will be advised of the right to be accompanied by a colleague or trade union representative.
7. The decision of this hearing for the Port of Workington will be final.
8. In circumstances where action is taken against a Pilot under the Cumbria County Council disciplinary procedure, the normal appeals procedure contained in the disciplinary procedure will apply.

3 Pilotage Exemption Certificates (PECs)

Any ship subject to compulsory pilotage as laid down in the Port of Workington Pilotage Directions must be in the charge of an authorised pilot or an authorised holder of a valid Pilotage Exemption Certificate (PEC) when navigating within the limits of the Port of Workington pilotage area.

Deck Officers of ships may apply for and be issued with Pilotage Exemption Certificates for the compulsory area, subject to qualification both by examination and/or experience in the area.

Class A (Examined)

Applies to ships of 92 metres and over in length and to ships carrying passengers or dangerous cargoes.

For initial issue the candidate will need to be successful in an examination covering the requirements laid down in the syllabus for examination. Prior to the examination the candidate will have completed the minimum number of single trips in the Port of Workington pilotage area and completed the required number of assessment trips as follows.

On initial application:

Eight passages to have been performed in the previous 12 months. At least two of the inward passages to have been performed during the hours of darkness.

Plus, two inward and two outward passages under assessment which are recorded by the accompanying pilot (see annex B).

At revalidation:

Eight passages to have been performed in the previous 12 months, at least two in the past six months.

Class B (Non-Examined)

Applies to ships between 50 metres and 92 metres in length overall. Prior to the granting of a Class B certificate the candidate will need to provide corroborated evidence of experience and qualifications and will have completed the minimum number of single trips in the Port of Workington pilotage area and completed the required number of assessment trips as follows.

On initial application:

Four passages to have been performed in the previous 12 months. At least one of the inward passages to have been performed during the hours of darkness.

Plus, two passages under assessment which are recorded by the accompanying pilot (see annex B).

At revalidation:

Four passages to have been performed in the previous 12 months, at least one in the past six months.

All Applicants

In addition to the requirements mentioned above, an applicant for a Pilotage Exemption Certificate shall satisfy the Port of Workington as to his/her:-

- i. professional qualifications by production of or reference to an appropriate valid certificate of competence and evidence of experience in the pilotage area,
- ii. medical and physical fitness, eyesight and hearing such that they can safely perform PEC duties prior to being issued with a Pilotage Exemption Certificate and prior to any subsequent annual renewal procedure,

- iii. command of the English language.

The following notes also apply:-

- i. The number of required passages may be increased at the discretion of the Harbour Master, in the case of any ship, if the nature of her physical configuration, or of her cargo, dictates the need for greater experience.
- ii. There shall be endorsed on, or added to, the Pilotage Exemption Certificate granted to any Deck Officer the name and description of every ship which he/ she is authorised to pilot.
- iii. The Deck Officer holding a Pilotage Exemption Certificate shall not allow any other person to have the possession of his/her Pilotage Exemption Certificate for the improper use thereof.
- iv. The Deck Officer holding a Pilotage Exemption Certificate who observes any alteration that may affect the safety of navigation in the area shall have the duty of informing the Port of Workington of this matter without delay.
- v. When a ship in the charge of a master or first mate holding a Pilotage Exemption Certificate has touched the ground, or has been in collision with any other ship or fixed or floating object in the waters of the Port of Workington, the holder shall report the occurrence immediately to the Port of Workington and send a written report of the circumstances leading to the occurrence to the Harbour Master within a period in accordance with the Port of Workington Terms and Conditions.
- vi. The Deck Officer holding a Pilotage Exemption Certificate shall, in obedience to a summons by the Port of Workington, attend to answer any complaint or charge which may be made against him/her for misconduct, which includes any non-compliance with the Port of Workington General Byelaws or in respect of any marine casualty which may have occurred whilst he/she was in charge of his/her ship in any part of the pilotage area.
- vii. A Pilotage Exemption Certificate will not remain in force for more than one year but may be renewed annually pursuant to Section 8(5) of the Pilotage Act 1987.
- viii. A Pilotage Exemption Certificate shall not be renewed unless the holder has made, during the previous twelve months, such number of visits as the Port of Workington shall determine. Additionally, the holder shall provide the Port of Workington with evidence as to his/her continuing medical/physical fitness, eyesight and hearing standard and to his/her knowledge of any changes that have occurred in the area.

Syllabus for examination for PEC Class A

Deck Officers may apply for, and be issued with, a Pilotage Exemption Certificate Class A subject to qualification both by examination and experience. The applicant for such a Certificate shall provide

written evidence of medical fitness, including eyesight and hearing and satisfy the Port of Workington as to:-

- i. his/her professional qualifications, and his/her knowledge and experience of the area, and
- ii. his/her knowledge of Dangerous Substances in Harbour Areas Regulations, 1987 as applicable.

Applicants for Pilotage Exemption Certificates Class A are to make themselves thoroughly acquainted with the points listed under 1.4 (Examination for pilot) of these pilotage regulations.

Examination for PEC Class A

All examinations will be conducted in the English language, with particular attention being given to the need for applicants to clearly understand, and be understood, in relevant communication procedures.

The examination shall be held at such place and at such times as the Port of Workington may direct, and under the same conditions as examinations for Pilots' Licences.

If an applicant fails to pass the examination, he/she shall be put back for 3 months from the date of the second examination. If he/she fails a third time, he/she shall not be examined again for a further 12 months.

Fees

Fees shall be paid by applicants or holders in respect of examinations for grant, renewal, alteration of Pilotage Exemption Certificate or issue of replacement certificate. These fees are contained in the published tariff for Pilotage Services and are reviewed annually.

Appeals

The Pilotage Act 1987 provides a right for an applicant to make representation in the event of a refusal to grant, renew or alter a PEC and in the event of a suspension or revocation of a PEC. In this event the Harbour Master will advise the applicant or Deck Officer of the reason for refusal to grant, renew, suspend etc. in writing.

An applicant or Deck Officer may make representation to the Port of Workington, Port Manager, who will chair a licensing committee, comprising a senior port employee, Authorised Pilot or other suitable independent marine expert.

In all cases the decision of the Licensing Committee will be final.

Obligations of Pilotage Exemption Certificate holders

When a vessel in the charge of a Deck Officer holding a PEC issued by the Port of Workington has touched the ground, or has been in collision with or dangerous proximity to any other vessel, or any fixed or floating object in the waters for which the Certificate was issued, he/she

shall report the occurrence immediately to the Harbour Master giving the circumstances leading to the occurrence.

The Deck Officer holding a PEC shall, in obedience to a summons from the Port of Workington, attend to answer to any complaint or charge which may be made against him/her for misconduct, which included any non-compliance with the Port of Workington General Byelaws or in respect of any marine casualty which may have occurred while he/she was in charge of his/her ship in the harbour.

The Deck Officer holding a PEC who observes any alteration that may affect the safety of navigation in the area shall inform the Port of Workington of the matter without delay.

The Deck Officer holding a PEC shall not allow any other person to have possession of his/her PEC for the improper use of it.

Additional Information

The number of passages for the initial issue and/or renewal of a PEC may be increased at the discretion of the Harbour Master in the case of any ship if the physical configuration, or the cargo, of that ship is such as require greater experience and/or expertise.

With regard to completing the required number of passages for renewal of a PEC, both the master and the first mate qualify for a piloted passage provided they are both on the bridge of their ship for the duration of a passage through the pilotage area, irrespective of which of them is undertaking the pilotage act.

The Executive Director, Economy & Infrastructure of Cumbria County Council approved the above Pilotage Regulations for Marine Operations on: 3rd November 2020.

Signed:



Date: 3rd November 2020

Angela Jones

Acting Executive Director, Economy & Infrastructure