

## **Statutory harbour authority obligations:**

Following removal of the pilotage function, and closure of the harbour to commercial traffic, the following obligations of the Council as statutory harbour authority are likely to be affected:

- Those arising under section 2(1) of the Pilotage Act 1987 which place on the SHA the obligation to keep under consideration whether any and, if so, what pilotage services need to be provided to secure the safety of ships navigating in or in the approaches to its harbour, and whether in the interests of safety pilotage should be compulsory, having regard to hazards such as dangerous goods or harmful substances. This obligation will be affected because there will be no commercial traffic or vessels carrying such cargo.
- Those arising under section 9 of the Pilotage Act 1987 which place on the SHA the obligation to ensure that any ship owned or operated by the SHA and used by it in the exercise of its functions is subject to the same obligations as respects pilotage whilst navigating within its harbour as any other ship. This obligation will be affected because there will be no requirement for pilotage for any vessel once commercial operations and pilotage services cease, and also because the Council no longer own any vessel.
- That arising under the Good Practice Guide / Port Marine Operations p16, being to operate and maintain a SMS based on risk assessment to ensure there is proper control over vessel movement. This obligation will be affected because as there will be no commercial vessel traffic, the SMS will be amended / simplified.
- That arising under the Good Practice Guide / Port Marine Operations p51, being to abide by the OPCR obligation if a port has oil handling facilities, bunker vessels or a turnover in excess of £1 million. There will be no such facilities, vessels or turnover.
- That arising under the Good Practice Guide / Port Marine Operations p89, being to arrange for pilots to be tasked in adequate time to prepare for passage plans. As there will be no pilotage, this will not apply.

- That arising under the Good Practice Guide / Port Marine Operations p117, to develop, manage and regularly review procedures for towage in ports, harbours and at terminals, to ensure a safe and efficient service. There will be no towage.
- That arising under the Harbours Act 1964, S5.6, being to provide armaments for the safe handling, storage and transportation of dangerous goods. Dangerous goods will no longer be handled at the harbour.
- That arising under the Port Marine Safety Code (S 9.1) being an obligation on the SHA to survey as necessary to identify the best navigable channels for vessels to navigate. This obligation will be affected because as there will be no commercial vessel traffic, navigation risk assessments will be amended simplified.