

# THE PILOT

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The official organ of the United Kingdom Maritime Pilots' Association

## Editorial

It is a rare pleasure for me to open 2006 with some very good news for pilots. On the 18th January the EU Ports Directive was finally defeated in the EU Parliament by an overwhelming vote by MEPs of 532 against, 120 for and 25 abstentions. Although the defeat was a result of many different groups opposing it, the UKMPA through EMPA had undertaken a highly successful lobbying campaign which had played an important role in bringing about this final defeat of the proposed legislation. Of course, all of this should have been unnecessary since the MEPs had already thrown the directive out before in November 2003 and it is a sad reflection on the democratic process in the EU that following the initial rejection, the Spanish Transport Commissioner, Loyola de Palacio, in a parting gesture of defiance before she left the Commission, decided to re-present the directive. This resulted in the Commission deciding to ignore the MEP's vote of rejection and return it to the legislative process. The last two years have therefore seen all the opponents waste much time and resources in re-submitting all their arguments for a second time. Has it gone away for good? Probably not, but the indications are that ports will now be covered by a wider transport directive and it is to be hoped that the lessons of the overwhelming defeat of the Ports Directive will have been noted and the controversial issues of competition in pilotage and self handling will result in these being dropped. Needless to say, the UKMPA and EMPA are monitoring events very closely.

Remaining in Europe, the other good news is that the ESMARALDA project mentioned in my October 2005 editorial has also been abandoned. The UKMPA are hoping that such good news will be supplemented by a successful resolution of the Belfast dispute, Kristian Pederson's dismissal appeal and the on-going Humber issue.

We wish you all a happy and prosperous 2006.

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## Conference 2005

The 118th Annual conference was hosted jointly by London and the Medway districts at the Village Hotel, Maidstone on the 11th -12th November. As usual there was a packed agenda to fill the two days and for those who were unable to attend the following is a brief resume of the proceedings. The full minutes are available for members upon request to the London office.



### PNPF: Richard Williamson, Boston

Following the now standard practice of holding a pre-conference pensions session Richard provided delegates with an overview of the PNPF activities since the 2004 conference. The primary change had been that there was now a requirement for trustees to be formally trained and this training requirement was being enhanced all the time.

The rest of Richard's report was mainly based on the written report circulated to delegates and he covered the following topics:

#### PNPF Trust Company

#### Changes to Personnel

**Membership:** There had been a large reduction in retirements following a

tightening of the ill health retirement rules which had brought them into line with industry norms. This had benefited the fund.

#### Review of the Equity Market

#### Investments and returns

#### Fund Value

#### Triennial Valuation

Having explained all the above with respect to the fund, Richard explained that although under the old Minimum Funding Requirement (MFR) the fund was fully funded, the triennial valuation now used a range of different parameters and this had indicated an on-going deficit. The PNPF was addressing this by:

Raising the retirement age from 60-65 (rather than raise contributions).

Adjusting the investment strategy which

## In This Issue

Editorial:	John Clandillon-Baker
Conference Report	edited JCB
Chairman's Report	Les Cate
PMSC Working Group	JCB
Pension News	Debbie Marten
Conference Social	

Technical & Training	G Rees
Obituaries	
Letters	
DVD Review	
Marine Pilots Golfing Society	
The Law of Independence	
Nelson Funeral Re-enactment	

had resulted in 10% of the fund being invested in a "Hedge" fund managed by Goldman Sachs.

Had held discussions with the fund's "Participating Bodies" and the UKMPA as to how to deal with the deficit.

Richard concluded his report by providing delegates with an explanation of Hedge funds and reassured the delegates that he was personally convinced that the fund would continue to provide on-going pensions to members.

*Debbie Marten's report appears on p.8*

## OPENING SPEECH:

### Michael Grey, Lloyd's List

UKMPA Chairman Les Cate formally opened the conference and delegates observed one minute's silence in memory of EMPA President Gianfranco Gasperini, IMPA President Hein Merhkens and past UKMPA president Sir James Callaghan, all of whom had died during the past year.

Michael Grey then opened the conference and in a lively speech explained how he used the many fora where he was invited to speak to explain the key role that pilots played in ensuring the safety of ships in port approaches. In particular he always reminded ship owners that if their vessel does suffer damage then they should compare the cost of pilotage to the cost of "lawyerage"!

Michael went on to express the concern that over zealous officials, the blame culture and the lack of respect shown to professionals such as Masters and pilots was causing young recruits to abandon a career at sea in an industry already suffering from an acute shortage of skilled professionals. He personally felt that the hope that technology would provide a solution was misguided since there was no alternative to "hands-on" experienced



*Michael Grey*

professionals although it was essential that pilots adopted and were trained in the use of any technology that would enhance safety.

Michael then formally opened the conference to warm applause from the delegates.

## CHAIRMAN'S REPORT

*An updated report appears on p.5*

## BUDGET REPORT AND

## FINANCIAL STATEMENT:

**Treasurer: John Pretswell (Forth)**

John opened by detailing the membership which currently stood at 486.

These figures represented a reduction of 7 since 2004. He then detailed the income and expenditure items for 2005 from which he had drawn up the budget proposals for 2006. Questions were asked about the legal expenditure which were passed to the Chairman who explained which elements had been funded by the T&G and which matters were being dealt with by the UKMPA through Blake Laphorn Linnel (BLL) and Barrie Youde and he also explained the reason why the three different legal teams were engaged on the issues currently being dealt with.

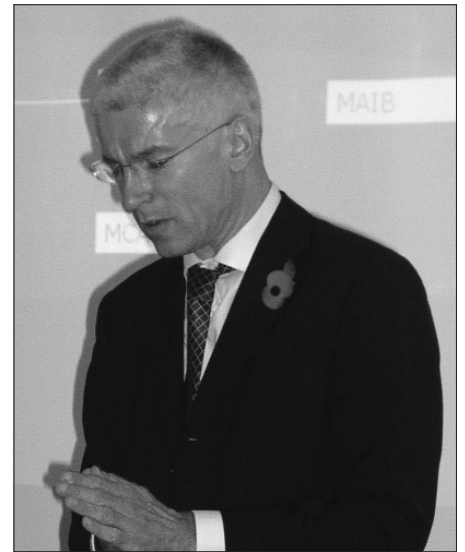
## DfT:

**Phil Carey, Head of Ports Division**

Phil provided a Power point presentation to the delegates whereby he explained the relationship between the MCA (executive agency of the DfT) and the DfT and how they worked together on matters such as maritime safety, navigation policy and the PMSC. This co-operation also included other bodies such as the General Lighthouse Authorities (GLAs).

**EU DIRECTIVE:** The UK Government had not welcomed the return of this Directive since in many ways it was a worse document than the earlier version that had been rejected in 2003.

**PORTS POLICY REVIEW:** This would be getting under way early in 2006. The last policy review in 2000 acknowledged the principle of a market led port industry with the Government as regulator but the DfT needed to respond to new developments such as the reclassification of trust ports and the large increase in container movements. Small ports could be supported as part of local regeneration or, if no longer handling trade could be better used for redevelopment. The review would not commence until the outstanding container terminal planning applications had been dealt with early in 2006. Once the review commenced the UKMPA would be fully



*Phil Carey*

involved with the consultation in particular with respect to safety and security issues.

**SECURITY:** This was a separate issue with which the department was involved by ensuring that ports were up to date with security issues.

**SAFETY:** The UK had a good record on this but the review would be ensuring standards were implemented and this would require primary legislation. The Safer Ports Initiative where the DfT has been supported by the H&SE has achieved positive results above Government targets but there was no place for complacency.

**PMSC:** The MAIB had recommended that the DfT review the provision of powers necessary for the MCA to effectively monitor implementation and compliance with the Code and the DfT are currently complying with this recommendation.

**INCIDENT MANAGEMENT:** This was another area of policy which was being dealt with by the Department following MAIB reports and procedures were being drawn up based on MAIB recommendations.

**CHIRP:** The DfT had confirmed funding for CHIRP for a further three years.

**PILOTAGE:** Two general items were outstanding and these were pilot boarding and the Working Time Directive.

**NOS:** The new shipping Minister, Dr. Stephen Ladyman was actively supporting the maritime sector and promoting standards for shipping and the skills agenda.

**PORT SAFETY BILL:** Further to this the DfT were continuing to press for Parliamentary time to amend the Pilotage Act and to underpin the PMSC.

During the subsequent Q&A session Phil was able to clarify the many issues raised by his presentation.



## **MCA, MAIB & IMO: Don Cockrill (London)**

Don expressed frustration that after all the work on the PMSC, the only action taken in support of the Code by the DfT and MCA had been to produce the requirement for the CHA's to submit a "Statement of Compliance" and it remained to be seen as to whether or not even this would result in improved compliance. From the experience of the areas in which he was involved Don was of the opinion that there was a deliberate policy of excluding pilots from the policy discussions by the ports and shipping industries.

Due to a shortage of time Don referred delegates to the written reports contained within the delegates conference pack.

*PMSC Working Group meeting on p.6*

## **LEGAL:**

### **Fergus Whitty, Legal Director T&G**

The theme for this year's address to conference by Fergus Whitty was Age Discrimination, which was to be subject of the "Employment Equality Regulations" to be implemented in October 2006. After October 2006 any discrimination based on age would only be acceptable if it was justified and certain criteria and case histories for this were explained to the delegates.

Employers would in future have to specify a "Normal Retirement Age" (NRA) and there were procedures to be followed by both employers and employees with respect to this. The employer had to explain to an employee that they had the right to request to continue working after the NRA and once the new legislation was implemented the employee would have a right to "request" to stay on after the NRA and the employer would have a legal "duty to consider" such requests.

**Q&A:** In the ensuing Q&A session Fergus defined NRA as that determined by the employers pension fund. Also the legislation would not normally affect those pilots who were self employed unless they were operating under a contract to supply the service where advice would need to be sought.

Fergus also provided clarification over specifying age limits for certain jobs which used to be a common factor of pilotage. This would be very difficult and if felt necessary then the policy would need to comply with the "justification" requirements.

A point was made by Chris Hughes (Europilots) concerning the fact that although self employed the conditions of his authorisation by Trinity House stated a maximum age of 67. How would the legislation affect this?

Fergus agreed that this was a very valid point which he would seek to clarify since the legislation would not appear to cover such an anomaly.

## **IMPA:**

### **Nick Cutmore (Secretary IMPA)**

Nick presented the report on behalf of Geoff Taylor who was unable to present the report in person due to illness.

Geoff's report opened by paying tribute to Hein Mehrkens who had sadly died during 2005. As Senior Vice President Geoff had been nominated as Acting President to serve out the remaining term of Hein's Presidency to November 2006 and he had been honoured to accept this.

Two key issues which IMPA were currently involved in were the EU Ports directive and also the ESMARALDA project which once again meant that arguments previously used in questioning bodies such as IALA over "Remote pilotage" would need to be revived to challenge the new phraseology of "remote access". Denmark were seeking to make the Great Belt a compulsory pilotage area. The Danish Maritime Administration had requested support for the proposal for compulsory pilotage at IMO and had detailed the costs of pilotage against an exact breakdown of costs of a grounding of a tanker.

The matter of compulsory pilotage in the Torres Straits had caused some dilemma for IMPA in that the administration of the proposed pilotage service would be using competitive pilotage services which was against IMPA principles. Negotiations with Australia over this issue had been constructive and IMPA had finally agreed to support the motion.

IMPA had achieved a success in formally removing references to shore based pilotage from the IALA VTS manual. Geoff was pleased to report that IMPA membership was continuing to grow and it now had over 8,000 members. The finances were in good order but costs were high and pilots should all recognise that especially at IMO the IMPA representatives were dealing with many from the highest level of member Governments and were often pitched against other vested interests with very large budgets!

During the last year IMPA had had meetings with three different P&I Clubs and these had been very constructive for both sides. The Congress of Canadian pilots had been well attended by many influential international representatives. Deep Sea pilotage was suffering on-going problems resulting from the competition between the groups. The report reminded all pilots that the next IMPA Congress would be in Cuba (November 2006) and it was to be hoped that as many members as

possible would attend. The report was accepted by warm applause in recognition of the valuable work by Geoff in his absence.

## **TECHNICAL & TRAINING, ECTS, MarNIS**

*An updated report is on p.9*

## **PRESIDENT'S ADDRESS:**

### **Lord Tony Berkeley**

President Lord Tony Berkeley opened his speech by apologising for not having been able to attend day 1 of the conference. This had been due to his attendance at the Bilbao conference on ports, shipping and containerisation, followed by a visit to Brussels for a meeting with the Transport Commission to present a paper on future transport policy. This meeting had mainly dealt with maritime security. At present the way in which different sectors dealt with security was random and not always effective. Another point raised in the meeting was the expansion in growth in maritime trade. On the continent there was growing impetus to move traffic off the road and rail networks onto canals. In Lord Berkeley's own field of rail transport discussions were taking place over the interdependency of transport and energy policies, in particular over coal. The result is that imports from deep sea were likely to remain steady or increase despite other sources of energy coming on line. There was a need for a Government led ports policy in order to ensure that the UK remained a base hub for shipping rather than become a feeder outpost from Europe. The House of Lords had been attempting for several years to introduce an amendment to the Harbours Act to bring



*Lord Tony Berkeley*



*Delegates at work*

the planning procedures in line with those of roads. So far the attempts had been rejected by the commons but it was hoped that this time (3rd) it may be allowed to go through. Lord Berkeley concluded by paying tribute to the hard work and dedication by Les Cate and the Section Committee and pledged his continuing support of the UKMPA in highlighting the essential safety role played by pilots.

#### **LEGAL:**

##### **Mark Foden, Blake Laphorn Linnell (BL)**

Mark detailed the work undertaken by BLL on behalf of pilots during 2005. This included reviewing contracts for both employed and self employed pilots, unfair dismissal and with the London pilots advising on the proposed new arrangement for Local Navigation Certificates for watermen.

#### **LIMITATION OF LIABILITY**

Section 22(1) of the 1987 Pilotage Act had provided valuable protection for pilots and had thus kept the number of claims against them low. This legal protection was now being challenged and Mark was of the opinion that it was only a matter of time before a test case claim was made against an individual pilot. This section of the Act just covers civil liability for negligence but not criminal misconduct which is covered under Section 21.

In the case of a negligence claim against a pilot although 22(1) provides a maximum personal financial liability of £1000 the pilot would also be likely to have his authorisation suspended or removed and he would then be responsible for his own legal defence costs in fighting the suspension and potentially the costs of the claimant. The limitation also only applies when a pilot is undertaking his duties as a pilot. It does NOT apply to criminal cases which may be brought following an incident under the other Acts such as the Water Resources Act or if manslaughter charges are brought following a fatality in which a pilot may be implicated. It was for this reason that Mark was of the opinion that pilots needed to

ensure that they had adequate insurance cover.

#### **PROPOSED AMENDMENTS TO THE 1987 PILOTAGE ACT:**

**Joe Wilson (Tees), Barrie Youde, (Solicitor, Hill Dickinson)**  
**James Weedon (DfT)**

Joe detailed the proposed amendments and new Sections that it was hoped could be included in a new Pilotage Act. The document provoked considerable discussion amongst the delegates and James Weedon (DfT) was able to clarify some of the points on procedure and Barrie Youde was able to clarify some of the legal phraseology and explain the legal reasoning behind some of the proposed amendments. Following the discussion it was agreed that SC members would hold a meeting with the DfT on procedures and that the document would be placed on the members' only section of the UKMPA website for members to consult and comment.

#### **CHIRP:**

**Mike Powell (Director)**

CHIRP had been subjected to several reviews by various departments during 2005 and this had delayed work on some investigations. The good news was that funding had been approved for a further three years. Since its inception, CHIRP had received 221 reports and about 100 of these had been progressed into action. About 70% were from the commercial merchant sector and the other 30% fishing and leisure. The "Maritime Feedback" newsletter now has a circulation of 140,000 and there was increasing interest from abroad where around 30,000 were currently sent to 47 countries. Mike detailed the many areas where CHIRP had been involved and he explained the processes which had resulted in changes being implemented by (sometimes reluctant) management. With respect to reports from pilots, reports concerning PEC issues had reduced but there were

increasing reports concerning VTS. There had also been reports concerning the unfamiliarity and complexity of some new bridge equipment along with poor bridge team management problems and there had also been reports concerning fatigue induced by pilots' rosters. During the subsequent discussion many different points were covered and Mike was able to clarify specific aspects of the CHIRP process to delegates.

#### **MAIB:**

**Stephen Mayer (Chief Executive)**

The MAIB investigated any accident involving a British registered vessel world wide and any accidents involving any vessel in UK waters. It was a totally independent body which meant that it was independent of the MCA, DfT, lawyers and vested interests within the maritime industry. The sole aim is to investigate the root cause of an accident and it was not the role of the MAIB to establish and apportion any blame. The outcome of investigations was to provide "lessons learned" in the hope that similar accidents can be avoided in the future.

The MAIB operates under the Merchant Shipping Act and the investigators have considerable powers which exceed those of the police and they can interview anyone, board vessels, enter property and seize documents in connection with an enquiry. There is no right to silence and lawyers may be excluded. In return for these powers there is a strict confidentiality placed upon the investigation.

The MAIB is now receiving around 2500 accident reports per year and it decides which accidents should be investigated although the Secretary of State may request an investigation into an incident which the MAIB had decided not to. The benefits of an MAIB investigation over an internal HA



*Stephen Mayer*



or P&I investigation was that there was no vested interest in the outcome and therefore the recommendations were valuable in determining the effectiveness of existing legislation and helped to underpin proposed legislation and also identifying areas of concern which may currently lack legislation. The key areas of concern at the moment are:

**Fishing:** Statistically now the most dangerous profession and existing legislation is largely ineffective

**Leisure:** Is unregulated

**Commercial:** Fatigue

This area of fatigue has been of great concern to the MAIB especially on the 2 watch system using the Master & Mate used on the short sea trade. The awareness campaign by the MAIB has resulted in the matter now being formally tabled for inclusion at IMO in 2006. The MAIB recommendation is for a minimum of 2 watch keepers in addition to the Master. Although there was widespread support for this there was a small group of opponents but the MAIB will not let the matter be sidelined. This positive action was applauded by the delegates. In addition to fatigue the second key area of concern was complacency and the MAIB found it regrettable that there were still far too many accidents resulting from complacent attitudes by Masters.

Stephen concluded his presentation by explaining that accidents usually resulted from a failure of more than one element of safety and provided some graphic examples which revealed such failures which could have been avoided by an awareness of risk through formal risk assessments by the bridge team.

## INSURANCES:

**Paul Haysom, Ken Pound, Drew Smith**

Following the withdrawal of cover by Navigators & General in 2004, Paul Haysom had arranged for a provisional policy with Royal & Sun Alliance (RSA) to cover members during 2005. A change in rules by the Financial Services Authority (FSA) meant that the UKMPA could no longer provide a 'group' policy but a similar policy with extended provisions had been arranged with RSA which offered a discount on premiums for members but in future each individual would be individually named. For this reason and also for the convenience of submitting the premium for tax relief it had been decided to separate the insurance premiums from the general subscription.

The topic of insurances generated considerable debate amongst the delegates and the Drew Smith (Circle Insurance) and Ken Pound (Ropners) were able to answer the main points. The new policy now covers a member from the commencement

of the pilotage act until the completion and also provides cover against pollution incidents. Two cover options are available for £250,000 and £500,000 and individual members are free to choose whichever cover they prefer.

In answer to the question as to whether or not the RSA policy was necessary, the Section Committee had examined and discussed this in detail, in particular with respect to employed pilots, prior to recommending it for a conference vote. The argument that an employed pilot was covered by his HA's insurance had been proven not to be the case and with the growing 'blame culture' and evidence that the validity of £1000 limitation of liability under the Pilotage Act may be subjected to a legal challenge the Section Committee were in agreement that additional cover was essential for all pilots. Following the discussion the adoption of the new policy and the separation of the insurance premiums from the general subscription was put to a vote where the proposal was carried by 45 votes in favour, 10 abstentions and no votes against.

*Since the conference it has been confirmed that all members will receive an individual policy and tax receipt for their premium payment.*

## BELFAST:

**Liam Magee**

Liam updated the delegates on the latest news of the Belfast pilots' dispute with the Belfast Harbour management. He thanked the UKMPA and T&G for the valuable assistance which had been offered so far and explained that he had been a member of NUMAST for many years and having only recently become a UKMPA member could appreciate the considerable benefits of UKMPA membership for pilots over NUMAST.

## KRISTIAN PEDERSON:

**Dave Devey**

Dave explained to delegates the arguments that ABP had used to dismiss Kristian for "gross misconduct". At a preliminary hearing the T&G lawyer had managed to provide the all the relevant facts in support of Kristian and the outcome was that the adjudicator had referred the case to a full tribunal hearing. Having been involved in the Humber, Belfast and SE Wales cases

Dave had noted that these disputes were all inter related and warned delegates that it was necessary for all UKMPA members to fully support those affected.

## HUMBER:

**Dave Devey**

The Humber issue was still very much "alive" and the Misfeasance in Public Office case was proceeding with the support of Hill Dickenson and a top QC. Developments in this case were expected during 2006.

# CHAIRMAN'S REPORT

## Section Committee's work

**Joe Wilson (Tees):** Amendments to the Pilotage Act.

**John Pretswell (Forth):** Preparing the budget

**Geoff Taylor (Tees):** As acting President of IMPA, Geoff's workload had increased enormously but Geoff had been tireless in attending meetings and seminars around the world promoting the pilotage agenda and making important contacts. Due to his forthcoming retirement Geoff has now stood down from the Section committee.

**Peter Wylie (Tees):** Was elected as representative for region 3 at the conference.

**Don Cockrill (London):** Had also been tenacious in working with the MCA, DfT and pushing the agenda on pilots National Occupational Standards (NOS) on the PMSC working group.

**Dave Devey (Liverpool):** Attended the Harbour Master meetings and was assisting Joe on amendments to the Pilotage Act. David had also been working on preparations for Kristian Pederson's claim against ABP for unfair dismissal.

**Paul Haysom (Great Yarmouth):** Paul had worked throughout the year in finalizing a new insurance policy to replace the Navigators & General insurance cover that had been withdrawn in 2004.

**John Pearn (Milford Haven):** Had replaced Kristian Pederson and was responsible for overseeing technical and training issues. John had also agreed to take over the EMPA brief from Les when Les' term ended in 2007.

## Parliamentary Questions

Lord Tony Berkeley has asked two Parliamentary questions. The First concerned NOS for pilots and the reply from Lord Davies of Oldham had stated that NOS had been adopted by many CHAs but he went on to add that the MCA

## CONFERENCE DATES 2006

**The Interim Delegate's Meeting:**

London, Thursday 25th May.

**Annual Conference:**

Eastbourne 6th - 7th December

"has been actively engaged in work on translating the NOS into an underpinning national qualification with Port Skills and Safety Ltd. (PSSL) and anticipate completing a port marine foundation degree framework in Spring 2006".

The NOS agenda is seemingly being driven by PSSL and other bodies which have excluded the UKMPA from participating and I am seeking clarification from the DfT over the policy and explaining the necessity of pilots to be involved in matters which directly affected them.

The second question asked was a result of the situation at Belfast whereby a consultant had arranged for the South Tyneside Maritime College to create a simulation of Belfast, in order to train up PEC holders to operate as pilots should the existing pilots decide to take industrial action over their current dispute with management over a change in their working agreement.

Lord Berkeley asked: "Whether the use of a simulator at South Shields Maritime College to train marine pilots to operate in Belfast will enable them to become fully qualified to pilot ships there and, if not, for how long these pilots will be required to train in Belfast in order to gain the statutory local knowledge required by the Pilotage Act 1987 and to comply with the requirements of the PMSC and the recommendations of IMO resolution A960."

Lord Davies replied: "It is for the CHA to determine the qualifications and experience required of maritime pilots in Belfast, including the local knowledge component required by the Act, Code and IMO Resolution. The MCA has received a statement of compliance with the PMSC from the Belfast Harbour Commission and this assurance includes pilotage matters."

Whilst the answer had been predictable this PMQ had been tabled in order to ensure that ports were aware that their compliance with the 1987 Act, PMSC and IMO 960 was being monitored at Government level.

## 1987 Pilotage Act

The UKMPA's proposed amendments to the Act have been submitted to James Weedon (Policy Advisor Ports Division) of the DfT. A "scoping paper" would now be presented to the Ports Division and if accepted would form a new Port Safety Bill.

The UKMPA team working on the amendments are: Joe Wilson, Dave Devey and Barrie Youde.

## Legal

Blake Laphorn Lovell was representing several pilotage districts. The cost of up to two hours for each district has been met by the T&G but any time over that is charged

to the UKMPA and during the past year those legal costs had been considerable.

## Europe

The Ports Directive was finally rejected on 18th January by a vote of MEPs by the following voting:

532 against - 120 for - 25 abstentions

In the plenary there were calls for starting from scratch with a new white paper on Ports. Alternatively, the Services Directive that will be discussed next month in the parliament could call for Transport to be included in it. It will not go away it would seem.

I am pleased to tell you that the ESMEALDA document has not been accepted by the EU. Rumour has it that a new Ports document has surfaced called EFFORT written by a Professor from a Technical College in Hamburg that will be presented to the EU. When we are able to locate a copy it will be circulated to the Districts.


Thanks to those pilots who contacted their MEPs. Pilotage was mentioned by MEPs from the NW, Tees, London and Southampton. All sang from the same hymn sheet namely: competition in a safety service such as pilotage was dangerous.

Les Cate

## PORT MARINE SAFETY CODE WORKING GROUP

The second meeting of this group was held on 21st December and the UKMPA was represented by Avald Wymark and Gareth Rees. You will recall from the report following the first meeting that the UKMPA was concerned that there had been a stalling process on both the formal integration of the National Occupational Standards (NOS) into the Code and also on the issue of standards for Pilotage Exemption Certificate (PEC) holders.

**NOS:** With respect to the NOS there had been no meetings of the working group since February 2005 despite the UKMPA's representations to the DfT that the NOS formed an integral part of the PMSC. However it would appear from a reply to a question posed by Avald that the DfT is keen to conclude this work but they are awaiting the finalisation of a Maritime Foundation Degree (MFD) course that has been drafted by Port Skills and Safety Limited (PSSL) to enable port marine professionals to achieve recognised higher professional qualifications. The UKMPA are concerned that they have not been party to the work on the MFD because they have not been accepted as members of PSSL.

<p><b>WARSASH MARITIME CENTRE</b> over 50 years serving the maritime industry</p>		 <p>WARSASH MARITIME CENTRE</p>
<h1>Professional Development for Pilots</h1>		
<p><b>SHIP HANDLING COURSES</b></p> <p>Utilising the 7 scaled manned models, we offer specialised courses designed to develop the skills and understanding of ship handling techniques.</p> <ul style="list-style-type: none"> <li>• Scaled models of up to 300,000 Dwt</li> <li>• Radio controlled model tug</li> <li>• 10 acre lake with many miles of channels and 30 berths</li> </ul>	<p><b>COMBINED COURSES</b></p> <p>Using a distinctive combination of the manned models and bridge simulator.</p> <p><b>ADVANCED SHIPHANDLING</b></p> <p>A customised course utilising the manned models to further enhance existing knowledge and skills.</p> <p><b>Warsash Maritime Centre also offers further courses including ARPA updating and VTS training. Please visit our website for more details.</b></p>	 <p>SOUTHAMPTON INSTITUTE</p>  <p>FOR VOCATIONAL TRAINING RESEARCH AND CONSULTANCY REG. NO. 926387</p>
<p><b>SIMULATOR COURSES</b></p> <p>Extensive use is made of the bridge simulator by pilots both for area knowledge and Professional Development Courses. The wind, current and visibility conditions are set to operational requirements.</p>		
<p>Please e-mail us on <a href="mailto:wmc.thepilot@solent.ac.uk">wmc.thepilot@solent.ac.uk</a> or visit our website: <b><a href="http://www.solent.ac.uk/wmc">www.solent.ac.uk/wmc</a></b></p>		
<p><b>Warsash Maritime Centre</b> Newtown Road, Warsash, Southampton, SO31 9ZL Tel: +44 (0)1489 556215 Fax: +44 (0)1489 573988</p>		



Gareth and Avald raised this fact at the meeting and applied to join the PSSL group on the basis that since such a degree could be used as a pathway into pilotage then it was essential that pilots were included in the consultation process which is due to be completed in March. PSSL representative Harry Tilley agreed to consider this request. Simon Gooder from the MCA stated that once the MCA know where the Foundation Degree is headed, they will take forward how the NOS can be converted into professional qualifications.

**PECs:** With respect to the PECs at the previous meeting of the group in March 2005 it had been proposed that a working group should be set up to examine this issue. At that meeting the UK Major Ports Group (UKMPG) had protested that there was a problem with 'working group overload' and instead it had been agreed that the members of the group should produce what they conceive as appropriate guidance for PECs and forward their views to the MCA. Only one such submission had been received and that was from the UKMPA. Rather than take the UKMPA

response as accepted it was agreed at this meeting that a working group be established and that the MCA would be responsible for overseeing the group's work.

The PEC and NOS issues will now be dealt with by a meeting in February or March of both the working groups on the same day with a morning session and afternoon session allocated to each.

**Other issues dealt with at the meeting were:**

**Assured Compliance:** This was a document sent out by the MCA to all HAs for them to confirm their compliance with the PMSC. The response rate had been very poor and the process had been criticised by both the DfT and the UKMPA. Avald asked for confirmation that there are currently no powers to remove an incompetent CHA regardless of the severity of the problem. This was confirmed and the Secretary of State is aware of the situation.

**Incident Investigation:** It appears that work on this has been going on for two years with a drafting group organised by

DfT. The UKMPA requested to join this group but since it was considered an issue for HAs this request was refused. The UKMPA will however be monitoring this issue

**Pilot boarding:** There are currently two main guideline documents one of which was produced by the UKMPA and it was agreed that these should be amalgamated into one that is acceptable to ALL stakeholders to the PMSC steering group, possibly through PSSL.

**MAIB:** Several recent MAIB reports had referred issues to the PMSC working group and Steve Clinch (MAIB) asked if the Chairman and Members were content with this. The main consensus was that these issues were more likely to be resolved with a collection of people around a table so the Chairman confirmed that the MAIB should continue to direct recommendations to this Group.

*The above report has been collated from a report from Avald and the minutes of the meeting.*

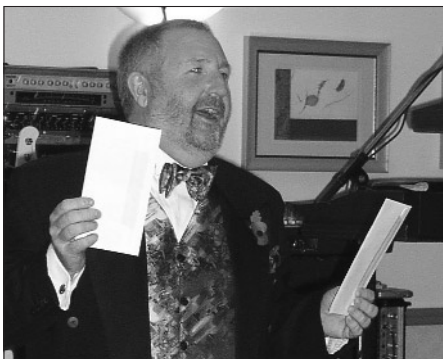
JCB

## CONFERENCE SOCIAL

It was not all work at the conference. During the day sessions the delegates' wives and partners were escorted to the Bluewater shopping complex and shown around the PLA VTS and simulator by the London pilots' social secretary 'Hammy' Nixon.

On the Thursday evening a dinner dance was held for delegates, their partners and invited guests. Credit for most of the organising goes to Medway pilot Martin Green who, along with his partner Sue Harrison, ensured that everybody had a good time.

Music was provided by the group P'ZAZ and further entertainment was provided by Chris (Flash) Flood who enlivened the evening by hosting a 'stand up' bingo session which raised just under £800 For Cancer Research and the Kent & Sussex air ambulance charities.



*Medway pilot Chris Flood hosts the stand up bingo session.*



*Band P'ZAZ keep the evening lively.*



*London Pilots' Committee Chairman Tony Van Vliet promises not to sing!*



*Conference organiser Martin Green and his partner Sue Harrison receive gifts of thanks from 'Hammy' Nixon.*

# PENSION NEWS

*This is a summary of my presentation given to the UKMPA at their annual conference held in Maidstone in November 2005.*

## PNPF 2005

Last November when I said that we would hit the floor running in 2005 I was not mistaken although not all our running was in straight lines and occasionally we ran in circles and sometimes it felt like we were disappearing up the proverbial. 2005 has seen meetings, changes and loads of training just in case we were getting bored.

Considering the amount of time the Trustees have had to dedicate to the Fund this year it makes you ask: **Who wants to be a Trustee?**

Following Maxwell's nose dive from his yacht pension reforms started coming through thick and fast in the form of the Pensions Act 1995, the Myners' Review, and the Pension and Finance Acts 2004. The upshot is the role of a scheme trustee in 2006 will be unrecognisable from what it was in 1986 and even 1996. Gone are the days of meetings only lasting until lunchtime.

During the course of 2005 the Trustees have attended 4 quarterly Trustees' meetings, 4 meetings covering the valuation, investment strategies and training, 1 beauty parade and a sub-committee meeting twice to discuss tax simplification.

In addition to the extra workload, from April 2006 the Pensions Act 2004 legally requires Trustees to know and understand the law relating to pensions and trusts, general funding and investment principles, as well as being conversant with scheme documentation. Failure to do so could result in personal liability.

In relation to the Fund the Trustees will be required to be conversant with the Trust Deed and Rules; the Statement of Investment Principles; The Statement of Funding Principles; the Annual Report and Accounts and the Scheme booklets.

In addition they must have appropriate knowledge and understanding of the law relating to pensions and trusts; the principles of funding occupational pension schemes; and the principles of investing the assets of occupational pension schemes.

To assist in this The Pensions Regulator (TPR) is issuing a Code of Practice setting out the parameters of knowledge and understanding involved.

## Tax Simplification

One of the subjects exercising the minds of the trustees this year was tax simplification. After much deliberations the measures the

trustees have decided to adopt, from 6 April 2006, are as follows:

### Additional Voluntary Contributions

From April 2006 the trustees have decided to only offer the Open Market Option to members deciding to take all or part of their AVCs as an annuity. This means the ability to purchase an additional pension from the Fund will no longer be available.

On the upside, following clarification in the 2005 Finance Act members can take 25% of the value of their benefits from each pension arrangement, meaning the AVCs can now be considered together with the main scheme benefits. In simple terms all AVCs members will be able to take at least 25% of their AVC fund as cash, and possibly all of it, to the extent that it is no more than 25% of the total value of benefits provided through the Fund.

### Lifetime Allowance (LTA)

This has been touched on previously but in order to determine whether members will require Enhanced or Primary Protection Aon Consulting are carrying out an exercise to determine which members may have benefits in excess of the current LTA, or may exceed the LTA should they continue to NRA.

In addition active members have been sent, by the Secretariat, a form for completion to ensure that all your benefits are taken into account when calculating the total value of your benefits.

### Pension Commencement Lump Sum (PCLS)

I do not know why the powers that be felt the need to change the name of the tax-free cash sum, maybe they thought the Inland Revenue would leave it alone if the took away the words tax-free.

Members will now be able to take 25% of the total value of their benefits as a lump sum, although it is not really 25% that is just to confuse you. The maximum cash sum can be expressed as:

Pre Commutation Pension x 20 x 10  
20 + (3 x 10) (10 being the Fund's commutation factor).

This sum must not exceed:

° (PCLS + (Residual Pension x 20).

This is after all simplification!

### Five Year Guarantee

This remains the same but will now be known as a Defined Benefits Lump Sum Death Benefit.

### Flexible Retirement

The Trustees have agreed to allow members to draw their PNPf benefits whilst remaining in pilotage, with the

proviso that no future benefits will accrue in the PNPf and your CHAs agreement would be necessary to avoid any manpower issues.

### Children's Pensions

Children's pensions that become payable after 06.04.2006 will have an upper age limit of 23 if remaining in full-time education this has been reduced down from age 25 currently permitted under the Rules.

## PNPF Rules

Two changes in PNPf Rules arising from the Valuation were effected in June 2005. A new Rule 14(4) allows the Trustees to seek additional funding from an employed port should they cease to have PNPf pilots and wish to cease participating in the PNPf to cover the CHAs portion of the deficit. The second is a new Rule 19(3) which apportions a member's service between the pre 01.08.05 and post 01.08.05 retirement ages.

## Pensions Act 2004

Key provisions of the Pensions Act 2004 came into force on 6 April 2005.

The Pension Protection Fund (PPF) was established.

The Financial Assistance Scheme (FAS) was established.

The pensions Regulator (TPR) was established in place of OPRA.

New minimum compulsory increases in pensions in payment for service after 6 April 2005 will be the lesser of 2.5% or the increase in the Retail Price Index. (This has not been adopted by the Trustees).

### Armageddon (not the end of the World)

A recent survey carried out by YouGov on around 2200 people showed that while 16% knew A-Day referred to the new pension tax simplification regime, around 11% thought it was the day the world would end. A further 46% thought A-Day stood for Armistice Day and 19% said it was the day A-Level results were published.

Communication is obviously not the pensions' media forte!

Debbie Marten  
Debbie@pnpf.co.uk

## Retirements

August 2005 to October 2005

J Boisson	Liverpool	Sept
GB Kent	Falmouth	July
M Pengelly	Liverpool	July
RP Sloane	Tyne	Aug
CR Wall	Bristol	Sept



# T&T

*The T&T Committee held its 61st meeting recently in London and with some new faces and new ideas we all agreed we should be keeping you all informed of the work we do and be seeking feedback from all our readers, active and retired.*

## AIS/ELECTRONIC CHARTS

At first glance this may be considered two separate subjects but the two are becoming more interlinked as Integrated Bridges Systems, IBS, are becoming more common on the vessels we see visiting our Ports.

The Tees and Southampton Pilots joined forces in July 2003 to carry out a survey into the use of AIS onboard vessels. You will recall that it became mandatory that by the end of 2004 all ships over 300 grt had to have Class A AIS equipment installed. The survey showed quite conclusively that little or no training had been given to the ships navigating officers into how the system should be used.

We are now nearly three years on and what training have Pilots received in the use of this equipment? The original concept of AIS was as an alternative to radar and perhaps it is time to ask if we, as a profession, are making the most of the information the AIS provides?

An extract from the GLA's Joint Navigational Requirements Policy (2005) issued by Trinity House states that:

*AIS provides the operator with information from another source requiring a minimum involvement of ship's personnel, thereby improving the safety of navigation. AIS assists in the efficient operation of:*

**Ship to ship operation**

**Ship reporting**

**VTS Applications**

**Collision avoidance**

**Aids to navigation**

*Search and Rescue by providing ship identification; automatic broadcast of ship's dynamics' voyage related data and the transmission of safety information.*

The future potential of AIS should not be under estimated. The AIS display out performs radar as a VTS navigational and anti collision tool. However, there are a number of issues still to be resolved, mainly completion of performance evaluation in a busy traffic environment and interoperability of equipment.

On vessels with IBS in which the AIS is integrated into the radars and electronic charts are we totally happy with what we are seeing? Can we tell the difference between AIS acquired targets and ARPA acquired targets? How are the radar manufacturers presenting this information to the user? IMO have a training course specifically modelled for training on

ECDIS/AIS. IMO Model Course 1.27 is a one week course aimed at providing training in basic theory and use of ECDIS while ensuring the student has a good understanding of how AIS works and its limitations.

## PORTABLE PILOT UNITS

Not everyone likes the term Portable Pilot Unit, or PPU, as it may be misconstrued by some as a 'Pilot in a box'. In Europe such equipment is referred to as Port Operation And Docking Systems, POADS. Whatever it is called there are some Ports around the country that are using such equipment in one form or other. The type of equipment used and the information it is providing will obviously be subject to the requirements of each individual District. If your District is thinking of going down this route then you may be able to save yourselves time and effort by contacting one of the following:

### Milford Haven:

Ed Neale: edward.neale1@ntlworld.com

### Southampton:

Phil Ratcliffe: phil.ratcliffe2@virgin.net

### Tees:

Colin Pratt: colin.pratt@tiscali.co.uk

who may be able to offer you the benefit of their experiences in trialling and using such equipment.

The growing use of such equipment, particularly in the USA, has inevitably raised liability issues and this was the subject of an article in October's issue of the Pilot based on a presentation by the General Counsel to the American Pilots Association at the Canadian Pilots Conference earlier in the year.

## RNLI

The Committee enjoys an excellent working relationship with the RNLI and we welcomed John Nurser to his first meeting, John has taken over from Keith Thatcher who is retiring at the end of the year. John brought the meeting up to date on developments with seat design. The RNLI have been working on a new seating arrangement to replace the KAB seats. The new equipment does not 'bottom out' as quickly as the KAB thereby reducing impact on the body. Trials indicated that the body would have to be subject to a force equivalent to 13 times gravity for the seat to bottom out. John gave the meeting a very informative presentation on the development of the Tamar class lifeboat, which uses the seat, and entered Operational service with the RNLI on 8 December 2005. Other fast boat operators are showing interest in the design.

## EMPA

The ETCS project is now completed and will be available shortly in PDF. The finished article is currently with the EU. Now that work is completed EMPA have

renamed the Group Research & Development and its first task is to review all the current EMPA recommendations. We have offered to look at all those relating to Pilot Boarding & Landing based on the expertise we have with this subject.

We hope this will be the first in a regular slot in *The Pilot* and should you have any comments please let me know.

Gareth Rees

Email: [dcg.rees@ntlworld.com](mailto:dcg.rees@ntlworld.com)

**Note** - Brian Wilson has produced a comprehensive CD with the following topics detailed:

- 1. Bridge Resource Management for Marine pilots Reference Doc.** - This document is a model course syllabus, which will appear in the reference guide to ETCS. It is designed to cover all aspects as required by IMO A960.
- 2. EMBARC** - Report on VTM for MarNIS
- 3. Guide to Good Practice** - March 2002 the workings of the PMSC.
- 4. IMO Draft AIS syllabus** - This has been included as a self- teach tool for those of us who feel left out in the development of AID. Note: this is a draft only, but quite good.
- 5. MarNIS 411.2** - is work package 4.2 for which EMPA are the leaders off.
- 6. Revision of IMO A485 A960** - This is the IMO resolution on Pilotage and pilot training.
- 7. "Common sense should prevail with electronic charts"** - An American article on the use off and warnings off using ECTIS etc.
- 8. ESMARALDA** - the latest to come from Europe, fronted by the European Harbour Masters Committee, which in my view, has some very serious flaws and is very bad for pilotage and pilots.
- 9. IPPA Project** - was the test bed for PPUs. It will form part of WP 4.2 in MarNIS.
- 10. MGN 180 Review** - The new proposed MGN on VTS.
- 11. The Boarding and Landing of Pilots 270405** - This is the latest version of the code as written by the T&TC and adopted by the UKMPA, EMPA & IMPA.
- 12. Dow MarNIS Version 9.02** - the Whole MarNIS project. All 200+ pages off it.
- 13. ETCS** - The code and guidelines.
- 14. Marine Pilotage National Occupational Standards** - The electronic version of the BPIT document which the UKMPA played a major part in, and has recently arrived on the PSSL web page?
- 15. PMSC Sea Change for Port Safety** - The DfT review of the PMSC last year. This is interesting reading and shows an incite into each ports submission.
- 16. PMSC** - The Port Marine Safety Code.

*To obtain a copy of this CD please send a large SAE to: Brian Wilson, 6 Bradford Heights, Carrickfergus, Co. Antrim, N. Ireland. BT38 9EB*

## OBITUARIES



### Jim Callaghan

I was saddened to find that nobody had bothered to comment on the passing of our past President Jim Callaghan. I supposed that bigger fish than I would oblige. I cannot say that as an Executive Committee member "Jim and I" were an item but it was my first experience of meeting a real politician. Jim Callaghan liked being

our President and helped the UKPA in more ways than one and probably the most important use of his influence was to do with the Pilots National Pension Fund. The PNPf was in its infancy and the Inland Revenue was loath to concede that pilots could have any pension scheme except a private self-employed fund. We argued, rightfully, with the Letch Agreement in mind, that although technically self-employed we did not have control of our income in the true self-employed sense.

Stalemate ensued until, I believe, a quiet word with Jim seems to have passed down the line to the Inland Revenue and our claims on income and taxation were finally allowed. Many pilots, both retired and working, are in Jim Callaghan's debt regarding their pensions.

He was a professional politician in every sense of the word, no doubt told lies with aplomb and never used one word when two would do. He was also a smoothie, at one Annual Conference he greeted each arriving delegate personally, his "Good evening Mr and Mrs Godden" without a prompt will not be forgotten. How did he remember who I was - no badges in those days? The UKPA was fortunate in their choice.

*John Godden*

I am surprised that you received no input about Lord Callaghan as I thought that others, like Frank Berry, had a fund of information. I thought that you would have received many letters concerning his pilotage involvement because I have many anecdotes. His assistance in preventing the "Shell Agreement" in London where Shell wanted to license their own pilots from Sea to Berth was more than helpful to the London Pilots - Trinity House, as usual, did nothing to help. He was also instrumental in getting the Pilots National Pension Fund into its present form by intervening and dealing with the Income Tax Authorities and also with Trinity House who at the time wanted to retain control.

*Dan McMillan*

### Ronal Fergus Youde (1910 - 2005)



*RF Youde on the bridge of RMS Circassia of Anchor Line, about 1960.*

Pilot Ronald Fergus Youde died peacefully on 14th December 2005, aged 95.

The son of a leading Chester lawyer, he was born in 1910 and educated at Chester Cathedral Choir School, followed by the King's School and HMS *Conway*. In 1927 as a Senior Cadet Captain (HMS *Conway*) he began what was to prove to be a nine-year apprenticeship in the Liverpool Pilot Service. During 1932-34 he was released to serve as Fourth Officer in the Far-East trade of the Blue Funnel Line. He was Licensed in Liverpool as a Third Class Pilot in 1936. The outbreak of the Second World War in 1939 saw him fast-tracked to First Class rank. For his services during the War he was ultimately granted, as were all serving pilots of the time, the honorary Freedom of the City of Liverpool - an honour which he greatly appreciated.

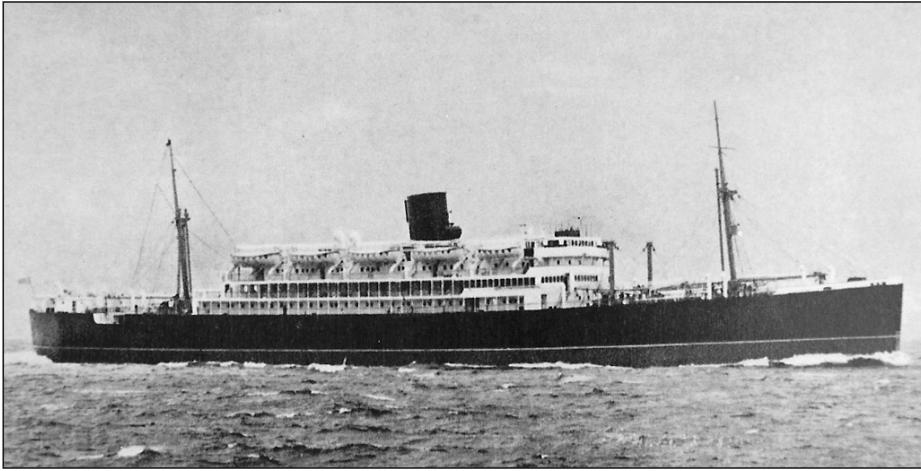
In 1945 he was elected to the Liverpool Pilotage Committee and also to the Chair of the Liverpool Pilots' Association, holding both offices for twenty-five years until relinquishing each one in 1970. In 1948 he was appointed Appropriated Pilot to Anchor Line Ltd. The vessel in the

photograph is Anchor Line's *Circassia* which had two sister ships, *Cilicia* and *Caledonia*, all operating a monthly liner service from Liverpool - with much coastal work to the Clyde and the Bristol Channel when in home waters. Together with Anchor Line's cargo service to USA, he was kept very busy. RF Youde served Anchor Line from 1948 until the withdrawal of its passenger-service to Bombay in 1964 after which he was appropriated to Shaw Savill & Albion, from which he retired in 1975.

Following this he served as a Trustee of the Pilots' National Pension Fund, eventually relinquishing that post in 1993, aged eighty-three. If the holding of professional office is to be seen as a prize, it may safely be said that RF Youde swept the board of all the prizes available to any pilot of his generation.

His leadership was by example and he was a man of few words. It was sometimes said that he could say more with his mouth shut than with his mouth open - and he frequently did so with devastating effect. He could not suffer any fool. He inherited his father's incisive legal mind and had no





*RMS Circassia on sea trials in the Clyde, 1936.*

difficulty in recognising any aspect of pilotage law. On behalf of pilots in the 1950s he was one of the leading figures in securing the Agreement of Sir Robert Letch (the "Letch Agreement") in relation to conditions of service. By the authority of the Secretary of State. This Agreement stands to the present day as a precedent benchmark for the benefit of pilots and all others concerned with the organisation of shipping at national level. More locally, as a member of the Liverpool Pilotage Committee, he was the pilot most closely associated with the generally unpopular task of de-commissioning the traditional sea-keeping pilot-cutters, on the grounds of expense, and replacing them with a shore-based launch-service. He never courted popularity in any way and the fact that he achieved any of his aims at all was attributable solely to his unfailing (if sometimes blunt) civility.

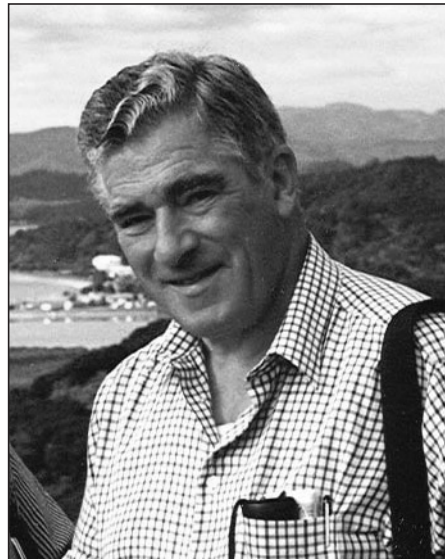
Beyond his rather lonely professional exterior, family farming connections as a child had instilled in him a love of the countryside and a respect for any good sporting horseman. He had been a keen sporting oarsman when at the King's School in the early 1920s, in stark contrast of style to the working-boat oarsman which he was soon obliged to become as a pilotage apprentice. Any further interest in sport, however, remained general rather than specific and he was never known to take mere physical exercise of any kind at all. Even golf was anathema to him. All his life, on the other hand, he was an enthusiastic and hard-working gardener, a sharp humorist, a good bridge-player and a ladies' man. He married Mary Lloyd Evans in 1936 and they became the loving parents of two sons. He was a loving and much-loved husband, father, grandfather and great-grandfather. He remained physically active and mentally razor-sharp to the end, having made many friends in later life and earning the accolade "Everybody's Grandfather" in doing so.

After being widowed in 1980 he lived with Connie Miller, sister of Pilot Cyril

James Miller, his former "Conway Chum". His entire life was devoted to pilotage and his family. Pilotage has lost a good friend. The loss to his family is much the greater.

*Barrie Youde*

### John Michael Leney



Mike, the oldest of three children, was born and brought up in Bolton, his father being a local dental surgeon. He attended the local primary and grammar schools before transferring to St Columba College in Dublin.

In 1951 at the age of 16 he joined HMS Conway leaving in 1953 to join The Anglo Saxon Petroleum Company (later renamed Shell Tankers). He finished 'serving his time' in 1956 and on obtaining his Second Mates certificate joined Esso with whom he remained for the rest of his sea going service being appointed relief master in 1968.

He joined the Milford Haven Pilotage Service in August 1970 being appointed a VLCC pilot in 1973. Mike served on the local pilots' committee and was its chairman 1988/89.

He was elected to the UKPA national

committee in 1989 becoming its chairman in 1994 and remaining so until ill-health forced him to retire from active pilotage in 1997.

In April of that year Mike had a successful quadruple by-pass operation and enjoyed good health but was back in hospital in 2004 for a new knee and was due to have a hip replacement early this year. He bore these illnesses with grace and good fortitude retaining his fine sense of humour throughout.

Mike had other interests apart from pilotage. He was a keen non acting member of the local operatic society, being stage manager for many productions and was rewarded by being appointed an honorary life member, this was an interest shared with his wife Anne who is currently President of the Society. He was a past member of the local Lions and set up the Pembrokeshire Branch of the Institute of Advanced Motorists.

More recently, with the development of LNG terminals at Milford, Mike, a man of great integrity, was to the forefront in publicly voicing concerns regarding their siting adjacent to the main navigational channel with associated risks.

His sudden death on 21st December at the age of 70 came as a shock to all who knew him and indeed, due to his exposure locally on the foregoing safety of navigation issues for which he was much respected, to the wider public in Pembrokeshire.

Mike is survived and will be sorely missed by his wife Anne, son Christopher, daughter in law Cathy and much loved grandchildren Tom and Emma. He will also be missed by his many friends in pilotage and from his other interests.

*Ian Evans*

## Pensioners Deceased

August 2005 - October 2005

<b>JS Anderson</b>	<i>Milford Haven</i>
<b>JA Clarke</b>	<i>London-Thames</i>
<b>EM Davies</b>	<i>Liverpool</i>
<b>G Hall</b>	<i>Humber</i>
<b>CD Morgan</b>	<i>SE Wales</i>
<b>DW McCallum</b>	<i>Clyde</i>
<b>WA Ray</b>	<i>Silloth</i>
<b>JM Rodgers</b>	<i>London-North</i>
<b>JA Smit</b>	<i>Humber</i>
<b>WE Smith</b>	<i>SE Wales</i>
<b>A Stathers</b>	<i>Humber</i>
<b>RL Stenner</b>	<i>Bristol</i>
<b>M Tinmouth</b>	<i>Tyne</i>
<b>MW Young</b>	<i>Tees</i>

# LETTERS

## Pilot Gandalf

Sir,

I was recently sent a copy of letter which appeared in your magazine from Pilot Gandalf. I thought this a fantastic fairytale, which could only be the product of a mind operating beyond reason in an ethereal world of fantasy.

Sceptical as to the truth of the matter, the necessary urge came upon me to enquire locally to see if anyone knew of these pilots who had journeyed beyond Middle Earth to the Kingdom of Aotearoa, in which lays the sleepy container terminal of the aforementioned Hobbitville.

To my amazement I found that there were two such souls from the district of which Pilot Gandalf speaks and their quest to find the 'Land In Which A Proper Port Marine Safety System Exists' had been successful. By some magical process the sacred UK Port Marine Safety Code had reached these shores in advance of these men and by some equally mysterious method it had been implemented. The result of this is that there exist Ports in the Kingdom of Aotearoa where written pilotage procedures are normal practice and Bridge Resource Management (BRM) concepts are thought of as more than just 'a nice idea'.

When those pilots arrived on these shores, MNZ, the Great God of Maritime Administration threatened to cast them out lest they obtain the contents of the chalice of BRM and thence be anointed through the process of Advanced Marine Pilot Training. And it was made so by the Ports which had taken these travellers unto their bosoms.

The Ports do fear MNZ? Not so, for indeed He is for the most part benevolent in His ways, such that the Ports can work with Him and an understanding through informed debate is reached. Do the big Marine Customers, travelling from far lands in their sky blue craft, act like crazed trolls, baulking at the prospect of a little extra time and expense caused by the slightly more onerous practices and procedures? Indeed they do not, since being far more enlightened than many Ports, they value the ability to show that all that it is reasonably practicable to do to enhance safe navigation is being done. All seem focussed on that strange sorcery that is professionalism and they use it against the darker forces of politics and commercialism in order not to destroy them as enemies, but to co-exist in an equitable bonding of conflicting interests.

Surely this Kingdom of Aotearoa is the embodiment of a maritime Utopia?

Regrettably the answer is no, for there can be no perfection. Mistakes are made, fault found, blame allocated and sanctions imposed. But increasingly the contents of the BRM chalice are being spread throughout the land, and the shortcomings of the mariner are being considered in the light of systemic error theory and human factors.

It would seem that the sacred 'UK Port Marine Safety Code' has been recognised in the colonies and acted upon far more diligently than in the motherland.

Best regards

*Kiwi Muppet*

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## Letter from the past editor!

Without a doubt acronymic mania has invaded the world and the maritime administrators have not been left behind. Not to be outdone our Editor has latched on to this trait with a vengeance and the last two issues of *The Pilot* were humdingers. As a grey-beard and ex-editor of the magazine I reckon he saved about 2 pages by using the dreaded acronym.

But is he missing a trick? I know he is wonderfully computer literate and I'm sure is a wiz kid at text messaging. Combine the two and *The Pilot* could become a mini tabloid and save all the large envelopes! We could even have a text greetings column, on my behalf my grandchildren suggested: "It wz gd 2 hear my mate I.E. frm MH(rtd) is stil wth us. Yak e da taf The recipient will instantly understand this!

To help the elderly could the Editor either spell out the acronym when first mentioned or give us an acronymic dictionary on the back page.

*John Godden*

*Oh dear, wrists well and truly sore from this! It is always difficult to decide which acronyms to spell out and which can be left. I generally assume that the common maritime ones such as MCA, MAIB etc are known to all our readers but some, which are recognized by working pilots such as PMSC (Port Marine Safety Code) and NOS (National Occupational Standards) may be less recognized by retired pilots. I promise to be more considerate in the future. This does of course mean that there may be less space for my words of wisdom! Did I hear "thank goodness for that"??*

JCB

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## Pensioner Representative on the PNCP

As the Pilots National Committee for Pensions has now been voted out by the Resolution at the 2004 Conference, the

position of Pensioners Representative is defunct. The Pilot Trustees on the Pilots National Pension Committee stated that they can look after the interests of all pilots and pensioners, so it is time for me to accept that my position is no longer required.

In resigning as Pensioners Representative and in the light of Joe Wilson's letter in the April 2005 *Pilot* I need to make certain points clear :-

1. There are now very few of the old stalwarts left who are aware of the fight with the Pilotage Authorities, and in particular Trinity House, to start the PNPf. Do the present day pilots know (or really care) about the threats that were made to some of the more vociferous pilots and the problems that were caused by the later entry of some Authorities, such as Liverpool - which caused and is still causing anomalies in some pensions.
2. There can be no retrospective legislation without a change in the Act
3. The use of money from the PNPf to reduce the number of pilots in 1988/9 was not legal and should any future attempt be made to "pay off" pilots then full legal advice should be obtained.
4. The money in the Pension Fund belongs to the pilots not the Shipowners or Port Authorities. It was a negotiated part of the pilot's earnings, I know because I was involved. The fact that certain pilots and trustees did not, or chose not to understand is a matter which should not have been allowed to happen.
5. The Pilot Trustees are enthusiastic but they should remember Courses and Seminars cannot replace experience. The best experience is not just attending meetings. As for the PNPf Secretariat they provide an excellent service but as with the trustees they must remember the Latin saying: *Sed quis custodiet ipsos custodes*, which loosely translated means "who shall watch the watchers" and that is what the PNCP did.

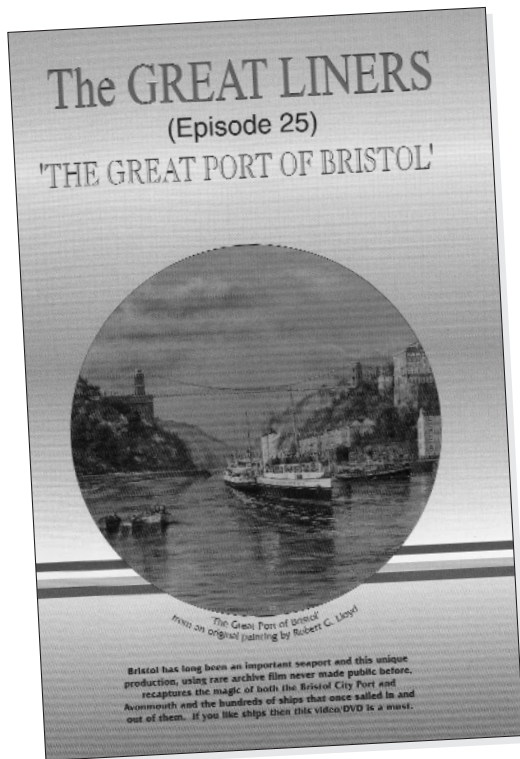
*Dan McMillan*

## REMEMBER

*It is in your interest,  
if involved in any accident or injury,  
however trivial it may seem at the  
time, to inform:*

**Circle Insurances Services  
WITHIN 30 DAYS**





# DVD REVIEW

## The Great Port of Bristol

Once again Snowbow have managed to compile a high quality collection of film footage recalling the golden age of British shipping. In this episode the focus is on the port of Bristol. Starting with some remarkably high quality film from the early 20th century one is immediately taken back into an era where all cargo was manhandled and all the docks were bustling with human activity. The many and varied cargoes and companies are all identified as well as the ship yard of Charles Hill and Son. In more recent times the ships of the 1950's -1970's are very well documented with film from two enthusiastic ship spotters, Ray Perry and the late John Norton. Thanks to them we can now enjoy an endless stream of ships entering the river and the locks of Avonmouth and Portbury. From a pilotage point of view these clips provide a clear indication as to the considerable skills employed by the pilots on the tricky winding river with some impressive tidal flows.

To supplement the nostalgia, the DVD also contains an up to date tour of the Avon on board the 1935 tug *John King* which was built in the Charles Hill yard and is now preserved by the Bristol Industrial Museum as a "living" exhibit providing day trips throughout the year. There is also contemporary footage of the ships and trades of Portbury and Avonmouth.

JCB

Episode 25 of the "Great Liners" series The Great Port of Bristol is available in video or DVD formats from the Snowbow website: [www.snowbow.co.uk](http://www.snowbow.co.uk) or: 145 The promenade, Peacehaven, E. Sussex BN10 7HN. Tell credit card order line: 01273 585391. The cost of the video is £16.95 (DVD £17.95) plus 1.00 P&P



## MARITIME MEMORIES CRUISES

These cruises are becoming increasingly popular due to their being organised by seafarers for seafarers. Full details can be obtained from the website: [www.maritime-memories.com](http://www.maritime-memories.com) or e-mail: [snowbow.productions@virgin.net](mailto:snowbow.productions@virgin.net) Tel: 00 44 (0)1273 585391 or [www.snowbow.co.uk](http://www.snowbow.co.uk)

## MARINE PILOTS' GOLFING SOCIETY

The 30th meeting of the Society took place in early September at Cave Castle golf and hotel complex Nr Hull. Thirty two golfers took part from Milford Haven, Manchester, Bristol, Tees, Tyne, Clyde, Form, Sullom Voe and Ex Humber. Played in glorious weather winners were:

### Manchester Salver:

M Cramond, Forth

### Wilmslow Cup:

J Myers & C Thompson,  
Ex Humber

### Hawkstone Cup:

G Hill, Bristol

### Pilots Cup:

J Myers

### Milford Haven Cup:

M Cramond

### Jim Purvis Shield:

I Leask, Sullom Voe

### Nearest Pin:

P Ryder, Milford Haven



The spring meeting for 2006 is on Sunday 23rd April / Monday 24th 2006.

The annual three day meeting will take place at Mytton Fold Blackburn Lanes as usual in early September 2006

All pilots are welcome to participate. Please contact Peter Ryder for further details:

Peter Ryder, 10 Lighthouse Drive, Llanstadwell, Milford Haven SA73 1EF. Email: [chrisryder@onetel.net.uk](mailto:chrisryder@onetel.net.uk)

## THE LAW OF INDEPENDENCE

*The law protects the independent standing  
Of pilots for the common public good -  
A principle of world-wide understanding  
And honour for an ancient Brotherhood.*

*A pilot's independence is well-stated.  
He holds no brief for any man at all.  
To see his ship is safely navigated:  
By that alone, his lot will stand or fall.*

*He knows that seniority and folk-lore  
Are meaningless devices which will fail,  
For lack of power, when trying to invoke  
law,*

*To put a serving pilot into jail.*

*A cart-horse at a gallop has been driven,  
Through many local, ill-considered rules.  
The way is always clear for men of vision -  
If fog-bound for a few officious fools.*

*A pilot has a sound appreciation  
Of power; and where it exists or not.  
Without it, he confronts his limitations,  
In super-tanker, ship or private yacht*

*Stupidity, alas, is far from finished:  
But truth remains, by Statute Law and plan.  
A pilot's status yet is undiminished.  
A pilot is an independent man.*

*His independence is his inspiration.  
It drives him, as his ancestors before.  
A thousand generations now of pilots  
Have reason to salute the civil law.*

*Upon the bridge no devilment can bribe him.  
Alone he acts upon his visual scan.  
And that is why the law has thus described  
him:-*

*"A pilot is an independent man."*

*Let pilots laugh at nonsense on the rampage!  
The law has shown since Magna Carta ran,  
A pilot has one very clear advantage:-  
He knows he is an independent man.*

Barrie Youde

## THE PILOT

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Visit the PILOT magazine website at: [www.pilotmag.co.uk](http://www.pilotmag.co.uk)

## NELSON FUNERAL RE-ENACTMENT

The Nelson Funeral re-enactment was held on the Thames on 16th September 2005. Several pilots and retired pilots attended this event and shown here are First Sea Lord Sir Alan West with L-R

Nick Cutmore, IMPA Secretary General, Leonard Fenner Retd. (London TH North Channel & PLA), Peter Widd (TH & PLA), Peter Russell Retd. (London TH Cinque Ports & PLA) and Norman Knowles Retd. (London TH Cinque Ports)





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